



Presented by **PretiFlaherty**  
**LEGAL PAPERS**  
The Maine Cannabis Law  
Breakfast Series

2019

## SESSION 2

# Your Growing Business

Getting the Licenses You Need to Profit in the Cannabis Industry

April 10, 2019



## **INTRODUCTION**

# **WELCOME MAINE CANNABIS INDUSTRY**



# AGENDA

## **PART 1**

Erik Gundersen - *Director, Maine's Office of Marijuana Policy*

## **PART 2**

Jacques Santucci - *CEO, Strimo*

## **PART 3**

Kristin Collins - *Municipal Law and Finance, Preti Flaherty*

## **PART 4**

Q&A

# PART 1



**Erik Gundersen**

*Director*

Maine's Office of  
Marijuana Policy

## PART 2



**Jacques Santucci**

*CEO*

**Strimo**

# industry standard for cannabis business optimization

System of engagement that empowers informed  
decisions.

[Strimo.net](https://strimo.net)

Strimo - Confidential

Do you know your  
cost per gram?



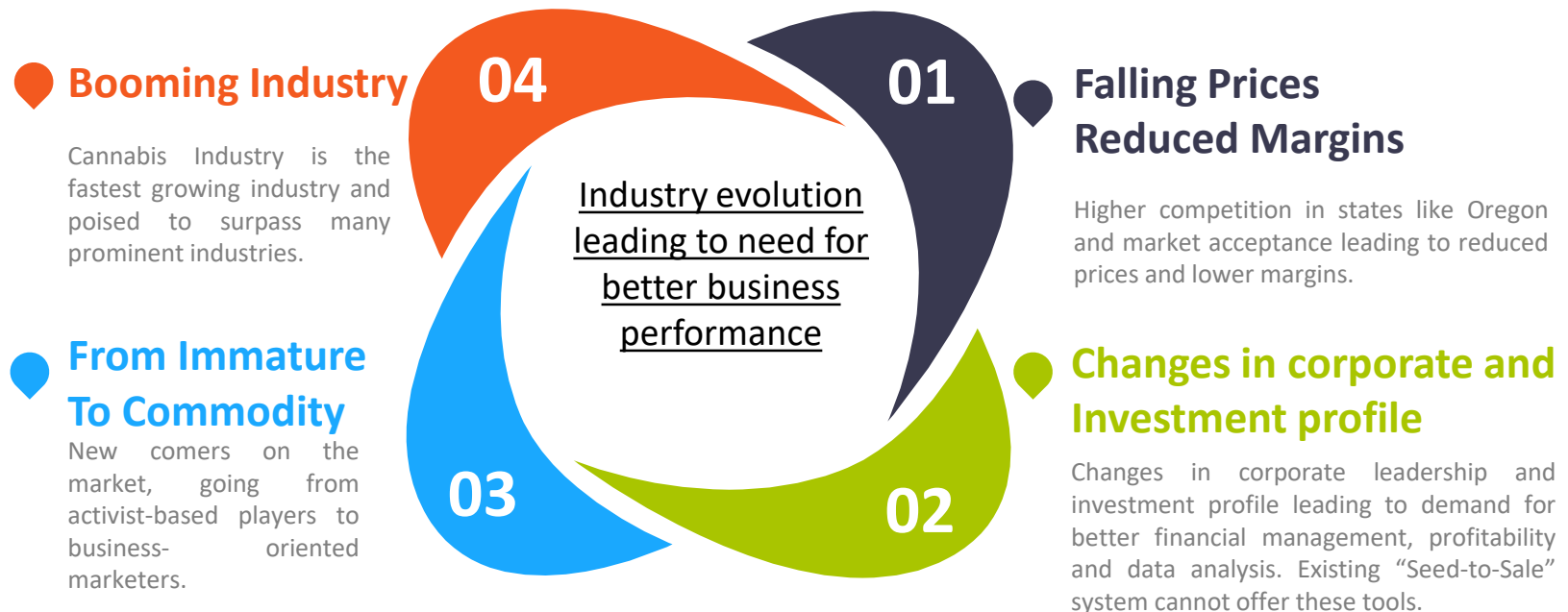
Beyond Seed-to-Sale

# How to ...

## How cannabis entrepreneurs can ...

- navigate a **complex** regulatory framework to
- establish a **sound foundation** for their businesses and
- **maintain** compliance going forward
- be **successful** in their endeavor

