

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)



# State of Maine Cannabis Hospitality Task Force

*Report to the Maine State Legislature  
Pursuant to Public Law 2023, ch. 679*

Maine Department of Administrative and Financial Services  
Office of Cannabis Policy

January 31, 2025

## Contents

|                                                                |    |
|----------------------------------------------------------------|----|
| I. Background.....                                             | 3  |
| II. Executive Summary.....                                     | 4  |
| III. Membership.....                                           | 5  |
| IV. Cannabis Hospitality Policy in Other States.....           | 11 |
| V. Envisioning Cannabis Hospitality in Maine.....              | 12 |
| VI. Task Force Findings.....                                   | 13 |
| Cannabis Hospitality Business Models & License Types.....      | 13 |
| Regulating Different Methods of Consumption.....               | 16 |
| Indoor Air Quality & Ventilation.....                          | 18 |
| Non-cannabis Product & Service Offerings.....                  | 19 |
| Training for Cannabis Hospitality Establishment Employees..... | 20 |
| Local Control.....                                             | 21 |
| Highway Safety.....                                            | 22 |
| Liability & Insurance Coverage.....                            | 22 |
| VII. Outstanding Issues for Consideration.....                 | 24 |
| Statutory Conflicts.....                                       | 24 |
| Impacted State Agencies.....                                   | 24 |
| Consumer Education.....                                        | 24 |
| Funding & Resources.....                                       | 25 |
| VIII. Recommendations.....                                     | 26 |
| Areas of Agreement.....                                        | 26 |
| Areas of Disagreement.....                                     | 27 |
| Areas for More Exploration.....                                | 28 |
| IX. Conclusion.....                                            | 30 |
| Appendix A – Task Force Meeting #1 Materials.....              | 32 |
| Appendix B – Task Force Meeting #2 Materials.....              | 40 |
| Appendix C – Task Force Meeting #3 Materials.....              | 43 |
| Appendix D – Task Force Meeting #4 Materials.....              | 59 |
| Appendix E – Midway Member Survey Results.....                 | 83 |

## I. Background

During the Second Regular Session of the 131<sup>st</sup> Maine Legislature, several pieces of legislation related to adult use cannabis were considered by the Joint Standing Committee on Veterans and Legal Affairs (VLA). That committee also considered several legislative proposals regarding the on-site consumption of cannabis in Maine, specifically [LD 839](#), [LD 1446](#), [LD 1530](#), and [LD 1952](#).

Among the bills reported out of the VLA Committee and subsequently enacted by the Legislature was *An Act to Protect Liberty and Advance Justice in the Administration and Enforcement of the Cannabis Legalization Act and the Maine Medical Use of Cannabis Act*, [PL 2023, ch. 679 \(LD 40\)](#). Part D of that bill tasked the Department of Administrative and Financial Services (DAFS), Office of Cannabis Policy (OCP) with convening a task force to review how other states regulate cannabis hospitality establishments and to draft recommendations for a bill to regulate cannabis hospitality establishments in Maine.

The task force was required to consider, at a minimum:

1. Whether the office should issue a single type of cannabis hospitality establishment license or various license types for different business models;
2. How different methods of consumption are to be regulated;
3. What other products or services, including food or entertainment, may be offered at cannabis hospitality establishments;
4. Training for cannabis hospitality establishment employees; and
5. Local control, including whether municipalities need to opt in or opt out of allowing cannabis hospitality establishments and how municipalities may or may not regulate an establishment.

PL 2023, ch. 679 further directed OCP to appoint the following members to the task force: a supporter of the 2016 cannabis legalization ballot measure; an expert on cannabis policy; an expert on cannabis culinary arts; an individual representing the interests of adult use cannabis consumers; an individual representing the interests of municipal governments; an individual representing the interests of adult use cannabis licensees; an individual representing the interests of the hospitality industry; an individual representing public health; and any other stakeholder the Office determines necessary.

On behalf of the members of the Cannabis Hospitality Task Force, OCP respectfully submits this report summarizing the task force's findings and recommendations pursuant to the requirements in PL 2023, ch. 679.

## II. Executive Summary

To form the Cannabis Hospitality Task Force, OCP released a [call for applications](#) on May 15, 2024, for interested parties to apply to fill seats that aligned with the legislative directive in PL 2023, ch. 679. The Office received a total of 55 applications from individuals interested in serving on the task force of which 15 task force members were selected. OCP also invited additional State government colleagues to participate in the task force as *ex officio* agency representatives, adding five colleagues as non-voting task force members.

Following the application process, OCP held four meetings with members of the Cannabis Hospitality Task Force on the following dates and times:

- Wednesday, July 10, 2024, 1:00 – 4:00 p.m. EDT
- Wednesday, July 24, 2024, 1:00 – 4:00 p.m. EDT
- Wednesday, August 14, 2024, 1:00 – 4:00 p.m. EDT
- Wednesday, August 28, 2024, 1:00 – 4:00 p.m. EDT

Each meeting of the task force was held in a hybrid format with both virtual and in-person participation options for members. All meetings were livestreamed through [OCP's YouTube channel](#) and all meeting materials were made available publicly on [OCP's website](#).

The convening of the Cannabis Hospitality Task Force provided an important opportunity for OCP and stakeholders to engage in the necessary research, fact-finding, and discussion about the potential opportunities and challenges of on-site adult use cannabis consumption in Maine. OCP Director John Hudak led the four meetings which covered a wide range of topics, including cannabis hospitality regulation in other states, cannabis hospitality opportunities in Maine, license types, methods of consumption, indoor air quality, non-cannabis product and service offerings, employee training, local control, highway safety, and insurance coverage.

This report highlights the task force's findings and recommendations for each of the topics identified. It provides OCP's assessment of those recommendations along with some outstanding issues for consideration.

### III. Membership

Pursuant to P.L. 2023, ch. 679, the members of the Cannabis Hospitality Task Force represented a wide range of stakeholder groups and offered a diversity of backgrounds, geography, and experience. Specific information about each member is provided below.

#### ***Expert on Cannabis Policy***

##### **Sam Tracy**

Sam Tracy has been involved in cannabis policy reform since 2009, approaching the issue through the lens of civil liberties and criminal justice reform. Sam has played a key role in passing decriminalization, medical, and adult use cannabis laws in numerous states, as well as informing regulations on technical issues like testing and labeling. Throughout his career he has worked with nonprofits such as Students for Sensible Drug Policy and the Marijuana Policy Project, with businesses including 4Front Ventures and VS Strategies, and with cannabis trade associations in multiple states. He was excited to volunteer his experience in cannabis policy to help craft the best possible hospitality regulations for Maine.

Sam shared, “I believe that adults should be able to responsibly consume cannabis at well-regulated businesses, just as they already can with alcohol. I’m excited to help Maine learn from other states that already allow on-premises consumption so we can create the best possible system for our state.”

#### ***Expert on Cannabis Culinary Arts***

##### **David Ferragamo, Private Chef**

David Ferragamo was born and raised in New England and has a background in fine dining and cannabis. David has worked around restaurants and hospitality his entire life and has been working inside of the cannabis industry for the past 10 years. David is currently working as a private chef for clients along the East Coast. For the past 10 years, David has been including cannabis as an option for clients, always doing so with an emphasis on safe consumption habits/techniques. David is uniquely familiar with the process of dosing in an event type setting. He has participated in multiple groups to fight for cannabis equality. Throughout that time, David catered for organizations that promote cannabis welfare and private clients.

David shared, “I offer a distinct insight into how the public integrates food and cannabis in various contexts. I am eager to help create safe methods for consumption.”

#### ***Expert on Cannabis Culinary Arts***

##### **Pablo R. Barajas, Founder & Owner, Litty Bittys LLC**

Pablo Barajas is a Lewiston native born and raised. He holds a Bachelor of Fine Arts in Musical Theatre Performance from Chicago College of Performing Arts. He also holds a Master of Science in Cannabis Science and Commerce from American International College in Springfield, MA. He is the founder and owner of Litty Bittys LLC, a gourmet edible manufacturing facility located in Auburn, Maine.



Pablo shared, “I applied to this task force to have a deeper connection in this diverse cannabis community we have in Maine.”

***Representing the Interests of Adult Use Cannabis Consumers***

**Rose Mahoney**

Rose Mahoney is a Maine native and has worked in a variety of industries and professions that are closely adjacent to what she perceives to be the purpose of the Cannabis Hospitality Task Force. She has always had an interest in travel and has worked extensively in both the hospitality and service industries and then as an advocate and contracts specialist in a union environment. Rose uses cannabis medically and occasionally recreationally, so she has some insight as to the potential of the knitting together of two of Maine’s treasures.

Rose shared, “I applied for this task force because I saw it on the OCP website when I was exploring the webpage for a deeper understanding of Maine’s cannabis culture. I thought this was a great opportunity for service to my state while learning some important information that may be a building block to the next phase of my professional life.”

***Representing the Interests of Adult Use Cannabis Consumers***

**Steve Rusnack, Owner, Full Bloom Management, LLC and Full Bloom Cannabis, LLC**

Steve Rusnack is a husband and father of three, a USAF Veteran, and has been involved in the medical cannabis industry in Maine for almost a decade and a half. Steve has also been a member of the adult use cannabis industry for over four years. Steve holds one medical registration and four adult use licenses. He is also a member of the Maine Cannabis Union and serves as the President of the MCU.

Steve shared, “I applied to the Cannabis Hospitality Task Force to offer suggestions and insight for the safe and effective implementation and operation of these license types.”

***Representing the Interests of Municipal Governments***

**Christopher Beaumont, Marijuana Compliance Coordinator, City of Portland**

Chris Beaumont currently serves the City of Portland as their Marijuana Compliance Coordinator. Chris served as a liaison for both the Permitting and Inspections Department and the Fire Department during the creation of the current municipal ordinance regulating cannabis businesses in the city. This ordinance regulates both the medical and adult use programs. He is the lead Code Enforcement Officer for all cannabis occupancy inspections. Chris has been serving as a principal for the development of the recently released draft version of the National Fire Protection Association (NFPA) standard covering fire protection and safety for cannabis cultivation and processing.

Chris shared, “The City of Portland has almost 100 active marijuana licenses. Any new rules or changes to existing rules around social consumption could have potentially widespread impacts on what Portland's or other municipalities' local enforcement programs look like.”

***Representing the Interests of Municipal Governments***  
**Jon Rioux, Code Enforcement Director, Town of Windham**

Jonathan Rioux is the Code Enforcement Director for the Town of Windham. In this role, Jon oversees the code enforcement department providing for the general administration and enforcement of municipal building, land use codes, shoreland/ floodplain management, business licensing compliance, and ordinances. Prior to joining the Town of Windham, Jon held various field and management roles for the City of Portland and during his last two years of service oversaw four teams in the areas of health (food service establishment) inspections, building inspections, housing safety inspections, and life safety plan reviews as the City's Inspection Director. He also has many years of experience in the fire and emergency medical services field.

***Representing the Interests of Adult Use Cannabis Licensees***  
**Natasha Johnson, Co-owner, Meristem LLC**

Natasha Johnson was born and raised working in tourism based multi-generational family businesses in Southwest Harbor. This has given her the opportunity to develop insight into the struggles and challenges of the hospitality industry as well as issues encountered in small businesses. In her adult life, Natasha has been employed in different municipal positions. In 2020, she and her husband volunteered as interested stakeholders to be part of a Marijuana Task Force, they then decided to move forward with opening an adult use cannabis shop in 2021. A year after their store had been operational, Natasha was also elected to serve her town on the Selectboard. These positions require knowledge that crosses disciplines and the ability to understand regulations and state requirements.

Natasha shared, "I applied for this task force because of my unique perspective which could prove helpful in advocating for responsible policy regulations for Maine's own cannabis hospitality establishments."

***Representing the Interests of Adult Use Cannabis Licensees***  
**Richelle Ann Brossi, Executive Officer, Highbrow Industries, LLC**

Richelle Brossi is the Executive Officer for Highbrow Industries, LLC. Prior to joining the cannabis industry, she spent 20+ years in the Telecom industry, performing a variety of roles throughout her tenure, including team leader, training manager, national sales support specialist and labor relations director for New York and New England. She left corporate America in June of 2018 to work for Highbrow and help the company grow and provide business structure. Richelle worked in the Manchester location while handling the books, licensing, taxes, and human resources functions. Highbrow has since added three adult use retail locations and co-location licenses for manufacturing and cultivation. Richelle currently handles the company's licensing and oversees daily operations.

Richelle shared, "It is important for our industry to have a voice in the next step for cannabis. Maine is vacationland and the natural progression of the cannabis industry is to incorporate hospitality as source of revenue for license holders and to provide a positive, safe space for our consumers to enjoy and experience cannabis."



***Representing the Interests of the Hospitality Industry***  
**Julie Cutting-Kelley, Owner/Director of Sales, Emerald Elevation Cannabis Co. & Owner/Executive Chef, Cure Restaurant**

Julie Cutting-Kelley has been a career Chef for the past 20 years, beginning in 2004 when she graduated from Le Cordon Bleu Culinary School. She lived and worked in Portland before settling in her hometown of South Berwick and opening her American-comfort food restaurant “Cure” in 2014. She has been featured on Food Network’s Cutthroat Kitchen, Chopped, and local TV programming. In 2020 she developed her cannabis edible company “Emerald Elevation.” Currently, Julie serves on the Board of Directors for a local credit union, Restaurant Week Committee, and participates in multiple nonprofit fundraising efforts and programs.

Julie shared, “I applied to join the Cannabis Hospitality Task Force for the opportunity to share my years of culinary hospitality insight and combined passion for cannabis to help shape the future of both industries to the best of my abilities.”

***Representing the Interests of the Hospitality Industry***  
**Nate Cloutier, Director of Government Affairs, HospitalityMaine**

Nate Cloutier is currently the Director of Government Affairs for HospitalityMaine, a statewide trade association representing over 1,300 restaurant and lodging operators, and industry professionals. Previously, Nate worked for five years at an Augusta-based government relations consulting group supporting clients with interests in most policy areas. Nate has held roles on local, state, and congressional candidate campaigns in addition to municipal and state referenda campaigns. Nate has always called the MidCoast home and currently lives in Topsham. He also serves on the Board of Topsham Development, Inc.

Nate shared, “The hospitality industry is the economic engine of our state and a staple of the Maine experience. I welcome opportunities to discuss new and innovative ideas to make Maine a more attractive place to live, work, and play.”

***Representing Public Health***  
**Anne Sedlack, ESQ., M.S.W., Director of Advocacy, Maine Medical Association**

Anne Sedlack received her master’s degree in social work from the University of Southern Maine in 2017 and her law degree from the University of Maine School of Law in 2020. After law school, Anne clerked for the Hon. Joseph M. Jabar at the Maine Supreme Court. Before joining the Maine Medical Association, she worked in government affairs at a private practice in Maine. Anne is admitted to practice law in Maine and serves on the Public Arts Committee for the City of South Portland, the 4-H Camp & Learning Centers at Tanglewood & Blueberry Cove Board, and the Board for the Maine Child Welfare Services Ombudsman’s office.

Anne shared, “I applied to the task force so I can share the perspectives of our physician members about the importance of moving our cannabis industry into its next chapter, where public health concerns are balanced with industry needs. I am excited to learn about other cannabis hospitality models and how we might implement one here in Maine.”

***Representing Public Health***

**Jamie Comstock, Health Promotion Manager, City of Bangor – Public Health and  
Community Services Department**

Jamie Comstock serves as the Health Promotion Manager for the City of Bangor's Public Health and Community Services Department where she is responsible for the chronic disease prevention programming – including a suite of substance abuse prevention programs and programs to increase access to healthy foods and opportunities for active living. Jamie is a certified prevention specialist and has worked with partners locally and statewide since 2007 to build and strengthen Maine's prevention and public health systems. She was appointed by Governor Mills to serve as the prevention representative on Maine's Substance Use Disorder Services Commission.

Jamie shared, "I applied for this task force to help give prevention and public health a voice in Maine cannabis matters."

***Representing Public Health***

**Jennifer Kelley-Young, LADC, PS-C**

Jennifer, also known as "Jiffy," has dedicated the past 18 years to the field of substance use. Jiffy is a Licensed Alcohol and Drug Counselor and a Certified Prevention Specialist. For over 14 years, she served as the Clinical Intake Coordinator at a nonprofit substance use and mental health counseling program in Portland. For the past three years, she has been coordinating the Substance Use Prevention Services program at the Public Health Division for the City of Portland. Through her prevention efforts, Jiffy has established cooperative and collaborative relationships with owners, management, and staff at cannabis establishments within the city. She also conducts the mandatory "Youth Cannabis Use Prevention and Safety" training for all customer-facing cannabis vendor staff in Portland.

Jiffy shared, "My extensive experience in coordinating prevention services and fostering relationships within the cannabis industry equips me with valuable insights and expertise for the task force. Furthermore, I applied due to my dedication to public health and my desire to influence state-level practices. Being part of this group enables me to significantly contribute to shaping an educational framework that promotes safe and responsible cannabis use, ultimately benefiting our state and our communities."

