



# CANNABIS LAW

Enacted July 2, 2019

## **A Report on the Development & Enactment of NFN's Cannabis Law**

Community consultation meetings were held in Duchesnay and Garden Village in April 2019 to review the draft Nipissing First Nation Cannabis Law with our lawyer, and to receive comments and requests for additions/revisions from Debendaagziwaad (citizens). Feedback from the April consultations is compiled at the end of this report.

NFN's Cannabis Law was enacted at a regular meeting of Council on July 2, 2019, but it will not be proclaimed "in force" until a safe, inspected and legal supply of cannabis is available for any retail store(s) that NFN permits through the business licensing process.

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## \*\*\* IMPORTANT NOTE ABOUT ENACTMENT OF THE LAW \*\*\*

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NFN's Cannabis Law may be *enacted*, but it will not be "*in force*" until there is an agreement with the government that ensures a safe, inspected and legal supply of cannabis for any store(s) NFN allows on reserve. Once an agreement is in place, a Band Council Resolution (BCR) may be passed proclaiming the NFN Cannabis Law in force and allowing NFN to issue retail licences.

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### Current Status

The final draft of the law that was presented to Council on May 21, 2019 incorporated community feedback from the April consultations and comments that were provided directly to our lawyer during the input period. The draft was amended slightly following the May 21<sup>st</sup> meeting to reflect feedback from Council before being enacted by a quorum of Council on July 2<sup>nd</sup>.

On July 3<sup>rd</sup> (the day after NFN's Cannabis Law was enacted), Ontario announced that the province is moving forward with the next round of cannabis licences. The province authorized the Alcohol and Gaming Commission of Ontario (AGCO), the provincial regulator for cannabis retail storefronts, to hold a second lottery for 42 private cannabis retail store authorizations, while eight licences were allocated for retailers wishing to operate on a First Nations reserve.

The AGCO began accepting applications for these First Nations licences on July 31, 2019 at 9:00 a.m. on a first come, first served basis. Applicants interested in applying for one of these First Nations licences must first obtain approval from the First Nations Band Council to operate a store on reserve.

To that end, NFN Council signed BCRs to support NFN member vendors who expressed interest in obtaining a provincial cannabis retail licence. This BCR was solely for the purpose of supporting applications through the Ontario licensing system and does not convey the right to open a business outside of the existing framework as an inherent right.

### Next Steps

Council remains very concerned with the approach the federal and provincial governments have taken to cannabis licensing in Canada, and the regrettable position they have taken toward First Nations by effectively limiting our participation in the industry.

We are working diligently to address this issue on a daily basis. We have held numerous meetings with federal and provincial officials including cabinet ministers of both levels of government to express our strong desire to exercise our own jurisdiction over cannabis.

However, we currently lack the capacity to inspect, test and enforce safe cannabis at this time, and with public safety trumping all other issues, Council has chosen to pursue an agreement with the governments of Ontario and Canada with respect to cannabis regulation.

## Background

In December 2018, we held consultation meetings to update the community about the legalization of cannabis, and to find out how the membership felt about:

1. Commercial retail store opportunities (for *recreational* cannabis)
2. Commercial cannabis cultivation & production\*
3. Considerations an NFN Cannabis Law should reflect

\* Currently, the production and sale of recreational and medical cannabis is regulated *solely* by the Government of Canada through Health Canada, while the Government of Ontario authorizes the distribution and sale of cannabis. NFN has been actively meeting with both levels of government since last year to pursue ways for NFN to participate within both economies (cannabis retail and cultivation/production) pending community support for these ventures.

In January 2019, Chief and Council reviewed a report of the feedback provided by citizens in the consultation, and through surveys. **67%** of respondents were in favour of recreational cannabis sales on-reserve, and **78%** were in favour of commercial cannabis cultivation and production regulated by NFN.

In February 2019, NFN began working with our lawyer to draft a Cannabis Law that considers the community's feedback, and allows NFN to move forward with exploring opportunities for entrepreneurs, and building economic capacity to benefit our nation.

