

**LAC DU FLAMBEAU BAND OF LAKE SUPERIOR CHIPPEWA INDIANS
TRIBAL CODE OF LAW**

CHAPTER 99- CANNABIS CODE

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History Notes:

Adopted May 11, 2026, Resolution No. 138A(26)

SUBCHAPTER 99.1 – INTRODUCTION

§ 99.101 Title

1. This ordinance shall be known as the Lac du Flambeau Cannabis Code.

§ 99.102 Authority

1. This Chapter is enacted pursuant to Article VI, Sections 1(a), 1(f), 1(n), 1(t), and 1(u) of the Constitution and Bylaws of the Lac du Flambeau Band of Lake Superior Chippewa Indians, and pursuant to the inherent sovereign authority of the Lac du Flambeau Band of Lake Superior Chippewa Indians to govern conduct within the Lac du Flambeau Indian Reservation.

§ 99.103 Purpose

1. The general purposes of this Chapter are:
 - a) To establish protocols, create the Cannabis Commission as a regulatory authority of the Tribe, and direct the Cannabis Commission to adopt a strict regulatory system for the production, possession, delivery, distribution, sale, purchase, consumption, storage, use, receipt, and disposal of Cannabis that reduces the risk of harm to the health and welfare of the Tribe and Tribal members.
 - b) To assign to the Cannabis Commission the responsibility to regulate the licensure of retail Cannabis Enterprises.
 - c) Protect and promote the health, safety, and welfare of individuals and entities on and off the Lac du Flambeau Indian Reservation.
2. The purpose of this Code outlined in Subdivision A above shall be carried out in a manner consistent with applicable law and federal guidance:
 - a) For the purposes of Cannabis Enterprises, this Code shall be construed to balance the requirements for a well-regulated Cannabis industry with the needs of the public for access to Cannabis.

§ 99.104 Effective Date

1. This ordinance shall become effective upon approval by the Tribal Council and upon passage of Wisconsin state law that legalizes production, processing, sale, and possession of medical and/or adult-use (recreational) cannabis.

§ 99.105 Interpretation

1. The provisions of this ordinance shall be interpreted to secure a just, orderly, and effective regulatory system for cannabis and to be consistent with the Lac du Flambeau Constitution and all applicable law.

§ 99.106 Severability

1. If any section, provision, or portion of this ordinance is adjudged invalid, the remainder shall not be affected thereby.

§ 99.107 Repeal of Inconsistent Tribal Ordinances

1. All ordinances and resolutions inconsistent with this ordinance are hereby repealed to the extent of such conflict.

SUBCHAPTER 99.2 – DEFINITIONS

§ 99.201 General Definitions

1. Unless otherwise indicated, terms used in this ordinance shall have the following meanings:
 - a) **Authority:** The Tribal Licensing and Regulatory Authority, created and established by the Tribal Council, charged with the implementation and enforcement of this Chapter and all other regulations promulgated by the Commission related to this Chapter.
 - b) **Cannabis:** All parts of the Cannabis sativa L. plant, whether growing or not, with a delta-9 tetrahydrocannabinol ("THC") concentration of greater than 0.3 percent on a dry weight basis; the resin extracted from any part of the plant; and any compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds, or resin. It does not include industrial hemp as defined by federal and Wisconsin law.
 - c) **Cannabis Enterprise:** A Lac du Flambeau-owned legal entity Licensed by the Commission to, including but not limited to, cultivate, acquire, manufacture, produce, possess, process, prepare, package, store, transport, transfer, distribute, supply, dispense, dispose of, purchase, deliver, receive, or sell Cannabis and Cannabis Products.
 - d) **Cannabis Products:** Any species of the cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, for use by an adult 21 years of age or older, and delivered in the form of:
 - a. combustion with use of dried raw cannabis,
 - b. liquid, including but not limited to, oil,
 - c. pill,
 - d. vaporization delivery method with use of liquid or oil,
 - e. concentrate,
 - f. edibles,
 - g. tinctures,
 - h. hashish, and
 - i. any other method approved by the Authority.
 - e) **Cannabis Tracking:** The system for integrated cannabis tracking, tracing, inventory, and verification throughout the life cycle from seed planting to final sale.

