

# ROUND VALLEY INDIAN TRIBES

*A Sovereign Nation of Confederated Tribes*

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LOCATION: ON STATE HWY 162  
ONE MILE NORTH OF COVELO  
IN ROUND VALLEY  
TRIBAL TERRITORY SINCE TIME BEGAN

ROUND VALLEY RESERVATION ESTABLISHED 1856

# COMPASSIONATE USE ORDINANCE OF THE ROUND VALLEY INDIAN TRIBES 2006

Approved: August 8, 2006  
Previously Amended: June 12, 2007; June 19, 2012  
Amendments Approved: August 1, 2013

**COMPASSIONATE USE ORDINANCE**  
**of the**  
Round Valley Indian Tribes

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**COMPASSIONATE USE ORDINANCE**  
**Of the**  
**Round Valley Indian Tribes**

**Section 1 - PURPOSE**

1.1 The purpose and intent of this Ordinance is to civilly regulate those persons and lands within Round Valley Indian Country, as it relates to the health, safety, and welfare of the Round Valley Indian Tribes.

1.2 The Ordinance seeks to do so in a manner that is consistent with California State law, and to balance the needs of medical patients and their caregivers for access to medical marijuana with the need to limit the harmful societal and environmental impacts that are sometimes associated with marijuana cultivation.

1.3 The Council finds that the Round Valley Indian Tribes' Compassionate Use Ordinance, as amended on June 12, 2007 and then again on June 19, 2012, thereafter remained ambiguous, and seeks herein to clarify and apply that law to new factual and legal settings. This amendment to the Compassionate Use Ordinance shall not be deemed to constitute a substantive change in the law, but rather to clarify the previous Compassionate Use Ordinance as amended, and should therefore be applied retroactively to June 19, 2012.

1.4 Nothing in this Ordinance shall operate or be construed to allow the use or diversion of marijuana for nonmedical purposes or to allow any activity relating to the cultivation, distribution, or consumption of marijuana that is otherwise illegal under State law. Not shall anything in this Ordinance operate or be construed to allow the State to impose its civil regulatory or land use laws in Round Valley Indian Country.

**Section 2 - DEFINITIONS**

2.1 "**Council**" or "**Tribal Council**" shall mean the Round Valley Indian Tribal Council, the governing body of the Round Valley Indian Tribes.

2.1 "**Cultivation**" shall mean to grow marijuana and shall include the possession of any live marijuana plant within exterior boundaries of the Reservation.

2.2 "**Exempted Person**" shall mean an individual, tribal member or not, in possession of a State Pre-Identification Card.

2.3 "**Indian Country**" shall mean all such lands defined by 18 U.S.C. § 1151, including without limitation the Round Valley Indian Reservation and the entirety of lands, territories, waters, and airspace therein.

2.4 "**Member**" or "**Tribal Member**" shall mean an enrolled member of the Round Valley Indian Tribes. "**Non-Member**" shall mean a person who is not an enrolled member of the Round Valley Indian Tribes.

**2.5** "Ordinance" shall mean this Compassionate Use Ordinance.

**2.6** "Person" shall mean *all* people, tribal members or non-members, within Round Valley Indian Country or under the jurisdiction of the Round Valley Indian Tribes.

**2.7** "Primary Caregiver" shall mean the individual designated by the person exempted under this Ordinance who has consistently assumed responsibility for the health and safety of that person.

**2.8** "Qualified Patient" means a "qualified patient" as defined at CAL. HEALTH & SAFETY CODE § 11362.7(f).

**2.9** "Reservation" or "Reservation Lands" shall mean the Round Valley Indian Reservation and the entirety of lands therein, as defined by 18 U.S.C. § 1151.

**2.10** "State" shall mean the State of California, inclusive of its Mendocino and Trinity Counties.

**2.11** "State Pre-Identification Card" or "Identification Card" shall have the same definition as CAL. HEALTH & SAFETY CODE §§ 11362.7-83.

