

TABLED

Cherokee Council House
 Cherokee, North Carolina

Date: JUL 13 2023

ORDINANCE NO. 663 (2023)

An ordinance amending C.C. §117-50 to clarify that Tribal limited liability companies are Tribal entities that must have their lobbyists approved by Tribal Council.

WHEREAS, Cherokee Code (C.C.) §117-50 requires that any lobbyist hired by the Tribal government, tribal entities, or tribal organizations must be hired with approval of Tribal Council expressed in a resolution; and

WHEREAS, C.C. §117-50 was established by Ordinance No. 360 (2016) to ensure that Tribal leaders were informed of the information being presented and positions being taken before federal and state legislative bodies, and to ensure that the Tribe and its entities and organizations were speaking in a unified voice on federal and state issues; and

WHEREAS, Ordinance No. 360 (2016) brought forward into the law the authority expressed in Resolution No. 96 (1938), which authorized the Principal Chief and Vice Chief to represent and defend the Tribe before federal and state legislative bodies and authorized participation by a Tribal Council member in such matters; and

WHEREAS, C.C. §117-50 was written rather generally and before the establishment of C.C. Chapter 55B, which provides the legal authority for the creation of limited liability companies under Tribal law; and

WHEREAS, C.C. §117-50 should be amended to clearly state that a limited liability company formed under Tribal law is a tribal entity that must comply with C.C. §117-50.

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. § 117-50 shall be amended to read as follows:

Sec. 117-50. Lobbyists and outside legislation.

(a) Any lobbyist hired by the Tribal government, Tribal entities, or Tribal organizations must ~~be~~ so by way of approval through a resolution of be approved by Tribal Council by resolution.

(b) Any legislation presented at the state or federal level by the Tribal government, Tribal entities, or Tribal organizations must be approved through a resolution of Tribal Council.

1 (c) For purposes of this section, the term "Tribal entities" includes limited liability companies
2 formed under C.C. Chapter 55B.
3
4

5 BE IT FINALLY RESOLVED that all ordinances that are inconsistent with this ordinance are
6 rescinded, and that this ordinance shall become effective when ratified by the
7 Principal Chief.
8

9
10 *Submitted by Richard G. Sneed, Principal Chief.*