- f) **Commission:** The Cannabis Commission created and enabled under the provisions of this section of the Tribal Code.
- g) **Illegal Cannabis:** Cannabis that was cultivated, produced, processed, manufactured, packaged, delivered, transported, transferred, distributed, sold, possessed, consumed, used, purchased, stored, disposed, and/or received by a person and/or entity not Licensed by or registered with the Commission.
- h) **License or Licensed:** The formal permission to act in accordance with the Code granted by the Commission to a person or entity.
- i) **Licensed Facility:** A secured building, space, grounds, and/or physical structure used and controlled by a Licensee for the cultivation, harvesting, packaging, processing, manufacture, storing, distribution, production, purchase, consumption, and sale of Cannabis and where access is restricted to designated employees of the Licensee, escorted or authorized visitors, patrons, and members of the Commission.
- j) **Person:** Any individual or entity.
- k) **Reservation:** All lands within the exterior boundaries of the Lac du Flambeau Indian Reservation as defined pursuant to the Treaty with the Chippewa dated September 30, 1854 (10 Stat. 1109).
- l) **Tribe:** The Lac du Flambeau Band of Lake Superior Chippewa Indians.
- m) **Tribal Council:** The Lac du Flambeau Tribal Council, the governing body of the Lac du Flambeau Band of Lake Superior Chippewa Indians.

SUBCHAPTER 99.3 – SOVEREIGN IMMUNITY

§ 99.301 Sovereign Immunity of the Tribe

- 1. The Tribe retains all rights of sovereign immunity as set forth in existing federal, state or tribal law and policy.

§ 99.302 Sovereign Immunity of Tribal Entities

- 1. Tribal entities, including boards, commissions, and committees, retain sovereign immunity unless expressly waived by Tribal Council resolution.

§ 99.303 Waiver of Sovereign Immunity

- 1. No board, commission, or committee shall be deemed to waive sovereign immunity, nor have the ability to waive any tribal immunity, except by express Tribal Council resolution complying with this Code.

SUBCHAPTER 99.4 – APPLICABILITY AND LIMITATIONS

§ 99.401 Applicability

- 1. This Code applies to all persons, entities, and activities involving Cannabis and Cannabis Products within the exterior boundaries of the Lac du Flambeau Reservation.

§ 99.402 Limitations

1. Nothing in this Code shall operate or be construed to allow the State of Wisconsin or any political subdivision thereof the ability to impose civil, regulatory, or land use laws within the jurisdiction of the Lac du Flambeau Reservation, unless expressly authorized by Tribal law.
2. This Code is intended to balance tribal self-government and any conflict with federal law as contained in the Controlled Substances Act, 21 U.S.C. § 841. This Code was drafted to satisfy federal guidance, including but not limited to the Cole Memorandum and Wilkinson Memorandum, recognizing that such guidance may be rescinded or modified at any time.
3. Nothing in this Code shall be construed to permit any person to engage in the following activities or prevent the Tribe or Commission from imposing any civil, criminal, or other penalties for:
 - a. Undertaking any task under the influence of Cannabis that would constitute negligence or professional malpractice;
 - b. Possessing, selling, or engaging in the use or consumption of Cannabis in violation of or inconsistent with the terms and provisions of this Code and any regulations adopted by the Commission, including, but not limited to, the use of Cannabis on a school vehicle or on the grounds of any school;
 - c. Activities related to cultivation, production, manufacture, processing, packaging, transport, delivery, distribution, possession, sale, use, transfer, receipt, storage, consumption, or disposal of Cannabis that are otherwise illegal under Tribe law or any other applicable law.

§ 99.403 Federal and State Law Reference

1. Nothing in this Code shall be construed to authorize any activity that is prohibited by federal law, including the Controlled Substances Act, or by the laws of the State of Wisconsin, except as may be expressly permitted by changes in such laws.
2. The Tribe recognizes that federal enforcement priorities may change and that compliance with this Code does not guarantee immunity from federal prosecution.