**2.12** "Tribe" shall mean the Round Valley Indian Tribes, inclusive of its departments, agencies and entities.

**2.13** "Tribal Court" means the judiciary of the Round Valley Indian Tribes, which is in final development as of the date of this amended Ordinance.

**2.14** "Tribal Police" or "Tribal Police Department" means the Tribal Police department of the Round Valley Indian Tribes or the authorized representatives thereof.

**2.14** "Tribal Notification" shall mean Tribal Police Notification.

### Section 3 - FINDINGS

The Council finds that:

3.1 Whereas, an Ordinance was adopted by the Council and certified by the U.S. Department of Interior in 1970 that made lawful within the boundaries of the Reservation under the jurisdiction of the tribe the "Introduction, Sale, or Possession of Intoxicants," provided, that such introduction, sale, or possession is in conformity with the Laws of the State.

3.2 Whereas, the "Introduction, Sale, or Possession of Intoxicants" continues to be a federal offense under 18 U.S.C. § 1161.

3.3 Whereas, the State has enacted the Compassionate Use Act of 1996, CAL HEALTH & SAFETY CODE § 11362.5.

3.4 Whereas, Mendocino County has enacted its Medical Marijuana Cultivation Regulation, MENDOCINO CTY. CODE §§ 9.31.010, *et seq.*

3.5 Whereas, the general membership of the Round Valley Indian Tribes retain rights under the Indian Civil Rights Act of 1968, 25 U.S.C. §§ 1301, *et seq.*

3.6 Whereas, the general membership of the Round Valley Indian Tribes, through the results of votes cast, chose not to enact an Ordinance to "ban" *all* marijuana cultivation .

3.7 Whereas, Indian persons within Round Valley Indian Country are protected by the American Religious Freedom Act of 1978, 42 U.S.C. § 1996, including the right to maintain traditional gathering sites and to engage in gathering activities.

3.8 Whereas, there resides within Round Valley Indian Country non-tribal members who cultivate and possess marijuana under the guidelines of the State of California and County of Mendocino.

3.9 Whereas, the Council seeks to ensure that seriously ill people have the right to obtain and use marijuana for medical purposes where that medical use is deemed appropriate and has been recommended by a physician who has determined that the person's health would benefit from the use of marijuana.

3.10 Whereas, the Council seeks to ensure these people and their primary caregivers that obtain and use marijuana for medical purposes upon the recommendation of a physician are not subject to criminal prosecution or sanction.

3.11 Whereas, the Council seeks to facilitate the prompt identification of qualified patients and primary caregivers; avoid unnecessary arrest and prosecution of these individuals; provide needed guidance to law enforcement officers; promote uniform and consistent application of State law; and to enhance the access of patients and caregivers to medical marijuana through collective, cooperative cultivation projects.

3.12 Whereas, whether grown for medicinal purposes or diverted to the black market, marijuana may be sold for thousands of dollars per pound, and thus must be regulated.

3.13 Whereas, there have been several marijuana related incidents of burglary, robbery, and armed robbery, some including acts of violence resulting in injury or death.

3.14 Whereas, marijuana that is grown indoors may require excessive use of electricity that may overload standard electrical systems creating an unreasonable risk of fire. If indoor grow lighting systems are powered by diesel generators, improper maintenance of the generators and fuel lines and the improper storage and disposal of diesel fuel and waste oil

may create an unreasonable risk of fire and pollution; and further, such activities pose a risk to the natural environment of Round Valley Indian Country.

3.15 Whereas, the right of qualified patients and their primary caregivers under State law to cultivate marijuana plants for medical purposes does not confer upon them the right to cause harm to the health, safety, or welfare of those persons within Round Valley Indian Country.

3.16 Whereas, by permitting no more than twenty-five (25) marijuana plants for any one (1) person in possession of a lawfully issued State Pre-Identification Card, the Council anticipates a significant reduction in the complaints of crime and pollution described herein.