***Supporter of the 2016 Cannabis Legalization Ballot Measure***

**Heather Sullivan, Senior National Licensing Manager, Curaleaf**

Heather Sullivan is the Senior National Licensing Manager for Curaleaf, the world's largest cannabis company, and has been active in state and federal cannabis advocacy since the 2016 adult use legalization campaign in Maine. Heather is an expert on state and local cannabis statutes, regulations, and licensing, helping companies to secure and maintain more than 100 cannabis licenses throughout the United States. Heather served on OCP's medical cannabis workgroup in 2021, is a regular speaker at cannabis industry conferences and events, and hosted a weekly podcast on cannabis politics, business and advocacy. Heather currently volunteers as

the co-Chair of the local planning board in Hollis, Maine, as an advisory board member of Beal University's Cannabis Program, and as President of her local library's Board of Trustees.

Heather shared, "I am hoping to contribute expertise in applying and winning licenses for public consumption sites in other states to developing reasonable regulations for public consumption sites in Maine."

***Ex Officio Agency Representatives***

- **Lauren Stewart**, Director, Maine Bureau of Highway Safety
- **Scot Mattox**, Traffic Safety Resource Prosecutor, Maine Bureau of Highway Safety
- **Alexis Perry**, Prevention Specialist, Maine Center for Disease Control and Prevention
- **Lisa Silva**, Program Manager, Health Inspection Program, Maine Center for Disease Control and Prevention
- **Benjamin Metcalf**, Inspection Program Manager, Maine Department of Agriculture, Conservation and Forestry

## IV. Cannabis Hospitality Policy in Other States

During the time in which the Cannabis Hospitality Task Force met in July and August 2024, 12 of the 24 U.S. states that had legalized cannabis for adult use had also taken steps to permit on-site cannabis consumption: Alaska, California, Colorado, Illinois, Maryland, Michigan, Missouri, Minnesota, Nevada, New Jersey, New Mexico, and New York. However, only eight of those states with laws on the books authorizing on-site consumption had fully implemented the operation of such establishments—all except California, Maryland, New Jersey, and New York.

As regulators and industry in other jurisdictions are still navigating these new legal and technical landscapes and testing the limits of local cannabis markets and existing technology, the utility of state-by-state policy review by the task force was limited. However, of the states with regulations in place for on-site cannabis consumption, common stipulations include:

- Not allowing individuals under the age of 21 in cannabis hospitality establishments
- Not serving alcohol at cannabis hospitality establishments
- Having municipalities opt-in to authorize on-site cannabis consumption

States have implemented many different licensing models for cannabis hospitality establishments. For example, there are standalone license types for on-site consumption, on-site consumption endorsements for cannabis retail locations, and special/temporary event licenses for on-site consumption.

Policies around food preparation and service also vary by state. Many states allow (non-cannabis infused) food to be prepared and sold at cannabis hospitality establishments, with some of those states designating that the food preparation area be separate from the consumption area. In some cases, only prepackaged food can be sold. In New Jersey, food can only be brought in by consumers or via delivery.

Regarding smoking and vaping policies, 10 states allow smoking indoors at cannabis hospitality establishments. Several of those states require a smoke-free area from which employees can monitor the establishment and/or require that specific ventilation and filtration standards be met throughout the establishment. Some states, like Alaska, only permit smoking in "freestanding" buildings with no other businesses operating in the same building. In Maryland, vaping can be allowed indoors but smoking is allowed outdoors only. In Minnesota, smoking and vaping is not allowed at cannabis hospitality establishments, though special/temporary cannabis events may allow smoking.

Included in the Appendix of this report is a "Cannabis Hospitality Task Force – National Footprint" handout which OCP distributed to inform the task force's review of how cannabis hospitality establishments are regulated in other states. To further that discussion, Scot Rutledge, Founder of RESET, joined the fourth Cannabis Hospitality Task Force meeting to share lessons learned from developing policy for cannabis hospitality establishments in Nevada. Lastly, examples of other states' policies specific to smoking, vaping, and ventilation are also included the Appendix of this report with the agenda and materials from the fourth Cannabis Hospitality Task Force meeting on August 28, 2024.

## V. Envisioning Cannabis Hospitality in Maine

During the first Cannabis Hospitality Task Force meeting, OCP asked members to share their visions for cannabis hospitality in Maine. This included how they would define “cannabis hospitality”; what they see as opportunities for cannabis hospitality in Maine; and what they see as the challenges, concerns, and barriers to implementation.

In terms of formally defining "cannabis hospitality", one member recommended using either the term "social consumption" or "on-site consumption" in future policy to maintain consistency with other states.

Regarding opportunities, task force members initially expressed interest in a variety of different cannabis hospitality business models such as:

- Traditional cannabis consumption lounges (similar to a cigar bar)
- Special events with a designated cannabis consumption space and/or explicitly allowed consumption (concerts, cannabis competitions, fairs/festivals, etc.)
- Consumption endorsements for adult use cannabis off-premises sales events (similar to a beer garden or other age-restricted consumption area)
- Overnight accommodation (bed & breakfast, Airbnb, etc.)
- Cannabis party buses and bus tours
- Restaurants with cannabis-infused food offerings
- Consumption during organized outdoor recreation
- Consumption with cannabis-related education (how to roll a joint, infused baking/cooking classes, etc.)

OCP later consolidated these ideas for the purposes of discussion and surveyed task force members on the business models of greatest interest to them. More information is provided in the next section of this report. Members were also interested in ways cannabis hospitality could create additional revenue opportunities for businesses, towns, and the State alike.

During the first Cannabis Hospitality Task Force meeting, members raised a number of potential challenges and concerns for future discussion and consideration. Specific details are provided throughout this report, but items of particular interest included:

- Bring your own cannabis vs. purchasing cannabis on-site
- Smoking and vaping at cannabis hospitality establishments
- Serving sizes and limits
- Impairment detection training for employees of cannabis hospitality establishments
- Liability of cannabis hospitality establishments
- Whether towns would be reluctant to update their ordinances and opt-in for cannabis hospitality as a new license type
- Age limits for entry into cannabis hospitality establishments

## VI. Task Force Findings

The Cannabis Hospitality Task Force covered many topics over the course of its four meetings in July and August 2024. The five topics considered pursuant to the task force’s legislative charge were license types, methods of consumption, non-cannabis product and service offerings, employee training, and local control. Additional agenda items included indoor air quality, highway safety, and insurance coverage due to the number of questions and concerns task force members had related to those issues. The task force’s discussions and findings on all eight topics are summarized below.

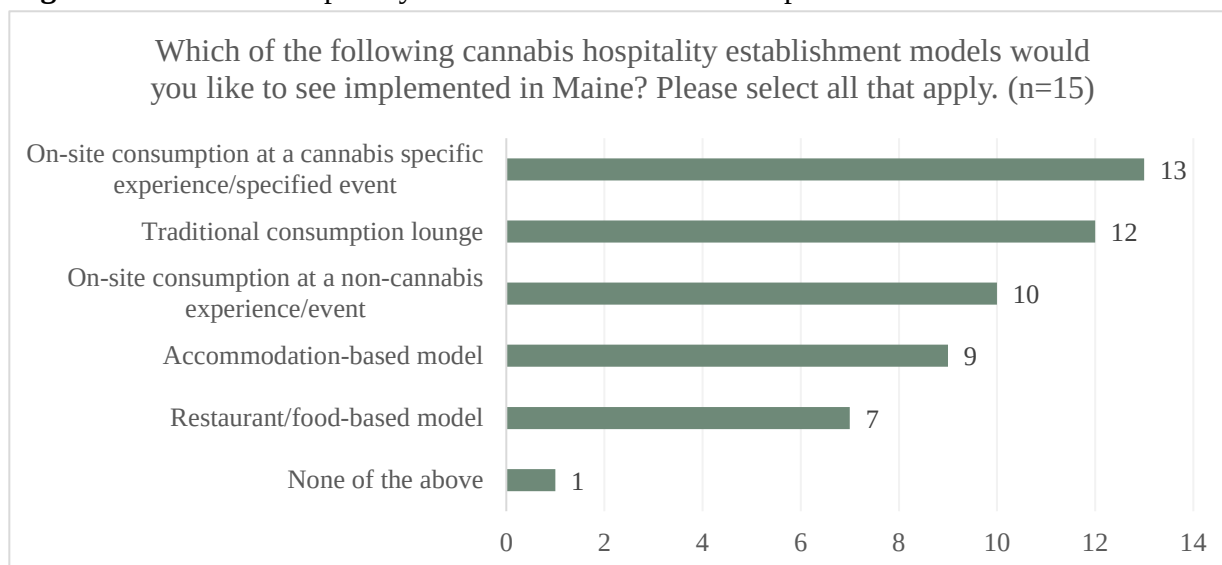
### *Cannabis Hospitality Business Models & License Types*

A number of potential cannabis hospitality business models were discussed at the outset of the Cannabis Hospitality Task Force meetings. To streamline further discussion, OCP consolidated those ideas into five categories:

1. Traditional consumption lounge
2. Restaurant/food-based model
3. Accommodation-based model (bed & breakfast, Airbnb, etc.)
4. On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)
5. On-site consumption at a non-cannabis experience/event (concert, fair/festival, outdoor recreation, etc.)

Several task force members shared that ideally, they would want to move forward with all five business models for cannabis hospitality in Maine. Others liked the idea of doing a phased rollout of different business models and selecting one to start with. To better understand which cannabis hospitality business models the task force members wanted to see implemented in Maine, OCP surveyed members in between the second and third task force meetings. Survey responses were collected anonymously August 7-14, 2024.

**Figure 1:** Cannabis Hospitality Establishment Models to Implement



**On-site consumption at a cannabis specific experience/specified event** was the top business model task force members wanted to see implemented in Maine, with 87% of voting members selecting that option in the survey. A cannabis specific event might include an industry tradeshow or similar gathering. The task force discussed other ideas for regulated cannabis experiences with on-site consumption, including a bus tour that stops at different adult use facilities or an infused baking/cooking class with an AUCP licensee. These experiences would be similar to hospitality experiences offered by other industries, such as brewery tours and tastings or cooking classes led by professional chefs.

The **“traditional” consumption lounge** model was supported by 80% of task force members. This business model represents brick and mortar establishments that exist specifically as a place for on-site consumption of adult use cannabis. Task force members liked that these establishments could provide a dedicated consumption space for Mainers and tourists alike over the age of 21. However, much of the conversation around this business model was tied directly to methods of consumption and indoor air quality, of which more detail is provided later in this report.

Implementing **on-site consumption at a non-cannabis experience/event** was supported by 67% of members. For the purposes of discussion, OCP categorized this business model separately from cannabis specific experiences/specified events as there would need to be interaction with businesses, activities, and/or regulations that are currently unrelated to cannabis. The risk of polysubstance use could also increase in these settings. Some of the ideas suggested by the task force were cannabis consumption areas at concerts or fairs/festivals and on-site consumption pairings with outdoor recreational activities such as kayaking.

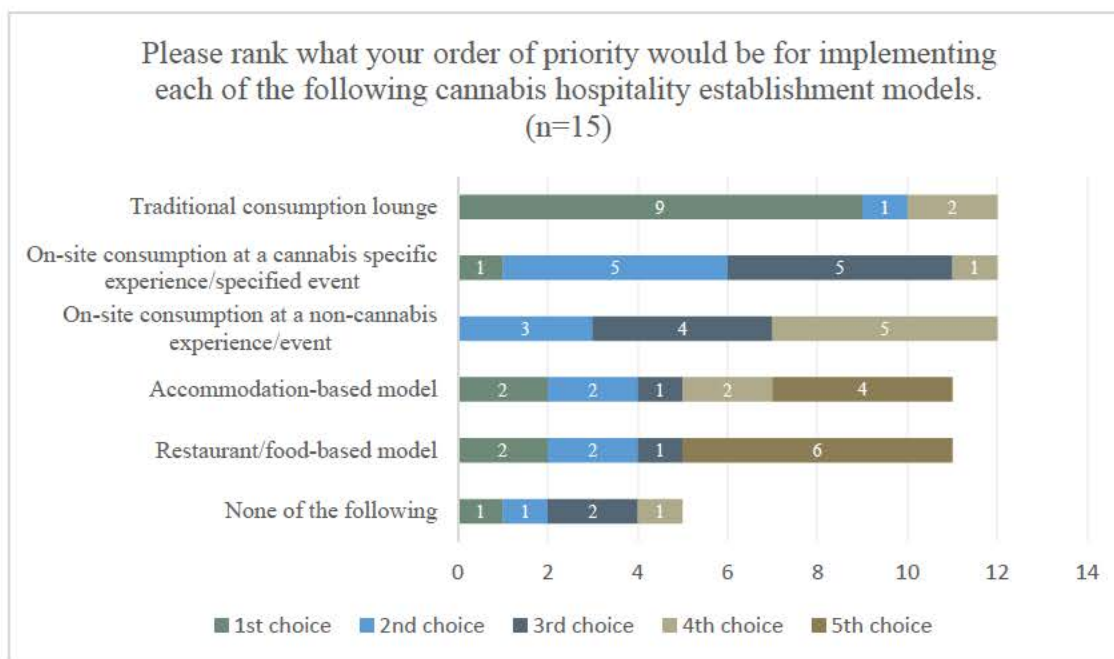
Throughout the first two task force meetings, many members felt that an **accommodation-based model** might be a more accessible type of establishment to start. There was appeal among members because there is already an exception in Maine’s smoking laws for motel or hotel rooms (see 22 M.R.S. §1542) and individuals would not have to drive home after consuming cannabis at this type of establishment. 60% of members expressed interest in implementing the accommodation-based model.

As discussions progressed, many task force members became concerned that a **restaurant/food-based model** might be more challenging to implement than some of the others due to considerations like serving sizes, age limits for table service, accidental ingestion, inventory tracking, and mandatory testing. Accordingly, only 47% of task force members expressed interest in implementing a restaurant/food-based model as an avenue for cannabis hospitality in Maine.

One task force member (6%) was not in favor of implementing any of the five cannabis hospitality establishment models presented. For further clarity, a second survey question asked members to rank their order of priority for implementing each of the proposed cannabis hospitality establishment models.



**Figure 2: Order of Priority for Implementation**

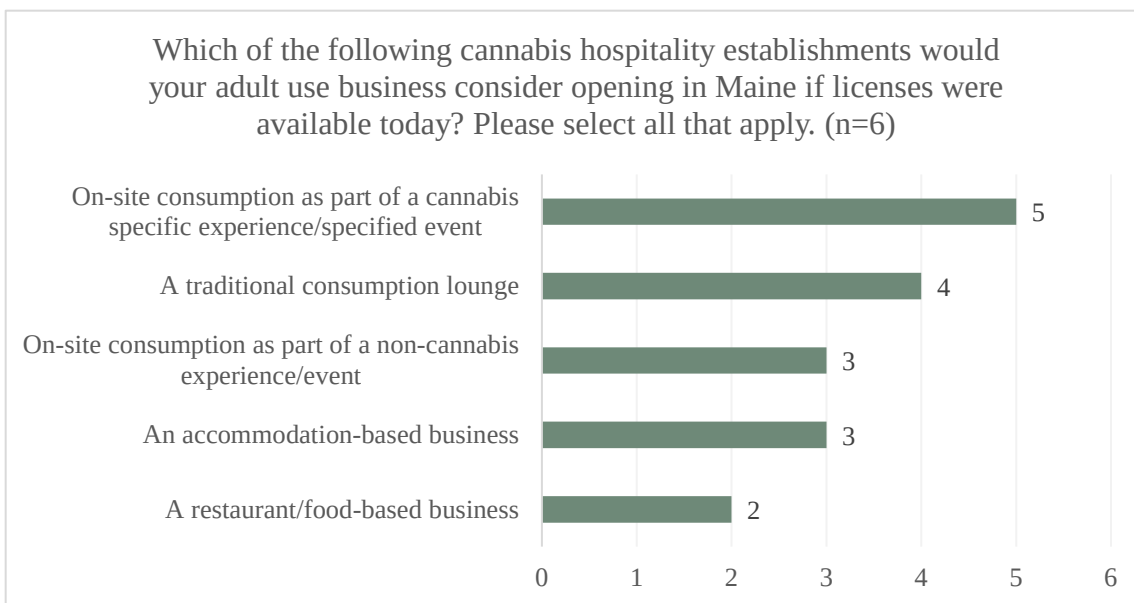


The above chart omits 10 rankings for “None of the following” as a 6th (last) choice. That datapoint signifies that 10 task force members, or 67%, would prioritize implementing their least preferred of the five cannabis hospitality establishment models rather than not implementing any at all. In the five cases where “None of the following” was ranked as a 1st through 4th choice, the chart represents only those options individuals ranked higher than “None of the following.” For example, one member ranked “Traditional consumption lounge” as their 1st choice and “None of the following” as their 2nd choice, so the chart does not depict any data collected beyond that point in their response.

