

Cherokee Council House
Cherokee, North Carolina

(Date)

RESOLUTION NO. ____ (2018)

WHEREAS, Lisa Taylor, Painttown Council Member, submitted a resolution for a referendum to be conducted on the question of whether alcohol sales should be allowed on any Tribal property outside the Casino property in business establishments not located on the property of the casino; and

WHEREAS, following much discussion it has been pointed out that the Tribe feels like it is being held hostage by a provision under the North Carolina General Statutes that we commonly refer to as the "Blue Ridge Law" which is found at North Carolina General Statutes 18B-101(14a) and more accurately defined as a "Tourism ABC establishment":

(14a) "Tourism ABC establishment" means a restaurant or hotel that meets both of the following requirements:

- a. Is located on property, a property line of which is located within 1.5 miles of the end of an entrance or exit ramp of a junction on a national scenic parkway designed to attract local, State, national, and international tourists between the State line and Milepost 469, provided that the Eastern Band of Cherokee Indians tribal alcoholic beverage control commission established under G.S. 18B-112 shall have exclusive authority to issue permits pursuant to this subdivision between Milepost 460 and the southern terminus of the national scenic byway at Milepost 469 for any restaurant or hotel that is located wholly on Indian Country lands.*
- b. Is located in a county in which the on-premises or off-premises sale of malt beverages or unfortified wine is authorized in at least one city.*

WHEREAS, the above NC legislation was lobbied for by a few private individuals and the local TABCC Board without approval of the enrolled members of the Tribe; and

WHEREAS, in all prior referendums on the subject of alcohol sales within our Tribal lands the majority voting have only authorized alcohol sales on the specific property of the Casino and never ceded its authority to determine these matters to the State or to any local boards.

NOW, THEREFORE BE IT RESOLVED by the Eastern Band of Cherokee Indians in Council assembled, at which a quorum is present, that the Tribe's Lobbyists are hereby directed to use all means possible in the upcoming 2018 session of the NC

General Assembly to have this offending section, and any other sections in the NC General Statutes that pertain to authorization of any particular permits or licenses to be issued upon our lands that do not strictly adhere to our local referendums, to be removed or rescinded from the NC laws.

BE IT FURTHER RESOLVED that the Chairman of Tribal Council and the Principal Chief or Vice-Chief shall carry out the intent of this resolution.

BE IT FINALLY RESOLVED this resolution shall become effective upon ratification by the Principal Chief, or in his absence the signature and ratification by the Vice-Chief.

Submitted by: Lisa Taylor, Painttown Tribal Council Representative