

**CHEROKEE COUNCIL HOUSE  
CHEROKEE, NORTH CAROLINA**

**Date:** \_\_\_\_\_

**RESOLUTION NO.: \_\_\_\_\_ (2019)**

WHEREAS, the Charter and Governing Document authorizes and empowers the Tribal Council of the Eastern Band of Cherokee Indians to adopt laws for the general government of the Tribe. Charter and Governing Document Section 23 (Sept. 5, 1995) and Cherokee Code Section 117-10; and

WHEREAS, it is in the Tribe's best interests to promote a diversified and robust economy in a responsible and sustainable manner; and

WHEREAS, the Tribal Council previously passed resolutions to investigate and evaluate the possibility of a hemp-based industry for the Tribe (Res. #241 (2016), Res. #635 (2017), and Res. #401 (2018)); and

WHEREAS, hemp is not medical marijuana or recreational marijuana; and

WHEREAS, the Tribal Council finds the production of hemp, hemp extracts, and hemp products to be economically advantageous and in promotion of public health and the general welfare of the Tribe (*Hemp as a Feasible Commodity*, Hempleton Investment Group & The Kight Law Firm, June 29, 2019); and

WHEREAS, multiple other tribes and over 30 states have legalized hemp and/or cannabidiol products and the federal government also recognized the health and economic viability of hemp by passing the Farm Bill of 2014 and the Farm Bill of 2018; and

WHEREAS, the U.S. Farm Bill of 2018 permits tribes to submit hemp regulatory plans to the United States Department of Agriculture (USDA) in order to become the primary regulator of hemp within their respective jurisdictions; and

WHEREAS, the submission and implementation of such a hemp regulatory plan will require the work of a Cannabis Commission, whose primary responsibility will be to develop the hemp regulatory plan, aid in its submission to the USDA, and thereafter assist in plan implementation after USDA approval; and

WHEREAS, it is in the Tribe's best interest to establish a Cannabis Commission to begin work on the hemp regulatory plan, which will thereafter further set out the powers and responsibilities of the hemp regulatory agency which will replace and supersede this resolution; and

47 NOW THEREFORE BE IT RESOLVED, by the Tribal Council of the Eastern Band of Cherokee  
48 Indians, in council assembled, at which a quorum is present, that the Cannabis  
49 Commission is hereby established.  
50

51 BE IT FURTHER RESOLVED, the Cannabis Commission shall exist from October 1, 2019 to  
52 September 30, 2020, but may be dissolved at any time by resolution of Tribal  
53 Council. The purpose of the commission shall be to: (a) develop an EBCI Hemp  
54 Regulation Plan for submission to the USDA; (b) research, draft, and submit to Tribal  
55 Council for its review and approval any necessary amendments to the Cherokee Code  
56 to support the Tribe's conduct of lawful activities in the hemp industry and  
57 development of economic opportunities for the Tribe in that industry and related  
58 industries; (c) develop a long-range plan for the Cannabis Commission or other hemp  
59 regulatory entity for the Tribe; (d) develop necessary administrative rules for review  
60 and approval under Tribal law; and (e) develop a long-term economic plan for the  
61 Tribe regarding the hemp industry.  
62

63 BE IT FURTHER RESOLVED, the Cannabis Commission shall be funded at an amount not to  
64 exceed \$244,000.00, to be drawn from the Business and Economic Development  
65 Fund for the following expenses:  
66

<b>COMMISSION STIPENDS</b>	<b>\$78,000.00</b>
CHAIR \$1,500/MONTH	\$18,000.00
MEMBERS \$1,000/MONTH	\$60,000.00
<b>CONTRACTS</b>	<b>\$140,000.00</b>
LEGAL ASSISTANCE	\$60,000.00
SUBJECT MATTER EXPERTISE	\$40,000.00
USDA HEMP PLAN ASSISTANCE	\$40,000.00
<b>TRAINING &amp; TRAVEL</b>	<b>\$20,000.00</b>
<b>OFFICE SUPPLIES &amp; PRINTING</b>	<b>\$2,000.00</b>
<b>TOTAL BUDGET</b>	<b>\$240,000.00</b>

67  
68  
69 BE IT FURTHER RESOLVED, the Cannabis Commission shall establish and adopt standards of  
70 operations including the following: (a) quorum; (b) meeting days, times, and  
71 locations; (c) record keeping; (d) Commission officers; (e) notice provisions; (f)  
72 reporting, including that the Commission shall submit quarterly reports to Tribal  
73 Council regarding the Commission's work and progress consistent with the purposes  
74 of the Commission, including submission to Tribal Council of a final report  
75 expressing findings and recommendations, which final report shall be delivered to  
76 Tribal Council on or before by September 30, 2020; and (g) other applicable  
77 provisions for the lawful and orderly conduct of Commission business;  
78

79 BE IT FURTHER RESOLVED, the following persons are hereby appointed to serve as the initial  
80 members of the Cannabis Commission, subject to confirmation by Tribal Council as  
81 provided hereby through passage of this resolution. Members are appointed for  
82 terms not to exceed one year in duration; provided, however, that subsequent and

consecutive terms are allowed, subject to re-appointment by Tribal Council through resolution:

1) \_\_\_\_\_

2) \_\_\_\_\_

3) \_\_\_\_\_

4) \_\_\_\_\_

5) \_\_\_\_\_

BE IT FURTHER RESOLVED, the following person shall be the initial Community Representative to the Cannabis Commission:

1) \_\_\_\_\_

BE IT FURTHER RESOLVED, the Principal Chief is authorized to carry out this resolution during such time that it is effective.

BE IT FINALLY RESOLVED, all resolutions inconsistent with this resolution are rescinded, and this resolution shall become effective upon ratification by the Principal Chief.

*Submitted by Jeremy Wilson, Wolfetown Representative*