Overall, task force members ranked implementing the traditional consumption lounge model as a much higher priority than any of the other cannabis hospitality establishment models, with 60% of members ranking consumption lounges as their first choice. There was mixed interest among which of the remaining models to prioritize, with on-site consumption at a cannabis-specific experience/specified event being the next highest priority and the restaurant/food-based model being the lowest priority.

One final survey question asked the six active adult use licensees on the task force to identify which of the following cannabis hospitality opportunities their business would be interested in if licenses were available today. On-site consumption at a cannabis specific experience/specified event was the top choice, with 83% of respondents expressing interest in that business model followed by 67% of respondents who would be interested in a consumption lounge. Licensees showed mixed interest in the remaining business models, with one respondent interested solely in on-site consumption at cannabis specific experience/specified events and another respondent interested solely in a restaurant/food-based business.

**Figure 3: Adult Use Licensees’ Interest in Cannabis Hospitality**



The task force also discussed potential license types for cannabis hospitality establishments. While the licensing structure is going to depend on the business model in many ways, the possibilities for permitting and licensing could involve any combination of the following:

- **Temporary/specified event permit** for events with on-site consumption
- **On-site consumption endorsement** for off-premises sales permits
- **On-site consumption endorsement** for adult use cannabis retail stores
- **On-site consumption endorsement** for licensed non-cannabis businesses, such as lodging or eating places
- **New license type(s)** for permanent establishments with on-site consumption
- **New license type** for cannabis event organizers

Further discussion was had around whether cannabis hospitality establishments should be limited to existing adult use licensees. Under some endorsement or permitting models, cannabis hospitality would naturally be limited to active licensees. The recommendation to limit any new cannabis hospitality licenses exclusively to existing licensees was less popular, with task force members not wanting to limit business opportunities or creativity, especially when there is potential for overlap with other industries. If there were to be a pilot program for cannabis hospitality, however, then there was more support for that kind of opportunity being open to existing adult use licensees.

### *Regulating Different Methods of Consumption*

The Cannabis Hospitality Task Force had several discussions around what methods of consumption to potentially permit at cannabis hospitality establishments. Discussions focused on inhalable cannabis products and edible cannabis products specifically.

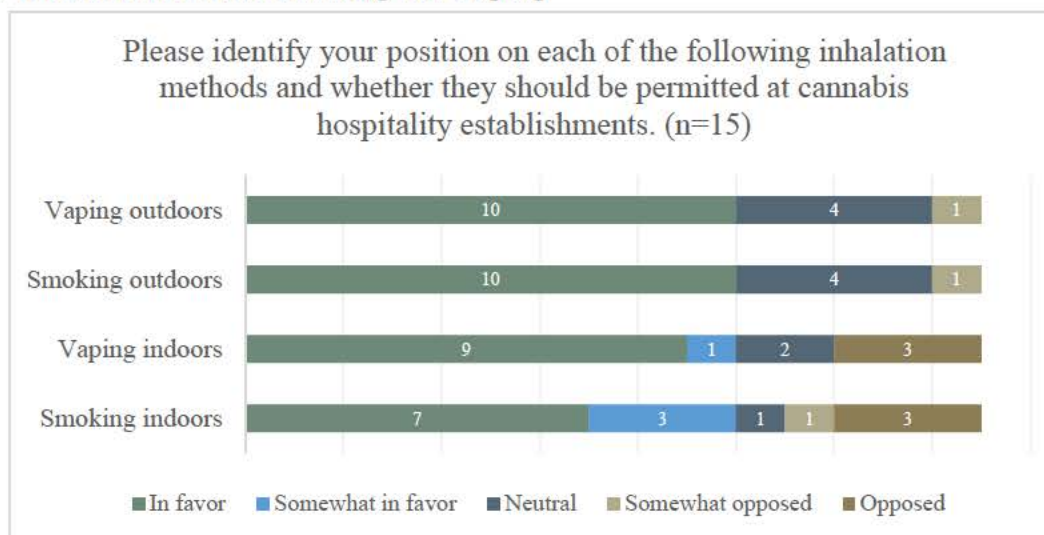


There were strong opinions among task force members both for and against the allowance of **inhalable products**. Those explicitly in favor of inhalable products believed that cannabis hospitality establishments would not have a real impact without the option of smoking, as smoking is the primary consumption method of cannabis. Those opposed to inhalable products were concerned about conflicts with Maine smoking laws and not wanting to create any new exceptions within those laws.

Based on several requests from task force members wanting to hear from a subject matter expert on Maine smoking laws, Assistant Attorney General Elizabeth Reardon attended the third Cannabis Hospitality Task Force meeting on August 14, 2024. A copy of her presentation is included in the Appendix of this report.

To gain a better understanding of task force members' positions around smoking and vaping, indoors and outdoors, OCP asked a question on this subject in its survey to members in between the second and third task force meetings. Survey responses were collected anonymously.

**Figure 4: Positions Around Smoking and Vaping**



The survey results in Figure 3 show a range of opinions among task force members on smoking and vaping indoors and outdoors. While two-thirds of the task force were in favor or somewhat in favor of each option, smoking and vaping outdoors had the most support overall with 67% in favor, 27% neutral, and 7% somewhat opposed. There was more opposition to indoor inhalable products with 20% of members opposed to vaping indoors and 27% opposed or somewhat opposed to smoking indoors.

Regarding **edible products**, there was concern among some task force members around the slow onset of effects. On the other hand, edible products would not conflict with any smoking laws and were noted as being more approachable for novel consumers. The majority of the discussion around edible products involved managing and/or standardizing consumption limits when everyone has a different THC tolerance. In the fourth Cannabis Hospitality Task Force meeting, Scot Rutledge, Founder of RESET, emphasized the importance of low dosage beverage and

edible products in helping to prevent overconsumption. He used one cannabis hospitality lounge in Las Vegas as an example, where a variety of inhalable products are offered yet cannabis beverages accounted for 70% of all sales in the lounge's first 90 days. Those beverages range from 2.5 mg–5 mg of THC per serving with the option to get beverages non-infused as well, similar to the “mocktails” currently offered by many alcohol establishments.

Another topic that came up during discussions about regulating different methods of consumption was whether cannabis hospitality establishments would sell cannabis and cannabis products on-site or if consumers would be permitted to bring their own cannabis. Ultimately there were several concerns associated with the “bring your own” model, including added liability, lost revenue, not knowing the source of the cannabis or cannabis products, and not having visibility into a consumer's level of consumption.

### *Indoor Air Quality & Ventilation*

If smoking and/or vaping were to be allowed at cannabis hospitality establishments, the task force agreed there would be several items to address related to indoor air quality and ventilation. Areas of discussion included:

- Having a smoke-free area from which employees can monitor the cannabis hospitality establishment
- Establishing standards for ventilation in cannabis hospitality establishments
- Reducing secondhand smoke exposure for designated drivers and/or non-smoking patrons
- Reducing secondhand smoke exposure for first responders

One Cannabis Hospitality Task Force member recommended using the minimum requirements for ventilation established in the International Mechanical Code (IMC) as a baseline for such regulations. Additionally, Scot Rutledge, Founder of RESET, joined the fourth Cannabis Hospitality Task Force meeting to provide insight into Nevada's policies related to ventilation. He shared that Nevada had initially set standards in statute for the number of air exchanges per hour required in a cannabis consumption lounge. However, the type of system required to meet that standard was later discovered to be prohibitively expensive; so, they needed to develop alternative solutions for businesses to get waivers from the State to install different types of filtration systems that will still maintain the desired levels of indoor air quality.<sup>1</sup>

While the task force discussed these air quality and ventilation issues at a high level, additional consideration and research would be needed if smoking and/or vaping were to be allowed at cannabis hospitality establishments in Maine. For reference, examples of other states' policies related to smoking, vaping, and ventilation are included the Appendix of this report with the agenda and materials from the fourth Cannabis Hospitality Task Force meeting on August 28, 2024.

---

<sup>1</sup> See Nevada Cannabis Compliance Regulation 15.050 – Separate room for cannabis smoking, vaping, and inhalation and Regulation 15.055 – Ventilation of the cannabis consumption lounge: [https://ccb.nv.gov/wp-content/uploads/2023/08/Reg-15\\_v081623.pdf](https://ccb.nv.gov/wp-content/uploads/2023/08/Reg-15_v081623.pdf)

## *Non-cannabis Product & Service Offerings*

The Cannabis Hospitality Task Force considered three main topics as part of its discussion around non-cannabis products and services at cannabis hospitality establishments: entertainment, alcohol, and non-infused food. Members agreed that additional revenue streams would be necessary to ensure cannabis hospitality establishments can be financially viable and provide unique experiences for a range of customers.

Task force members had a range of ideas for the **types of entertainment** they were interested in pairing with cannabis hospitality establishments, including game nights, arcades, trivia, live music, yoga classes, and more. One recommendation was to avoid any activities that are licensed separately. Some members believed entertainment offerings could potentially incentivize consumers to stay at a cannabis hospitality establishment longer, leaving with a lower intoxication level as the effects wear off. Another consideration related to entertainment is whether those providing the entertainment can consume or be exposed to cannabis while hosting or performing, particularly if in a setting where inhalable products are allowed. Concerns were also raised around how the presence and use of cannabis could impact insurance requirements for live entertainment at venues.

Regarding whether cannabis and **alcohol consumption** can take place on-site at the same establishment, the majority of task force members favored keeping those activities separate. If consumption of both substances were to occur in the same place, the task force agreed that there should not be polysubstance use, and that wristbands or other mechanisms should be implemented to easily identify cannabis consumers versus alcohol consumers. Separately, another consideration related to alcohol is whether a single business would be allowed to hold both a liquor license and a cannabis hospitality license, so long as those licenses are not used at the same time.

While task force members agreed that **non-infused food and beverage** options should be available at cannabis hospitality establishments, there were several concerns related to cross contamination between infused and non-infused food if both options were to be prepared on-site. Specifically, there were concerns related to liability for any potential accidental ingestion of infused food products. One recommendation was for cannabis hospitality establishments to instead partner with food trucks. Another recommendation was to separate the kitchen space and production of infused and non-infused food, either by preparing infused food on-site and only offering pre-packaged non-infused food, or by preparing non-infused food on-site and only offering pre-packaged infused food.

Although non-cannabis product and service offerings were the focus of these discussions, a few miscellaneous cannabis-related items were also identified for further consideration, including:

- Whether cannabis or cannabis products purchased at cannabis hospitality establishments but not finished could be repackaged and taken home as leftovers
- Whether cannabis paraphernalia can be available for sale and/or offered as part of the experience at cannabis hospitality establishments

- Ensuring that cannabis cannot be given as a prize to consumers as part of entertainment offerings at cannabis hospitality establishments

### *Training for Cannabis Hospitality Establishment Employees*

At the outset of the Cannabis Hospitality Task Force meetings, several members asked about how cannabis hospitality employees would be trained on impairment detection and who would be responsible for developing, offering, tracking, and updating such a training. During the time in which the task force met, one member, Jennifer (Jiffy) Kelley-Young, LADC, PS-C, was the Substance Use Prevention Services program coordinator at the Public Health Division for the City of Portland and was able to provide more information for the task force in the fourth meeting on August 28, 2024.

For context, Jiffy shared that while there is currently no state mandated training for alcohol sellers/servers in Maine, some municipalities and/or employers have it as a requirement for alcohol sellers/servers. As such, there is an Alcohol Server & Seller Certification offered by the Bureau of Alcoholic Beverages & Lottery Operations (BABLO), which is a course held virtually or in-person covering Maine's liquor laws, ways to verify age and identification, dealing with impaired individuals, common liquor license violations, and more. State-certified Responsible Beverage Sales and Service trainers are available virtually or in-person to run live classes with liquor licensees. Participants' certificates are valid for three years.<sup>2</sup> Another common training course is TIPS (Training for Intervention ProcedureS), which is not state specific and focuses on alcohol safety and responsibility best practices. TIPS' responsible alcohol server certification also lasts three years.<sup>3</sup>

Portland is the only municipality in Maine that currently requires cannabis seller training for all frontline employees. At the time of the Cannabis Hospitality Task Force meetings, Jiffy led those trainings for the City of Portland where training focused more on youth prevention, accidental ingestion, and other public health concerns.

Jiffy provided a number of items to consider related to policy development for cannabis hospitality employee training in Maine:

- Mandatory training every two years for all individuals employed by a cannabis hospitality establishment (and/or all public facing cannabis employees)
- A training coordinator position at OCP to manage action items related to developing, offering, tracking, and updating the training
- A policy decision around standard serving sizes or dosage at cannabis hospitality establishment in order to have clear standards for training and enforcement
- A "Cannabis Liability Act" similar to the "Maine Liquor Liability Act"
- Address polysubstance use and overconsumption in both the alcohol and cannabis server trainings
- Make the training specific to Maine statutes and rules

---

<sup>2</sup> BABLO Alcohol Seller & Server Certification: <https://apps1.web.maine.gov/cgi-bin/online/trainserver/main.cgi>

<sup>3</sup> TIPS Alcohol Server & Seller Training: <https://www.gettips.com/online/alcohol-certification-maine>

Task force members also wanted to be mindful of how much a mandatory training might cost individual employees or cannabis hospitality establishments. One recommendation was to build the cost of training into the upfront licensing fees for a cannabis hospitality establishment. In addition, there would need to be dedicated funding and resources for whichever agency is responsible for developing, maintaining, and providing the training.

### *Local Control*

On the topic of local control, the Cannabis Hospitality Task Force considered whether municipalities need to opt in or opt out of allowing cannabis hospitality establishments and how municipalities may or may not regulate an establishment.

Regarding municipal opt in, noting the importance of home rule authority in Maine, several task force members expressed concern that there would not be enough support in the Legislature for any recommendation that does not include some form of municipal opt in or authorization. If new license types were to be created for adult use cannabis hospitality establishments, towns could be required to update their cannabis ordinances and opt in for those establishment types as has been done with other cannabis establishments.

Other task force members were concerned about municipalities being reluctant to go through the process of updating their ordinances and opt in for a new type of license. To combat this, one suggestion was to add on-site consumption as an authorized activity for adult use cannabis retail stores. This suggestion, however, was largely opposed, given that it strays from what municipalities initially opted in for and could make towns want to instead opt out of retail sales. An alternative suggestion was to expand the Adult Use Cannabis Municipal Reimbursement Program to reimburse towns that go through the process of successfully opting in for any new cannabis hospitality establishment type.<sup>4</sup>

If instead there were to be permits or endorsements developed for on-site cannabis consumption, those could require local approval before OCP issues the permit or endorsement, similar to the process for off-premises sales permits. A permitting structure for events with on-site consumption would likely eliminate the need for municipalities to update their ordinances, instead requiring local approval on a case-by-case basis. On-site consumption endorsements for existing businesses would also reduce the workload for towns. Towns would need to be opted in for whatever establishment type is receiving the endorsement but then could approve those endorsements on a case-by-case basis as well.

As for how municipalities may or may not regulate cannabis hospitality establishments, the task force was largely in agreement that municipalities should be able to layer on additional regulations as they see fit. Members did identify a couple of items related to local control for further consideration, including local zoning regulations around ancillary services and entertainment as well as any local cannabis licensing caps (as opportunities may be restricted in municipalities with caps on the number of cannabis establishments allowed within their borders).

---

<sup>4</sup> See [28-B MRS § 1101](#).



## *Highway Safety*

The Cannabis Hospitality Task Force had two ex officio agency representatives participating from the Maine Bureau of Highway Safety. Scot Mattox, Traffic Safety Resource Prosecutor, spoke about highway safety concerns in cannabis hospitality programs during the fourth Cannabis Hospitality Task Force meeting.

A copy of Scot's presentation is available in the Appendix of this report. To summarize, there were four key themes:

1. From a highway safety perspective, there is concern about any product development model that includes driving a motor vehicle after consumption of an impairing substance
2. From a cannabis hospitality perspective, a strong regulatory program that reasonably addresses traffic safety concerns will add credibility to the entire industry
3. Cannabis impairs, but differently than alcohol
4. Maine is rural, meaning a significant customer base will drive after consumption

With those items in mind, Scot shared five harm reduction strategies to consider with policy development for cannabis hospitality establishments in Maine:

1. Mandatory impairment training for cannabis or cannabis product servers
2. Serving size limits and wait time regulations
3. A "Cannabis Liability Act" similar to the "Maine Liquor Liability Act"
4. Data collection strategies for collecting and analyzing data to study the effect of cannabis hospitality establishments on traffic safety
5. Not allowing cannabis hospitality establishments to serve both cannabis and alcohol

## *Liability & Insurance Coverage*

Many questions and concerns came about during the Cannabis Hospitality Task Force meetings regarding liability-related issues with the social consumption of cannabis. Specifically, some of the scenarios leading to questions were:

- Polysubstance use and overconsumption, such as a consumer who has a couple of alcoholic beverages at a bar down the street before going to a cannabis hospitality establishment, or vice versa
- Injuries or damages caused by intoxicated or underage patrons and whether there would be something similar to dram shop liability for cannabis hospitality establishments
- Cross contamination of THC in food or beverages that are supposed to be non-infused, leading to accidental ingestion of cannabis
- Pairing recreational activities with the use of cannabis in a cannabis hospitality setting, such as kayaking, hiking, yoga, etc.

