



Patrick Boccio <pboccio@greenbrooktwp.org>

"New Jersey Marijuana Legalization Act"

2 messages

Patrick Boccio <pboccio@greenbrooktwp.org>

Sun, Aug 5, 2018 at 10:48 AM

To: Gerard Searfoss <gsearfoss@greenbrooktwp.org>

Bcc: Frank Gaffney <fgaffney@greenbrooktwp.org>, James Benscoter <jbenscoter@greenbrooktwp.org>

Attached is a copy of the most recent bill S2703.

This bill is sponsored by Senator Nick Scutari and Senate President Steve Sweeney.

Of note is that it was reported on August 3 that Assembly Speaker Craig Coughlin is now on record favoring legalization.

As this bill, or a similar bill, gets closer to enactment, we need to formulate a response that will fit Green Brook.

This bill will:

Allow persons 21 years of age or older: Possessing, using, purchasing, or transporting: marijuana paraphernalia; one ounce or less of marijuana; 16 ounces or less of marijuana infused product in solid form; 72 ounces or less in liquid form; 7 grams or less of marijuana concentrate; and up to 6 immature marijuana plants subject to the provisions of subsection b. 36 this section; (page 7, line 32)

Consumption of marijuana items, provided that nothing in this section shall permit a person to smoke or otherwise consume marijuana items in a public place; and

**New Jersey Marijuana Legalization Act 2703_I1.PDF**

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Patrick Boccio <pboccio@greenbrooktwp.org>

Sun, Aug 5, 2018 at 11:43 AM

To: Gerard Searfoss <gsearfoss@greenbrooktwp.org>

Bcc: Frank Gaffney <fgaffney@greenbrooktwp.org>, James Benscoter <jbenscoter@greenbrooktwp.org>, Kelly Cupit <kcupit@greenbrooktwp.org>

I hit send before finishing my notes.

Attached is a copy of the most recent bill S2703.

This bill is sponsored by Senator Nick Scutari and Senate President Steve Sweeney.

Of note is that it was reported on August 3 that Assembly Speaker Craig Coughlin is now on record favoring legalization.

As this bill, or a similar bill, gets closer to enactment, we need to formulate a response that will fit Green Brook.

I don't see distance limits for establishment permitted by the bill, however the local municipality can set such limits.

Sections 1 through 40, and sections 42 through 45 shall take effect 180 days after enactment (page 63, line 47) and the municipality has 180 days after the effective date to enact a prohibition if it sees fit to do so. (page 22, line 36)

Section 41 shall take effect immediately, but shall expire 180 days after enactment. (page 64, line 3)

Although unlikely, if the law is enacted by the end of September, we would need to act by mid-September 2019.

As June 7, 2018 the following local town have said no to marijuana businesses within their borders:

https://www.nj.com/marijuana/2018/05/these_nj_towns_have_said_no_to_legal_weed_before_i.html

Bridgewater

Chatham
Parsippany-Troy Hills

The following local towns have indicated that they might say no:

Manville

No local towns have said yes.

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Consumption of marijuana items, provided that nothing in this section shall permit a person to smoke or otherwise consume marijuana items in a public place; (page 7, line 45)

No later than 150 days after the effective date of the law , the division shall adopt, pursuant to the "Administrative Procedure Act," rules and regulations necessary for implementation of law (page 12, line 32)

The tax revenue shall be collected by the Director of the Division of Taxation and shall be deposited by the Director of the Division of Taxation into the nonlapsing fund established pursuant 19 to section of P.L., and shall be used to fund the Division of Marijuana Enforcement, except that one percent shall be allocated annually to the local governmental entity in which the marijuana establishment is located, to be dedicated to drug prevention and treatment. (page 22, line 17)

A local governmental entity may enact ordinances or regulations, not in conflict with the provisions of P.L. , c. (C.):
(1) governing the time, place, manner, and number of marijuana establishment operations; and
(2) establishing civil penalties for violation of an ordinance or regulation governing the time, place, and manner of a marijuana establishment that may operate in such local governmental entity. (page 22, line 28)

A local governmental entity may prohibit the operation of marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, or marijuana retailers through the enactment of an ordinance. The failure of a local governmental entity to enact an ordinance prohibiting the operation of a marijuana establishment within 180 days following the effective date of P.L. shall thereby permit the operation of a marijuana retail establishment within the local governmental entity for a period of five years, at the end of which five year period, and every five year period thereafter, the local governmental entity shall again be permitted to prohibit the operation of a marijuana establishment. (page 22, line 36)

A local governmental entity may impose a separate local licensing or endorsement requirement as a part of its restrictions on time, place, manner, and the number of marijuana businesses. A local governmental entity may decline to impose any local licensing or endorsement requirements, but a local jurisdiction shall notify the division that it either approves or denies each application forwarded to it. (page 23, line 13)

"Retail marijuana consumption area" means an establishment where a new or existing marijuana retail licensee has been approved for a retail marijuana consumption area endorsement to sell retail marijuana, retail marijuana concentrate, and retail marijuana product for consumption on the premises. (page 6, line 39)

Retail Marijuana Consumption area. A local governmental entity may authorize the operation of retail marijuana consumption areas within its jurisdiction through the enactment of an ordinance. (page 57, line 20)

A local governmental entity shall not allow a retail marijuana consumption area endorsement to a marijuana retailer that is within 1,000 feet of a boundary with an adjoining jurisdiction that does not permit retail marijuana establishments in its boundaries. (page 57, line 30)

[Quoted text hidden]