

Title 9.60 Marijuana Regulatory Commission

9.60.010. Purpose

The purpose of this chapter is to exercise the Tribe's jurisdiction and to consolidate all regulatory responsibility with respect to all aspects of the marijuana business and usage along with hemp and cbd oil in an agency of the Tribe in order to further the economic development and health, safety and welfare goals of the Tribe.

9.60.010. Establishment of the Chehalis Tribal Marijuana Regulatory Commission ("Marijuana Commission")

There is hereby established the Chehalis Tribal Marijuana Commission, a civil regulatory Agency of the Tribe, which commission shall have oversight of all Marijuana, Hemp and CBD Oil matters whether through Compact, by Ordinance or by Resolution, including but not limited to the following:

- a) The Commercial Marijuana Ordinance;
- b) The Marijuana Compact;
- c) The Medical and Recreational Marijuana Ordinance; and
- d) The Hemp and CBD Oil Ordinance.

9.60.020. Make up of Marijuana Commission

The Marijuana Commission shall consist of five (5) members elected by the General Council. The Marijuana Commission members shall serve for a three (3) year term. The members of the Marijuana Commission shall be employees of the Tribe subject to all the Policies of the Tribe.

- a) The General Council shall, in addition to electing the members of the Marijuana Commission, elect the Chairman of the Marijuana Commission.
- b) The Chairman shall call meetings and administer the regulations promulgated by the Marijuana Commission.

9.60.030. Sovereign Immunity Status

The Marijuana Commission shall be an Agency of the Tribe and, as such, shall be imbued with the sovereign immunity of the Tribe.

9.60.040 Civil Regulatory Authority

The authority of the Marijuana Commission extends to authority over all matters related to marijuana, hemp and cbd oil with respect to tribal enterprises, tribal and non-tribal entities engaged in business on the Reservation, tribal and non-tribal individuals doing business on the Reservation and tribal and non-tribal individuals using marijuana on the Reservation.

- a) The Marijuana Commission has the delegated authority to promulgate regulations with respect to the provisions of this Ordinance and the Ordinances identified in 9.60.010;
- b) The Marijuana Commission has the delegated authority to sue in the Chehalis Tribal Courts for civil regulatory violations;
- c) The Marijuana Commission has the delegated authority to revoke business licenses for businesses doing business on the Reservation if they violate the regulations of the Tribe as

- promulgated by the Marijuana Commission.
- d) Prior to revoking a business license hereunder, the Marijuana Commission shall give the alleged violator 10 days written notice to cure the violation or lose his / her / its Business License. Receipt of the notice shall be deemed to occur on the date an email is sent or the third day after mailing by regular mail if the notice is mailed in the US mails.
 - e) In addition, to the potential of revocation of the Business License, the Marijuana Commission may subject the violator to a fine.
 - f) The fine set forth in 9.60.040 herein, irrespective of whether the Business License has been revoked, shall be not less than \$250 nor more than \$1000 per occurrence.
 - g) Interest on unpaid fines shall accrue at the rate of 12% per annum until paid.
 - h) The Marijuana Commission may issue regulations with respect to its authorities set forth in this Chapter, subject to the review and approval of the Business Committee.

9.60.070 No Waiver of Sovereign Immunity

Nothing in this Chapter shall be or be deemed to be a waiver of the Chehalis Tribe and / or the Marijuana Commission sovereign immunity.