In April 2019, the draft NFN Cannabis Law was mailed to all NFN member households prior to the community consultation meetings in Garden Village and Duchesnay. Copies of the law were also available at administrative offices and posted to our website at [www.nfn.ca](http://www.nfn.ca).

Debendaagziwaad were invited to provide comments and requests for revisions (additions/amendments) directly to our lawyer, Fred Bellefeuille, by May 10, 2019 via mail, email or telephone correspondence.

In May 2019, the final draft NFN Cannabis Law that incorporated feedback from the consultations and comments sent directly to our lawyer was tabled at a regular meeting of Council meeting (May 21, 2019). This final draft was posted in public areas (including our website) and deposited with the Chair of the Lands & Bylaw Committee (May 29, 2019).

NFN's Cannabis Law was scheduled to be enacted by Council on June 18, 2019, however the meeting was cancelled due to lack of quorum as several members of Council were travelling. The law was enacted at the next regularly scheduled Council meeting on July 2, 2019.

As noted earlier this document, although NFN's Cannabis Law was *enacted*, it will not be *in force* until there is an agreement with the government ensuring a safe, inspected and legal supply of cannabis for any stores that NFN permits. Once this agreement is in place, Council may pass a Band Council Resolution (BCR) proclaiming the NFN Cannabis Law to be in force and begin accepting applications for recreational cannabis retail stores.

On July 3, 2019, Ontario announced 50 new cannabis store licences, with eight going to First Nations. **Ontario's News Release** states: "the licensing and store authorization process for stores on-reserve will take place through a separate process from the lottery (for the other 42 retail stores) on a first come, first served basis, and begin in July 2019."

Applicants must submit an online Retail Store Authorization Intent to Apply – First Nations Reserve Lands application to the AGCO. A complete application must include a resolution from the Band Council approving the location of the proposed store in their community.

# Notes from the April Consultation Meetings

## Purpose of the Consultation Meetings

The purpose of the consultation meetings held in April 2019 was to review the Nipissing First Nation (NFN) Cannabis Law that was drafted by our lawyer using input provided by Debendaagziwaad (citizens) at the consultation meetings held in December 2018.

Feedback from the community surveys that were conducted in November 2018, December 2018 and January 2019 was also used to inform the development of the draft NFN Cannabis Law.

The objective of the consultation meetings in April was twofold:



- to ensure that the draft law adequately captured the community's comments and concerns from the initial December consultations and community surveys; and
- to provide an opportunity for Debendaagziwaad to ask questions, offer comments and/or request additions or revisions to the draft law.

## Community Consultation Process

The consultation process gave Debendaagziwaad a forum to ask questions and contribute to a dialogue that helped guide the development of the NFN Cannabis Law. Ultimately, community feedback was critical in steering the decisions made by Chief and Council about managing legal cannabis on NFN.

The key principles of this process are public participation, nation benefits, good judgement, fairness, feasibility and accountability. We are guided by our Gichi-Naaknigewin and strive to balance growth and opportunity with responsible decisions that are in the best interests of all our nation's citizens.

## Attendance

**April 15<sup>th</sup> – Garden Village:** 10 community members + 5 members of Council and staff \*

\* This includes Chief Scott McLeod, Councillor June Commanda and Councillor Corey Goulais, as well as Chief Executive Officer Dwayne Nashkawa and Communications Officer Gen Couchie.

**April 18<sup>th</sup> - Duchesnay:** 26 community members + 6 members of Council and staff \*

\* This includes Chief Scott McLeod, Deputy Chief Muriel Sawyer, Councillor Corey Goulais and Councillor Rick Stevens, as well as Economic Development Manager Michael Harney and Communications Officer Gen Couchie.

Both meetings began at approximately 6:30 p.m. and ended at 8:30 p.m.

