



Testimony of Linda Kowalski
The Connecticut Medical Cannabis Council
House Bill No. 6099, (Raised) *An Act Concerning Anti-Trust Issues
and the Palliative Use of Marijuana.*
General Law Committee
February 25, 2021

Good afternoon Senator Maroney, Representative D'Agostino, Senator Witkos, Representative Rutigliano and members of the General Law Committee. On behalf of the Connecticut Medical Cannabis Council, I would like to offer comments concerning House Bill No. 6099, (Raised) *An Act Concerning Anti-Trust Issues and the Palliative Use of Marijuana.*

The members are the four licensed producers in the State of Connecticut for the medical marijuana program. They not only produce the medical marijuana that patients purchase from medical dispensaries, but also formulate specific extracted ratios from the many medical properties of the cannabis plant. Their products are verified and validated by independent third-party laboratory testing; their pharmaceutical grade medicines have helped Connecticut patients treat a variety of serious and debilitating conditions.

This committee can justifiably be proud of the work that you did in creating the medical marijuana program. It is the best program in the nation. Demand continues to grow for this option in the treatment of debilitating and chronic conditions by patients. At this point last year, when we testified before you, there were 40,000 enrolled patients. Now there are 50,181 patients, a 25 percent increase. We expect that the program will continue to grow in the future with the addition of chronic pain tied to a medical condition as recommended last fall by the Board of Physicians.

We also want to recognize the outstanding job Commissioner Seagull and her staff in the Department of Consumer Protection have done in administering and overseeing this program in an effective, efficient and fair manner.

As far as House Bill No. 6099 is concerned, we reserve judgment for the time being until we can discuss the issue with the committee leadership, the Department of Consumer Protection and the Attorney General's office. We have a number of questions about the possible unintended consequences of the proposal. Our initial review leads us to point out the following:

We believe that the Attorney General currently has comprehensive authority to investigate and restrain anticompetitive behavior. Proponents suggest that it would

ensure that the Attorney General is made aware of changes in ownership or control of marijuana businesses. However, the Department of Consumer Protection already by regulation receives notice of significant changes to the ownership or control of entities licensed in the program, and must approve such changes before they occur.

- The bill appears to lack clarity in key respects, and risks imposing uncertainty and compliance burdens on existing and potential medical marijuana businesses and others who might engage in business transactions with them. For example, it would require notification and delay in an exceptionally broad array of transactions well beyond just those involving material changes of control or ownership.
- Many important aspects of the bill are vague, including the nature of the notice to be required, the types of transactions involved and the duration of the waiting periods before transactions can be finalized. These appear to apply to any transaction -- without limitation or threshold -- involving *any* change to ownership or *any* part, no matter how small, of a medical marijuana business.

We look forward to discussing these specific issues, and others, with you as the legislative process moves forward. Thank you for your time and consideration.