

transport manifests in (14) is necessary for verification of compliance with the Act and these rules regarding the transport of marijuana and marijuana products.

Section (15) is proposed as an extension of the marijuana transporter requirements of the Act that require a marijuana transporter licensee to obtain a marijuana storage facility endorsement for any storage facilities, where applicable.

NEW RULE VI COMBINED USE LICENSES (1) A combined use license allows a federally recognized tribe located in the state or a business entity that is majority-owned by a federally recognized tribe located in the state to maintain a marijuana cultivation facility and marijuana dispensary on the same licensed premises.

(2) The department shall begin accepting applications for combined use licenses on January 1, 2022.

(3) A combined use licensee is subject to the marijuana laws.

AUTH: 16-12-112, 16-12-225, MCA

IMP: 16-12-225, MCA

REASONABLE NECESSITY: In addition to the department's general statement of reasonable necessity, the department proposes to adopt New Rule VI to provide procedural requirements and relevant cross references to regulatory authority pertaining to combined use licensees.

Section (1) is a necessary reiteration of the Act which provides the authorized activities associated with this license.

Section (2) is necessary for clarity of when the department is authorized to accept combined use license applications under HB 701.

Section (3) is proposed as guidance to a combined use licensee that this license type is subject to the marijuana laws.

NEW RULE VII MARIJUANA TESTING LABORATORY LICENSES (1) A marijuana testing laboratory license allows a marijuana testing laboratory to provide testing of representative samples of marijuana and marijuana products and to provide information about the chemical composition and potency of a sample, as well as the presence of molds, pesticides, or other contaminants.

(2) The department shall begin accepting applications for marijuana testing laboratories on January 1, 2022.

(3) Applicants for marijuana testing laboratories must receive an endorsement from the Department of Public Health and Human Services' state testing laboratory before applying for licensure with the department. The department will accept the state laboratory's standard form of approval or endorsement for the applicant of a marijuana testing laboratory license to meet this requirement.

(4) Marijuana testing laboratories may transport samples of marijuana and marijuana products for testing in accordance with 16-12-222(4), MCA, and [NEW RULE V(4) through (15)].

AUTH: 16-12-112, 16-12-202, MCA

IMP: 16-12-112, 16-12-202, 16-12-222, MCA