## Presentations

Chief Scott McLeod began both meetings with an update about the development of NFN's Cannabis Law, its provisions and how it will be applied. He highlighted that the draft law reflects what Council has heard from Debendaagziwaad so far through the December consultations and community surveys:

- Raise the minimum age to 21
- Require retail stores to be stand-alone buildings
- Do not allow retail stores in residential areas
- Do not allow the sales of any edible cannabis products that could be mistaken as not containing cannabis by children
- Do not allow smoking/vaping of cannabis in public places
- Protect community health and safety, especially youth and vulnerable members

Chief McLeod explained that applications for cannabis-related businesses will not be processed until NFN's Cannabis Law is enacted and there is a Band Council Resolution proclaiming it to be "in force". This will not happen until there is an agreement with the provincial or federal government that guarantees NFN has access to a safe, inspected and legal cannabis supply for any retail store(s) that we license to operate on NFN lands.

Next, our lawyer Fred Bellefeuille provided a detailed overview of NFN's draft Cannabis Law and answered questions from Debendaagziwaad throughout. The presentation included an explanation of cannabis laws in Canada in terms of the federal Cannabis Act (Bill C-45) which regulates production and distribution; health and safety; and criminal prohibition, as well as Ontario's law (Cannabis Control Act, 2017) which governs personal use; sales; certain taxation and enforcement.

He explained that there are provisions in both federal and provincial laws that leave the door open for First Nations' participation in this new economy, however there are also many unanswered questions about what that might look like.

Both presentations are available on our website under the **News & Notices** section, or you can request a copy by mail or email by contacting Gen Couchie at 705-753-2050 ext. 1270 or [genc@nfn.ca](mailto:genc@nfn.ca).

## Questions & Community Feedback

All questions and comments from both consultation meetings in April were recorded and are compiled below. Feedback has been grouped into the two main themes that guided our Open Discussions, with subcategories to organize comments around common themes and areas of concern:

- **Commercial Retail Stores** (dispensaries for *recreational* cannabis)
- **Commercial Cultivation & Production** (future opportunities through federal processes)
  - Note: in April, we were working on retail opportunities (through the province) and not addressing anything to do with cultivation (which is regulated by Health Canada). Cultivation is an area we intend to address once we get through retail licensing under our law.

## COMMERCIAL CANNABIS RETAIL STORES (*recreational* cannabis dispensaries)

### *Discussion & Notes*

- NFN will authorize retailers - sales are not permitted under any other circumstances (to ensure control of the supply chain and prevent grey/black market sales of cannabis in NFN stores).
- NFN's Cannabis Law is designed so that applications are proposal-driven and will be evaluated on several criteria, including: the eligibility of the applicant, proposed location, zoning of the proposed area, willingness to enter into an agreement with NFN with regard to cannabis retail sales that will include a community health and benefit fee). Clause 17.g. serves as a "backstop" in terms of whether authorizing the business is in the best interests of the community.
- The onus is on the applicant to tell us how they can make a retail store work. NFN wants to make this business opportunity available, but is first and foremost responsible for safeguarding the people and community.
- We still need to determine how the Business Licensing Process will be amended/added to in order to deal specifically with cannabis-related business licence applications. How will they be approved? Will the public notification process be the same or enhanced?
- We want professional recreational cannabis retail businesses that are respectable - not shacks popping up (i.e. liquor store at the end of the driveway). We have to deal with this as a controlled substance, which is what it is.
- The amount of the bond mentioned in item 9 of the draft law has not been determined yet. The idea is that a bond makes it real for the retailer because they will lose it if they don't comply.
- If someone gets into a cannabis retail business on NFN, we have an obligation to protect their interests too – we don't want them to be shut down by OPP for not following Ontario's law by taking a risk and trying to enforce our own law without an agreement with other governments.
- Some other First Nations Councils have said they're "neutral" about unauthorized pot shops popping up on their reserves, which is basically condoning and allowing it because they aren't disallowing this activity and will be liable if something was to happen.
- Currently, the only way enforcement will come on reserve to attempt to deal with illegal cannabis stores is if there's a BCR from Council requesting this support.
- Concerns were expressed about security for retail stores – specifically, recalling an article about one cannabis shop being robbed by 5 masked gunmen. The store owner has to be responsible for staff and manage security as best as they can. Any business (gas bar, convenience stores) can be robbed and it's up to the owner to manage risk and have proper security measures in place to protect their staff and business.