As a result of these discussions, OCP compiled a number of questions to send to the Maine Bureau of Insurance on behalf of the Cannabis Hospitality Task Force. Those questions included:

1. Are there national industry standards or guidance around property, product liability, or other types of insurance when it comes to servicing the cannabis industry?



2. Would the use of cannabis or cannabis products on site for a business (through consumption lounges, in a restaurant setting, or involving specified events like concerts or similar activities) create challenges for that business to access insurance products?
3. Would the use of cannabis in conjunction with recreational activities (i.e., hiking, whitewater rafting, canoeing, etc.) create challenges for a business to access insurance products?
4. Would insurance commissions or insurance companies treat the consumption of cannabis in a bar-like setting differently than it would treat the consumption of alcohol in a traditional bar setting?
  - a. How do insurers assess the potential liability from incidents arising from on-site consumption of intoxicants, generally?
5. If a business were to serve both alcohol and cannabis products in the same setting, would that create any challenges for the business's access to insurance products, relative to a business serving only one of those products?
6. If a consumption lounge were licensed by the state and that lounge were to include entertainment—a concert, an art class, yoga, etc.—create any additional issues in the context of insurance products?
  - a. Are there specific recreational/entertainment activities that pose higher or lower risks, and how are these handled in policy terms?
7. If cannabis hospitality businesses were to be licensed, what types of steps could be taken to mitigate challenges to accessing insurance?
8. If a cannabis consumption lounge included allowing smoking cannabis, would the presence of smoke change any aspects of a business's access to or coverage of insurance?

The Bureau explained that because Maine does not currently have a market for cannabis hospitality, they could not respond to the questions directly. However, they shared important information and resources:

- The National Association of Insurance Commissioners (NAIC) White Paper – Understanding the Market for Cannabis Insurance – 2023 Update: <https://content.naic.org/sites/default/files/committees-pending-action-cannabis-insurance-white-paper.pdf>
- Other NAIC cannabis resources: <https://content.naic.org/insurance-topics/cannabis-and-insurance>
- Insurance Services Office (ISO), an industry-backed entity that develops policy forms that multiple insurers can use, has developed forms for the commercial market that will provide limited liability coverage, limited coverage for cannabis as property/product, and business income loss when they become available to ISO members effective July 1, 2025.
  - o These ISO forms have been approved by the Maine Bureau of Insurance.
- ISO also filed some endorsements under homeowners' policies effective March 1, 2022, where consumers can buy back limited liability coverage and coverage for cannabis as property.
- The surplus lines market, which is a type of property/casualty insurance that covers high-risk or uncommon situations that are not typically covered by standard insurance policies, is thought to be another market providing coverage to cannabis businesses.

## VII. Outstanding Issues for Consideration

In addition to the outstanding issues and areas for further consideration and research identified throughout this report, there are several other outstanding issues related to cannabis hospitality establishments in Maine that OCP recommends considering with future policy development.

### *Statutory Conflicts*

The *Cannabis Legalization Act* and the rules governing the Adult Use Cannabis Program would need to be amended to establish regulations for cannabis hospitality establishments. Other areas of statute that could impact policy development include:

- Various provisions in Maine smoking laws<sup>5</sup>
- 28-B MRS §1501(2): Consumption of cannabis and cannabis products; violation.

### *Impacted State Agencies*

The work of many departments and agencies across State government would potentially overlap with and/or be impacted by cannabis hospitality establishments. This might include, but not be limited to:

- Department of Administrative and Financial Services
  - Bureau of Alcoholic Beverages & Lottery Operations
  - Maine Revenue Services
  - Office of Cannabis Policy
- Department of Health and Human Services
  - Maine Center for Disease Control & Prevention
    - Health Inspection Program
- Department of Public Safety
  - Bureau of Highway Safety
  - Maine State Police

### *Consumer Education*

In addition to training and education for cannabis hospitality establishment employees, the Cannabis Hospitality Task Force discussed the importance of consumer education. Ideas included:

- Consumer education at the point of reservation and/or entry to a cannabis hospitality establishment
- A statewide public education campaign that addresses the risks of driving while under the influence of cannabis

---

<sup>5</sup> Assistant Attorney General Elizabeth Reardon discussed these conflicts in the third Cannabis Hospitality Task Force meeting on August 14, 2024. A copy of her presentation is included in the Appendix of this report.

## *Funding & Resources*

In order to implement cannabis hospitality establishments in Maine, there will need to be additional funding and resources to support the following:

- The licensing and regulation of cannabis hospitality establishments
- Cannabis hospitality employee training programs (as described in the previous section of this report)
- Law enforcement training programs to ensure that officers can recognize and distinguish the effects of operating under the influence of cannabis from other intoxicants
- A statewide public education campaign that addresses the risks of driving while under the influence of cannabis
- Substance use prevention programs and activities, such as the Maine Prevention Network
- Review of emerging research and science on cannabis and public health by Maine CDC

## VIII. Recommendations

This report represents the discussions, findings, and recommendations of the Cannabis Hospitality Task Force convened by OCP pursuant to P.L. 2023, ch. 679. While the task force made significant progress in starting the necessary research, fact-finding, and discussion around what cannabis hospitality might look like in Maine, there remain outstanding questions, issues, and determinations that are critical to address in any future policy. Specifically, outstanding questions around licensing, consumption methods, demand, and insurance need to be addressed in order to move forward with suggested legislation and policy proposals.

To examine the issues considered throughout this report in more detail and to inform a specific, thorough policy proposal, OCP recommends that the legislature convene a study and/or a survey of the general public that includes a subgroup of cannabis consumers. To assist with next steps, the Cannabis Hospitality Task Force's areas of agreement and disagreement, as well as areas for more exploration, are summarized below.

### *Areas of Agreement*

The task force found general consensus in a variety of areas, and it is important for the legislature to understand both where and to what extent that agreement exists. First, there was broad agreement that on-site consumption at a cannabis-specific event (such as a trade show or competition) and the traditional cannabis consumption lounge model would be right for the state of Maine. 80% or more of the voting task force members supported each model. Two-thirds of members also supported on-site consumption at a non-cannabis specific event (such as concerts and fairs).

The task force also discussed at length a series of models for operating cannabis hospitality establishments. Throughout the process, OCP encouraged the group to think about the financial sustainability of models, so as not to recommend models that were destined to fail. Ultimately, the task force was nearly unanimous in rejecting a bring your own cannabis (BYOC) model, opting instead for commercial sales to be the source of cannabis used at a hospitality establishment. This model would allow businesses to be more sustainable and ensure that the products being consumed at cannabis hospitality establishments are legal, regulated products.

The task force also considered methods of consumption for cannabis hospitality establishments. The task force was supportive of edibles and cannabis-infused, non-alcoholic cocktails or other beverages, especially products using nano-emulsification so the consumer could feel the effects of the consumable product more quickly and so staff could better evaluate levels of impairment.

The topic of inhalable cannabis products also found support but was a more complex conversation. Task force members were surveyed to understand their views on four types of inhalable options: smoking and vaping, each indoors and outdoors. The results show that 10 of the 15 task force members favored or somewhat favored each option. The conversation, however, was much more complicated, particularly around indoor inhalation with concerns about air quality, the potential impact of existing indoor smoking laws in Maine, and the reservations that public health advocates would have for walking back the state's indoor smoking laws.

Despite those concerns, two-thirds of task force members still supported inhalable cannabis both indoors and outdoors at cannabis hospitality establishments.

To that end, the task force also supported careful consideration of air quality. Recognizing that if an establishment allowed indoor smoking, non-smoking consumers' and employees' interests must be considered. The group supported a balance between reasonable air quality needs and the potential costs of the proper ventilation systems to allow air quality goals to be met. While more research and expertise are needed in this area to set limits and understand the financial impact for potential businesses, the task force valued the need for the issue to be part of any policy allowing indoor smoking and/or vaping.

There was robust support from task force members that cannabis hospitality establishment employees be required to take safe server training. That training should teach employees about usage, uptake rates, signs of overconsumption, signs of polysubstance use, etc.

The task force also supported policies that maintain local control, specifically municipalities' right to opt in to any cannabis hospitality program. The group, while at times frustrated by the small percentage of Maine communities that have opted in to adult use cannabis activities, understood that local control is a foundational part of broader public policy making in Maine and has become a cornerstone of adult use cannabis policy in the state. Threats to that local control could defeat any effort to implement cannabis hospitality policy.

Finally, another area involving public health and safety that found support among task force members involved a cannabis version of dram shop liability laws. Such laws are common in alcohol policy in the United States and hold business owners responsible if a customer is overserved and then causes some sort of harm upon others. Dram shop laws can help incentivize more responsible behaviors among business owners, and when paired with safe server training can provide added layers of protection for public safety.

### *Areas of Disagreement*

While the task force was successful in finding common ground in a variety of areas, there were some topics in which the group had more mixed views. While some areas of disagreement existed, that is not to suggest that there was no support for different ideas, but rather that views were more diverse.

Some of the potential business models the task force discussed found far less support than the models discussed in the previous section. For instance, the accommodation-based model (such as bed & breakfasts) found support among nine of the 15 task force participants and the restaurant model found support among only seven of the 15 participants. In more detailed discussions, several concerns were raised, even among the cannabis culinary experts on the task force, around the logistics of the restaurant model. While it cannot be said the task force rejected these approaches, there was more disagreement about them than other models.

Licensing issues also generated disagreement among task force members. For any cannabis hospitality program to work, distinct policies around licensing are essential, both for the operation of the business and the ability of the regulator to implement the policy. It was difficult

to find consensus around what licensure would look like and to whom licenses would be available. Some of the licensing ideas included a fully open licensing process, the right of first refusal for existing adult use licensees, endorsements for existing adult use retail stores, and endorsements for existing restaurants (for the restaurant model, specifically). The views were varied as to what system worked. However, one area of consensus among many task force members was that cannabis hospitality, if it were to be implemented, should not be reserved exclusively for existing adult use licensees only.

In addition, there was disagreement about whether cannabis hospitality should start as a pilot program with a small number of businesses starting it to evaluate feasibility and expansion, whether it should be a tiered roll out with certain models coming online over a period of time, or whether the system should be truly an open one.

### *Areas for More Exploration*

There were several topics in which the task force heard information from outside experts or discussed topics in which there was a desire for more information. OCP provided as much outside information, speakers, and content as time and expertise allowed. However, the task force was limited in time and not all topics saw as detailed discussion as would have been ideal. The task force and OCP encourage the legislature to consider these issues in more detail when it considers crafting any cannabis hospitality legislation.

One topic involves insurance issues. As expressed by the Maine Bureau of Insurance, the unique nature of cannabis—legal at the state level, illegal federally—creates significant challenges for understanding how insurance would function, especially in a new policy space such as cannabis hospitality. Among issues of import related to insurance involves questions about whether different types of cannabis hospitality models or settings could face insurance premiums that would make the endeavor financially challenging. The insurance bureau provided some insight into this, but more information is needed in order for policymakers to understand the extent of the challenge and for industry participants or prospective participants to have complete information about the cannabis hospitality space.

The task force and OCP also encourage the legislature to work with industry and other stakeholder groups to evaluate better public demand for cannabis hospitality establishments. While there is robust support for this idea within the cannabis industry, a cannabis hospitality industry will only be successful if a sufficient number of Mainers and visitors to Maine demand both the concept and specific models. Surveying the public and gaining a better understanding of consumer demand will be an effective step toward understanding the market dynamics. For example, the task force heard from Scot Rutledge who helped stand up Las Vegas' first cannabis consumption lounge. Many expected that the driver in that consumption lounge would be smoking and vaping. However, in the first six months, over 70% of sales in that lounge were of infused beverages. Of course, every state is different, but understanding consumer preferences in advance will be essential for the potential success of these models.

Finally, and as noted above, one area of potential conflict that requires more information involves Maine's smoking laws. Maine has spent decades tackling the health issues related to

tobacco smoking, and the result has been a robust set of laws that ban tobacco smoking in nearly every public building in the state. Efforts to implement cannabis smoking indoors—regardless of differences between inhaling tobacco versus inhaling cannabis—could face serious backlash among public health officials, legislators, and others who support indoor smoking/vaping bans. OCP encourages the legislature to convene public health stakeholders to evaluate their level of resistance to such statutory changes to accommodate indoor inhalation of cannabis and cannabis products. Additionally, the legislature should engage with their colleagues to understand their support for those potential statutory changes in the broader context of indoor clean air policy.



## IX. Conclusion

Overall, the four Cannabis Hospitality Task Force meetings helped kickstart the necessary research, fact-finding, and discussion around what cannabis hospitality might look like for Maine's Adult Use Cannabis Program.

Key findings by subject matter included:

- **Business Models:** Of the five potential cannabis hospitality business models considered, the two with the most support were on-site consumption at a cannabis-specific event or experience (such as a trade show or competition) and the traditional cannabis consumption lounge model.
- **License Types:** There remain outstanding questions around what licensure would look like for cannabis hospitality establishments.
- **Methods of Consumption – Edibles:** The task force was supportive of edibles and cannabis-infused, non-alcoholic cocktails or other beverages.
- **Methods of Consumption – Inhalation:** Two-thirds of task force members supported or somewhat supported smoking and vaping at cannabis hospitality establishments. However, it was a more complex conversation due to concerns about air quality and the potential impact on Maine's existing indoor smoking laws.
- **Indoor Air Quality & Ventilation:** The task force supported careful consideration of air quality, with more research and expertise needed in this area to set limits and understand the financial impact for potential businesses.
- **Non-cannabis Product & Service Offerings:** The task force discussed several considerations related to entertainment, alcohol, and non-infused food at cannabis hospitality establishments.
- **Employee Training:** There was robust support from task force members for a mandatory safe server training for cannabis hospitality establishment employees.
- **Local Control:** The task force supported policies that maintain local control, specifically municipalities' right to opt in to any cannabis hospitality program.
- **Highway Safety:** The task force discussed a statewide public education campaign that addresses the risks of driving while under the influence of cannabis, along with other harm reduction strategies related to highway safety.
- **Liability:** Several task force members supported a cannabis version of dram shop liability laws.
- **Insurance Coverage:** More information is needed about whether different types of cannabis hospitality models or settings could face insurance premiums that would make the endeavor financially problematic.

In addition to the findings listed above, OCP recommends that statutory conflicts, impacted state agencies, consumer education, and funding and resources be taken into consideration with future policy development for cannabis hospitality establishments in Maine. The Cannabis Hospitality Task Force's areas of agreement and disagreement, as well as areas for more exploration, are summarized in the Recommendations section of this report to assist with future efforts.

OCP thanks the Cannabis Hospitality Task Force members for volunteering their valuable time to participate in this process. It remains critical to thoughtfully consider the policy development and implementation for any new adult use cannabis establishment types and/or authorized activities in Maine.



