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**CHEROKEE COUNCIL HOUSE  
CHEROKEE, QUALLA BOUNDARY**

Date: \_\_\_\_\_

**ORDINANCE NO.: \_\_\_\_\_ (2021)**

**Floor Amendment**

In Ordinance No. 539 (2021), add a subsection (13) to proposed Cherokee Code Sec. 17-2(f) as follows:

“(13) Post-traumatic stress disorder.”

Delete subsection (c) of proposed Sec. 17-21 and replace with the following:

“(c) It is the intention of Tribal Council that the Board be made up of the most qualified persons. At least one member of the Board shall:

(1) be selected with special reference to his or her knowledge, skill, and experience in general accounting and have a comprehensive knowledge of the principles and practices of corporate finance and auditing, general finance, or economics.

(2) be selected with special reference to his or her training and experience in the fields of investigation, financial auditing, or corporate compliance.

(3) be selected with special reference to his or her knowledge, skill, and experience in law or regulatory compliance.

(4) be selected with special reference to his or her knowledge, skill, and experience in the cannabis industry.

(5) be selected with special reference to his or her knowledge, skill, and experience in the area of medicine, public health, mental health, or be a clinical professional counselor, alcohol and drug counselor, or social worker with knowledge, skill, and experience in the area of education and prevention of abuse relating to cannabis.”

Delete “or doing business with any person or organization holding a license or registration card under this chapter” in proposed Sec. 17-23(b).

Delete proposed Sec. 17-24 and proposed Sec. 17-27(c) and replace with “Reserved.”

In proposed Sec. 17-62(c)(1)(ii)(B), add the words “or gaming facility” after “community facility”

Delete the word “felony” in proposed Sec. 17-62(c)(2) and Sec. 17-66(g).

Delete the following in proposed Sec. 17-66(i): “If the Board does not act upon an application for a medical cannabis establishment agent registration card within 45 days after the date on

46 which the application is received, the application shall be deemed conditionally approved until  
47 such time as the Board acts upon the application.”  
48

49 Add a proposed Sec. 17-84 as follows:

50 **“Sec. 17-84. – Government-to-government agreements.**

51 (a) The Board may enter into one or more intergovernmental agreements to efficiently coordinate the  
52 cross-jurisdictional administration of the laws of the Tribe and the laws of the State of North  
53 Carolina relating to cannabis. The agreements may include, without limitation, provisions relating  
54 to:

55 (1) criminal and civil law enforcement;

56 (2) regulatory issues relating to the possession, delivery, production, processing or use of  
57 cannabis or cannabis products;

58 (3) the administration of laws relating to taxation;

59 (4) any immunity, preemption, or conflict of law relating to the possession, delivery,  
60 production, processing, or use of cannabis or cannabis products; and

61 (5) the resolution of any disputes between a tribal government and the state, which may  
62 include, without limitation, the use of mediation or other nonjudicial processes.

63 (b) An agreement entered into pursuant to this section shall:

64 (1) provide for the preservation of public health and safety;

65 (2) ensure the security of cannabis establishments;

66 (3) establish provisions regulating business involving cannabis that passes between tribal land  
67 and nontribal land in North Carolina; and

68 (4) be negotiated in good faith, which shall respect and protect state and tribal sovereign  
69 immunity. “  
70

71 Delete the word “state” in proposed Sec. 17-90(d).

72  
73 Delete the word “Division” in proposed Sec. 17-91(c)(6) and replace with the word “Board”  
74

75 Delete subsection (b) and (c) of the proposed change to Cherokee Code Sec. 14-95.10 and insert  
76 the following as a replacement:  
77

78 “(b) It shall be unlawful for a person to transport cannabis, medical cannabis,  
79 concentrated cannabis, or medical cannabis products in the passenger area of a motor  
80 vehicle in other than the manufacturer’s unopened original container. It shall be  
81 unlawful for a person who is driving a motor vehicle on a highway or public vehicular  
82 area to consume in the passenger area of that vehicle cannabis of any kind or nature.  
83 Violation of this section shall constitute a criminal offense punishable by a fine of  
84 \$25.00 to \$500.00 or imprisonment for not more than 30 days.  
85

86 (c) For purposes of this section, the definitions contained in Secs. 14-15.3(c) and 17-2  
87 shall apply.”  
88

89 Delete the word “title” and replace with the word “chapter” in proposed Sec. 17-23(c), Sec. 17-  
90 29(b), Sec. 17-30(a)(2), Sec. 17-40(b), Sec. 17-50, Sec. 17-66(b)(2), Sec. 17-66(c)(3), Sec. 17-  
91 66(d)(2), Sec. 17-68(a)(6), Sec. 17-69(c)(1), and Sec. 17-90(c)(1).  
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93

94 Replace “300” in proposed Sec. 17-62(c)(1)(ii)(B) with “1000”  
95  
96  
97 *Floor amendment submitted by the Office of the Attorney General*