



Legislation Text

File #: 18-1395, **Version:** 1

Resolution Requesting Governor Snyder to Sign New Emergency Rule 19 to Enable Existing Medical Marijuana Facilities in Ann Arbor to Continue to Operate Beyond September 15, 2018, Without Having Obtained a State Operating License

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Whereas, On December 4, 2017, the Michigan Department of Licensing and Regulatory Affairs (LARA) issued emergency rules that were signed by Governor Snyder for the purpose of implementing the Medical Marijuana Facilities Licensing Act (MMFLA), 2016 PA 281, MCL 333.27101 et seq;

Whereas, LARA established Emergency Rule 19 to conditionally allow an applicant for a state operating license (“applicant”) who is operating and has operated a proposed marijuana facility since before December 15, 2017 (“existing facility”), to temporarily continue to operate the existing facility on and after December 15, 2017, even though continued operation would otherwise require a state operating license;

Whereas, On December 18, 2017, the Ann Arbor City Council passed resolution R-17-471 that allowed the continued operation in the City of existing facilities listed on the attachment to the resolution even though continued operation would otherwise require a state operating license;

Whereas, Under Emergency Rule 19, as passed on December 4, 2017, an existing facility would have been permitted to continue to operate only if it had obtained a state operating license by June 15, 2018;

Whereas, On May 30, 2018, due to the large volume of applications for state operating licenses it had received, LARA issued new emergency rules that were signed by Governor Snyder, which amended Emergency Rule 19 such that September 15, 2018, was the date by which an existing facility would be required to obtain a state operating license;

Whereas, Concern has been expressed to the Mayor that LARA may not be able to process the backlog of applications for state operating licenses by September 15, 2018, which could require an existing facility that had not yet been issued a state license to cease to operate;

Whereas, The Mayor has received requests to have the Ann Arbor City Council respectfully request Governor Snyder to sign new emergency rules that would extend the deadline for an existing facility to obtain a state operating license beyond September 15, 2018; and

Whereas, Extending the deadline beyond September 15, 2018, will ensure that medical marijuana patients will have safe uninterrupted access to their medicine from existing facilities in Ann Arbor;

RESOLVED, That City Council respectfully requests that Governor Snyder sign new emergency rules that extend the deadline in Emergency Rule 19 for an existing facility to obtain a state operating

license for at least three months beyond September 15, 2018, in order to provide additional time for LARA to process the large volume of applications it has received and, thereby, to ensure that medical marijuana patients will have safe uninterrupted access to their medicine from existing facilities in Ann Arbor; and

RESOLVED, That City Council directs the City Clerk to send a certified copy of this resolution to Governor Snyder.

Sponsored by: Mayor Christopher Taylor and Councilmembers Bannister and Kailasapathy