

**CHEROKEE COUNCIL HOUSE  
CHEROKEE, NORTH CAROLINA**

\_\_\_\_\_  
Date

**RESOLUTION NO. \_\_\_\_\_ (2018)**

WHEREAS, Cherokee Code Chapter 18B, also known as the Tribal ABC Law, governs the sale, consumption and possession of alcoholic beverages on trust lands of the Eastern Band of Cherokee Indians; and

WHEREAS, C.C. Sec. 18B-112 authorizes the Tribe to hold lawful elections, as set out in Tribal law, to answer certain questions regarding alcoholic beverage control; and

WHEREAS, Tribal law authorizes the use of referendum elections, and the development of the question to be presented in a Tribal referendum election is governed by C.C. Sec. 161-9(c)(5). That subsection states the following:

“Each resolution for referendum shall be in the full text form of the proposed action. Before the issue is presented to the Cherokee people for a vote, the text of the question shall be reviewed by the Office of the Attorney General and finally approved by the Tribal Council and the Principal Chief to ensure that the question for vote adequately and clearly informs the voter of the question to be answered, is limited to one question at a time, and encompasses only one issue per question.”

WHEREAS, on December 7, 2017, Tribal Council passed Resolution No. 26 (2017), which resolved that “a special election referendum shall be conducted according to the laws of the Tribe to answer the question of expanding alcohol sales to other business establishments outside of casino property on the Qualla Boundary”; and

WHEREAS, the question to be voted on in the referendum election pursuant to Resolution No. 26 (2017) is expressed in this resolution.

NOW THEREFORE BE IT RESOLVED by the Tribal Council of the Eastern Band of Cherokee Indians assembled, at which a quorum is present, that in compliance with Tribal law governing the conduct of referendum elections, and specifically C.C. Sec. 161-9(c)(5), the question to be presented in the referendum election requested in Resolution No. 26 (2017) shall be as follows:

To allow ABC permits to be issued to allow retail sales of alcoholic beverages on Tribal trust land at locations other than casino property.

☐ FOR

☐ AGAINST

BE IT FINALLY RESOLVED that all resolutions that are inconsistent with this resolution are rescinded, and that this resolution shall become effective when ratified by the Principal Chief, and that the Cherokee Board of Elections, the Office of the Attorney General and the Principal Chief are authorized to carry out the intent of this resolution.

*Submitted by: Lisa Taylor, Painttown Representative*