3.17 Whereas, the Council finds that the indoor or outdoor cultivation of more than twenty-five (25) marijuana plants per any one (1) person in possession of a lawfully issued State Pre-Identification Card within Round Valley Indian Country for medicinal purposes will likely result in an unreasonable risk of harm to the health, safety, and welfare of these persons, increased crime, and fire and/or pollution, notwithstanding the limitations on cultivation that are imposed within this Ordinance.

3.18 Whereas, Mendocino County's Medical Marijuana Cultivation Regulation, MENDOCINO CTY. CODE§§ 9.31.010, *et seq.*, is a civil regulatory and land use ordinance, and because Pub. L. 280 does not grant the State or Mendocino County any general civil regulatory or land use power over Round Valley Indian Country, the Council finds it necessary for the Tribe to enact its own Compassionate Use Ordinance that will civilly regulate medical marijuana cultivation.

3.19 Whereas, in particular, Mendocino County's land use restriction for indoor or outdoor cultivation of more than twenty-five (25) marijuana plants per legal parcel of land, MENDOCINO CTY. CODE§ 9.31.050, is impractical in Round Valley Indian Country given the disparate legal status of Indian landholdings, including trust, allotted, fee, heirship and assignment land parcels; the range in Indian land parcel acreage, ranging from a partial acre to in excess of seventy acres; and the fact that multiple Tribal families might occupy a particular Indian land parcel.

3.20 Whereas, a May 7, 2010 letter from the Bureau of Indian Affairs (BIA) Pacific Regional Office to the Tribal Council President, confirming that "California medical marijuana laws do not apply on Federal lands within the State," such as Round Valley Indian Country, but declaring that "criminal laws of the State (and those related to drug distribution) are applicable" therein, has only served to confuse the state of medical marijuana law in Round Valley Indian Country.

3.20 Whereas, the Council concurs with the United States Congress' findings to the Tribal Law and Order Act of 2010:

[T]he complicated jurisdictional scheme that exists in Indian Country... has a significant negative impact on the ability to provide public safety to Indian Communities;... has been increasingly

exploited by criminals; and ... requires a high degree of commitment and cooperation among tribal, Federal and State law enforcement officials...

Pub. L. No. 111-211, § 202, 124 Stat. 2262 (2010).

3.21 Whereas, the Council concurs with the U.S. Department of Justice and the Bureau of Indian Affairs' conclusion that "(b)road-based partnerships involving key federal, tribal, state and local partners can build stronger, more sustainable programs" and that such "collaborations can address challenges related to jurisdiction over tribal members."

Department of Justice and the Department of the Interior, Tribal Law and Order Act; Long Term Plan to build and enhance Tribal Justice Systems 32 (2011)

3.22 Whereas, the Council finds that consultation, communication, coordination and collaboration between the Tribe, Tribal Council, and Tribal Police Department and the State, Mendocino County and County Sheriff's Office, as well as the BIA and any federal law enforcement agencies, are required to ensure the health, safety and welfare of all persons within the Round Valley Indian Country and respect for the inherent sovereignty of the Round Valley Indian Tribes, particularly in concern for the cultivation, possession, and use of marijuana for medicinal purposes.

3.23 Whereas, the Council agrees with State Governor Edmund G. Brown Jr.'s directive that "every state agency and department ... shall encourage communication and consultation with California Indian Tribes ... to discuss state policies that may affect tribal communities." Cal. Executive Order B-10-11 (Sept. 19, 2011).

3.24 Whereas, in the guiding case of *State v. Cummings*, 679 N.W.2d 484, 487 (S.D. 2004), it was held that "the state [cannot] extend its jurisdiction into the boundaries of the Tribe's Reservation without consent of the Tribe or a tribal-state compact."

3.25 *THEREFORE*, to ensure the health, safety, and welfare of all persons within Round Valley Indian Country and the protection of the natural environment therein, the Round Valley Tribal Council is obligated to clearly define the Tribe's civil regulations as they relate to the cultivation, possession, and use of marijuana for medicinal purposes, through this Compassionate Use Ordinance.

