

AMENDED  
TABLED

PASSED  
JUL 13 2023

Cherokee Council House  
Cherokee, North Carolina  
JUN 01 2023

Date

Resolution No. 633 (2023)

- WHEREAS, The Charter authorizes and empowers Tribal Council to adopt laws and regulations for the general government of the Tribe. Charter and Governing Document, sec. 23;
- WHEREAS, Cherokee Code Ch. 161 authorizes the use of referendum elections, provides for the development of the question to be presented in a Tribal referendum election, and provides that a referendum initiated by Tribal Council does not require a petition. C.C. §161-9(c)(5) and (1)(a);
- WHEREAS, in 2018, the Eastern Band of Cherokee Indians (EBCI) began actively exploring the cannabis market and approved a feasibility study into the legalization of cannabis. Resolution No. 401 (2018);
- WHEREAS, in 2021, the Tribe decriminalized small amounts of cannabis. Ordinance No. 380;
- WHEREAS, in August 2021, the Tribe established a medical marijuana system which includes a Cannabis Control Board (CCB) to issue medical cards and licenses and who regulates medical cannabis establishments along with a Cannabis Advisory Commission that may recommend policy changes. Ordinance No. 529 (2021);
- WHEREAS, There are currently 22 states, plus the District of Columbia and Guam, as well as the neighboring nation of Canada, and numerous U.S. Tribes where adults over the age of 21 are allowed to purchase and consume cannabis products;
- WHEREAS, Providing access to cannabis products for adults over 21 years of age without the burden of expensive medical visits, card issuance processes/cost, and timelines that are not aligned with individual treatment needs will allow for qualifying adults to have personal control over their own health sovereignty.
- WHEREAS, Responsibly expanding and streamlining cannabis sales is a critical part of economic development and a means to provide revenue to the Tribe;
- WHEREAS, The Tribe has positioned its people to maximize all medical, social and economic benefits from tested, safe and regulated cannabis;

NOW THEREFORE BE IT RESOLVED by the Eastern Band of Cherokee Indians Tribal Council assembled, at which a quorum is present, that this referendum is initiated by Tribal Council, and that during the general election this referendum question shall be conducted according to the laws of the Tribe to answer the following question:

Do you support legalizing the possession and use of cannabis for persons who are at least twenty-one (21) years old, and require the EBCI Tribal Council to develop legislation to regulate the market?

BE IT FURTHER RESOLVED that the Cherokee Board of Elections, the Department of Justice and Attorney General, and the Principal Chief are authorized to carry out the intent of this resolution.

BE IT FINALLY RESOLVED that all resolutions inconsistent are rescinded and this resolution shall become effective when ratified.

*Submitted By: Teresa McCoy, Big Cove/Tow String Representative*

AMENDED  
TABLED

CHEROKEE COUNCIL HOUSE  
CHEROKEE, NORTH CAROLINA

JUN 01 2023

DATE

**AMENDMENT TO RESOLUTION NO. 633 (2023)**

- In the, “NOW THEREFORE BE IT RESOLVED, after the words, “general election” insert the words, “in September” add the number “1” in front of the question, after the word, “old” insert a “?” and strike everything after, “~~and require that EBCI Tribal Council to develop legislation to regulate the market.~~” So that it now reads, “NOW THEREFORE BE IT RESOLVED, by the Eastern Band of Cherokee Indians Tribal Council assembled, at which a quorum is present that this referendum is initiated by Tribal Council, and that during the General Election in September this referendum question shall be conducted according to the laws of the Tribe to answer the following question:
- 1.) Do you support legalizing the possession and use of cannabis for persons who are at least twenty-one (21) years old?”
- in the “BE IT FURTHER RESOLVED,” strike the words, “Principal Chief and insert the words, “Cannabis Control Board” so that it now reads: “BE IT FURTHER RESOLVED, that the Cherokee Board of Elections, the Department of Justice and Attorney General, and the Cannabis Control Board are authorized to carry out the intent of this resolution”

The attached Resolution/Ordinance No. 633 dated June 1, 2023 was:

**PASSED ( X )**

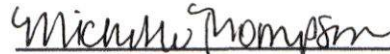
**KILLED ( )**

and ratified in open Council on July 13, 2023 by 57 voting for the act  
and 37 members voting against it as follows:

VOTE	FOR	AGAINST	ABSTAIN	ABSENT
Richard French	X			
Teresa McCoy	X			
Boyd Owle	X			
Bucky Brown	X			
TW Saunooke	X			
David Wolfe		X		
Adam Wachacha	X			
Mike Parker		X		
Andrew Oocumma		X		
Albert Rose	X			
Dike Sneed				X
Michael Stamper		X		
	57	37	0	6



TRIBAL COUNCIL CHAIRMAN



ENGLISH CLERK



PRINCIPAL CHIEF

APPROVED (  ) VETOED ( )

VETO UPHELD ( ) VETO DENIED ( )

DATE: 7/17/23

I hereby certify that the foregoing act of the Council was duly:

**PASSED ( )**

**KILLED ( )**

and ratified in open Council after the same has been interpreted by the Official Interpreter and has been fully and freely discussed.

INTERPRETED ( )

OMITTED ( )