SUBCHAPTER 99.5 – SALES AND POSSESSION

§ 99.501 Permitted Sales

1. Cannabis Enterprises are the only Persons authorized to deliver, distribute, transport, and/or sell Cannabis and Cannabis Products.
2. Adults aged 21 years of age or older are permitted to purchase or possess any Cannabis or Cannabis Products under this ordinance.

- k. Requirements to prevent drugged driving and the exacerbation of other adverse public health consequences associated with Cannabis use on the Reservation;
- l. Requirements to prevent the growing of Cannabis on public lands and the attendant public safety and environmental dangers posed by Cannabis production on public lands;
- m. Requirements to prevent Cannabis possession or use on federal property;
- n. Procedures for the granting, denying, issuance, renewal, refusal, suspension, cancellation, or revocation of temporary and final licenses for a Licensed Facility, the Cannabis Enterprise, and other Persons needing to be licensed;
- o. A schedule of application, registration, and renewal fees necessary to cover the costs to implement this Code;
- p. Security requirements for every Licensed Facility on the Reservation, including lighting, physical security, video, and alarms;
- q. Requirements for the transportation of Cannabis and Cannabis Products including seed-to-sale tracking included as part of a Cannabis Plant Monitoring System;
- r. Labeling requirements for Cannabis and Cannabis Products sold or distributed by the Enterprise;
- s. Health and safety requirements and standards for the manufacture of Cannabis Products and the production of Cannabis;
- t. Restrictions on the advertising, marketing, signage, and display of Cannabis and Cannabis Products, including but not limited to a prohibition on mass-market campaigns that have a high likelihood of reaching minors;
- u. Employment and training requirements, including requiring that each Licensed Facility have a photo identification badge system for each person who works at the Facility;
- v. Restrictions governing visits to Licensed Facilities, including requiring the Facility to log visitors and issue temporary badges for all visitors on site;
- w. Restrictions on the display of Cannabis and Cannabis Products ensuring that they may not be displayed in a manner that is visible to the general public from a public right-of-way;
- x. Restrictions or prohibitions on additives to Cannabis and Cannabis Products, including but not limited to those that are toxic, designed to make the product more addictive, designed to make the product more appealing to children, or misleading to consumers;
- y. Restrictions on the use of pesticides and other chemicals that might harm human health;
- z. Standards for the safe manufacture of Cannabis extracts and concentrates;
- aa. Specifications for a Cannabis Plant Monitoring System;
- bb. Requirements for random sample testing which may be done on or offsite to ensure quality control, including by ensuring that Cannabis and Cannabis Products are accurately labeled for potency. The testing analysis shall include testing for such substances as the following, in the discretion of the Commission: Residual solvents, poisons, or toxins; harmful chemicals; dangerous molds or mildew; filth; and harmful microbials such as E. Coli or salmonella and pesticides;

- cc. Standards for the operation of Cannabis testing facilities, including requirements for equipment and qualifications for personnel;
- dd. Procedures for collecting fees and taxes levied;
- ee. Minimum internal control standards designed to reasonably assure that: (i) assets are safeguarded and accountability over assets is maintained; (ii) liabilities are properly recorded and contingent liabilities are properly disclosed; (iii) financial records including records relating to revenues, expenses, assets, liabilities, and equity/fund balances are accurate and reliable; (iv) transactions are performed in accordance with the Commission's general or specific authorization; (v) access to assets is permitted only in accordance with the Commission's approved procedures; (vi) recorded accountability for assets is compared with actual assets at frequent intervals and appropriate action is taken with respect to any discrepancies; (vii) functions, duties and responsibilities are appropriately segregated and performed in accordance with sound practices by qualified personnel; and (viii) all persons subject to this Code comply with this Code and applicable regulations;
- ff. Provisions establishing civil penalties for the failure to comply with this Code or regulations adopted hereunder;
- gg. Procedures to provide notice to any person and/or entity found to have engaged in the cultivation, production, processing, manufacturing, packaging, delivery, transport, transfer, distribution, sale, possession, consumption, use, purchase, storage, and/or receipt of Illegal Cannabis;
- hh. Procedures to seize and destroy all Illegal Cannabis.

