

**TOWN OF HUNTINGTON PLANNING BOARD
PO BOX 430, HUNTINGTON, MA 01050**

Marijuana Bylaw Survey for Residents

On December 15, 2016, MGL c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed became law. This law (as amended on 12-30-16; Chapter 351 of the Acts of 2016) regulates the cultivation, processing, distribution, possession and use of marijuana for recreational purposes. Currently, this legislation is not specifically addressed in the Huntington Zoning Bylaw. At this time, the Planning Board needs your help with input regarding amending the Zoning Bylaw for regulation of Recreational Marijuana Establishments. It is requested that all voters of the Town of Huntington answer the five questions below to guide the Planning Board's direction in drafting the bylaw amendment. If there is more than one voter in your household, feel free to make copies of this survey or download it from the Town's website (huntingtonma.us) "Forms & Applications" page. **Please mail to the above address or drop off your survey(s) at Town Hall before November 1, 2017 to allow tabulation of results.** We want to draft a bylaw amendment which best reflects the wishes of the voters of the Town of Huntington. Thank you for your input!

Definition: "Recreational Marijuana Establishment" shall mean a "marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business."

Definitions excerpted from G.L. c.94G, §1, which are applicable to the questions below, are on the reverse of this page (page 2).

(1) Do you approve of marijuana cultivators as defined in G.L. c.94G, §1, within the Town of Huntington?

Yes, I approve _____ No, I do not approve _____ Unsure _____

(2) Do you approve of marijuana testing facilities as defined in G.L. c.94G, §1, within the Town of Huntington?

Yes, I approve _____ No, I do not approve _____ Unsure _____

(3) Do you approve of marijuana retailers as defined in G.L. c.94G, §1, within the Town of Huntington?

Yes, I approve _____ No, I do not approve _____ Unsure _____

(4) Do you approve of marijuana product manufacturers as defined in G.L. c.94G, §1, within the Town of Huntington?

Yes, I approve _____ No, I do not approve _____ Unsure _____

(5) Do you approve of any other type of licensed marijuana-related businesses as defined in G.L. c.94G, §1, within the Town of Huntington?

Yes, I approve _____ No, I do not approve _____ Unsure _____

MGL Chapter 94G
Section 1. Definitions

As used in this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:

- (a) "Consumer", a person who is at least 21 years of age.
- (f) "Manufacture", to compound, blend, extract, infuse or otherwise make or prepare a marijuana product.
- (g) "Marijuana" or "Marihuana", all parts of any plant of the genus Cannabis, not excepted below and whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin including tetrahydrocannabinol as defined in section 1 of chapter 94C of the General Laws; provided that "Marijuana" shall not include:
 - (1) The mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, fiber, oil, or cake made from the seeds of the plant or the sterilized seed of the plant that is incapable of germination;
 - (2) Hemp; or
 - (3) The weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products.
- (h) "Marijuana accessories", equipment, products, devices or materials of any kind that are intended or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling or otherwise introducing marijuana into the human body.
- (i) "Marijuana cultivator", an entity licensed to cultivate, process and package marijuana, to deliver marijuana to marijuana establishments and to transfer marijuana to other marijuana establishments, but not to consumers.
- (j) "Marijuana establishment", a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business.
- (k) "Marijuana product manufacturer", an entity licensed to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers.
- (l) "Marijuana products", products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.
- (m) "Marijuana testing facility", an entity licensed to test marijuana and marijuana products, including certification for potency and the presence of contaminants.
- (n) "Marijuana retailer", an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.
- (o) "Process" or "processing", to harvest, dry, cure, trim and separate parts of the marijuana plant by manual or mechanical means, except it shall not include manufacture as defined in subsection (f) of this section.
- (p) "Unreasonably impracticable", that the measures necessary to comply with the regulations, ordinances or by-laws adopted pursuant to this chapter subject licensees to unreasonable risk or require such a high investment of risk, money, time or any other resource or asset that a reasonably prudent businessperson would not operate a marijuana establishment.