

# TABLED

CHEROKEE COUNCIL HOUSE  
CHEROKEE, NORTH CAROLINA

Date: FEB 02 2023

## ORDINANCE NO. 507 (2023)

*An ordinance amending C.C. § 17-23 governing the Cannabis Control Board.*

WHEREAS, Cherokee Code (C.C.) Chapter 17, which became the law of the Tribe through Ordinance No. 539 (2021), establishes the Cannabis Control Board (CCB) as the Tribe's regulatory and licensing body over medical cannabis establishments and medical cannabis agents; and

WHEREAS, C.C. § 17-21 states that the CCB shall have five members, at least three of whom shall be EBCI members or members of another federally-recognized tribe; and

WHEREAS, C.C. § 17-23 states that elected Tribal officials, appointed Tribal officials, and Tribal employees are not eligible to serve on the CCB; and

WHEREAS, the Tribe has determined that it should allow otherwise qualified Tribal employees to be appointed to the CCB.

NOW THEREFORE BE IT ORDAINED by the Eastern Band of Cherokee Indians in Tribal Council assembled, at which a quorum is present, that C.C. § 17-23 shall be amended to read as follows:

### **Sec. 17-23. - Certain political activities, financial interests prohibited.**

- (a) Elected Tribal officials; and appointed Tribal officials ~~and Tribal employees~~ are not eligible to serve as Board members.
- (b) A Board member may not be an official, employee, or agent in any business or organization holding a license under this chapter.
- (c) Before entering upon the duties of office, each Board member shall subscribe to the oath of office and, in addition, swear that the member is not an official, employee, or agent of any person, business, or organization holding a license or registration card under this chapter or doing business with any such person, business, or organization. The oath of office must be filed in the Office of the Attorney General.

BE IT FINALLY RESOLVED that all ordinances that are inconsistent with this ordinance are rescinded, and that this ordinance shall become effective when ratified by the Principal Chief.

*Submitted by Vince Hyatt, Office of the Attorney General.*