## Appendix A – Task Force Meeting #1 Materials

Meeting Date: July 10, 2024

Video Location: <https://youtu.be/sDfvYLGstE8>

*Duplicative materials not included*



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
OFFICE OF CANNABIS POLICY  
162 STATE HOUSE STATION  
19 UNION STREET  
FIRST FLOOR  
AUGUSTA, MAINE 04333-0162

ADMINISTRATIVE & FINANCIAL SERVICES

KIRSTEN LC FIGUEROA  
COMMISSIONER

OFFICE OF CANNABIS POLICY

JOHN HUDAK  
DIRECTOR

## ***AGENDA***

### **Cannabis Hospitality Task Force – Meeting #1**

Wednesday, July 10, 2024

1:00 p.m. – 4:00 p.m.

| <b>Time</b>             | <b>Topic</b>                                                                           |                            |
|-------------------------|----------------------------------------------------------------------------------------|----------------------------|
| <b>1:00 – 1:15 p.m.</b> | Welcome, Task Force Purpose, Legislative Charge                                        | OCP Director<br>John Hudak |
| <b>1:15 – 1:30 p.m.</b> | Introductions                                                                          | All members                |
| <b>1:30 – 2:10 p.m.</b> | Review: Cannabis Hospitality's National Footprint                                      | OCP Director<br>John Hudak |
| <b>2:10 – 2:25 p.m.</b> | Break                                                                                  |                            |
| <b>2:25 – 3:40 p.m.</b> | Discussion: Cannabis Hospitality in Maine –<br>Vision, Opportunities, & Considerations | All members                |
| <b>3:40 – 4:00 p.m.</b> | Discussion: Future Meeting Outlook                                                     | All members                |
| <b>4:00 p.m.</b>        | Adjourn                                                                                |                            |

## **Cannabis Hospitality Task Force – Membership**

### Expert on Cannabis Policy

- Sam Tracy

### Experts on Cannabis Culinary Arts

- David Ferragamo, Private Chef
- Pablo Barajas, Litty Bittys

### Representing the Interests of Adult Use Cannabis Consumers

- Rose Mahoney
- Steve Rusnack, Full Bloom Cannabis

### Representing the Interests of Municipal Governments

- Chris Beaumont, City of Portland
- Jon Rioux, Town of Windham

### Representing the Interests of Adult Use Cannabis Licensees

- Natasha Johnson, Meristem
- Richelle Brossi, Highbrow

### Representing the Interests of the Hospitality Industry

- Julie Cutting-Kelley, Emerald Elevation/Cure Restaurant
- Nate Cloutier, HospitalityMaine

### Representing Public Health

- Anne Sedlack, Maine Medical Association
- Jamie Comstock, Bangor Public Health
- Jennifer Kelley-Young, City of Portland – Division of Public Health

### Supporter of the 2016 Cannabis Legalization Ballot Measure

- Heather Sullivan, Curaleaf

## **Cannabis Hospitality Task Force – Ex Officio Agency Representatives**

Lauren Stewart, Maine Bureau of Highway Safety

Scot Mattox, Maine Bureau of Highway Safety

Lexi Perry, Maine Center for Disease Control and Prevention

Ben Metcalf, Maine Department of Agriculture, Conservation and Forestry

Lisa Silva, Health Inspection Program

## **Cannabis Hospitality Task Force – Legislative Charge**

*Statutory language from pages 81 and 82 of [P.L. 2023, ch. 679](#) provided below for reference.*

### **PART D**

**Sec. D-1. Cannabis hospitality task force.** The Department of Administrative and Financial Services, Office of Cannabis Policy shall convene a task force to review how other states regulate cannabis hospitality establishments and draft recommendations for a bill to regulate cannabis hospitality establishments in this State. The task force shall consider, at a minimum:

1. Whether the office should issue a single type of cannabis hospitality establishment license or various license types for different business models;
2. How different methods of consumption are to be regulated;
3. What other products or services, including food or entertainment, may be offered at cannabis hospitality establishments;
4. Training for cannabis hospitality establishment employees; and
5. Local control, including whether municipalities need to opt in or opt out of allowing cannabis hospitality establishments and how municipalities may or may not regulate an establishment.

The office shall appoint members to the task force that include a supporter of the 2016 cannabis legalization ballot measure; an expert on cannabis policy; an expert on cannabis culinary arts; an individual representing the interests of adult use cannabis consumers; an individual representing the interests of municipal governments; an individual representing the interests of adult use cannabis licensees; an individual representing the interests of the hospitality industry; an individual representing public health; and any other stakeholder the office determines necessary.

No later than February 1, 2025, the office shall submit a report to the joint standing committee of the Legislature having jurisdiction over cannabis matters that includes the task force's findings and recommendations, including suggested legislation. The committee may report out legislation to any regular or special session of the 132nd Legislature based upon the task force's recommendations.

## Cannabis Hospitality Task Force – National Footprint

Source: [\*Marijuana Policy Project\*](#)

| State             | Business Types                                                                                                                                                                                          | Smoking Policy                                                                                                                                                                                                                                                                                       | Food Policy                                                                                                                                                                               | Alcohol Policy                                     |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| <b>Alaska</b>     | <p>Onsite endorsements for retail dispensaries.</p> <p>Localities may opt in and license.</p> <p>Can only allow smoking if the retailer is freestanding.</p>                                            | <p>Localities may allow smoking, including indoors.</p> <p>If indoors: Must have a smoke-free area where employees can monitor and a ventilation system.</p> <p>If outdoors: must have a sight-obscuring wall. Regulatory review includes for compatible neighborhood uses and air intake vents.</p> | <p>Allowed to sell food and beverages.</p>                                                                                                                                                | <p>Alcohol cannot be sold or consumed on-site.</p> |
| <b>California</b> | <p>Retail licensees can be approved by localities to allow on-site use.</p> <p>Localities may opt in and license.</p> <p>Also issues temporary events licenses for onsite consumption.</p>              | <p>Localities may allow smoking, including indoors.</p> <p>Localities are generally responsible for additional regulations.</p>                                                                                                                                                                      | <p>Retailers cannot have a food preparation license.</p>                                                                                                                                  | <p>Alcohol cannot be sold or consumed on-site.</p> |
| <b>Colorado</b>   | <p>Two types of marijuana hospitality: bring-your-own (which can be mobile) and ones that can sell cannabis (which cannot).</p> <p>Localities may opt in.</p> <p>Also has a special events license.</p> | <p>Localities may allow smoking, including indoors.</p> <p>For mobile units, the driver's area must have separate ventilation.</p>                                                                                                                                                                   | <p>May prepare food if licensed to do so. The consumption area must be isolated.</p> <p>Those not licensed to prepare food may serve hot beverages, pastries, and pre-packaged foods.</p> | <p>Alcohol cannot be sold or consumed on-site.</p> |

| State           | Business Types                                                                                                                                                                                   | Smoking Policy                                                                                                                                                                                              | Food Policy                                                                                 | Alcohol Policy                                                                         |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| <b>Illinois</b> | <p>Localities may opt in.</p> <p>They may allow smoking at cannabis dispensaries, and/or at retail tobacco stores.</p>                                                                           | <p>Localities may allow smoking, including indoors.</p> <p>For dispensaries with local approval: Allowed in a specifically designated area, with a locked door from other areas.</p>                        | Prepackaged food may be served, but it cannot be produced on-site where smoking is allowed. | Alcohol cannot be served.                                                              |
| <b>Maryland</b> | <p>Localities may opt in and license.</p> <p>No more than 50 allowed statewide.</p> <p>Licenses will not be issued before the second licensing round, which begins no earlier than May 2024.</p> | <p>Localities can only allow smoking outdoors, such as on patios.</p> <p>Vaporization can be allowed indoors.</p>                                                                                           | Unclear, except that bakeries are expressly allowed to apply for licenses.                  | Alcohol cannot be sold or consumed on-site.                                            |
| <b>Michigan</b> | <p>Localities may opt in to authorize on-site use. They are bring- your-own or adjacent to an affiliated retailer or microbusiness.</p> <p>Also issues temporary marijuana event licenses.</p>   | Smoking is allowed, including indoors at locally approved on-site businesses. Must have a smoke-free area for employees to monitor the area and a ventilation/filtration system that removes visible smoke. | Food preparation and sales are allowed with requisite state and local licensing.            | A license must be partitioned from any other business — including any serving alcohol. |

Source: <https://www.mpp.org/issues/legalization/state-by-state-on-site-consumption-laws/>



| State             | Business Types                                                                                                                                     | Smoking Policy                                                                                                                                                                                                                    | Food Policy                                                                                                                    | Alcohol Policy                                                                                                         |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|
| <b>Missouri</b>   | Localities may opt in and authorize on-site consumption.                                                                                           | Smoking allowed, including indoors at locally approved on-site businesses.                                                                                                                                                        | Yes, and localities may license on-site facilities where cannabis-infused products are prepared for same-day consumption.      | Unclear. (Law enacted in Nov. '22, rules are not final.)                                                               |
| <b>Minnesota</b>  | Microbusinesses and lower potency hemp edible retailers may get an endorsement.<br><br>Also has an events license (which requires local approval). | No, smoking and vaping is not allowed at on-site endorsed areas. Infused drinks and food products are allowed.<br><br>Cannabis events may allow smoking.                                                                          | Allowed. Both types of on-site facilities may prepare and serve food and drink. Can also have live and recorded entertainment. | Allowed at lower potency retailers but not micro-businesses.<br><br>Cannot serve a customer both alcohol and cannabis. |
| <b>Nevada</b>     | Two types: Retail consumption lounge and independent cannabis consumption lounge.                                                                  | Smoking is allowed on-site but must be in a completely separate room. Must have an approved ventilation plan. Employees must be able to monitor smoking rooms but their need to enter must be minimized and PPE must be provided. | Food is allowed but handling must comply with local health regulations.                                                        | Alcohol cannot be sold or consumed on-site.                                                                            |
| <b>New Jersey</b> | Onsite endorsement of retail location.                                                                                                             | Smoking is allowed indoors or in an outdoor exterior structure.                                                                                                                                                                   | Only delivery food or food brought in by patients or consumers is allowed.                                                     | Alcohol cannot be served.                                                                                              |

Source: <https://www.mpp.org/issues/legalization/state-by-state-on-site-consumption-laws/>

| State             | Business Types                         | Smoking Policy              | Food Policy                                                                                                                                                                                | Alcohol Policy            |
|-------------------|----------------------------------------|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <b>New Mexico</b> | Onsite endorsement of retail location. | Smoking is allowed indoors. | Law does not address food specifically but allows licensees to conduct any lawful activity or any combination of lawful activities at a licensed premises, except for the sale of alcohol. | Alcohol cannot be served. |
| <b>New York</b>   | Cannabis on-site consumption license.  | Smoking is allowed indoors. | Awaiting regulations.                                                                                                                                                                      | Awaiting regulations.     |

Source: <https://www.mpp.org/issues/legalization/state-by-state-on-site-consumption-laws/>



## Appendix B – Task Force Meeting #2 Materials

Meeting Date: July 24, 2024

Video Location: [https://youtu.be/gSy3\\_oFjPd0](https://youtu.be/gSy3_oFjPd0)

*Duplicative materials not included*



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
OFFICE OF CANNABIS POLICY  
162 STATE HOUSE STATION  
19 UNION STREET  
FIRST FLOOR  
AUGUSTA, MAINE 04333-0162

ADMINISTRATIVE & FINANCIAL SERVICES

KIRSTEN LC FIGUEROA  
COMMISSIONER

OFFICE OF CANNABIS POLICY

JOHN HUDAK  
DIRECTOR

## ***AGENDA***

### **Cannabis Hospitality Task Force – Meeting #2**

Wednesday, July 24, 2024

1:00 p.m. – 4:00 p.m.

| <b>Time</b>             | <b>Topic</b>                                   |                            |
|-------------------------|------------------------------------------------|----------------------------|
| <b>1:00 – 1:15 p.m.</b> | Welcome, Meeting 1 Overview, Meeting 2 Preview | OCP Director<br>John Hudak |
| <b>1:15 – 2:15 p.m.</b> | Discussion: Cannabis Hospitality in Maine      | All members                |
| <b>2:15 – 2:30 p.m.</b> | Break                                          |                            |
| <b>2:30 – 3:20 p.m.</b> | Discussion: Methods of Consumption             | All members                |
| <b>3:20 – 3:50 p.m.</b> | Discussion: Cannabis Hospitality License Types | All members                |
| <b>3:50 – 4:00 p.m.</b> | Meeting Recap & Future Meeting Outlook         | OCP Director<br>John Hudak |
| <b>4:00 p.m.</b>        | Adjourn                                        |                            |

## **Cannabis Hospitality Task Force – Requested Materials**

*Relevant materials requested by members of the Cannabis Hospitality Task Force in advance of Meeting #2 are provided below for reference.*

- **Title 22, ch. 262: Smoking**
  - o <https://legislature.maine.gov/statutes/22/title22ch262sec0.html>
- **Title 22, ch. 262 § 1542. Smoking prohibited in public places**
  - o <https://www.mainelegislature.org/legis/statutes/22/title22sec1542.html>
- **Title 28-B, ch. 3, § 1501(2) – Personal adult use of cannabis and cannabis products** (existing statutory restrictions on personal use/consumption)
  - o <https://legislature.maine.gov/statutes/28-B/title28-Bsec1501.html>



## Appendix C – Task Force Meeting #3 Materials

Meeting Date: August 14, 2024  
Video Location: <https://youtu.be/qjIdeoZ2AE0>

*Duplicative materials not included*



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
OFFICE OF CANNABIS POLICY  
162 STATE HOUSE STATION  
19 UNION STREET  
FIRST FLOOR  
AUGUSTA, MAINE 04333-0162

ADMINISTRATIVE & FINANCIAL SERVICES

KIRSTEN LC FIGUEROA  
COMMISSIONER

OFFICE OF CANNABIS POLICY

JOHN HUDAK  
DIRECTOR

## **AGENDA**

### **Cannabis Hospitality Task Force – Meeting #3**

Wednesday, August 14, 2024

1:00 p.m. – 4:00 p.m.

| <b>Time</b>             | <b>Topic</b>                                                                            |                                                    |
|-------------------------|-----------------------------------------------------------------------------------------|----------------------------------------------------|
| <b>1:00 – 1:15 p.m.</b> | Welcome, Meeting 2 Overview, Meeting 3 Preview                                          | OCP Director<br>John Hudak                         |
| <b>1:15 – 1:40 p.m.</b> | Overview: Maine Smoking Laws                                                            | Assistant Attorney<br>General Elizabeth<br>Reardon |
| <b>1:40 – 2:00 p.m.</b> | Debrief: Smoking at Cannabis Hospitality<br>Establishments                              | All members                                        |
| <b>2:00 – 2:15 p.m.</b> | Break                                                                                   |                                                    |
| <b>2:15 – 3:05 p.m.</b> | Discussion: Non-cannabis Products or Services at<br>Cannabis Hospitality Establishments | All members                                        |
| <b>3:05 – 3:50 p.m.</b> | Discussion: Local Control                                                               | All members                                        |
| <b>3:50 – 4:00 p.m.</b> | Meeting Recap & Future Meeting Outlook                                                  | OCP Director<br>John Hudak                         |
| <b>4:00 p.m.</b>        | Adjourn                                                                                 |                                                    |

## **Cannabis Hospitality Task Force – Requested Materials**

*Relevant materials requested by members of the Cannabis Hospitality Task Force in advance of Meeting #3 are provided below for reference.*

- **Title 5 § 4592. Unlawful public accommodations**
  - o <https://legislature.maine.gov/statutes/5/title5sec4592.html>
- **Active adult use cannabis businesses as of 8/9/2024**
  - o Cultivation facilities: 87
  - o Manufacturing facilities: 70
  - o Cannabis stores: 157
  - o Testing facilities: 5
  - o More data is available at <https://www.maine.gov/dafs/ocp/open-data/adult-use>



# Maine Smoking Laws

AAG Elizabeth Reardon

Office of the Maine Attorney General

# Overview

- General Maine Smoking Laws
- Exceptions

# General Maine Smoking Laws

"Smoking" includes carrying or having in one's possession a lighted or heated cigarette, cigar or pipe or a lighted or heated tobacco or plant product intended for human consumption through inhalation whether natural or synthetic in any manner or in any form. "Smoking" includes the use of an electronic smoking device.

22 M.R.S. s. 1541(6)

# General Maine Smoking Laws

Smoking is prohibited in all enclosed areas of public places, including bus shelters, in outdoor eating areas as provided in section 1550 and in all rest rooms made available to the public.

22 M.R.S. s. 1542(1)

# General Maine Smoking Laws

## Restaurants and Bars:

Smoking is prohibited in an outdoor eating area if the outdoor eating area or any portion thereof is open and available for dining and beverage service.

22 M.R.S. s. 1550(2)

# General Maine Smoking Laws

Places of Employment:

An employer must:

1. Establish a written smoking policy that protects employees “from the detrimental effects of smoking by others”
2. Prohibit smoking indoors
3. Prevent “environmental tobacco smoke from circulating in enclosed areas and prohibit smoking outdoors except in designated smoking areas”
4. Post and implement the smoking policy

22 M.R.S. s 1580-A(3)

# General Maine Smoking Laws

Places of Employment:

Public Smoking laws apply to “All areas of a business facility into which members of the public are invited or allowed”

22 M.R.S. s. 1580-A(3)(a)

# Exceptions

- Hotel Rooms
- Businesses not open to the public
- Certain licensed gambling establishments
- Tobacco Specialty Stores
- Clubs

22 M.R.S. s 1542



# Exceptions

## Tobacco Specialty Stores

"Tobacco specialty store" means a retail business under 2,000 square feet in which at least 60% of the business's gross revenue for the last calendar year was derived from the sale of tobacco or tobacco-related products.

22 M.R.S. s 1541(7)

A person under 18 years of age is prohibited from entering a business licensed as a tobacco specialty store unless accompanied by a parent or legal guardian, regardless of whether smoking is allowed in that store.

22 M.R.S. s 1547

# Exceptions

## Tobacco Specialty Stores

Smoking is not prohibited in a tobacco specialty store. The on-premises service, preparation or consumption of food or drink, if the tobacco specialty store is not licensed for such service or consumption prior to January 1, 2007, is prohibited in such a store. Smoking a waterpipe or hookah is prohibited in a tobacco specialty store that is newly licensed or that requires a new license after January 1, 2007.