### *Questions & Comments about Retail Stores – Garden Village meeting*

- Reconsider use of the word “consume” in section 9: “No person shall consume Cannabis in a Public Place” for fear of people coming here to smoke cannabis and then we have to deal with enforcing it. Who will enforce it?

*Chief McLeod: with provincial agreement, APS will be able to enforce our law - and other provincial authorities - bylaw officers, cannabis control officers.*

- Make sure we define “public places” very clearly in the law.
- Make sure we don’t normalize cannabis use, especially for youth.
- Regarding the business licensing process, there are a lot of aspects here that need to be controlled, inspected and enforced.

*Chief McLeod explained that the process will be stricter than for regular business licences, checks will be in place, and that consequences for not following the law may include licence revocation and possible fines. There will be repercussions for not abiding by the agreement with NFN re: retail store permit. But above all, the primary basis for authorizing a retail store - if it meets all the criteria within our Cannabis Law and Business Licensing Process - is that approving the business is in the interests of the community.*

- Everyone who gets a licence should have an opportunity to provide input into where the community health and benefit fee goes. I assume there will be a committee involved in deciding where the money goes – consider inviting retailers to have a seat at this committee for input, since they are the ones paying the fee and should be privy to conversations about how it’s used.
- What is the turnaround time if someone meets all criteria for a business licence?

*Chief McLeod: we don’t know for certain yet, but we have been in regular talks with the Ministry of the Attorney General about developing an agreement to support our Cannabis Law. They have expressed their willingness to work with us and have received the draft law so already know where we’re going with this. Frankly, First Nations being left out of this opportunity is more of a forethought than afterthought re: lack of consultation and ability to participate in the process – it’s easier to push legislation through and deal with the effects later. We won’t go faster than we can safely manage, and not at the demise of public safety.*

- Time is a balancing act – have to be careful to get things right, but not take so long that people get tired of waiting and just start opening stores and thumbing their nose at NFN.
- Is there a timeline for when retail stores can open?

*Chief McLeod: We’re working as fast as we can and are in discussions with the Ministry of the Attorney General, but we are pushing for faster timelines than they are currently proposing.*

- Is this law made under our Land Code, and tied to zoning laws?

*Yes, but will be subject to approval (i.e. Commercial zoning doesn't mean a licence will be approved). Applications will be proposal-driven and evaluated on several factors (owner, location, zoning, community fee/benefit) so the onus is on the applicant to prove why their application should be approved.*



## *Questions & Comments about Retail Stores – Duchesnay meeting*

- Section 26 of the Ontario Cannabis Control Act mentions agreements with First Nations. Is NFN at that stage or waiting until our law is approved?

*Chief McLeod: We are doing things concurrently. The Minister of Finance has directed the Ministry of the Attorney General to work on an agreement with NFN. This is an interim measure to get things going as quickly as possible. Our ultimate goal is to work with the federal government.*

*Fred: We're trying to patch a problem the government created as best we can. Yes, we have section 26, but the 50K population threshold for a retail store is discriminatory to First Nations.*

- How does that agreement with Ontario work with federal legislation about cultivation?

*Chief McLeod: We aren't there yet. For now, we are dealing with retail only to open the door to opportunity for potential NFN retailers.*

- Is quality control on the retailer? My concern is around someone getting ill from a product and Nipissing would be responsible.