# The cannabis industry evolution

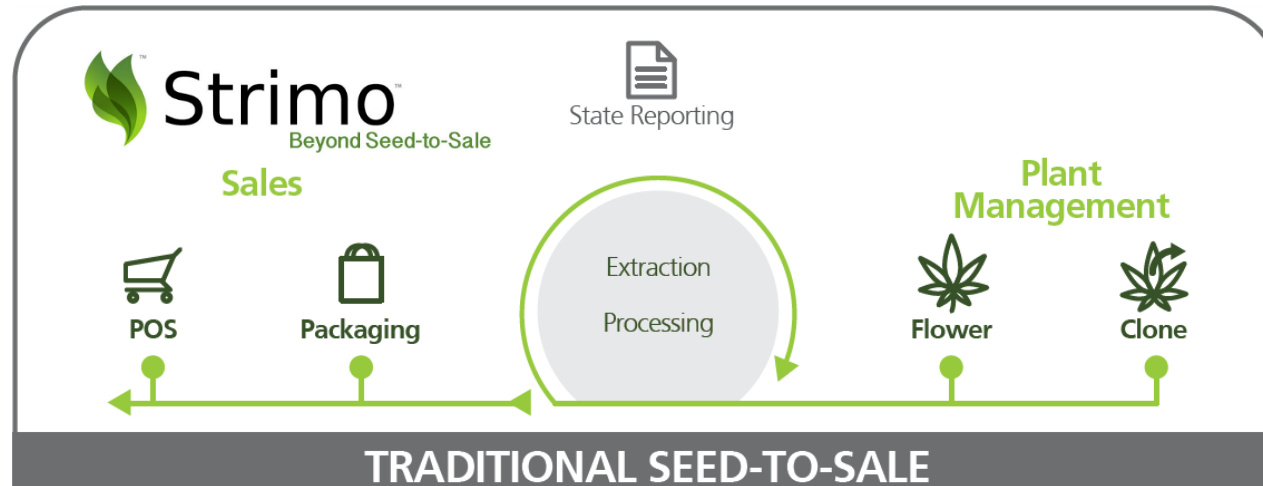




# Market tools

- **Track- And- Sale** system: web-based application used for businesses to remain compliant with regulators. **States** requires operators to report data. No business management purpose or use for the day-to-day growth of the company. Ex: Metrc or LeafData.
- **Seed-To-Sale Tracking** systems: inventory control systems used to track the cultivation, processing, and sales of cannabis to patients. Focus on **point-of-sale** and inventory system with limited capabilities. No business analysis or accounting management tools.
- **Business Management** systems: ***performance-oriented platform*** to scale their growth, mitigate the risk, manage compliance and optimize their operations. Combines different aspects of their business process including cultivation, manufacturing, costing, accounting and dispensary management. It is the next steps from a Seed-to-Sale system. Data-driven ***analytics***, dashboards and reporting tools.

