

**TABLED
PASSED**

DEC 05 2019

Cherokee Council House
Cherokee, North Carolina

OCT 17 2019

Date

ORDINANCE NO. 21 (2018)

WHEREAS, the Charter and Governing Document authorizes and empowers the Eastern Band of Cherokee Indians (EBCI) Tribal Council to adopt laws and regulations for the general government of the Tribe. Charter and Governing Document, sect. 23 (Sept. 5, 1995) *see also* C.C. §117-10.

WHEREAS, the EBCI Tribal Council constitutes the Eastern Band of Cherokee Indian's Legislative Branch of government. C.C. §117-10.

WHEREAS, Tribal Council recognizes that deaths due to the opioid epidemic are devastating tribal families, and;

WHEREAS, Tribal Council finds that the legal distribution of opioids should only be through a prescription issued for a legitimate medical purpose, and;

WHEREAS, there needs to be effective intervention by the criminal justice system to hold illegal drug dealers accountable for criminal conduct that results in death.

NOW, THEREFORE, BE IT ORDAINED by the Eastern Band of Cherokee Indians in Tribal Council assembled, at which a quorum is present that the Tribal Council of the Eastern Band of Cherokee Indians amends Cherokee Code, Ch. 14, Article IX, Crimes of Bodily Injury, as follows in EXHIBIT A.

BE IT FURTHER ORDAINED the provisions of the Ordinance which amend or adopt new sections of the Cherokee Code shall be codified by the Department of Justice. The Department of Justice shall incorporate such amended provisions in the next codification of the Cherokee Code.

BE IT FURTHER ORDAINED should any provisions of this Ordinance be determined invalid by the Cherokee Supreme Court, or the Cherokee Court without appeal to the Cherokee Supreme Court, or any other court of competent jurisdiction, those portions of this Ordinance which are not determined invalid shall remain the law of the Eastern Band of Cherokee Indians.

BE IT FINALLY ORDAINED that all ordinances inconsistent with this ordinance are rescinded, and that this ordinance shall become effective when ratified by the Principal Chief or Vice-Chief. Charter and Governing Document, sect. 12 (Oct. 8, 1986).

Submitted by: Albert Rose, Birdtown Representative

The attached Resolution/Ordinance No. 21 dated OCTOBER 17, 2019 was

PASSED (X)

KILLED ()

and ratified in open Council on DECEMBER 05, 2019 by 81 voting for the act
and 0 members voting against it as follows:

VOTE	FOR	AGAINST	ABSTAIN	ABSENT
Richard French				X
Perry Shell	X			
Boyd Owle				X
Bucky Brown	X			
Tom Wahnetah	X			
David Wolfe	X			
Adam Wachacha	X			
Bo Crowe	X			
Chelsea Saunooke	X			
Albert Rose	X			
Dike Sneed	X			
Tommye Saunooke	X			
	81	0	0	19



TRIBAL COUNCIL CHAIRMAN



ENGLISH CLERK



PRINCIPAL CHIEF

APPROVED (☒) VETOED ()

VETO UPHELD () VETO DENIED ()

DATE: _____

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 ()