*Fred: There are various ways of inspecting. This will be part of the MOU we develop with Ontario re: provincial or federal inspectors (in this case provincial).*

*Chief McLeod: I was concerned with a presentation I recently attended. They used a lot of language like "medicine", "treatment", and referred to customers as "patients". So, what happens if someone stops taking the medicine they need because they believe this messaging? Currently, the only way NFN has to ensure quality control is through the Federal inspection / Health Canada process. There's still a lot of unknowns that even the government doesn't know - there are NO studies. This COULD be going down a road that has liability in the long term.*

- Will quality control be in place before licences are issued?

*Fred: Yes. The key to avoiding liability is due diligence and NFN will absolutely do theirs.*

- What if an entrepreneur opens a shop before our law is passed, then applies for a licence... Will it be approved?

*This has not been discussed. (Question was put back to EcDev Manager as to whether he would approve a licence in this scenario and he said no.)*

- Is there going to be a certification process for employees?

*Fred: Yes - we've talked to Minister of Finance about that - CanSell (similar to SmartServe) is a one day online course - and anyone working in a retail cannabis store has to have it (built-in condition for a business licence).*

- Who is involved in this process of drafting the law, and who from the Economic Development department?

*Chief McLeod, Dwayne Nashkawa, Fred Bellefeuille and Michael Harney.*

- If the agreement with Ontario goes through, is there a timeline the province has provided to supply NFN?

*Chief McLeod: The loose timeline mentioned has been December, but we are pushing for sooner than that. We will be ready with our law in June and working to expedite the process for supply sooner than later. There is a Federal election looming and that may slow down the process - it's a reality we have to contend with on the federal side of things and we will continue to work as fast as we can while maintaining the safety and best interests of the community as paramount.*

## COMMERCIAL CULTIVATION & PRODUCTION

### *Discussion & Notes*

- A proposal to get a cultivation permit has the same requirements as a retail permit application (must be a band member, not have a criminal record, enter into an agreement with NFN, etc.)
- Commercial cultivation and production applications will also be proposal-driven, to protect the community (especially youth), uphold health & safety, prevent illicit activities, etc.
- Again, the onus will be on the applicant to prove how their proposed business can work, not for NFN to figure it out for someone who wants to do it.
- Section 88 of the *Indian Act* essentially says that the Ontario Cannabis Act applies on reserve. The FN Land Management Act is the act we use to bump the province out. The role of any government is to facilitate its people to prosper and that's what this draft NFN Cannabis Law is trying to do.
- Section 6.1.a. of the NFN Land Code governs the use of land, including for cultivation. That's what we're working toward, but we have to work with other governments to do it right (legally).
- Ontario's law states that cultivation must be done in enclosed vented facility (expensive to build and operate) due to fumes, pollination, and challenges with controlling access for outdoor grow ops. These are the rules that have to be followed.
- With respect to tax on cannabis, there's an accounting formula that is designed to equal out based on the volume that producers report and what retailers report in sales. The tax system is designed so that producers and retailers hold each other accountable – i.e. if someone is selling on the side and duping the CRA out of tax, they'll be revealed through this tax system.
- We have to think about this when we create our cultivation law because we don't want to create or allow loopholes.
- Our law will mirror or replicate many areas of provincial/federal law (i.e. holder of a commercial cannabis cultivation/production permit must retain the services of a qualified individual as a quality assurance person who has the training, experience and technical knowledge related to requirements under Canada's legal quality standards for cannabis cultivation and production.

### *Questions & Comments about Cultivation & Production – Garden Village meeting*

- What is the band going to do to help people (interested in medical production opportunities)? How can we write a business plan to pursue funding without knowing what the NFN law is?  
*Band member in audience who is currently going through the process of applying for a federal producer licence explained that this is not what NFN is discussing tonight or can even address. Medical cannabis producer licences are managed solely through Health Canada. Currently, NFN will only be able to buy from the province, until we can license our own producer(s).*
- Do cannabis producers need to pay tax on their product? (Yes, reported to CRA)
- Can a licensed producer sell to another licensed producer?  
*Chief McLeod: We don't know at this time. NFN may consider becoming a licensed producer (LP) at a later date, but we need to deal with retail licensing first – that's the opportunity in front of us right now. NFN may get a LP licence, then sell cannabis products to our own retailers.*
- Health Canada specifies the types of feed and soils that growers can use and regulates the use of pesticides. Will NFN mirror these requirements or create their own?  
*Chief McLeod: Our goal here will again be to meet or exceed provincial and federal regulations.*

