

Option B: Legalization of Marijuana

PROPOSED CODE AMENDMENT

Cover Sheet

1. Briefly summarize the proposed amendment: The proposed amendment would legalize the possession of small amounts of marijuana on the reservation.
2. Provide the reason for the proposed amendment: Under current law, tribal members on the reservation who are found in possession of small amounts of marijuana must be cited criminally for possessing marijuana, but non-tribal members cannot be charged with anything.
3. List if the Chapter is new or which the section(s) are being amended or added.
The proposed amendment will:
Amend section 3-1-175 by Adding new subparagraphs (h) and (i) and renumbering the existing subparagraph (h) and (i) as (j) and (k);
Amend section 3-1-178 by excluding devices intended for the use of marijuana from the definition of paraphernalia;
Amended section 3-1-180 by renumbering the exiting 3-1-180 as subparagraph (a) and Adding a subparagraph (b) excluding marijuana under an ounce from the definition of criminal offenses; and
4. Emergency: **No**
CBC Procedural Rule 3(c) Emergencies: If, by majority vote, an emergency is declared to exist, the Committee may immediately act on the amendment and forward it to the full CBC for final action.
5. Two Committee Meetings: **Yes**
CBC Procedural Rule 3(b) Two Committee Meetings required: Unless the Committee finds that an emergency exists, or the amendment involves a non-substantive language correction, all proposed code amendments shall be considered in at least two Committee meetings prior to the Committee acting on whether to recommend passage or rejection of the amendment.

Management & Budget Committee Joint with Law & Justice Committee

1st meeting: February 18, 2015

Public Comment period: **90 day comment period. Comments should be received no later than May 19, 2015.**

2nd meeting: **May 27, 2015 Law & Justice Committee**

RECOMMENDATION SHEET

On reservation: Code amendments are posted at each district Community Center and Sr. Meal Sites.

Off-reservation: Proposed code amendments are posted on-line at www.colvilletribes.com or can be mailed upon request.

Comments may be returned by mail, fax, e-mail or presented to Council at the 2nd meeting/public hearing.

Mail: CCT ORA-Code Reviser Phone: (509) 634-2389 E-mail: codeamend@colvilletribes.com

PO Box 150 fax: (509) 634-2387

Nespelem, WA 99155

6. Non-Substantive Language Corrections: **No**
CBC Procedural rule 3(b) Non-Substantive Language Corrections: If the Committee finds the proposed amendment in a non-substantive code language correction which creates no new requirements, obligations, prohibitions, or other material changes in the existing code, it may immediately act on the amendment and forward it to the full CBC for final action.
7. Final CBC action occurred on _____, 2015
If passed, resolution number and date of the Regular or Special session.
If rejected, proposed amendment can be sent back to appropriate committee when concerns have all been addressed and appropriate process must start all over.

cc: 14-CBC, ORA, Executive Director, Services Department Director, Public Safety Department Director, Land & Property Management Department Director, 4-District Community Centers, 4-Sr. Meal Sites, Tribal Tribune and Tribal Web page.