## Current System Process

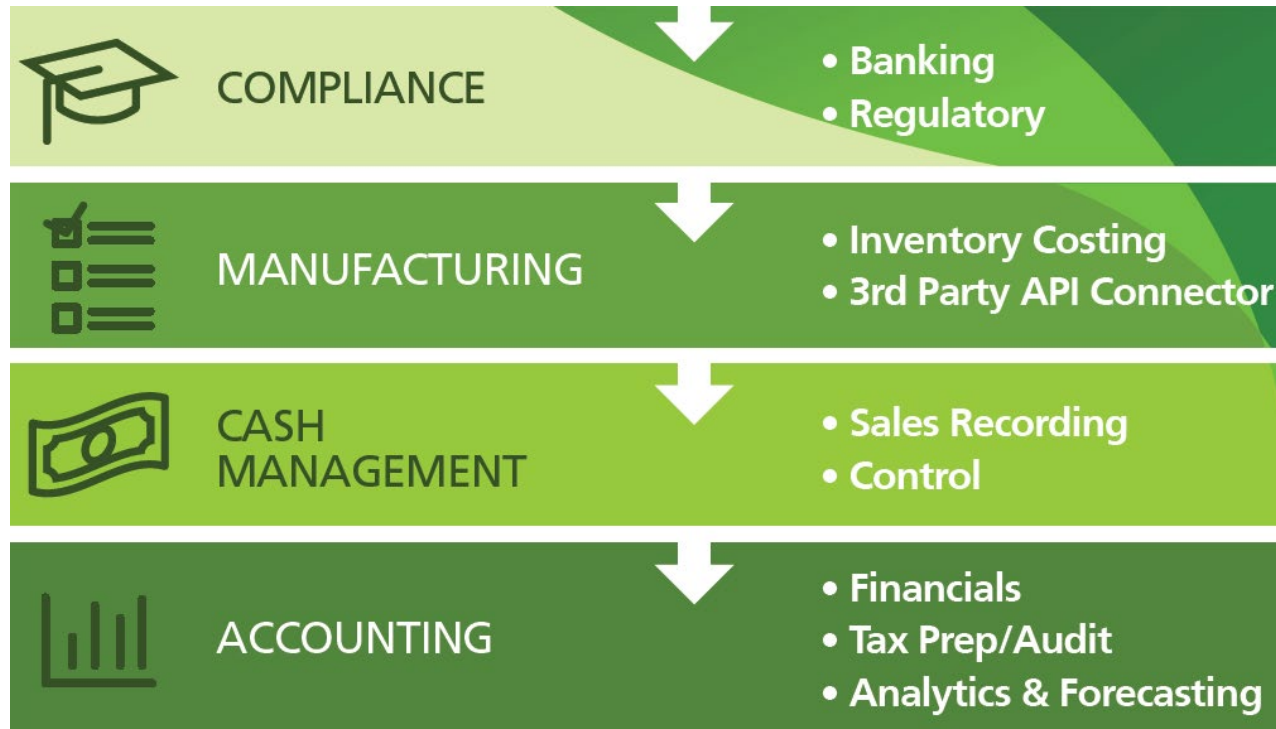


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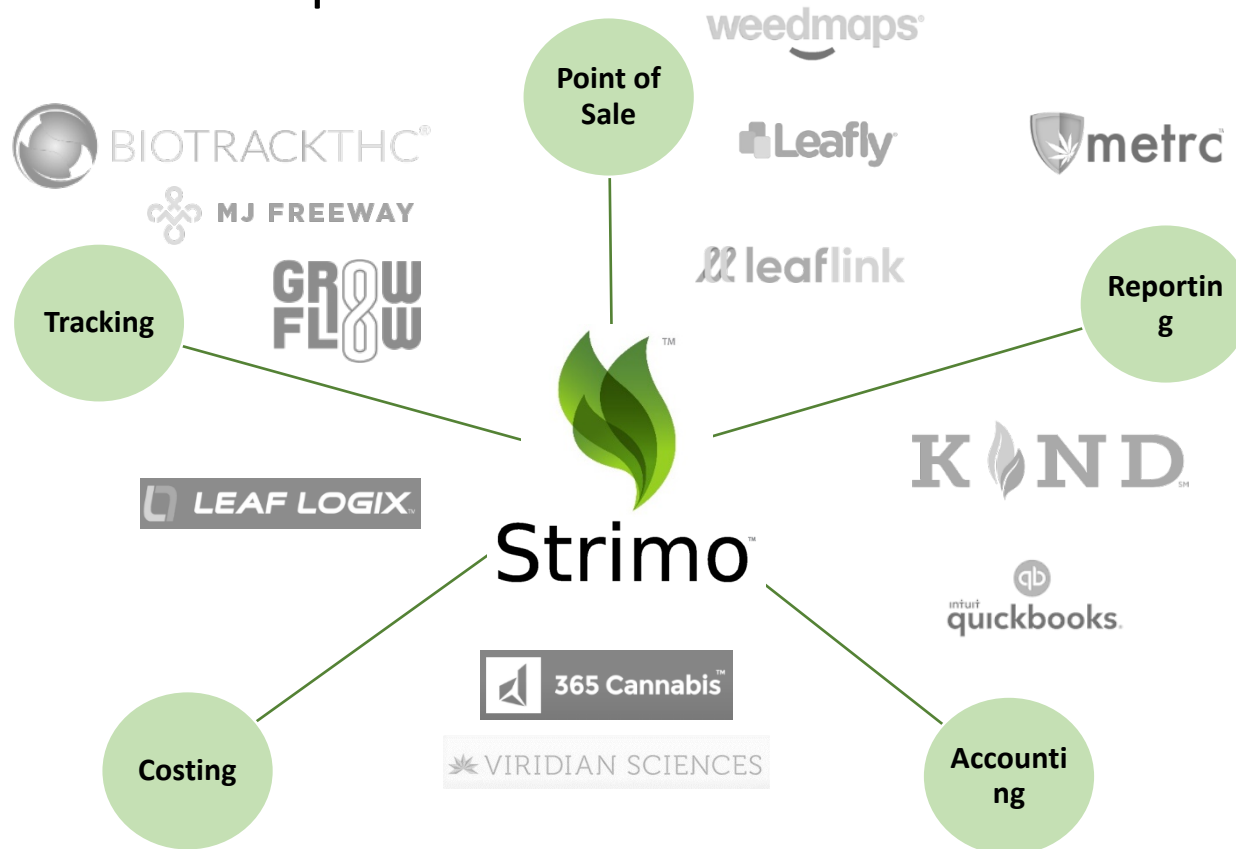
- Improved Data Collection and Analysis
- Real Time Cost Tracking