- If a licensed producer meets federal requirements, can he/she use their land for the cultivation or production facility?  
*Chief McLeod: Yes, but would also need a business licence from NFN and to follow any provisions under NFN's Cannabis Law. Currently, NFN hasn't made its own cultivation law so there should be no issue if in compliance with Federal law.*
- But NFN's Cannabis Law prohibits outdoor growing...  
*Chief McLeod: it's something we need to discuss in more detail. This is a huge learning curve and NFN isn't in the business of managing cannabis. It was thrust on us (and other First Nations and municipalities unilaterally when the federal government legalized cannabis in the fall of 2018). Right now, what's of paramount importance is preserving community health and safety while we're being forced to deal with the impact of legislation made by other governments.*
- Concerns were expressed about missing the opportunity if the market is saturated by the time NFN is ready to jump in.  
*Chief McLeod: Although we haven't talked to the provincial government about cultivation yet (dealing with retail now), our goal is to have the government delegate the responsibility of licensing growers/producers to NFN, but we aren't there yet. NFN leadership doesn't want to miss this economic train, but the legislation was created to exclude First Nations from the opportunity and criminalize participation in this economy.*
- The quickest and most responsible way to get this done is to harmonize with other laws so that NFN can get in and start working on agreements. We can tweak these agreements over time.

### *Questions & Comments about Cultivation & Production – Duchesnay meeting*

- Does an entrepreneur who wants to cultivate need a Health Canada LP before getting a business licence? (YES). If so, this needs to be put in the law specifically so people are aware.
- The draft law mentions retailers having to get authorized by NFN, but how do you deal with that gap in the supply? Are you able to insert that into the agreement, that NFN authorizes (legal product). Concern about the law hindering retailers' ability to get product.  
*Chief McLeod: We're working at both levels (provincial and federal) to resolve this issue, assert jurisdiction and ensure our law is recognized. NFN has the upper hand to make laws through federal government re: constitution and land code.*  
*Fred: The reason we emphasize access to LEGAL cannabis is twofold: safety (guaranteed through federal inspection process) and the provincial recognition to sell cannabis legally. We want to be able to sell to the City of North Bay market (and beyond) and do that legally to avoid a number of issues – including having our shops harassed by OPP and having (plus customers reluctant to come if they think they might get busted)*
- Has Health Canada given any instructions on Standard Operating Procedures (SOPs)?  
*Chief McLeod: No, we're following their rules for now. We've just talked to Prime Minister's office so far.*
- Will we have the economic advantage of no HST?  
*Chief McLeod: We've discussed it but nothing is decided yet.*  
*Fred: A federal proposal is being discussed re: First Nations HST, with part that goes to the band. This is not the option we're looking at, but it's out there. We'll get there by having the federal government back our laws. We have the ability to control and adjust our laws – and we don't need their say for amendments. Other FN's will continue to sell black market products so government will have to come to the table with them too.*

