

Under the Medical Marihuana Facilities Licensing Act, Richmond Township has the absolute discretion in deciding whether to adopt an ordinance allowing marihuana facilities within its boundaries. None of the licenses discussed below can be issued by the State of Michigan unless the Township Board adopts an ordinance to allow these activities in Richmond Township.

We ask that you read over the material summarized below, discuss with your family and neighbors and help us decide whether the issuance of any of these licenses in Richmond Township will be a benefit to our community.

The Michigan Medical Marihuana Facilities Licensing Act establishes a means for licensing and regulating marihuana growers, processors, transporter, provisioning centers (dispensaries) and safety compliance facilities. This Act is totally separate from the original Medical Marihuana Act that was adopted following the citizen initiative of 2008 which allows patients and caregivers to grow and use limited amounts of marihuana.

Under the legislation adopted by the legislature and signed into law by Governor Snyder in 2016 local municipalities including townships have absolute discretion in deciding whether to adopt an ordinance allowing marihuana facilities within their boundaries. You will find below summaries of each of the licenses that may be given by state and local units of government in Michigan.

The five Medical Marihuana facilities set forth in the Act are described as follows:

Growers – a grower is defined under the Act as a licensee that is a commercial entity that cultivates, dries, trims or cures and packages marihuana for sale to a processor or provisioning center.

*A grower license authorizes the grower to grow not more than the following number of marihuana plants under the indicated license class for each license the grower holds in that class:

- Class A – 500 marihuana plants
- Class B – 1,000 marihuana plants
- Class C – 1,500 marihuana plants

*A grower license does not authorize the grower to operate in an area unless the area is zoned for industrial uses.

Processors – a processor is defined as a licensee that is a commercial entity that purchases marihuana from the grower and extracts resin from the marihuana or creates a marihuana infused product for sale and transfer in packaged form to a provisioning center.

Provisioning Centers – a provisioning center is defined as a licensee that is a commercial entity that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers.

Secure Transporters – a secure transporter is defined as a licensee that is a commercial entity that stores marihuana and transports marihuana between marihuana facilities for a fee.

Safety Compliance Facilities – a safety compliance facility is defined as a licensee that is a commercial entity that receives marihuana from a marihuana facility or registered primary caregiver, tests it for contaminants, returns the test results and the marihuana to the marihuana facility.

In order to operate any of the above-listed facilities, the operator must obtain a license from the State.

A. Local Municipal Regulation

The Act specifically provides that a marihuana facility shall not operate in a municipality unless the municipality has adopted an ordinance that authorizes that type of facility. A municipality may adopt an ordinance to authorize one (1) or more types of marihuana facilities within its municipal boundaries as well as to limit the number of each type of facility.

A municipality under the Act may adopt other ordinances relating to marihuana facilities within its jurisdiction including zoning regulations, but may not impose regulations regarding the purity or pricing of marihuana or interfering or conflicting with statutory regulations for licensing marihuana facilities.

If a municipality adopts an ordinance authorizing one or more types of marihuana facilities, the ordinance may establish an annual, nonrefundable fee of not more than \$5,000 on a licensee to help defray administrative and enforcement costs associated with the operation of a marihuana facility within the municipality. It is important to understand that a marihuana facility may not operate in a municipality unless the municipality has adopted an ordinance authorizing that type of facility. In the absence of such an ordinance, medical marihuana growers, processors, secure transporters, provisioning centers and safety compliance facilities will not be permitted to operate within a municipality.

B. State Licensure of Marihuana Facilities

In the event a municipality adopts an ordinance under Act 281 authorizing one or more of the five types of marihuana facilities, a potential licensee must obtain an operating license from the State of Michigan. Act 281 became effective December 20, 2016. If the State issues a license for a marihuana facility, the license shall be for a one-year period and is renewable annually. Each license is exclusive to the licensee and a licensee or any other person must apply for and receive State and local municipal approval before a license is transferred, sold or purchased.

C. Taxation

Under Act 281 a tax will be imposed on each provisioning center at the rate of 3% of the provisioning center's gross retail receipts. The Act defines a provisioning center as a commercial entity that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualified patients, directly or through their registered primary caregivers.

The Act also creates a medical marihuana excise fund. The fund is comprised of all money collected from the tax imposed on provisioning centers as well as all other fees, fines, and charges imposed under the Act. The fees do not include licensing fees charged by local municipalities. The money collected and placed in the medical marihuana excise fund is allocated, in part, to local municipalities, including Townships. The Act provides that 25% of the monies in the excise fund at the close of every fiscal year shall be appropriated to municipalities in which a marihuana facility is located, allocated in proportion to the number of marihuana facilities within the municipality.

Attached is a Survey Form. Please put an "X" in the column that reflects your opinion on the license type and write any comments. We appreciate your input by completing the survey and letting us know how you feel. Please return the completed survey by April 11, 2018. Thanks for your time.

SURVEY FORM

I am in favor of Richmond Township allowing certain types of medical marihuana facilities in the township borders
Place Your X, Write any comment below - optional

Strongly Agree	5	
Agree	4	
Neutral	3	
Disagree	2	
Strongly Disagree	1	

I am in favor of Richmond Township allowing medical marihuana GROWING facilities in the township's borders.
Place Your X, Write any comment below - optional

Strongly Agree	5	
Agree	4	
Neutral	3	
Disagree	2	
Strongly Disagree	1	

I am in favor of Richmond Township allowing medical marihuana PROCESSING facilities in the township's borders.
Place Your X, Write any comment below - optional

Strongly Agree	5	
Agree	4	
Neutral	3	
Disagree	2	
Strongly Disagree	1	

I am in favor of Richmond Township allowing medical marihuana PROVISIONING CENTERS in the township's borders.
Place Your X, Write any comment below - optional

Strongly Agree	5	
Agree	4	
Neutral	3	
Disagree	2	
Strongly Disagree	1	

I am in favor of Richmond Township allowing medical marihuana SECURE TRANSPORTERS in the township's borders.
Place Your X, Write any comment below - optional

Strongly Agree	5	
Agree	4	
Neutral	3	
Disagree	2	
Strongly Disagree	1	

I am in favor of Richmond Township allowing medical marihuana TESTING FACILITIES in the township's borders.
Place Your X, Write any comment below - optional

Strongly Agree	5	
Agree	4	
Neutral	3	
Disagree	2	
Strongly Disagree	1	

I AM A RICHMOND TOWNSHIP RESIDENT: Yes _____ No _____