# System of engagement

*Performance management platform, providing data collection and analysis tools*



## System Landscape



## Focus on the Business Side

- Importance of Vision, Goals and strong Business Model
- Strong business operations and process
- Closely monitoring financials and analysis, ahead of market
- Key Metrics
- Navigating a constantly expanding product line



Thank You!

4/19/2019

Jacques Santucci, CEO, Strimo

207.200.8586

[jacques@strimo.net](mailto:jacques@strimo.net)

[www.strimo.net](http://www.strimo.net)

[facebook.com/strimo](https://facebook.com/strimo)

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The ERP software solution  
for **serious** cannabis operators.

 **Strimo** | Beyond  
Seed-to-Sale™

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## PART 3



**Kristin Collins**

*Municipal Law and Finance*

Preti Flaherty



## **22 MRS §2429-D Local Regulation**

Pursuant to the home rule authority granted under the Constitution of Maine, Article VIII, Part Second and Title 30-A, section 3001, a municipality may regulate registered caregivers, registered caregiver retail stores operating pursuant to section 2423-A, subsection 2, paragraph P, registered dispensaries, marijuana testing facilities and manufacturing facilities. [2017, c. 452, §18 (NEW).]

A municipality may not:

[2017, c. 452, §18 (NEW).]

- 1. Registered caregivers.** Prohibit or limit the number of registered caregivers;

22 MRS §2429-D, Continued . . .





## 22 MRS §2429-D, continued

[2017, c. 452, §18 (NEW) .]

2. **Stores, dispensaries, testing and manufacturing facilities.** Prohibit registered caregiver retail stores, registered dispensaries, marijuana testing facilities and manufacturing facilities that are operating with municipal approval in the municipality prior to the effective date of this section; or

[2017, c. 452, §18 (NEW) .]

3. **Municipal authorization needed.** Authorize registered caregiver retail stores, registered dispensaries, marijuana testing facilities and manufacturing facilities that are not operating on the effective date of this section to operate in the municipality unless the municipal legislative body, as defined in Title 30-A, section 2001, subsection 9, has voted to adopt or amend an ordinance or approve a warrant article allowing registered caregiver retail stores, registered dispensaries, marijuana testing facilities or manufacturing facilities, as applicable, to operate within the municipality.



## **28 MRS §401**

# **Municipal Regulation of Marijuana Establishments Generally**

In accordance with the applicable provisions of this subchapter and pursuant to the home rule authority granted under the Constitution of Maine, Article VIII, Part Second and Title 30-A, section 3001, a municipality may regulate marijuana establishments within the municipality, including, but not limited to, adoption of the following types of regulations and restrictions. [\[2017, c. 409, Pt. A, §6 \(NEW\).\]](#)

- 1. Land use regulations.** A municipality may adopt an ordinance providing land use regulations applicable to marijuana establishments within the municipality.

[28 MRS §401, Continued . . .](#)



## **28 MRS §401, continued**

- 2. General authorization or limitation of marijuana establishments.** A municipality may adopt an ordinance generally authorizing the operation of some or all types of marijuana establishments within the municipality. A municipality may adopt an ordinance limiting the number of any type of marijuana establishment that may be authorized to operate within the municipality.
- 3. Municipal licensing requirements.** A municipality may adopt an ordinance providing licensing requirements applicable to marijuana establishments within the municipality, which may include, but are not limited to, provisions establishing a municipal licensing fee schedule pursuant to Title 30-A, section 3702.