§ 99.604 Investigative Authority and Enforcement

- 1. Investigations. To receive complaints and tips; conduct background investigations; obtain fingerprints and photographs; and require the production of books, records, and information necessary for compliance.
- 2. Hearings and Orders. To conduct administrative hearings; issue subpoenas where authorized; administer oaths; make findings of fact and conclusions of law; and issue final agency decisions subject to judicial review as provided by this Code.
- 3. Enforcement: conduct inspections (announced and unannounced); issue notices of noncompliance; impose administrative sanctions and civil penalties; seize and coordinate destruction of illegal Cannabis; and take other corrective actions authorized by this Code

SUBCHAPTER 99.7 – APPLICATION AND LICENSING

§ 99.701 Program Application

- 1. The Commission shall establish the procedure for Cannabis License applications to be completed and submitted by the Cannabis Enterprise, including a written schedule of nonrefundable and reasonable fees to be paid by the Cannabis Enterprise in connection with the License application and any renewals thereof.

2. All Licensed Cannabis Enterprises must keep accurate records and follow accepted cash handling practices, including regular bank runs and cash drops, and maintain a general ledger of cash transactions.
3. All Licensed Cannabis Enterprises must submit an independent annual audit within 120 days after the close of each fiscal year to the Commission and to the Tribal Council.
4. These annual audits shall conform to generally accepted auditing standards.

§ 99.702 Facility Licensing

1. All production, possession, processing, packaging, and storing of Cannabis must take place in a secure facility located on the Reservation or in a facility authorized pursuant to a compact.
2. The secure facility may only be accessed by licensed persons, authorized visitors, emergency personnel, and law enforcement.
3. The facility must be licensed by the Commission to lawfully operate on the Reservation.

§ 99.703 Person Licensing

1. The following persons associated with a Cannabis Enterprise must be licensed by the Commission unless already licensed by the Commission, for the Program to lawfully operate both on and off the Reservation:
 - a. All owners, operators, managers, officers, directors, volunteers, employees, and agents;
 - b. All other persons having a significant influence over a licensed Cannabis Enterprise; and
 - c. All persons having a direct financial interest in a licensed Cannabis Enterprise.
2. All such persons needing to be licensed must apply to the Commission. At a minimum, the application must request the following information:
 - a. Full name, other names used (oral or written), social security number, birth date, place of birth, citizenship, gender and all languages spoken and/or written;
 - b. Current, and for the previous 5 years, business and employment positions held, ownership interests in those businesses, business and residential addresses, and driver's license numbers;
 - c. The names and current addresses of at least three personal references, including one personal reference with whom the applicant was acquainted during each period of residence listed above;
 - d. Current business and residential telephone numbers, and all cell phone numbers;
 - e. A description of any existing and previous business relationships with other tribes, including any ownership interests in the businesses;
 - f. A description of any existing and previous business relationships with the Cannabis industry generally, including ownership interests in the businesses;

- g. The name and address of any licensing or regulatory agency with which the person has filed an application for a license or permit related to Cannabis, whether such license or permit was granted;
 - h. For each felony Conviction or ongoing felony prosecution, the charge, the name and address of the court involved, and the date of disposition, if any;
 - i. For each misdemeanor Conviction or ongoing misdemeanor prosecution (excluding minor traffic violations) within 10 years of the date of the application, the name and address of the court involved and the date of disposition, if any;
 - j. For each criminal charge (excluding minor traffic charges), whether or not there is a Conviction, if such criminal charge is within 10 years of the date of the application, the criminal charge, the name and address of the court involved, and the date of disposition, if any;
 - k. The name and address of any licensing or regulatory agency with which the person has filed an application for an occupational license or permit, whether such license or permit was granted;
 - l. A current photograph;
 - m. Fingerprints; and
 - n. Any other information the Commission deems relevant.
3. The Commission shall investigate the background of every individual applicant before the applicant may be licensed. As part of the investigation, the Commission shall:
- a. Verify the applicant's identity through items such as a social security card, driver's license, birth certificate or passport;
 - b. Contact each personal and business reference provided in the license application, when possible;
 - c. Conduct a civil history check for past or outstanding judgments, current liens, past or pending lawsuits, and any other information deemed to be relevant;
 - d. Conduct a criminal history records check using fingerprints;
 - e. Based on the results of the criminal history records check, as well as information acquired from an applicant's self-reporting or from any other source, obtain information from the appropriate court regarding any past felony and/or misdemeanor Convictions or ongoing prosecutions within the past 10 years;
 - f. Inquire into any previous or existing business relationships with the Adult- use Cannabis industry;
 - g. Verify the applicant's history and current status with any licensing agency by contacting the agency; and
 - h. Take other appropriate steps to verify the accuracy of the information.
4. The Commission shall ensure that all records and information obtained as a result of a background investigation shall remain confidential and shall not be disclosed to any persons who are not directly involved in the licensing or employment processes. Information obtained during a background investigation may be disclosed to members of management, to human resource personnel, to law enforcement, and to others on a need-to-know basis, for actions taken in their official capacities.