#### **Section 4 - REGULATIONS**

4.1 The Round Valley Tribal Council declares that the purposes of the Compassionate Use Ordinance of 2006 are as follows:

**4.1.1** To ensure that seriously ill Californians have the right to obtain and use marijuana for medical purposes where that medical use is deemed appropriate and has been recommended by a physician who has determined that the person's health would benefit from the use of marijuana in the treatment of cancer, anorexia, chronic pain, spastically, glaucoma, arthritis, migraine, or any other illness for which marijuana provides relief.

**4.1.2** To ensure patients and their primary caregivers who obtain and use marijuana for medical purposes upon the recommendation of a physician are not subject to criminal prosecution or sanction.

**4.1.3** To ensure the health and safety of all people living within the exterior boundaries of the Reservation

**4.2** Nothing in this Section shall be construed to supersede legislation prohibiting persons from engaging in conduct that endangers others, nor to condone the diversion of marijuana for nonmedical purposes. No person shall *illegally* introduce, cultivate or possess marijuana within the interior boundaries of the Reservation.

**4.3** It shall be legal for a patient in possession of a State Pre-Identification Card or to a patient's primary caregiver in possession of a State Pre-Identification Card to possess or cultivate marijuana for the personal medical purposes of the patient in possession of a State Pre-Identification Card under Tribal guidelines.

**4.4** Notwithstanding any other provision of law, no physician on the Reservation shall be punished, or denied any right or privilege, for having recommended marijuana to a patient for medical purposes.

**4.5** The introduction, cultivation, and possession of marijuana shall be lawful within the boundaries of the Round Valley Reservation under the jurisdiction of the Round Valley Tribal Council; provided that such introduction, cultivation, or possession is in conformity with the laws of the State of California.

**4.6** Pursuant to the State's Compassionate Use Act of 1996, CAL. HEALTH & SAFETY CODE § 11362.5(d), neither CAL. HEALTH & SAFETY CODE § 11357, relating to the possession of marijuana, nor CAL. HEALTH & SAFETY CODE § 11358, relating to the cultivation of marijuana, shall apply to a patient, or to a patient's primary caregiver, who possesses or cultivates marijuana for the personal medical purposes of the patient upon the written or oral recommendation or approval of a physician and in compliance with this Ordinance.

**4.6.1** Although no person may be found in violation of this Ordinance for failing to do so, it is recommended that physician recommendations and/or other supporting documentation be conspicuously posted at growing and cultivation sites, and that such documentation or a copy of the documentation be carried with the patient and caregiver at all times. Failure to post and carry such documentation may result in unnecessary legal fees and costs and/or criminal prosecution.

**4.6.2** The Council recognizes that under CAL. HEALTH & SAFETY CODE § 11362.5, an individual may qualify as a patient by an oral recommendation. However, a prompt and noninvasive determination of whether cultivation and/or possession is legal or illegal is best accomplished with a written

recommendation. Therefore, the Council recommends that patients and caregivers obtain written recommendations. Failure to carry such documentation may result in unnecessary legal fees and costs and/or criminal prosecution.

**4.6.3** People have the right to choose their physicians and communications with physicians are privileged. CAL. HEALTH AND SAFETY CODE § 11362.5 provides that a physician can recommend marijuana use for "any illness for which marijuana provides relief." The Council will honor any valid physician's recommendation. For the purpose of this statute, any inquiry into physician-patient communications is prohibited.

**4.7** It is declared to be unlawful for any person *owning*, leasing, occupying, *or* having charge or possession of any parcel of land within Round Valley Indian Country to cause *or* allow such parcel of land to be used for the outdoor or indoor cultivation of marijuana plants for medicinal purposes in excess of the limitations imposed within this Section 4.7.