22 M.R.S. s 1542(1)(L)

# Exceptions

## Clubs

"Qualifying club" means a veterans' service organization chartered under 36 United States Code, Subtitle II, Part B (2004) that is not open to the public or any other club that was not open to the public and that was in operation prior to January 1, 2004.

22 M.R.S. s 1580-A

# Exceptions

## Clubs

A qualifying club may allow smoking if:

- Unanimous voting of employees initially, at time of new employee, within 30 days of complaint
- Majority vote of members at least every 3 years
- Detailed written smoking policy

10-144 C.M.R. ch. 250(8)

# Maine Cannabis Use Laws

A person 21 years of age or older may consume cannabis or cannabis products only if that person is:

1. In a private residence, including curtilage; or
2. On private property, not generally accessible by the public, and the person is explicitly permitted to consume cannabis or cannabis products on the property by the owner of the property.

28-B M.R.S. §1501(2)(A)



## Appendix D – Task Force Meeting #4 Materials

Meeting Date: August 28, 2024  
Video Location: [https://youtu.be/aJ\\_Pma7dzSQ](https://youtu.be/aJ_Pma7dzSQ)

*Duplicative materials not included*



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
OFFICE OF CANNABIS POLICY  
162 STATE HOUSE STATION  
19 UNION STREET  
FIRST FLOOR  
AUGUSTA, MAINE 04333-0162

ADMINISTRATIVE & FINANCIAL SERVICES

KIRSTEN LC FIGUEROA  
COMMISSIONER

OFFICE OF CANNABIS POLICY

JOHN HUDAK  
DIRECTOR

## **AGENDA**

### **Cannabis Hospitality Task Force – Meeting #4**

Wednesday, August 28, 2024

1:00 p.m. – 4:00 p.m.

| <b>Time</b>             | <b>Topic</b>                                          |                                             |
|-------------------------|-------------------------------------------------------|---------------------------------------------|
| <b>1:00 – 1:05 p.m.</b> | Welcome, Meeting 3 Overview, Meeting 4 Preview        | OCP Director<br>John Hudak                  |
| <b>1:05 – 1:35 p.m.</b> | Discussion: Cannabis Hospitality Lounges in Las Vegas | Scot Rutledge,<br>Founder, RESET            |
| <b>1:35 – 2:20 p.m.</b> | Discussion: Highway Safety                            | Scot Mattox,<br>Maine BHS                   |
| <b>2:20 – 2:35 p.m.</b> | Break                                                 |                                             |
| <b>2:35 – 3:10 p.m.</b> | Discussion: Employee Training                         | Jiffy Kelley-<br>Young, City of<br>Portland |
| <b>3:10 – 3:35 p.m.</b> | Discussion: Insurance Coverage Issues                 | All members                                 |
| <b>3:35 – 4:00 p.m.</b> | Task Force Recap & Next Steps                         | OCP Director<br>John Hudak                  |
| <b>4:00 p.m.</b>        | Adjourn                                               |                                             |



## **Cannabis Hospitality Task Force – Requested Materials**

*Relevant materials requested by members of the Cannabis Hospitality Task Force in advance of Meeting #4 are provided below for reference.*

### **Other States’ Policies Related to Smoking, Vaping, and Ventilation**

#### **Alaska**

- Alaska's Smokefree Workplace Act specifically excludes licensed and freestanding cannabis establishments: [AS 18.35.301](#)
  - See **Page 5**
- While state law provides an exemption, individual municipalities can still implement their own restrictions on indoor cannabis consumption.
  - In Anchorage, there is no onsite indoor consumption allowed due to the local ordinance.
  - In Juneau, consumption is allowed only outdoors.

#### **California**

- Operators must obtain a retail license with a consumption lounge designation and must obtain both a state and a local license.
- A detailed example of local requirements in San Francisco, which has operating consumption lounges, is available here:  
[https://www.sfdph.org/dph/files/EHSdocs/Cannabis/Cannabis\\_Consumption\\_Rules.pdf](https://www.sfdph.org/dph/files/EHSdocs/Cannabis/Cannabis_Consumption_Rules.pdf)
  - **Page 8:** SEC. 12. Designated Cannabis Smoking Room Ventilation Proposal
  - **Page 9:** SEC. 13. Required Standards for the Designated Cannabis Smoking Room
  - **Page 10:** SEC. 14. Operations and Maintenance
  - **Page 11:** SEC. 15. Failure or Malfunction of the Designated Cannabis Smoking Room Ventilation System

#### **Connecticut**

- Connecticut does not have consumption lounges but did provide a report for the legislature with recommendations in December 2022: <https://portal.ct.gov/cannabis/-/media/cannabis-archive/reports/dcp-onsite-consumption-recommendations.pdf>
  - **Page 5:** Connecticut Law on Smoking

#### **Colorado**

- HB 19-1230 adopted Hospitality Establishments and specifically exempted them from the state Clean Indoor Air Act if authorized by local ordinance:  
[https://leg.colorado.gov/sites/default/files/2019a\\_1230\\_signed.pdf](https://leg.colorado.gov/sites/default/files/2019a_1230_signed.pdf)
  - **Page 32:** 25-14-205. Exceptions to smoking restrictions.

#### **Nevada**

- Rules: [https://ccb.nv.gov/wp-content/uploads/2023/08/Reg-15\\_v081623.pdf](https://ccb.nv.gov/wp-content/uploads/2023/08/Reg-15_v081623.pdf)
  - **Page 5:** 15.050 Separate room for cannabis smoking, vaping, and inhalation.
  - **Page 6:** 15.055 Ventilation of the cannabis consumption lounge.



# Highway Safety Concerns in Cannabis Hospitality Programs

---

Scot Mattox, Traffic Safety Resource Prosecutor  
Maine Bureau of Highway Safety



# Highway Safety Concerns in Cannabis Hospitality Programs

---

- Intro / Background
- OUI Basics
- Cannabis impairs, but differently than alcohol
- Suggestions for harm reduction



# Intro

---

- From a Highway Safety perspective, we are concerned about any product development model that includes driving a motor vehicle after consumption of an impairing substance.
- From a Cannabis Hospitality Perspective, a strong regulatory program that reasonably addresses traffic safety concerns adds credibility to the entire industry.
- Cannabis impairs
- Maine is rural
  - Significant customer base that will drive after consumption.

# OUI Basics

---

- (1) the person operated a motor vehicle, and
- (2) at the time of operation, the person was under the influence of an intoxicant—alcohol, drugs, or another intoxicant—or a combination of intoxicants.
- A person is under the influence if the person's physical or mental faculties are impaired, **however slightly or to any extent**, by the substance or substances that the person consumed; *State v. Worster*, 611 A.2d 979, 980-81 (Me. 1992). A person may consume a substance by eating, drinking, inhaling, or injecting it. *State v. Atkins*, 2015 ME 162 ¶1.



Unlike alcohol, there is no scientifically accepted blood measured level of impairment for drugs

---

- 0.08 BAC for alcohol
- However, unlike alcohol
  - blood levels of THC *do not* correspond with measured levels of impairment.
  - Furthermore, blood levels of THC do not correspond with self-reported perceptions of impairment.

# OUI Summary

---

- No measure of blood needed, it's all based upon impairment
- "If you feel different, you drive different" (NHTSA)
- Cannabis is a drug that makes people "feel different"
  - Isn't this the whole point of cannabis consumption facilities?
- People should not be driving until the duration of effects of the drug have concluded.



# There has been an increase in fatalities since the legalization of recreational cannabis in the US

---

Kusum Adhikari, et. al., *Revisiting the effect of recreational marijuana on traffic fatalities*, INTERNATIONAL JOURNAL OF DRUG POLICY VOL. 115 (May 2023)

## Conclusion

Traffic fatalities increase by 2.2 per billion miles driven after retail legalization, which may account for as many as 1400 traffic fatalities annually. States who legalized earlier experienced larger traffic fatality increases. TWFE methods are inadequate for policy evaluation and do not capture heterogeneous effects across time.

## There has not been an increase in the public perception that Cannabis use before driving is dangerous

---

- In one survey of 2,000 cannabis users, “49% drive high but wouldn’t drive drunk, with 64% saying they feel safer driving high than drunk.” Lee Johnson, *Survey: How Cannabis is Taking Over Christmas*, Oracle (December 9, 2021).
- In another, “48% of current cannabis users in the United State think it’s safe to drive on cannabis — 17% of current users said it’s “very safe” and 31% said it is “somewhat safe” to drive high.” Dominic Holden, *Half of Marijuana Users in the US Think They’re Fine to Drive Stoned*, BuzzFeed (April 23, 2019).
- “Almost 60% of drivers who use marijuana in legal states admit to driving under the influence.” The Zebra, *Study: 60% of drivers who use marijuana in legal states drive under the influence* (August 24, 2022).



# Cannabis impairs, but differently than alcohol

---

- Cannabis Contains THC which is indisputably an impairing substance
  - This includes impairing the ability to gauge one's own driving ability
  - The common perception is that cannabis is not impairing, or people drive better while under the influence.
  - Absolutely ZERO scientific evidence of that, in fact, just the opposite.
- Andrew Fares, et al, Combined effect of alcohol and cannabis on simulated driving, *PSYCHOPHARMACOLOGY*, Vol. 239: 1263-1277 (2021)
- Ashley Schnakenberg Martin, et. Al, *Preliminary study of the interactive effects of THC and ethanol on self-reported ability and simulated driving, subjective effects, and cardiovascular responses*, *PSYCHOPHARMACOLOGY*, Vol. 240: 1235-1246 (April 12, 2023)
- F.R.J. Vinckenbosch, et. Al., *Validating lane drifts as a predictive measure of drug or sleepiness induced driving impairment*, *PSYCHOPHARMACOLOGY* 237: 877-886 (2020)
- Ryan Miller, et. Al, *Influence of cannabis use history on the impact of acute cannabis smoking on simulated driving performance during a distraction task*, *TRAFFIC INJ. PREV.*, Vol. 23, Sup. 1: S1-S7 (2022)
- Thomas Marcotte, et. Al, *Driving Performance and Cannabis Users' Perception of Safety: A Randomized Clinical Trial*, *JAMA PSYCHIATRY* 79(3): 201-209 (March 1, 2022)

# Alcohol and Cannabis are Different

---

## Alcohol (one product)

- Onset
  - Predictable
- Duration
  - Predictable
- Measurement of Impairment
  - Precise Objective indicator
- Tolerance
  - Narrow scope
- Scientific Knowledge
  - 80+ years of traffic safety studies

## Cannabis (multiple products)

- Onset
  - Variable
- Duration
  - Variable
- Measurement of Impairment
  - Less precise
- Tolerance
  - Wider Scope
- Scientific Knowledge
  - 10 years of traffic safety studies



# Harm Reduction Suggestions (1)

---

- **Mandatory Impairment Training for Cannabis or Cannabis Product Servers**
  - The training available to cannabis servers for detecting cannabis impairment is minimal and lacks standardization.
  - Legislate Creation of a training program by the Maine Criminal Justice Academy Drug Recognition Expert Program
    - This will ensure high standards of effectiveness in recognizing and managing impairment.
    - Cannabis is available in a variety of forms, and it affects individuals differently depending on the specific compound used. Its impact varies widely based on the dosage and individual tolerance. Unlike alcohol, cannabis dosages are not standardized, and there are no established legal limits for its use.
    - Individual range of tolerance can vary greatly, with some people remaining unimpaired after consuming large amounts of cannabis, while others may become significantly impaired after consuming only small amounts. This complicates reasonable regulation efforts being both effective yet fair.

## Harm Reduction Suggestions (2)

---

- **Serving Size and Wait Time Regulations**

- Implement strict limits on cannabis serving sizes within specific time frames and enforce mandatory waiting periods before customers are permitted to drive home.
- These guidelines should be established by a committee of independent toxicologists to ensure they are scientifically valid and effective.
- Studies conducted by the Center for Medicinal Cannabis Research at the University of California, San Diego and published by JAMA Psychiatry, showed that people should wait about 4.5 hours after smoking one joint to get behind the wheel of a vehicle. A wait time for recreational use, whether consumed by smoking, vaping, or eating, should also be considered.



## Harm Reduction Suggestions (3)

---

- **Introduce a "Cannabis Liability Act"**
- Similar to the "Maine Liquor Liability Act." This legislation would promote responsible cannabis service and provide a clear legal recourse for victims harmed by drivers impaired by cannabis, ensuring accountability for establishments and justice for victims.

## Harm Reduction Suggestions (4)

- **Do not allow the licensing of establishments to serve both cannabis and alcohol**
- *Crossfading*, the practice of consuming both cannabis and alcohol, is popular for some users.
  - Contrary to the misconception that combining these substances results in a predictable doubling of their effects, mixing them can lead to exponentially unpredictable impairment
  - Today's cannabis is genetically modified and cultivated under controlled conditions, resulting in a potency and purity that surpasses earlier strains. Consequently, existing data on cannabis impairment is based on less potent strains and may not accurately reflect the risks associated with current products.

### Science News

from research organizations

#### Any dose of alcohol combined with cannabis significantly increases levels of THC in blood

Date: May 27, 2015

Source: American Association for Clinical Chemistry (AACC)

Summary: Cannabis plus alcohol is one of the most frequently detected drug combinations in car accidents, yet the interaction of these two compounds is still poorly understood. A study shows for the first time that the simultaneous use of alcohol and cannabis produces significantly higher blood concentrations of cannabis's main psychoactive constituent, THC, as well as THC's primary active metabolite than cannabis use alone.



## Conclusion

---

- Keeping cannabis impaired drivers off the road to protect both cannabis and non-cannabis consumers is in the best interest of both the Bureau of Highway Safety & the cannabis industry.
- Strong regulations that assist in accomplishing these goals help keep drivers safe and the market healthy.

**SOURCES (BY SECTION)**

INTRODUCTION:

Dominic Holden, *Half of Marijuana Users in the US Think They're Fine to Drive Stoned*, BUZZFEED (April 23, 2019).

Jonathan P. Caulkins, *Changes in self-reported cannabis use in the United States from 1979 to 2022*, ADDICTION (2024) 119:1648-1652 (April 11, 2024).

Kusum Adhikari, et. al., *Revisiting the effect of recreational marijuana on traffic fatalities*, INT'L JOUR. OF DRUG POL., Vol. 115 (May 2023).

Lee Johnson, *Survey: How Cannabis is Taking Over Christmas*, ORACLE (December 9, 2021).

National Highway Traffic Safety Administration, *Presence of Drugs in Drivers*, available at: [https://www.nhtsa.gov/sites/nhtsa.gov/files/documents/13839-drugged\\_facts\\_flyer\\_101918\\_v8\\_002.pdf](https://www.nhtsa.gov/sites/nhtsa.gov/files/documents/13839-drugged_facts_flyer_101918_v8_002.pdf) (last viewed August 14, 2024)

The Zebra, *Study: 60% of drivers who use marijuana in legal states drive under the influence* (August 24, 2022).

U.S. Department of Transportation, *Travel Monitoring: Traffic Volume Trends*, available at: [https://www.fhwa.dot.gov/policyinformation/travel\\_monitoring/tvt.cfm](https://www.fhwa.dot.gov/policyinformation/travel_monitoring/tvt.cfm) (last updated June 3, 2024)

SECTION I: CANNABIS IMPAIRS:

Andrew Fares, et al, *Combined effect of alcohol and cannabis on simulated driving*, PSYCHOPHARMACOLOGY, Vol. 239: 1263-1277 (2021)

Ashley Schnakenberg Martin, et. Al, *Preliminary study of the interactive effects of THC and ethanol on self-reported ability and simulated driving, subjective effects, and cardiovascular responses*, PSYCHOPHARMACOLOGY, Vol. 240: 1235-1246 (April 12, 2023)

F.R.J. Vinckenbosch, et. Al., *Validating lane drifts as a predictive measure of drug or sleepiness induced driving impairment*, PSYCHOPARMACOLOGY 237: 877-886 (2020)

Ryan Miller, et. Al, *Influence of cannabis use history on the impact of acute cannabis smoking on simulated driving performance during a distraction task*, TRAFFIC INJ. PREV., Vol. 23, Sup. 1: S1-S7 (2022)

**CANNABIS STUDIES AND WHAT TRAFFIC SAFETY PROFESSIONALS NEED TO KNOW ABOUT THEM**  
**IACP TRAFFIC SAFETY CONFERENCE: AUGUST 2024**

Thomas Marcotte, et. Al, *Driving Performance and Cannabis Users' Perception of Safety: A Randomized Clinical Trial*, JAMA PSYCHIATRY 79(3): 201-209 (March 1, 2022)

Section II: Officer Detection of Cannabis Impairment:

Amy J. Porath-Waller and Douglas J. Beirness, *An Examination of the Validity of the Standardized Field Sobriety Test (SFST) in Detecting Drug Impairment*, TRAFFIC INJ. PREV., Vol. 15(2):125-131 (2014).