1. Any person (whether individual or entity) extending financing, directly or indirectly, to the licensed Cannabis Enterprise must be licensed by the Commission prior to extending that financing, provided that any person who is extending financing at the time of the adoption of this Code shall be licensed by the Commission as soon as practicable.
2. These licenses shall be reviewed annually for continuing compliance and renewal. In connection with such a review, the Commission shall require the financial source to update all information provided in the previous application.
3. Any agreement between the licensed Cannabis Enterprise and a financial source shall include a provision for its termination without further liability on the part of the Cannabis Enterprise, except for the bona fide repayment of all outstanding sums (exclusive of interest) owed as of the date of termination, upon revocation or non-renewal of the financial source's license by the Commission acting in good faith.
4. Financing provided by a bank, savings and loan, or other financial institution regulated by a tribal, state, or federal government or financing provided by any agency of a tribal, state, or federal government is excluded from the requirements of this Section.

SUBCHAPTER 99.8 – VIOLATIONS AND PENALTIES

§ 99.801 Violations and Penalties

1. If the Commission, on its own initiative or based on a complaint, has reasonable cause to believe that a Cannabis Enterprise or Licensee has violated the Cannabis Code, any rule promulgated pursuant to the Code, or any Commission order, the Commission shall issue and serve upon the Cannabis Enterprise or Licensee an Order to Show Cause (administrative citation) as to why their license should not be suspended, revoked, restricted, fined, or subject to other disciplinary sanction.

§ 99.802 Enforcement

1. The Commission shall have the authority to revoke, rescind or otherwise remove any license issued under this Code.
2. The Commission shall the authority to review, investigate and respond to any allegations filed related to the cannabis licensing and operations, and usage under this code.
3. The Commission may refer to the Tribal Court any allegations, citations, or other documented violations for further adjudication.
4. The Commission, after a completed investigation, and a hearing on the merits of an investigation, shall have the authority to issue sanction for any violation under this code.

5. Any money sanctions shall not exceed \$5000 per allegation.
6. The Commission shall have the authority to rescind, revoke, deny or cancel any license issued under this code, pending a full investigation and review by the Commission.

§ 99.803 Investigative Authority

7. The Commission, on its own initiative or based on a complaint, has reasonable cause to believe that an Cannabis Enterprise or Licensee has violated the Cannabis Code, any rule promulgated pursuant to the Code, or any Commission order, the Commission shall issue and serve upon the Cannabis Enterprise or Licensee an Order to Show Cause (administrative citation) as to why their license should not be suspended, revoked, restricted, fined, or subject to other disciplinary sanction.
8. The Order to Show Cause shall identify the statute, rule, regulation, or order allegedly violated, and the facts alleged to constitute the violation. The order shall also provide an advisement that the license could be suspended, revoked, restricted, fined, or subjected to other disciplinary sanction should the charges contained in the notice be sustained upon final hearing. Such hearing shall comport with due process. The Commission shall determine the procedures to be used and include such procedures in the text of its regulations.
9. When the Commission has reasonable grounds to believe and/or finds that a Cannabis Enterprise or Licensee has been guilty of a deliberate and willful violation of any applicable law or regulation, or that the public health, safety, or welfare imperatively requires emergency action, it shall serve upon the Cannabis Enterprise or Licensee a Summary Suspension Order that temporarily and summarily suspends the license.
10. The Summary Suspension Order shall also provide an advisement that the license may be subject to further discipline or revocation should the charges contained in the notice be sustained following a hearing.
11. Proceedings for suspension or revocation shall be promptly instituted and determined after the Summary Suspension Order is issued. After the Summary Suspension Order is issued, the Commission shall issue and serve upon the Cannabis Enterprise or Licensee an Order to Show Cause (administrative citation) as to why the Cannabis Enterprise or Licensee's license should not be suspended, revoked, restricted, fined, or subjected to other disciplinary sanction.
12. The Order to Show Cause shall identify the statute, rule, regulation, or order allegedly violated, and the facts alleged to constitute the violation. The Order to Show Cause shall also provide an advisement that the license could be suspended, revoked, restricted, fined, or subjected to other disciplinary sanction should the charges contained in the notice be sustained upon final hearing. Unless lifted by the Commission, the Summary Suspension Order shall remain in effect until issuance of a final order.