**4.7.1** The cultivation of more than twenty-five (25) marijuana plants per one (1) person in possession of a lawfully issued State Pre-Identification Card, either indoors or outdoors, within Round Valley Indian Country, regardless of whether the person(s) growing the marijuana is/are a "qualified patient," "primary caregiver," or "collective," is hereby prohibited. Any qualified patient, person with an identification card, *or* primary caregiver may not cultivate marijuana in excess of the amount reasonably related to the current medical needs of the patients or persons with identification cards for whom the marijuana is being cultivated, either individually or collectively, but in no case more than twenty-five (25) total plants per one (1) person in possession of a lawfully issued State Pre-Identification Card.

**4.7.2** The use of light assistance for the outdoor cultivation of marijuana shall not exceed a maximum of six hundred (600) watts of lighting capacity per one hundred (100) square feet of growing area.

**4.7.3** All lights used for the cultivation of marijuana shall be shielded and downcast *or* otherwise positioned in a manner that will not shine light or allow light glare to exceed the boundaries of the parcel upon which they *are* placed.

**4.7.4** The indoor or outdoor cultivation of marijuana shall not create erosion or result in contaminated runoff into any stream, creek, river or body of water.

**4.7.5** All marijuana grown outdoors must be within a secure fence that fully encloses the immediate garden area.

**4.7.6** All buildings where marijuana is cultivated or stored shall be properly secured to prevent unauthorized entry.

4.8 It is declared to be unlawful for any person within Round Valley Indian Country to possess marijuana plants or processed marijuana for medicinal purposes in excess of the limitations imposed within this Section 4.8.

**4.8.1** No one (1) person in possession of a lawfully issued State Pre-Identification Card may possess more than the equivalent of twenty-five (25) total plants of processed marijuana at any one time unless the Tribal Council, and/or the Tribal Police Department is given notice of said possession and said possession is approved by the Tribal Council and/or the Tribal Police Department

**4.8.2** The Council recognizes that possession of certain amounts of cannabis product such as baked goods, tinctures, concentrated cannabis, infusions, salves and other cannabis derivatives may be consistent with medicinal use. Such possession will be treated on a case-by-case basis, with deference given to Section 8 of this Ordinance.

**4.14** Nothing in this Section shall be construed as a limitation on the Tribe's authority to abate any violation that may exist from the cultivation of marijuana plants or any part thereof from any location, indoor or outdoor, including from within a fully enclosed and secure building.

**4.15** Any Tribal laws, resolutions, or ordinances heretofore enacted which prohibits the introduction, cultivation, or possession of marijuana or that are inconsistent with this Ordinance are hereby repealed.

## **Section 5 - ENFORCEMENT OF ORDINANCE**

**5.1** This civil regulatory Ordinance shall be enforced by the Tribal Police Department upon any and all persons within Round Valley Indian Country. Any Tribal Law enforcement officer may issue a citation for violation(s) of this Ordinance.

**5.2** Nothing herein shall prohibit the Tribal Police from enforcement of any applicable criminal statutes, rules, regulations or ordinances, including those related to confiscation, seizure, and forfeiture.

**5.3** Nothing herein shall prohibit the Council or individual residents of the Reservation from instituting a civil action before the Tribal Court when established, against a person alleged to be acting in violation of this Ordinance. The prevailing party is entitled to recovery for court fees, costs, and reasonable attorneys' fees from the non-prevailing parties.

**5.4** Should a plaintiff-party described in section 5.3 institute a private suit against an individual alleged to be violating this Ordinance, the plaintiff shall provide written notice of the initiation of said action to the Tribal Council within five (5) days of the filing of such an action.

**5.5** Upon a finding that a person has violated this Ordinance, the Tribal Council and/or the Tribal Court are authorized to issue appropriate orders to seize, forfeit, and destroy marijuana plants in violation of this Ordinance.

