

The Michigan Medical Marijuana Facilities Licensing Act allows the township to decide if they will allow commercial marijuana facilities' to exist in their township. We hope you will take a few minutes to read this information and share your opinion with us.

The Michigan Medical Marijuana Act of 2008 allows physicians to determine if medical marijuana will help a patient under their care. The physician can't actually prescribe marijuana but submits a form for recommending medical marijuana to the Michigan Department of Licensing and Regulatory Affairs (LARA). If the form is properly filled out and a fee is submitted, LARA will issue a medical marijuana card to the patient that is good for two years. Certified patients may grow up to 12 plants, while a Caregiver may serve a maximum of five patients at a time and grow 72 plants.

### **New Commercial System**

2016 Michigan passed the Medical Marijuana Facilities Licensing Act (MMFLA), Public Act 281 of 2016. The MMFLA picks up where the previous law left off. Where the MMMA only includes patients and care givers the new law outlines five classes of facilities that can receive medical marijuana licenses. **commercial growers, processors, secure transporters, testing facilities, and retail dispensaries/provisioning centers.**

The state will also allow cannabis –infused edible products and additional extracts and oils. In return the state and township will collect licensing fees from those who take part in the system every year.

**There are 5 classes of licenses – Montcalm Township can choose any or all of them and how many of each.**

- 1. Class A, B or C licensed growers would be permitted to have up to 500, 1000, or 1500 plants, respectively.** If allowed these would be all “indoor grows.” By law they can only exist in areas zoned agricultural or industrial. And as in MMMA 2008 must be kept in a locked secure area. This would most likely be in a pole barn structure or greenhouse that has been constructed with a professional and inspected electrical, heating, watering, and security systems.
- 2. Secure Transporter** – the law requires that commercially grown marijuana and its refined products be transported between facilities for a fee by a licensed transporter.
- 3. Safety Compliance Facility** – major part of the law testing marijuana for safety, contaminants and cannabinoids. This commercial entity would operate similarly to a Lab, and would receive marijuana from another facility and conduct tests on the substance.
- 4. Processing Facility** – which extracts resin from the marijuana or creates marijuana – infused product.
- 5. Provisioning Centers also referred to as Dispensaries** – are any commercial property where marijuana products are sold to registered qualifying patients or caregivers.

The current system of caregivers and patients will continue to exist as is. However, patients will have more options for where they can purchase their medical marijuana. The goal is also to provide a safer purer more accessible product.

### **State Controls**

The new laws will create a larger commercial system that will be State regulated. Participating in the new system will come at a cost for those who want to operate a commercial facility. The State will require all applicants within each licensing class to go through background checks and will charge them an annual licensing fee as well as the township charging and annual licensing fee.

## **Local Control**

Beyond the State's licensing process, local government can determine if any of these facilities will be allowed in their communities, including setting the number of each, and zoning laws of where they may operate.

LARA will not consider a license application from any facility wanting to locate in our township if we don't have an ordinance allowing and controlling these facilities.

The local governments that do allow the commercial marijuana industry in their communities will be able to collect an annual licensing fee of up to \$5000.00 from each license holder to cover the community's administrative and ordinance enforcement costs. Officials are weighing the benefits of the facilities ---- such as revenue from new taxes and fees, and wider access for medical marijuana patients --- against potential safety concerns and opposition from some members of the public. Your township board does not issue licenses for medical marijuana facilities. Only LARA of State of Michigan can do that. Your township can only decide whether any facilities are allowed, what kinds and how many. We cannot decide which particular facilities or applicants can be licensed by the State of Michigan. We can however determine where they will be located, and include safeguards such as building safety requirements and background checks on the individuals applying for site approval.

**FOR A COMPLETE COPY OF THE MONTCALM TOWNSHIP ZONING ORDINANCE ADDITION THIS SURVEY IS REFERRING TO PLEASE GO TO THE MONTCALM TOWNSHIP WEB SITE**

**<https://montcalmtownship.com/wp-content/uploads/2019/06/Medical-Marihuana.pdf>**

For additional information see these Web sites:

### **Licensing and Regulatory Affairs (LARA) Medical Marijuana Facility Licensing**

[https://www.michigan.gov/lara/0,4601,7-154-89334\\_79571\\_78089---,00.html](https://www.michigan.gov/lara/0,4601,7-154-89334_79571_78089---,00.html)

### **Medical Marijuana Facilities Licensing Act, Public Act 281 of 2016, MCL 333.27101. et seq.**

[http://www.legislature.mi.gov/\(S\(j1mrqpgv4sghodk0byogv4ke\)\)/mileg.aspx?page=getObject&objectName=mcl-Act-281-of-2016](http://www.legislature.mi.gov/(S(j1mrqpgv4sghodk0byogv4ke))/mileg.aspx?page=getObject&objectName=mcl-Act-281-of-2016)

### **Marijuana Tracking Act, Public 282of 2016, MCL333.27901, et seq.,**

[http://www.legislature.mi.gov/\(S\(cj3blrjx33ixm5um04b53ky0\)\)/mileg.aspx?page=getobject&objectname=mcl-Act-282-of-2016&query=on&highlight=marihuana%20AND%20tracking](http://www.legislature.mi.gov/(S(cj3blrjx33ixm5um04b53ky0))/mileg.aspx?page=getobject&objectname=mcl-Act-282-of-2016&query=on&highlight=marihuana%20AND%20tracking)

### **Medical Marijuana Act Initiated Law 1 of 2008, MCL 333.26421, et seq.**

[http://www.legislature.mi.gov/\(S\(Oenca0dt12ablb2onb3ziki0\)\)/mileg.aspx?page=GetObject&objectname=mcl-Initiated-Law-1-of-2008](http://www.legislature.mi.gov/(S(Oenca0dt12ablb2onb3ziki0))/mileg.aspx?page=GetObject&objectname=mcl-Initiated-Law-1-of-2008)

