

PASSED

CHEROKEE COUNCIL HOUSE  
CHEROKEE, NORTH CAROLINA

Date: JUL 09 2020

RESOLUTION NO.: 215 (2020)

*A resolution allowing the Cannabis Commission  
to submit a Hemp Regulatory Plan to the USDA.*

WHEREAS, the Charter and Governing Document authorizes and empowers the Tribal Council of the Eastern Band of Cherokee Indians to adopt laws for the general government of the Tribe. Charter and Governing Document Section 23 (Sept. 5, 1995) and Cherokee Code Section 1-17-10; and

WHEREAS, it is in the Tribe's best interests to promote a diversified and robust economy in a responsible and sustainable manner; and

WHEREAS, the Tribal Council previously passed resolutions to investigate and evaluate the possibility of a hemp-based industry for the Tribe (Res. #241 (2016), Res. #635 (2017), and Res. #401 (2018)); and

WHEREAS, hemp is not medical marijuana or recreational marijuana; and

WHEREAS, the Tribal Council found that the production of hemp, hemp extracts, and hemp products to be economically advantageous and in promotion of public health and the general welfare of the Tribe (*Hemp as a Feasible Commodity*, Hempleton Investment Group & The Kight Law Firm, June 29, 2019); and

WHEREAS, multiple other tribes and over 30 states have legalized hemp and/or cannabidiol products and the federal government also recognized the health and economic viability of hemp by passing the Farm Bill of 2014 and the Farm Bill of 2018; and

WHEREAS, the Farm Bill of 2018 and its associated federal regulations permit tribes to submit hemp regulatory plans to the United States Department of Agriculture (USDA) in order to become the primary regulator of hemp within their respective jurisdictions; and

WHEREAS, the Tribal Council also previously passed Resolution #24 (2020) which created the Cannabis Commission and instructed the Commission, among other things, to develop an EBCI Hemp Regulatory Plan for submission to the USDA so that the Tribe may exercise its sovereignty by becoming the primary regulator of hemp on Tribal lands; and

46 WHEREAS, the Cannabis Commission has worked diligently since its creation on developing a  
47 hemp regulatory plan with feedback and consultation from the USDA, and which  
48 plan is attached to this Resolution as Exhibit A.  
49

50 NOW THEREFORE BE IT RESOLVED, by the Tribal Council of the Eastern Band of Cherokee  
51 Indians, in council assembled, at which a quorum is present, that the Cannabis  
52 Commission may submit the attached EBCI Hemp Regulatory Plan, with additional  
53 non-substantive changes as required or needed, to the USDA for final federal review  
54 and approval pursuant to the Farm Bill of 2018.  
55

56 BE IT FURTHER RESOLVED, the Principal Chief is authorized to carry out this resolution during  
57 such time that it is effective.  
58

59 BE IT FINALLY RESOLVED, all resolutions inconsistent with this resolution are rescinded, and  
60 this resolution shall become effective upon ratification by the Principal Chief.  
61

62  
63 *Submitted by the Cannabis Commission*

The attached Resolution/Ordinance No. 215 dated July 9, 2020 was:

**PASSED ( X )**

**KILLED ( )**

and ratified in open Council on July 9, 2020 by 76 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 Wahneetah	X			
David Wolfe	X			
Adam Wachacha	X			
Bo Crowe	X			
Chelsea Saunooke	X			
Albert Rose				X
Dike Sneed	X			
Tommye Saunooke	X			
	76	0	0	24

  
TRIBAL COUNCIL CHAIRMAN

  
ENGLISH CLERK

  
PRINCIPAL CHIEF

APPROVED (✓) VETOED ( )

VETO UPHOLD ( ) VETO DENIED ( )

DATE: 7/20/2020

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 ( )