**5.6** Any declaration in support of a request for injunctive relief under this Ordinance shall contain the following information:

- 5.6.1** The number of marijuana plants under cultivation;
- 5.6.2** The date of any citation(s) issued pursuant to this Ordinance;
- 5.6.3** The name of the Officer or person that issued the citation, if any;
- 5.6.4** The name of the owner of the property where the marijuana is located;
- 5.6.5** The description of the physical location of the property where the marijuana is located;
- 5.6.6** Whether any photographs or video tapes were taken of the marijuana plants; and
- 5.6.7** Any other relevant information.

**5.7** Any declaration in support of a request for an order of seizure, forfeiture, and/or destruction of marijuana plants shall contain the following information:

- 5.7.1** The approximate number of marijuana plants to be seized, forfeited and destroyed or confiscated;
- 5.7.2** The date of any citation(s) issued pursuant to this Ordinance;
- 5.7.3** The name of the Officer or person that issued the citation, if any;
- 5.7.4** The name of the owner of the property where the marijuana is located;
- 5.7.5** The description of the physical location of the property where the marijuana is located;
- 5.7.6** Whether any photographs or video tapes were taken of the marijuana plants;
- 5.7.7** A statement as to whether any marijuana samples are necessary for prosecution of a criminal action; and
- 5.7.8** Any other relevant information.

**5.8** All declarations and other pleadings filed in support of any requested order shall be served upon the Defendant(s) in accordance with the applicable rules of the Tribal Council and/or Tribal Court.

**5.9** Marijuana plants shall be disposed and/or destroyed in the following manner:

**5.9.1** Action instituted for alleged violation(s) of this Ordinance shall be rendered moot, including the imposition of appropriate civil penalties and/or injunctive relief, by voluntary destruction and/or removal of marijuana plants by defendant(s).

**5.9.2** Upon order of the Tribal Council and/or the Tribal Court, the Tribal Police Department shall dispose of marijuana as appropriate. Should any funds be received as a result of the disposal, said funds shall be distributed equally between the Tribal Police Department, the Tribal Council, and Yuki Trails Program.

**5.9.3** Governmental taking without due process and compensation is generally prohibited. Therefore, if any Tribal or State officer or officers believe marijuana cultivation and/or possession is pursuant to CAL. HEALTH & SAFETY CODE § 11362.5, but that the cultivation and/or possession exceeds this Ordinance, the officer or officers should only seize that amount in excess of the guidelines. Marijuana should not be destroyed or disposed of until an order from the Council and/or Tribal Court is issued.

## **Section 6 - JURISDICTION/POLICE PROCEDURES**

**6.1** This Ordinance shall fall within the inherent jurisdiction of the Round Valley Indian Tribes, which includes civil regulatory jurisdiction over all persons, member or non-member, while in Round Valley Indian Country, and over all Indians while upon any Reservation or Indian Country lands. Nothing about this Ordinance shall operate or construed to cause the Tribe to accede to any State civil regulatory or land use jurisdiction in Round Valley Indian Country, particularly the application of State marijuana laws and regulations. The Council hereby disclaims any application or enforcement of State civil regulatory or land use laws in Round Valley Indian Country, particularly any State marijuana laws and regulations, unless adopted by reference herein.

**6.2** When a tribal member is situated on Indian Country trust land, a State officer's civil regulatory authority extends only so long as that officer does not circumvent or contravene governing tribal procedure. Because of the likelihood that State officers will seek to enforce State marijuana laws upon persons in Round Valley Indian Country, State police officers shall give reasonable advance tribal notification prior to entrance into Round Valley Indian Country if it is reasonably likely that said entrance will result in the enforcement of State marijuana laws.

**6.3** In order to effect any search, arrest or extradition warrant or investigation relative to State marijuana laws, against any tribal member in Round Valley Indian Country, State police officers shall not only provide that reasonable advance tribal notification required by Section 6.2, but shall also consult, communicate, and coordinate any such search, arrest, extradition, or investigation activities, with Tribal Police. Should the Tribal Police elect to cooperate in the execution any such search, arrest or extradition warrant or any investigation, State police officers shall not frustrate such cooperation by any dispatched Tribal Police officer.