- If community safety is the priority, then there should be no stores. How are you going to make it safe? Are you going to risk having someone driving high on the reserve? How are you going to implement and enforce this law?  
*Chief McLeod: Cannabis is here and it's legal so let's do the best we can to allow the opportunity with safety parameters. Doing nothing isn't good. Allowing businesses with no laws isn't good either. We're being as diligent and responsible as we can be to put measures in place. We don't want our band members hauled into court, investors charged, etc.*
- But I'm saying there shouldn't be any stores because people will be driving on the reserve no matter what due to the access off the highway (no direct access from highway even in industrial/commercial zones). *Comment noted.*
- How do we regulate people growing at home to make sure that they aren't giving it or selling it?  
*Fred: Federal & provincial laws apply. So if someone is breaching the law, in theory you can call police or Cannabis control officers and they will deal with it. The idea is that you aren't running a grow op out of your home.*
- Will the business licence application form change?  
*Mike: The form will likely be the same, but the criteria of approval will be different and a business plan/proposal is one of the criteria that will be evaluated against the Cannabis Law.*
- What about enforcement and adjudication of the law?  
*Chief McLeod: Similar to the MOU for our Fisheries Law, we recognize each other's jurisdiction and laws, and the MOU will allow business from govt to govt and also include resources for enforcement. They will take our MOU and attach it to legislation and use it to enforce the law.*
- *Fred: Enforcement will be part of the MOU and will determine how far we go to allow their inspection and enforcement.*
- I disagree with the Chief's take on this and don't understand why NFN is working on an MOU with the province instead of dealing with the federal government. I've applied to become a Licensed Producer (LP) and I've seen other ways of doing things (i.e. BC growers leasing FN land)  
*Chief McLeod: Any First Nation selling cannabis right now is not selling legal cannabis unless they have a licence from the province.*  
*Fred: An LP holder can only sell to someone with an Ontario licence. We are only dealing with Ontario law here.*
- But why are we following Ontario's law instead of the Federal law?  
*Fred: We're trying to make sure people who invest in a business don't get arrested. The Attorney General won't buckle down on FNs unless there's a Band Council resolution asking them to come "clean things up".*
- Why can't we have our own producers sell to our own people?  
*Fred: If you're licensed by the Feds, and if you aren't selling to a licensed retailer (such as the Ontario Cannabis Retail Corporation), you'll lose your licence.*
- If in the future there are other FN producers that can prove their products are safe, and we have the ability to review/revise our law, is that something we will consider?  
*Chief McLeod: Yes. Down the road, if we get the delegated responsibility of being the licence-issuer, then that's certainly something we would pursue. We just aren't there yet.*
- Could be benefit in providing product much cheaper than province/Feds to our community.  
*Chief McLeod: Yes, NFN would consider an NFN member who is a LP as an Authorized Cannabis Retailer for NFN stores in the future, but right now the immediate goal is to get retail started and work on other opportunities once the framework is in place to move forward.*

## General Questions & Comments

- Is there duty (excise tax) on medical marijuana? Yes. In the city, you pay excise tax, GST & PST.
  - Our next step is working on economic advantages (taxation) to make it worth doing this by ensuring our retailers and community see real benefits from enacting this Cannabis Law.  
Note that we are discussing recreational and not medical cannabis sales however.
- Once we get through this, NFN should attach its own research from our lens - how is cannabis making a difference in our community - good or bad? Cannabis legalization was pushed through by other governments with no research to back it.
- The cannabis industry is driven by profit and the maintenance of the industry (policing, legal) - not by the intent to preserve the long-term safety of people and communities.
- We need to provide education about cannabis – not just about smoking it, but medicinal uses. It's great to prevent sales to those under the age of 21, but we also need to educate them - not just say, "Don't touch or try that!" (i.e. try telling a teen not to drive the car then go away for the weekend).

*Chief McLeod: Education and wise choice making are initiatives that can be developed using the community health and benefit fee paid by retailers (along with others).*

- Concern about the requirement for retail stores to “not advertise nor promote their products by making reference to the medicinal or indigenous spirituality or culture”.

*Chief McLeod: We aren't going to be selling medicinal cannabis and this clause reflects the concerns expressed at the December consultations about cannabis being touted as a traditional medicine, especially given NFN's efforts to reclaim knowledge and practices around sacred medicines. We aren't drilling down into the elements included in a business logo yet (i.e. eagle feather, 4 colours) but simply stating that this line of marketing will not be permitted out of respect for our true Indigenous medicines.*

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**Miigwech to everyone who provided valuable input  
to help inform Council's decision-making process.**

**If you have any questions about the contents of this report, please contact:**

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