13. Unless otherwise ordered by the Commission, during any period of suspension of the Cannabis Enterprise's license or Licensee, it shall not permit the purchase, package, transport, transfer, or sale of Cannabis and Cannabis Product. During any period of suspension of the Cannabis Enterprise's license, it may continue to possess and produce Cannabis. The Cannabis Enterprise must fully account for all such Cannabis and Cannabis Products in the Licensed Facility monitoring system.
14. Reports of violations of possession limitations as described in Section 8 above shall be made to the Commission upon receipt of which the Commission shall investigate such report and, upon finding such report to be credible, issue a citation to the violator prescribing such penalties as are set forth in Commission regulations including a fine up to \$(AMOUNT) and/or a prohibition on purchasing Cannabis from a Cannabis Enterprise for a period of time not exceeding (TIME). Such citations are considered final orders of the Commission. Recipients of citations under this section may request review of the citation decision by the Commission. The Commission's decision following such review shall be deemed a final order of the Commission.

§ 99.804 Employment

1. Nothing in this Code is intended to require an employer to permit or accommodate the use, consumption, possession, transfer, display, transportation, sale, or growing of Cannabis in the workplace or to affect the ability of employers to have policies restricting the use of Cannabis by employees or discipline employees who are under the influence of Cannabis in the workplace.

§ 99.805 Driving Under the Influence Prohibited

1. Nothing in this Code is intended to allow driving under the influence of Cannabis or driving while impaired by Cannabis or to supersede laws related to driving under the influence of Cannabis or driving while impaired by Cannabis.

§ 99.806 Minors-Prohibited

1. Nothing in this Code is intended to permit the transfer of Cannabis, with or without remuneration, to a person under the age of 21 or to allow a person under the age of 21 to purchase, possess, use, transport, grow, or consume Cannabis, except as provided by applicable medicinal cannabis provisions.

§ 99.807 Firearms

1. Possession of firearms shall always be prohibited at a Licensed Facility and its Licensed Dispensaries except for law enforcement or security personnel authorized by the Commission or by state or federal law to possess firearms.

§ 99.808 Appeals

1. A final order from the Commission is appealable to the Tribal Court.
2. A request to appeal must:
 - a) Be in writing;
 - b) Indicate the facts the appellant disputes;
 - c) Be signed by the appellant; and
 - d) Be served upon the Commission.

§ 99.809 Records

1. All records filed in connection with allegations, citations, or other alleged violations under this code shall be the sole property of the Commission.
2. All records shall remain confidential and may not be reviewed by the General Public.
3. All records may be released with the certification of a valid order from a court of competent jurisdiction or a signed resolution by the tribal council.

SUBCHAPTER 99.9 – MISCELLANEOUS PROVISIONS

§ 99.901 Repealer and Severability

1. In the event of conflict between this Code and any other code, ordinance, regulation, policy, procedure, or practice of the Tribe, the provisions of this Code will control to the extent of such conflict.
2. If any provision of this Code is found to be invalid or unconstitutional by a court of competent jurisdiction, the remaining provisions will remain valid, constitutional, and in force so long as the original intention behind this Code remains.