**6.4** For purpose of any search, arrest or extradition warrant or investigation relative to State marijuana laws, against any tribal member in Round Valley Indian Country, Tribal Police shall be allowed access to, and allowed to share with State police officers, any land records from the Tribal Realty Department with regard to the location or ownership of any property in Round Valley Indian Country where marijuana is located, any membership records from the Tribal Enrollment Department for purpose of determining whether any person alleged to have violated State marijuana laws is a tribal member, or any other relevant information. It is the Tribe's expectation that State police officers will reciprocate in sharing with Tribal Police any or all such documentation or information.

**6.5** The Tribal codified procedures concerning any search, arrest or extradition warrant or investigation activities relative to any enforcement of State marijuana laws in Round Valley Indian Country, set forth in Sections 6.2, 6.3 and 6.4, are mandatory.

## **Section 7 - PENALTIES**

7.1 Any person found to have violated this Ordinance shall be issued a civil penalty not to exceed a fine of \$ 10,000 and/or the reasonable costs of investigation, seizure, forfeiture, destruction, litigation, and enforcement of this Ordinance.

7.2 Nothing herein shall prevent the Tribe or Tribal Council from seeking criminal prosecution of any person who violates this Ordinance for violation of any applicable criminal law(s) by appropriate other authorities.

## **Section 8 - MEDICINAL USE**

Any defense based upon medicinal use, where that medical use is deemed appropriate and has been recommended by a physician who has determined that the person's health would benefit from the use of marijuana, shall be considered as a valid defense to the alleged violation of this Ordinance.

## **Section 9 - SEVERABILITY**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of the measure that

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can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

**Section 10 - EFFECTIVE DATE**

This Ordinance shall take effect immediately upon passage, and shall have retroactive application to June 19, 2012.

PROPOSED AMENDMENTS TO THE COMPASSIONATE USE ORDINANCE  
OF THE ROUND VALLEY INDIAN TRIBES- 2016

3.3 ADD= AND ASSEMBLY BILL 2545

3.16 AMEND TO READ= WHEREAS, BY PERMITTING NO MORE THAN FIFTY(S0) MARIJUANA PLANTS FOR ANY ONE(I) PERSON IN POSSESSION OF A LAWFULLY ISSUED STATE PRE-IDENTIFICATION CARD, THE COUNCIL ANTICIPATES A SIGNIFICANT REDUCTION IN THE COMPLAINTS OF CRIME AND POLLUTION DESCRIBED HEREIN.

3.17= STRIKE (INDOOR) AND CHANGE TWENTY-FIVE (25) TO FIFTY(S0)

4. 7.1= CHANGE TWENTY-FIVE (25) TO FIFTY(S0), STRIKE (EITHER INDOORS), TWENTY-FIVE (25) TO FIFTY (50) AND ADD PERSON IN POSSESSION OF A LAWFULLY ISSUED STATE PRE-IDENTIFICATION CARD, {ON ANY INDIVIDUAL ONE(I) ACRE TRIBAL HOME SITE OR ASSIGNMENT, NOT TO EXCEED NINETY-NINE (99) PLANTS)

4.7.2= AMEND TO READ THE USE OF LIGHT ASSISTANCE FOR THE OUTDOOR CULTIVATION OF MARIJUANA SHALL (BE LESS THAN OR EQUAL TO TWENTY-FIVE (25) HUNDRED SQUARE FEET WITHIN A STRUCTURE WITH A MAXIMUM OF TWO STRUCTURES AND NO LIMIT ON NUMBER OF PLANTS TO BE GROWN WITHIN EACH STRUCTURE.

ADD 4.7.7 = INDOOR CULTIVATION OF MARIJUANA SHALL BE LESS THAN OR EQUAL TO TWENTY-FIVE (25) HUNDRED SQUARE FEET OF CULTIVATION AREA WITHIN A STRUCTURE AND NO LIMIT ON NUMBER OF PLANTS TO BE GROWN WITHIN A STRUCTURE.