

MARIJUANA RULES & REGULATIONS

Part One – Purpose

101. PURPOSE – Tribal oversight and regulation is essential to protect public health and welfare, and to protect the interests of the Tribe and of residents and visitors to the Bay Mills Indian Community lands. Bay Mills Indian Community has the legal authority to license and regulate any marijuana activity within the jurisdiction of the Tribe.
102. MARIJUANA COMMISSION – Subject to the powers outlined in the Marijuana Commission Ordinance, the Marijuana Commission shall promulgate these rules and regulations to effectuate the safety of marijuana on Bay Mills Indian Community lands.

Part Two – Definitions

103. DEFINITIONS – In this Ordinance, except as otherwise specifically provided or the context otherwise requires, the following terms and expressions shall have the following meanings:
- A. “Activation Time” means the amount of time it is likely to take for an individual to begin to feel the effects of ingesting or inhaling a marijuana item.
 - B. “Batch” means all marijuana product of the same variety that has been processed together and exposed to substantially similar conditions throughout processing.
 - C. “Employee” means a person performing work or service for compensation.
 - 1. “Employee” does not include individuals providing trade or professional services who are not normally engaged in the operation of a marijuana business.
 - D. “Final Form” means the form a marijuana product is in when it is available for sale by a marijuana sales location. For marijuana products intended for inhalation, the marijuana concentrate in the e-cigarette or vaping device.
 - E. “Immature Plant” means a nonflowering marijuana plant that is no taller than 8 inches from the growing or cultivating medium and no wider than 8 inches produced from a cutting, clipping, tissue culture, or seedling that is in a growing or cultivating medium or in a growing or cultivating container.
 - F. “Limited Access Area” means a building, room, or other contiguous area of a marijuana business where marijuana is grown, cultivated, stored, weighed, packaged, sold, or processed for sale and that is under the control of the licensee
 - G. “Marijuana” means all parts of the plant of the genus cannabis, growing or not; the seeds of the plant; the resin extracted from any part of the plant;

and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including marijuana concentrate and marijuana-infused products. For purposes of this ordinance marijuana does 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, except the resin extracted from those stalks, fiber, oil, or cake, or any sterilized seed of the plant that is incapable of germination;
 2. industrial hemp; or
 3. any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other products.
- H. "Marijuana Concentrate" means the resin extracted from any part of the plant of the genus cannabis.
- I. "Marijuana Customer" means an adult 21 years of age or older.
- J. "Marijuana Establishment" means a location at which a licensee is licensed to operate a marijuana grower, marijuana processor, marijuana retailer, marijuana secure transporter, or any other type of marijuana-related business licensed to operate by the Marijuana Commission under this Ordinance.
- K. "Marijuana Grower" means a person licensed to cultivate marijuana and sell or otherwise transfer marijuana to marijuana establishments.
- L. "Marijuana-Infused Products" means a topical formulation, tincture, beverage, edible substance, or similar product containing marijuana and other ingredients and that is intended for human consumption.
- M. "Marijuana Plant" means a living plant of the species *Cannabis sativa* capable of producing its own food through food synthesis and is in a grow medium.
- N. "Marijuana Processor" means a person licensed to obtain marijuana from marijuana establishments; process and package marijuana; and sell or otherwise transfer marijuana to marijuana establishments.
- O. "Marijuana Product" means marijuana, marijuana concentrate, marijuana-infused products or marijuana edibles.
- P. "Marijuana Retailer" means a person licensed to obtain marijuana from marijuana establishments and to sell or otherwise transfer marijuana to marijuana establishments and to individuals who are 21 years of age or older.
- Q. "Marijuana Secured Transporter" means a person licensed to obtain marijuana from marijuana establishments in order to transport marijuana to marijuana establishments.