Douglas J. Beirness, et. Al, *Enhancing the Standardized Field Sobriety Test to detect cannabis impairment: An observational study*, TRAFFIC INJ. PREV., Vol. 25(1): 1–7 (2024).

*DRE: Drug Recognition Expert 7-Day School: Participant Manual*, NAT'L HIGHWAY TRAFFIC SAFETY ADMIN., available at: [https://www.nhtsa.gov/sites/nhtsa.gov/files/2024-02/16163\\_DRE\\_7-Day\\_Participant\\_Manual\\_2023-tag.pdf](https://www.nhtsa.gov/sites/nhtsa.gov/files/2024-02/16163_DRE_7-Day_Participant_Manual_2023-tag.pdf) (February 2023)

Kari Declues, et. Al, *A 2-Year Study of Delta 9-tetrahydrocannabinol Concentrations in Drivers: Examining Driving and Field Sobriety Test Performance*, J. FORENSIC SCI, Vol. 61(6):1664-1670 (November 2016)

K. Papafotiou, et. Al, *An evaluation of the sensitivity of the Standardized Field Sobriety Tests (SFSTs) to detect impairment due to marijuana intoxication*, PSYCHOPHARMACOLOGY Vol. 180: 107-114 (2005).

Luke A. Downey, et. Al, *Detecting Impairment Associated with Cannabis with and without Alcohol on the Standardized Field Sobriety Tests*, PSYCHOPHARMACOLOGY, Vol. 224: 581-589 (2012)

Rebecca L. Hartman, et. Al, *Drug Recognition Expert Examination Characteristics of Cannabis Impairment*, ACCID. ANAL. PREV., Vol. 92: 219-229 (July 2016)

Section III: Issues Of Which You Should Be Aware

Johannes G. Ramaekers, et. al., *High Traffic—The Quest for a Reliable Test of Cannabis Impairment*, JAMA PSYCHIATRY 80(9): 871-872 (2023).

Robert L. Fitzgerald, et. al., *Driving Under the Influence of Cannabis: Impact of Combining Toxicology Testing with Field Sobriety Tests*, CLINICAL CHEMISTRY 69:7 (2023).

Thomas D. Marcotte, et. al., *Evaluation of Field Sobriety Tests for Identifying Drivers Under the Influence of Cannabis A Randomized Clinical Trial*, JAMA PSYCHIATRY 80(9):914-923 (2023).

**CANNABIS STUDIES AND WHAT TRAFFIC SAFETY PROFESSIONALS NEED TO KNOW ABOUT THEM**  
**IACP TRAFFIC SAFETY CONFERENCE: AUGUST 2024**

Section IV: The Future

J.A. Hubbard, et. Al, *Biomarkers of Recent Cannabis Use in Blood, Oral Fluid and Breath*, J. ANAL. TOX., Vol. 45, Issue 8, 820-828 (October 2021)

Jennifer L. Berry, et. Al, *Cannabinoids detected in exhaled breath condensate after cannabis use*, J. BREATH RES., Vol 18, No. 4 (July 23, 2024).

Jodi M. Gilman, et. Al, *Identification of  $\Delta$ 9-tetrahydrocannabinol (THC) impairment using functional brain imaging*, NEUROPSYCHOPHARMACOLOGY 47(4): 944-952 (March 2022)

American Association for Clinical Chemistry (AACC). "Any dose of alcohol combined with cannabis significantly increases levels of THC in blood." ScienceDaily. ScienceDaily, 27 May 2015.

Complied By:

Scot Mattox, Maine's Senior TSRP

Joshua Saucier, Maine's Assistant TSRP

Dirigo Safety, LLC a contractor for:

The Maine Bureau of Highway Safety

## Responsible Beverage Server training objectives and content -

- Pretest
- Why this Training Matters
  - Three Best Practices
    - Have a Policy
    - Take RBS Training
    - Work as a Team
  - Alcohol and its Effects
    - Short Term Effects
    - Long Term Effects
    - Alcohol Use Disorder
  - Blood Alcohol Concentration (BAC)
  - Standard Drink
    - Measurement
    - Alcohol by Volume (ABV)
- Liquor Law
  - Liquor vs. Imitation Liquor
  - Categories of Liquor Law
    - Administrative
    - Civil
    - Criminal
  - Administrative Violations
    - License Holder - \$1500 fine per violation/Individual Clerk or Server - \$1500 fine per violation
    - Retail Hours of Sale
    - Minimum Employee Age
    - Practices that are Prohibited
      - Free Alcohol
      - More than two drinks per person at a time
      - Carafes larger than 1 liter
      - Permitting contests allowing awards containing alcohol
      - Encouragement to drink in excess
    - Right to Inspect
    - Advertising Signage
    - How Liquor must be Purchased (wholesale)
    - License Records and Inspections
    - Areas of consumption must be approved and licensed
    - Intoxicated persons Prohibited
  - Liquor Liability Act
    - Provides businesses with affordable liability insurance and is applicable to all categories of law (Administrative, Civil, Criminal)
      - To Prevent impairment-related deaths, injuries and damages
      - To Encourage responsible serving practices
      - To Provide a basis for obtaining compensation for damages
    - LLA covers negligence/recklessness of services that results in death, injury or damage to a third person.
      - Visibly impaired person
      - A Minor that becomes impaired



- Award Limits
    - Up to \$350,000 for damages
    - No Cap to medical costs
    - Several Liability: Each person named in lawsuit can be made to pay expenses
    - DRAMSHOP Law: Persons will be responsible for medical costs for LIFE if they injure someone
  - Gives Liquor licensees the right to refuse sale/service to people for
    - Failing to show proper ID
    - Reasonably appearing to be underage
    - Preventing someone from becoming visually impaired
    - Preventing those already impaired from continuing to consume
  - Employee Sobriety
  - Serving Underaged Patrons
  - Legal age to purchase or consume liquor or imitation liquor
  - Premises where Minors are prohibited
- Assessing Sobriety and Sale Refusal Skills
  - Impaired Patrons
  - Animated Video: Impairment Detection and Sale Refusal
  - 3 Second Assessment
    - Make eye contact
    - Make verbal contact
    - Ask yourself - old enough? Visibility impaired?
  - Patron sobriety levels
    - First effects
    - Under the influence
    - Visibly intoxicated
    - Other substance impairment
  - Sale/Service Refusal
    - Have a policy
    - Be direct and polite
    - Get backup if needed
    - Prevent driving
    - Document incident
- Assessing Age and Checking ID
  - Licensing requirement to verify age
    - ID required for everyone under 27
    - Reliable ID
      - Has photo of individual
      - Includes date of birth, (Month, day, year)
      - From a government entity
  - Video: Recognizing Fake Identification
  - Identifying Fake ID's
    - Use proper lighting
    - Use own ID to compare
    - Use ID checking guide
    - Trust your senses and judgment
  - Types of fake ID's
    - Novelty

- Altered or forged
  - Falsely obtained
- ID check - when concerned about an ID
  - Quiz them with info from ID
  - Ask for backup ID (doesn't have to have photo but should have the same name)
  - Work as a team/get backup
  - If needed, retain ID.
- Retaining ID - Required procedure
  - Document incident
    - Date and Time
    - Name and address of business
    - Name and address of employee
    - Reason card was retained
    - Any additional information you think is helpful
  - Surrender ID to Secretary of State or local law enforcement
- Age Guessing game
- Having written policies for sale refusal and ID review
  - Ensures thorough training
  - Promotes staff consistency
  - Reduces risk
- What to include in policy
  - Whom to card and when
  - What to accept for ID
  - How to check ID
  - Procedure for curbside/home delivery
  - How to assess age and sobriety
  - Resources and how to ask for help
- Resources available
- Post-test/certification

After the training is complete, the class roster, which provides info for each passing participant, is sent to BABLO along with a \$3/person certification fee. BABLO registers the certification, which is good for 3 years.



## Appendix E – Midway Member Survey Results

Survey Date Range: August 7, 2024 – August 14, 2024

## View results

Respondent

1

Anonymous

01:25

Time to complete

### 1. Which of the following cannabis hospitality establishment models would you like to see implemented in Maine? \*

Please select all that apply.

- ☒ Traditional consumption lounge
- ☐ Restaurant/food-based model
- ☒ Accommodation-based model (bed & breakfast, Airbnb, etc.)
- ☒ On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)
- ☒ On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)
- ☐ None of the above

### 2. Please rank what your order of priority would be for implementing each of the following cannabis hospitality establishment models.

Use the arrows that appear when you hover over each box to move the responses around and insert "None of the following" where appropriate in your ranking. \*

1 Traditional consumption lounge

2 On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)

3 Accommodation-based model (bed & breakfast, Airbnb, etc.)

4 On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)

5 Restaurant/food-based model

6 None of the following

3. Please identify your position on each of the following inhalation methods and whether they should be permitted at cannabis hospitality establishments. \*

|                  | In favor                         | Somewhat in favor     | Neutral               | Somewhat opposed      | Opposed               |
|------------------|----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Smoking indoors  | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Smoking outdoors | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping indoors   | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping outdoors  | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

4. If you need additional information in order to establish a position on any of the inhalation methods listed above, please use this space to describe what that is and/or any specific questions you need answered.

5. Is there anything else you would like to share with OCP relevant to the above questions?

6. Are you an active Adult Use Cannabis Program licensee? \*

☒ Yes

☐ No

7. Which of the following cannabis hospitality establishments would your adult use business consider opening in Maine if licenses were available today? \*

Please select all that apply.

- ☒ A traditional consumption lounge
- ☐ A restaurant/food-based business
- ☒ An accommodation-based business
- ☒ On-site consumption as part of a cannabis specific experience/specified event
- ☒ On-site consumption as part of a non-cannabis experience/event
- ☐ None of the above
- ☐ Unsure at this time



## View results

Respondent

2

Anonymous

26:07

Time to complete

### 1. Which of the following cannabis hospitality establishment models would you like to see implemented in Maine? \*

Please select all that apply.

- ☒ Traditional consumption lounge
- ☒ Restaurant/food-based model
- ☒ Accommodation-based model (bed & breakfast, Airbnb, etc.)
- ☒ On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)
- ☒ On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)
- ☐ None of the above

### 2. Please rank what your order of priority would be for implementing each of the following cannabis hospitality establishment models.

Use the arrows that appear when you hover over each box to move the responses around and insert "None of the following" where appropriate in your ranking. \*

1 Traditional consumption lounge

2 On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)

3 Restaurant/food-based model

4 On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)

5 Accommodation-based model (bed & breakfast, Airbnb, etc.)

6 None of the following

3. Please identify your position on each of the following inhalation methods and whether they should be permitted at cannabis hospitality establishments. \*

|                  | In favor                         | Somewhat in favor     | Neutral               | Somewhat opposed      | Opposed               |
|------------------|----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Smoking indoors  | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Smoking outdoors | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping indoors   | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping outdoors  | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

4. If you need additional information in order to establish a position on any of the inhalation methods listed above, please use this space to describe what that is and/or any specific questions you need answered.

Hearing from an expert on ventilation / HVAC requirements and any studies on second hand cannabis exposure that might affect employees

5. Is there anything else you would like to share with OCP relevant to the above questions?

How many MG's would allowed for consumption at restaurant / food based business?  
10MG total or per serving? How many serving would be allowed during the experience?

6. Are you an active Adult Use Cannabis Program licensee? \*

☒ Yes

☐ No

7. Which of the following cannabis hospitality establishments would your adult use business consider opening in Maine if licenses were available today? \*

Please select all that apply.

- ☐ A traditional consumption lounge
- ☒ A restaurant/food-based business
- ☐ An accommodation-based business
- ☐ On-site consumption as part of a cannabis specific experience/specified event
- ☐ On-site consumption as part of a non-cannabis experience/event
- ☐ None of the above
- ☐ Unsure at this time

## View results

Respondent

3

Anonymous

02:42

Time to complete

### 1. Which of the following cannabis hospitality establishment models would you like to see implemented in Maine? \*

Please select all that apply.

- ☒ Traditional consumption lounge
- ☐ Restaurant/food-based model
- ☐ Accommodation-based model (bed & breakfast, Airbnb, etc.)
- ☐ On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)
- ☐ On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)
- ☐ None of the above

### 2. Please rank what your order of priority would be for implementing each of the following cannabis hospitality establishment models.

Use the arrows that appear when you hover over each box to move the responses around and insert "None of the following" where appropriate in your ranking. \*

1 Traditional consumption lounge

2 None of the following

3 On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)

4 Accommodation-based model (bed & breakfast, Airbnb, etc.)

5 Restaurant/food-based model

6 On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)

3. Please identify your position on each of the following inhalation methods and whether they should be permitted at cannabis hospitality establishments. \*

|                  | In favor              | Somewhat in favor     | Neutral                          | Somewhat opposed      | Opposed               |
|------------------|-----------------------|-----------------------|----------------------------------|-----------------------|-----------------------|
| Smoking indoors  | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Smoking outdoors | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping indoors   | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping outdoors  | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

4. If you need additional information in order to establish a position on any of the inhalation methods listed above, please use this space to describe what that is and/or any specific questions you need answered.

5. Is there anything else you would like to share with OCP relevant to the above questions?

6. Are you an active Adult Use Cannabis Program licensee? \*

☐ Yes

☒ No

## View results

Respondent

4

Anonymous

01:38

Time to complete

### 1. Which of the following cannabis hospitality establishment models would you like to see implemented in Maine? \*

Please select all that apply.

- ☒ Traditional consumption lounge
- ☒ Restaurant/food-based model
- ☒ Accommodation-based model (bed & breakfast, Airbnb, etc.)
- ☒ On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)
- ☒ On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)
- ☐ None of the above

### 2. Please rank what your order of priority would be for implementing each of the following cannabis hospitality establishment models.

*Use the arrows that appear when you hover over each box to move the responses around and insert "None of the following" where appropriate in your ranking. \**

1 Traditional consumption lounge

2 Restaurant/food-based model

3 On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)

4 On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)

5 Accommodation-based model (bed & breakfast, Airbnb, etc.)

6 None of the following



3. Please identify your position on each of the following inhalation methods and whether they should be permitted at cannabis hospitality establishments. \*

|                  | In favor                         | Somewhat in favor     | Neutral               | Somewhat opposed      | Opposed               |
|------------------|----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Smoking indoors  | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Smoking outdoors | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping indoors   | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping outdoors  | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

4. If you need additional information in order to establish a position on any of the inhalation methods listed above, please use this space to describe what that is and/or any specific questions you need answered.

5. Is there anything else you would like to share with OCP relevant to the above questions?

6. Are you an active Adult Use Cannabis Program licensee? \*

☒ Yes

☐ No

7. Which of the following cannabis hospitality establishments would your adult use business consider opening in Maine if licenses were available today? \*

Please select all that apply.

- ☒ A traditional consumption lounge
- ☒ A restaurant/food-based business
- ☒ An accommodation-based business
- ☒ On-site consumption as part of a cannabis specific experience/specified event
- ☐ On-site consumption as part of a non-cannabis experience/event
- ☐ None of the above
- ☐ Unsure at this time

## View results

Respondent

5

Anonymous

20:01

Time to complete

### 1. Which of the following cannabis hospitality establishment models would you like to see implemented in Maine? \*

Please select all that apply.

- ☒ Traditional consumption lounge
- ☐ Restaurant/food-based model
- ☒ Accommodation-based model (bed & breakfast, Airbnb, etc.)
- ☒ On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)
- ☒ On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)
- ☐ None of the above

### 2. Please rank what your order of priority would be for implementing each of the following cannabis hospitality establishment models.

Use the arrows that appear when you hover over each box to move the responses around and insert "None of the following" where appropriate in your ranking. \*

1 Accommodation-based model (bed & breakfast, Airbnb, etc.)

2 On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)

3 On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)

4 Traditional consumption lounge

5 Restaurant/food-based model

6 None of the following

3. Please identify your position on each of the following inhalation methods and whether they should be permitted at cannabis hospitality establishments. \*

|                  | In favor                         | Somewhat in favor     | Neutral               | Somewhat opposed      | Opposed               |
|------------------|----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Smoking indoors  | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Smoking outdoors | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping indoors   | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping outdoors  | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

4. If you need additional information in order to establish a position on any of the inhalation methods listed above, please use this space to describe what that is and/or any specific questions you need answered.

5. Is there anything else you would like to share with OCP relevant to the above questions?

In the ranked choice options, I don't see much of a difference between the  
 "On-site consumption at a cannabis specific experience/ specified event (tradeshow, special event, bus tour)"  
 Or  
 "On-site consumption at a non-cannabis experience /event (concert, outdoor activity etc.)"

I can argue these questions to mean the same thing.

If you allowed vaping / smoking, but required a 100ft from distance from other individuals while hiking in a state park – is that considered "On-site consumption at a cannabis specific experience" or "On-site consumption at a non-cannabis specific experience"?