Notwithstanding any other provision of law to the contrary, a municipal ordinance regulating marijuana establishments within the municipality adopted pursuant to this subchapter is not subject to the requirements or limitations of Title 7, chapter 6 or 8-F.

## **Local Authorization of Marijuana Establishments Within Municipalities (Summarized)**

**1. Cannot apply for local authorization unless:**

- A. The municipality has adopted or amended an ordinance or adopted a warrant article allowing the type of marijuana establishment requested
- B. The person has been issued a conditional license by DAFS

**2. Minimum authorization criteria.** A municipality MAY NOT authorize the operation of a marijuana establishment if:

- A. Within 1,000 feet of the property line of a preexisting public or private school (ordinance can reduce this to 500' but no less). (Some towns including day cares and churches)
- B. Applicant doesn't establish right, title or interest in the marijuana establishment.



## **28-B §402, continued**

- 3. A person may not operate a marijuana establishment within a municipality unless:**
- A. The municipality has adopted or amended an ordinance or adopted a warrant article allowing the type of marijuana establishment
  - B. The person has obtained all applicable municipal approvals, permits or licenses that are required by the municipality for the operation of that type of marijuana establishment; and
  - C. The person has been issued by the department an active license to operate the marijuana establishment




# ***The State of the Cities*** **Portland | South Portland**

## **Portland**

- Zoning regulations in place; licensing still being considered
- Moratorium still in place on Caregiver Retail Stores, Grow Facilities (30+ plants), Manufacturing & Testing

## **South Portland**

- Zoning and licensing in place for all medical and adult uses
- Licenses required for all uses but non retail caregivers
- Waiting only on state licenses



## ***The State of the Cities*** **Windham | Lewiston**

### **Windham**

- Haven't opted in on anything
- Just starting committee work on zoning and licensing recommendations; will be a while

### **Lewiston**

- Licensing required for all caregivers; retail or not
- Ordinance on cultivation (none in multifamily, odor restriction, etc.)
- Haven't opted in on adult use – no indication what will happen



# ***The State of the Cities*** **Bangor | Auburn**


## **Bangor**

- Zoning in place for caregiver retail stores, adult use retail (same zones) and cultivation
- No licensing in place

## **Auburn**

- Medical and adult use all zoned
- Licensing ordinance in place; non-retail caregivers not included





## ***The State of the Cities Scarborough | Saco***

### **Scarborough**

- Committee in place; haven't opted in to anything yet

### **Saco**

- Ordinance just amended 3/26/19
- License required for all growing, processing, manufacture or sale except for personal use
- No growing in home except for personal use. No retail uses allowed.



## ***The State of the Cities*** **Biddeford | Sanford**

### **Biddeford**

- Medical uses all allowed as conditional use; 250' setbacks from schools and churches
- No licensing
- Not opted in for retail

### **Sanford**

- All retail expressly banned
- Zoning standards in place for cultivation facilities and caregiver retail stores



# ***The State of the Cities Brunswick | Augusta***

## **Brunswick**

- Adult use and medical marijuana allowed only in industrial zones
- Licensing for all uses including non-retail caregivers

## **Augusta**

- About to adopt zoning and licensing requirements for adult use and medical marijuana uses (same zones, same licensing requirements)
- Caregivers to leave residential neighborhoods in 2 years
- Licensing to apply to non-retail caregivers as well



## ***The State of the Cities*** **Westbrook | Waterville**

### **Westbrook**

- Adult use specifically prohibited
- Only caregiver cultivation facilities (sales allowed) and dispensaries allowed
- Thorough regulations on operation/security

### **Waterville**

- Ordinance just passed 4/2/19
- All adult and medical uses allowed and zoned; licenses also required



## **PART 4**

# **Q & A**



# THANK YOU FOR COMING



**Dan Walker**  
207.623.5300  
[dwalker@preti.com](mailto:dwalker@preti.com)



**Kristin Collins**  
207.623.5300  
[kcollins@preti.com](mailto:kcollins@preti.com)