TABLED

CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA

Date: JUL 0 1 2026

ORDINANCE NO.: 228 **(2026)**

An ordinance to provide that the Cannabis Control Board shall be funded by Qualla Enterprises, LLC, instead of the Tribal government.

WHEREAS, the EBCI's Cannabis Control Board is established in Cherokee Code (C.C.) Chapter 17, Article II; and

WHEREAS, the Cannabis Control Board (CCB), is a Tribal government office charged with the civil regulation of the cannabis industry, including both marijuana and hemp; and

WHEREAS, the CCB has a full-time staff dedicated to ensuring that the cannabis industry is well-regulated, that cannabis within the marketplace is safe, and that employees working within the cannabis industry have a safe and secure workplace; and

WHEREAS, the CCB was first established in 2021, in Ordinance No. 539 (2021), and since that time has been funded by the Tribal government; and

WHEREAS, the Tribe's entry into the cannabis marketplace is Qualla Enterprises, LLC, a limited liability company formed under Tribal law to cultivate, process, test, and bring cannabis products to the commercial market; and

WHEREAS, Qualla Enterprises, LLC should be required to fund the CCB; and

WHEREAS, this amendment will not alter the requirement in Tribal law that the CCB must submit its annual budget to the Tribe for approval, and shall continue to require that the CCB shall pay over to the Tribe any revenue in excess of its approved budget.

NOW THEREFORE BE IT ORDAINED, by the Tribal Council of the Eastern Band of Cherokee Indians, in council assembled at which a quorum is present, that in order to change the way in which the CCB is funded, Cherokee Code Section 17-16 is hereby amended to read as follows:

Sec. 17-16. – Organization, expenses, employees.

(a) The Executive Director may, subject to the approval of the Board
   (1) Establish, and from time to time alter, such a plan of organization as he or she may deem expedient.
   (2) Acquire such furnishings, equipment, supplies, stationery, books, motor vehicles and other things as he or she may deem necessary or desirable in carrying out his or her functions and the functions of the Board.

(3) Incur such other expenses, within the limit of money available to the Board, as he or she may deem necessary.

(b) ~~Except as otherwise provided in this chapter, all costs of administration incurred by the Board must be paid out of the Tribe's operating budget in the same manner as other governmental expenses are paid.~~ All costs of administration incurred by the Board shall be reflected in the Board's calculation of its annual budget. Each Tribal fiscal year, the Board shall submit its proposed budget to Tribal Council for approval in the same manner as required of other Tribal programs and entities generally. On or before October 1 of each year, Qualla Enterprises, LLC shall pay to the Tribe, for transmission to the Board, the amount of the Board's annual budget approved in the budget resolution ratified by the Principal Chief. Additionally, the Board shall endeavor to pay some of its costs of administration through the imposition and collection of fees and fines as provided in this Chapter.

(c) The Executive Director shall organize the work of the Board in such a way as to secure maximum efficiency in the conduct of the Board and make possible a definite placing of responsibility. To this end, the Executive Director may establish such organizational units within the Board as he or she deems necessary.

(d) The Executive Director may employ such clerical or expert assistance as may be required.

(e) Persons employed by the Board may be assigned to stations, offices, or locations selected by the Executive Director both within and outside the jurisdiction of the Tribe where, in the judgment of the Executive Director, it is necessary to maintain personnel to protect, investigate, and ensure the safe and lawful conduct of the cannabis industry on Tribal lands.

(f) Any person assigned to a station, office or location as provided in subsection (e) shall be entitled to receive a per diem allowance only when the business of the Board takes the person away from the particular station, office, or location to which he or she is assigned.

BE IT FINALLY ORDAINED, that all ordinances and resolutions that are inconsistent with this ordinance shall be rescinded to the extent necessary to resolve the inconsistency, and this ordinance shall become effective upon ratification by the Principal Chief.

Submitted by Brandi Claxton, Treasury Secretary, and Michael McConnell, Attorney General.