§ 99.902 Effective Date

1. This Chapter shall take effect upon approval by the Tribal Council and upon passage of Wisconsin state law that legalizes production, processing, sale, and possession of medical and/or adult-use (recreational) cannabis.

§ 99.502 Prohibited Sales

1. Sales of Cannabis or Cannabis Products to persons under 21 years of age is strictly prohibited.
2. No person under 21 years of age will be employed by or allowed to enter a Cannabis Enterprise.
3. Cannabis and/or Cannabis Products may not be bought or sold within 1,000 feet of:
 - a) a school or college;
 - b) a childcare center;
 - c) a playground;
 - d) a housing facility owned by a public housing Commission; or
 - e) a youth recreation center.
4. Cannabis Enterprises are prohibited from making a sale or transferring Cannabis Products to an adult 21 years of age or older in a single transaction that exceeds 2.5 ounces, except that not more than 15 grams of Cannabis Products may be in the form of concentrate.
5. A Cannabis Enterprise may sell no more than 3 immature plants to a customer per transaction.

§ 99.503 Possession

1. Adults 21 years of age or older who reside on the Reservation may possess Cannabis Products in their place of residence as follows:
 - a) Up to [X] ounces of Cannabis flower;
 - b) Up to [X] grams of Cannabis concentrate; and
 - c) Up to [X] milligrams worth of THC-containing edible products.
2. The possession limitations prescribed in this section shall also apply to possession of Cannabis Products while traveling within the Reservation.
3. Violations of this section shall be processed and penalized by the Commission pursuant to its rulemaking authority.

SUBCHAPTER 99.6 – CANNABIS COMMISSION

§ 99.601 Establishment

1. The Tribal Council hereby authorizes the creation of the Cannabis Commission as a division of the Tribal Licensing and Regulatory Commission ("Commission").
2. The Commission has the charge of the implementation of Code and Regulations of the Tribe relating to the business activities Cannabis and associated licensing requirements.

3. The Commission shall be governed by the relevant provisions in this Code and other Tribal Codes necessary to the committee to carry out the duties assigned.

§ 99.602 Powers and Duties

1. The Commission shall have the powers and duties to:
 - a) Adopt regulations to implement this Code;
 - b) Provide oversight to ensure compliance with this Code and all applicable regulations or intergovernmental compacts;
 - c) Serve as the licensing authority for facilities, programs, and persons required to be licensed as set forth within this Code;
 - d) Administer background investigations as part of the licensing process;
 - e) Monitor the compliance of the Cannabis Enterprise's internal controls and in tracking Cannabis revenues;
 - f) Take enforcement actions, including suspension or revocation of any License, when appropriate, subject to due process as set forth in this Code;
 - g) Investigate, with the assistance of tribal law enforcement, all activities involving the cultivation, production, possession, processing, manufacturing, packaging, delivery, transport, transfer, distribution, sale, consumption, use, purchase, storage, and/or receipt of Illegal Cannabis, and to seize and destroy all Illegal Cannabis.

§ 99.603 Rulemaking Authority

1. The Commission shall propose regulations that supplement and implement this Code, with such regulations being adopted by a majority vote of the Tribal Council. Such regulations shall include, but are not limited to:
 - a. Rulemaking process for regulating Cannabis within the exterior boundaries of the Reservation;
 - b. Procedures for the Commission to issue Notices of Noncompliance and any due process requirements;
 - c. Procedures for Hearings before the Commission;
 - d. Procedures for the Commission to approve acceptable forms of Cannabis Products;
 - e. Procedures for collecting and processing tax payments from Cannabis Enterprises;
 - f. Requirements to prevent the sale, diversion, or distribution of Cannabis and Cannabis Products to persons under the age of 21;
 - g. Requirements to prevent revenue from the sale of Cannabis and Cannabis Products from going to criminal enterprises, gangs, and cartels;
 - h. Requirements to prevent the diversion of Cannabis Products from the Reservation to other jurisdictions;
 - i. Requirements to prevent tribal Cannabis activity from being used as cover or a pretext for trafficking of other illegal drugs or illegal activity;
 - j. Requirements to prevent violence and the use of firearms in the cultivation and distribution of Cannabis and Cannabis Products on the Reservation;