If you allowed on-site consumption prior to a bus tour in a reception space (indoor or outdoor) so that way people that want to partake can also be social with those that do not want to partake (ex a couple, where one wants to but one wants to abstain etc.) is that considered "On-site consumption at a cannabis specific experience" or "On-site consumption at a non-cannabis specific experience"?

6. Are you an active Adult Use Cannabis Program licensee? \*

☒ Yes

☐ No

7. Which of the following cannabis hospitality establishments would your adult use business consider opening in Maine if licenses were available today? \*

Please select all that apply.

- ☒ A traditional consumption lounge
- ☐ A restaurant/food-based business
- ☒ An accommodation-based business
- ☒ On-site consumption as part of a cannabis specific experience/specified event
- ☒ On-site consumption as part of a non-cannabis experience/event
- ☐ None of the above
- ☒ Unsure at this time

## View results

Respondent

6

Anonymous

04:30

Time to complete

### 1. Which of the following cannabis hospitality establishment models would you like to see implemented in Maine? \*

Please select all that apply.

- ☒ Traditional consumption lounge
- ☐ Restaurant/food-based model
- ☐ Accommodation-based model (bed & breakfast, Airbnb, etc.)
- ☒ On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)
- ☒ On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)
- ☐ None of the above

### 2. Please rank what your order of priority would be for implementing each of the following cannabis hospitality establishment models.

Use the arrows that appear when you hover over each box to move the responses around and insert "None of the following" where appropriate in your ranking. \*

1 Traditional consumption lounge

2 On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)

3 On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)

4 Accommodation-based model (bed & breakfast, Airbnb, etc.)

5 Restaurant/food-based model

6 None of the following

3. Please identify your position on each of the following inhalation methods and whether they should be permitted at cannabis hospitality establishments. \*

|                  | In favor                         | Somewhat in favor     | Neutral               | Somewhat opposed      | Opposed               |
|------------------|----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Smoking indoors  | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Smoking outdoors | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping indoors   | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping outdoors  | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

4. If you need additional information in order to establish a position on any of the inhalation methods listed above, please use this space to describe what that is and/or any specific questions you need answered.

5. Is there anything else you would like to share with OCP relevant to the above questions?

6. Are you an active Adult Use Cannabis Program licensee? \*

☐ Yes

☒ No



## View results

Respondent

7

Anonymous

02:43

Time to complete

### 1. Which of the following cannabis hospitality establishment models would you like to see implemented in Maine? \*

Please select all that apply.

- ☒ Traditional consumption lounge
- ☒ Restaurant/food-based model
- ☒ Accommodation-based model (bed & breakfast, Airbnb, etc.)
- ☒ On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)
- ☒ On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)
- ☐ None of the above

### 2. Please rank what your order of priority would be for implementing each of the following cannabis hospitality establishment models.

Use the arrows that appear when you hover over each box to move the responses around and insert "None of the following" where appropriate in your ranking. \*

1 Traditional consumption lounge

2 On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)

3 On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)

4 Accommodation-based model (bed & breakfast, Airbnb, etc.)

5 Restaurant/food-based model

6 None of the following

3. Please identify your position on each of the following inhalation methods and whether they should be permitted at cannabis hospitality establishments. \*

|                  | In favor                         | Somewhat in favor                | Neutral               | Somewhat opposed      | Opposed               |
|------------------|----------------------------------|----------------------------------|-----------------------|-----------------------|-----------------------|
| Smoking indoors  | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Smoking outdoors | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping indoors   | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping outdoors  | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

4. If you need additional information in order to establish a position on any of the inhalation methods listed above, please use this space to describe what that is and/or any specific questions you need answered.

My concern on smoking indoors is the ability to have the space safe in case emergency or other personnel is entering (such as staff too).

5. Is there anything else you would like to share with OCP relevant to the above questions?

6. Are you an active Adult Use Cannabis Program licensee? \*

☒ Yes

☐ No

7. Which of the following cannabis hospitality establishments would your adult use business consider opening in Maine if licenses were available today? \*

Please select all that apply.

- ☒ A traditional consumption lounge
- ☐ A restaurant/food-based business
- ☐ An accommodation-based business
- ☒ On-site consumption as part of a cannabis specific experience/specified event
- ☒ On-site consumption as part of a non-cannabis experience/event
- ☐ None of the above
- ☐ Unsure at this time

## View results

Respondent

8

Anonymous

01:23

Time to complete

### 1. Which of the following cannabis hospitality establishment models would you like to see implemented in Maine? \*

Please select all that apply.

- ☐ Traditional consumption lounge
- ☐ Restaurant/food-based model
- ☐ Accommodation-based model (bed & breakfast, Airbnb, etc.)
- ☒ On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)
- ☐ On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)
- ☐ None of the above

### 2. Please rank what your order of priority would be for implementing each of the following cannabis hospitality establishment models.

Use the arrows that appear when you hover over each box to move the responses around and insert "None of the following" where appropriate in your ranking. \*

1 On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)

2 Accommodation-based model (bed & breakfast, Airbnb, etc.)

3 None of the following

4 Restaurant/food-based model

5 On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)

6 Traditional consumption lounge

3. Please identify your position on each of the following inhalation methods and whether they should be permitted at cannabis hospitality establishments. \*

|                  | In favor              | Somewhat in favor     | Neutral               | Somewhat opposed                 | Opposed                          |
|------------------|-----------------------|-----------------------|-----------------------|----------------------------------|----------------------------------|
| Smoking indoors  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> |
| Smoking outdoors | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            |
| Vaping indoors   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> |
| Vaping outdoors  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            |

4. If you need additional information in order to establish a position on any of the inhalation methods listed above, please use this space to describe what that is and/or any specific questions you need answered.

5. Is there anything else you would like to share with OCP relevant to the above questions?

6. Are you an active Adult Use Cannabis Program licensee? \*

☐ Yes

☒ No

## View results

Respondent

9

Anonymous

13:57

Time to complete

### 1. Which of the following cannabis hospitality establishment models would you like to see implemented in Maine? \*

Please select all that apply.

- ☒ Traditional consumption lounge
- ☐ Restaurant/food-based model
- ☐ Accommodation-based model (bed & breakfast, Airbnb, etc.)
- ☒ On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)
- ☐ On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)
- ☐ None of the above

### 2. Please rank what your order of priority would be for implementing each of the following cannabis hospitality establishment models.

Use the arrows that appear when you hover over each box to move the responses around and insert "None of the following" where appropriate in your ranking. \*

1 Traditional consumption lounge

2 On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)

3 On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)

4 None of the following

5 Accommodation-based model (bed & breakfast, Airbnb, etc.)

6 Restaurant/food-based model

3. Please identify your position on each of the following inhalation methods and whether they should be permitted at cannabis hospitality establishments. \*

|                  | In favor              | Somewhat in favor     | Neutral                          | Somewhat opposed                 | Opposed               |
|------------------|-----------------------|-----------------------|----------------------------------|----------------------------------|-----------------------|
| Smoking indoors  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> |
| Smoking outdoors | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> |
| Vaping indoors   | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> |
| Vaping outdoors  | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> |

4. If you need additional information in order to establish a position on any of the inhalation methods listed above, please use this space to describe what that is and/or any specific questions you need answered.

I need to better understand how regular smoke/vape would be handled and maintained indoors. What have the benefits/cons been in other states?

5. Is there anything else you would like to share with OCP relevant to the above questions?

6. Are you an active Adult Use Cannabis Program licensee? \*

☐ Yes

☒ No



## View results

Respondent

10

Anonymous

01:30

Time to complete

### 1. Which of the following cannabis hospitality establishment models would you like to see implemented in Maine? \*

Please select all that apply.

- ☒ Traditional consumption lounge
- ☒ Restaurant/food-based model
- ☒ Accommodation-based model (bed & breakfast, Airbnb, etc.)
- ☒ On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)
- ☒ On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)
- ☐ None of the above

### 2. Please rank what your order of priority would be for implementing each of the following cannabis hospitality establishment models.

Use the arrows that appear when you hover over each box to move the responses around and insert "None of the following" where appropriate in your ranking. \*

1 Traditional consumption lounge

2 Accommodation-based model (bed & breakfast, Airbnb, etc.)

3 On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)

4 On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)

5 Restaurant/food-based model

6 None of the following

3. Please identify your position on each of the following inhalation methods and whether they should be permitted at cannabis hospitality establishments. \*

|                  | In favor                         | Somewhat in favor     | Neutral               | Somewhat opposed      | Opposed               |
|------------------|----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Smoking indoors  | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Smoking outdoors | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping indoors   | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping outdoors  | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

4. If you need additional information in order to establish a position on any of the inhalation methods listed above, please use this space to describe what that is and/or any specific questions you need answered.

5. Is there anything else you would like to share with OCP relevant to the above questions?

6. Are you an active Adult Use Cannabis Program licensee? \*

☒ Yes

☐ No

7. Which of the following cannabis hospitality establishments would your adult use business consider opening in Maine if licenses were available today? \*

Please select all that apply.

- ☐ A traditional consumption lounge
- ☐ A restaurant/food-based business
- ☐ An accommodation-based business
- ☒ On-site consumption as part of a cannabis specific experience/specified event
- ☐ On-site consumption as part of a non-cannabis experience/event
- ☐ None of the above
- ☐ Unsure at this time

## View results

Respondent

11

Anonymous

03:37

Time to complete

### 1. Which of the following cannabis hospitality establishment models would you like to see implemented in Maine? \*

Please select all that apply.

- ☒ Traditional consumption lounge
- ☐ Restaurant/food-based model
- ☒ Accommodation-based model (bed & breakfast, Airbnb, etc.)
- ☒ On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)
- ☒ On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)
- ☐ None of the above

### 2. Please rank what your order of priority would be for implementing each of the following cannabis hospitality establishment models.

Use the arrows that appear when you hover over each box to move the responses around and insert "None of the following" where appropriate in your ranking. \*

1 Accommodation-based model (bed & breakfast, Airbnb, etc.)

2 On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)

3 On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)

4 Traditional consumption lounge

5 Restaurant/food-based model

6 None of the following

3. Please identify your position on each of the following inhalation methods and whether they should be permitted at cannabis hospitality establishments. \*

|                  | In favor                         | Somewhat in favor                | Neutral               | Somewhat opposed      | Opposed               |
|------------------|----------------------------------|----------------------------------|-----------------------|-----------------------|-----------------------|
| Smoking indoors  | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Smoking outdoors | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping indoors   | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping outdoors  | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

4. If you need additional information in order to establish a position on any of the inhalation methods listed above, please use this space to describe what that is and/or any specific questions you need answered.

Proper ventilation and employee safety measures are followed.

5. Is there anything else you would like to share with OCP relevant to the above questions?

6. Are you an active Adult Use Cannabis Program licensee? \*

☐ Yes

☒ No

## View results

Respondent

12

Anonymous

10:31

Time to complete

### 1. Which of the following cannabis hospitality establishment models would you like to see implemented in Maine? \*

Please select all that apply.

- ☐ Traditional consumption lounge
- ☐ Restaurant/food-based model
- ☐ Accommodation-based model (bed & breakfast, Airbnb, etc.)
- ☐ On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)
- ☐ On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)
- ☒ None of the above

### 2. Please rank what your order of priority would be for implementing each of the following cannabis hospitality establishment models.

Use the arrows that appear when you hover over each box to move the responses around and insert "None of the following" where appropriate in your ranking. \*

1 None of the following

2 Accommodation-based model (bed & breakfast, Airbnb, etc.)

3 On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)

4 Traditional consumption lounge

5 Restaurant/food-based model

6 On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)

3. Please identify your position on each of the following inhalation methods and whether they should be permitted at cannabis hospitality establishments. \*

|                  | In favor              | Somewhat in favor     | Neutral                          | Somewhat opposed      | Opposed                          |
|------------------|-----------------------|-----------------------|----------------------------------|-----------------------|----------------------------------|
| Smoking indoors  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> |
| Smoking outdoors | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Vaping indoors   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> |
| Vaping outdoors  | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |

4. If you need additional information in order to establish a position on any of the inhalation methods listed above, please use this space to describe what that is and/or any specific questions you need answered.

Additional guidelines/proposed buffers for outdoor inhalation ie is it next to a childcare center?

5. Is there anything else you would like to share with OCP relevant to the above questions?

6. Are you an active Adult Use Cannabis Program licensee? \*

☐ Yes

☒ No



## View results

Respondent

13

Anonymous

04:33

Time to complete

### 1. Which of the following cannabis hospitality establishment models would you like to see implemented in Maine? \*

Please select all that apply.

- ☐ Traditional consumption lounge
- ☒ Restaurant/food-based model
- ☐ Accommodation-based model (bed & breakfast, Airbnb, etc.)
- ☒ On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)
- ☐ On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)
- ☐ None of the above

### 2. Please rank what your order of priority would be for implementing each of the following cannabis hospitality establishment models.

Use the arrows that appear when you hover over each box to move the responses around and insert "None of the following" where appropriate in your ranking. \*

1 Restaurant/food-based model

2 On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)

3 None of the following

4 Accommodation-based model (bed & breakfast, Airbnb, etc.)

5 On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)

6 Traditional consumption lounge

3. Please identify your position on each of the following inhalation methods and whether they should be permitted at cannabis hospitality establishments. \*

|                  | In favor              | Somewhat in favor     | Neutral                          | Somewhat opposed      | Opposed                          |
|------------------|-----------------------|-----------------------|----------------------------------|-----------------------|----------------------------------|
| Smoking indoors  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> |
| Smoking outdoors | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Vaping indoors   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> |
| Vaping outdoors  | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |

4. If you need additional information in order to establish a position on any of the inhalation methods listed above, please use this space to describe what that is and/or any specific questions you need answered.

5. Is there anything else you would like to share with OCP relevant to the above questions?

6. Are you an active Adult Use Cannabis Program licensee? \*

☐ Yes

☒ No

## View results

Respondent

14

Anonymous

01:35

Time to complete

### 1. Which of the following cannabis hospitality establishment models would you like to see implemented in Maine? \*

Please select all that apply.

- ☒ Traditional consumption lounge
- ☒ Restaurant/food-based model
- ☒ Accommodation-based model (bed & breakfast, Airbnb, etc.)
- ☒ On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)
- ☒ On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)
- ☐ None of the above

### 2. Please rank what your order of priority would be for implementing each of the following cannabis hospitality establishment models.

Use the arrows that appear when you hover over each box to move the responses around and insert "None of the following" where appropriate in your ranking. \*

1 Traditional consumption lounge

2 Restaurant/food-based model

3 On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)

4 On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)

5 Accommodation-based model (bed & breakfast, Airbnb, etc.)

6 None of the following

3. Please identify your position on each of the following inhalation methods and whether they should be permitted at cannabis hospitality establishments. \*

|                  | In favor                         | Somewhat in favor                | Neutral               | Somewhat opposed      | Opposed               |
|------------------|----------------------------------|----------------------------------|-----------------------|-----------------------|-----------------------|
| Smoking indoors  | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Smoking outdoors | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping indoors   | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping outdoors  | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

4. If you need additional information in order to establish a position on any of the inhalation methods listed above, please use this space to describe what that is and/or any specific questions you need answered.

5. Is there anything else you would like to share with OCP relevant to the above questions?

6. Are you an active Adult Use Cannabis Program licensee? \*

- ☐ Yes
- ☒ No

## View results

Respondent

15

Anonymous

03:59

Time to complete

### 1. Which of the following cannabis hospitality establishment models would you like to see implemented in Maine? \*

Please select all that apply.

- ☒ Traditional consumption lounge
- ☒ Restaurant/food-based model
- ☒ Accommodation-based model (bed & breakfast, Airbnb, etc.)
- ☒ On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)
- ☒ On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)
- ☐ None of the above

### 2. Please rank what your order of priority would be for implementing each of the following cannabis hospitality establishment models.

Use the arrows that appear when you hover over each box to move the responses around and insert "None of the following" where appropriate in your ranking. \*

1 Restaurant/food-based model

2 Traditional consumption lounge

3 On-site consumption at a cannabis specific experience/specified event (tradeshow, special event, bus tour, etc.)

4 On-site consumption at a non-cannabis experience/event (concert, outdoor activity, etc.)

5 Accommodation-based model (bed & breakfast, Airbnb, etc.)

6 None of the following

3. Please identify your position on each of the following inhalation methods and whether they should be permitted at cannabis hospitality establishments. \*

|                  | In favor                         | Somewhat in favor     | Neutral               | Somewhat opposed      | Opposed               |
|------------------|----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Smoking indoors  | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Smoking outdoors | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping indoors   | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Vaping outdoors  | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

4. If you need additional information in order to establish a position on any of the inhalation methods listed above, please use this space to describe what that is and/or any specific questions you need answered.

5. Is there anything else you would like to share with OCP relevant to the above questions?

6. Are you an active Adult Use Cannabis Program licensee? \*

☐ Yes

☒ No