

An Act

Legislative Act 27-07

A LEGISLATIVE ACT PROVIDING FOR FUNDING OF EYEGLASSES OR OTHER CORRECTIVE LENSES FOR ELDERLY CHEROKEE CITIZENS AND CHEROKEE YOUTH

BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title:

This act shall be known as the "Cherokee Nation Eyeglass Act of 2007" and codified under Title ____ Section ____ of the Cherokee Nation Code Annotated.

Section 2. Purpose

The purpose of this Act is to provide funding for elderly Cherokee citizen and Cherokee youth to obtaining eyeglasses or other corrective lenses.

Section 3. Legislative History

Article VI Section 7 of the Cherokee Nation Constitution states: "The Council shall have the power to establish laws which it shall deem necessary and proper for the good of the Nation, which shall not be contrary to the provisions of this Constitution. The style of all bills shall be: "Be It Enacted By the Cherokee Nation". The Style of all resolutions shall be "Be It Resolved By the Cherokee Nation".

Article X Section 2 of the Cherokee Nation Constitution states: "The Council shall provide by law for annual expenditure of funds, and the source from which funds are to be derived, to defray the estimated expenses of the Executive, Legislative, and Judicial Branches and the departments of government of the Cherokee Nation for each fiscal year. The budget shall not exceed estimated revenues.

Article X Section 8 of the Cherokee Nation Constitution states: "All laws authorizing the expenditures of money by and on behalf of the Cherokee nation shall specify the purpose for which the money is to be used, and the money so designated shall be used for no other purpose. No monies or resources of the Cherokee Nation or any of its entities shall be used to pay for representation of a defendant in a criminal matter, except where a public defender is authorized under Cherokee law. Annual expenditures shall not exceed the available funds.

Section 4. Definitions

For purposes of this Act:

Elderly Cherokee citizens: means a Cherokee citizen above the age of fifty-five (55).

Cherokee Youth: means a Cherokee citizen under the age of eighteen (18).

Section 5. Substantive Provisions

The Cherokee Nation shall supplement the cost of eyeglasses or other corrective lenses for elderly Cherokee citizens and Cherokee youth up to the amount of two-hundred and fifty dollars (\$250.00). The funding source of this Act shall be the Cherokee Nation General Fund.

To be eligible for benefits under this Act, Cherokee citizens must have income below one hundred eighty-five percent (185%) of poverty income established by the Cherokee Nation Department of Health.

Section 6. Provisions as cumulative

The provisions of this act shall be cumulative to existing law.

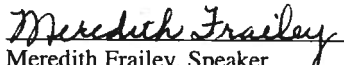
Section 7. Severability

The provisions of this act are severable and if any part of provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

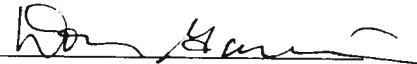
Section 8. Effective Date

This act shall become effective October 1, 2007 in accordance with the Cherokee Nation Constitution.

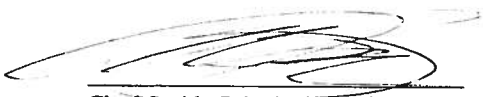
Enacted by the Council of the Cherokee Nation on the 11th day of June, 2007.


Meredith Frailey, Speaker
Council of the Cherokee Nation

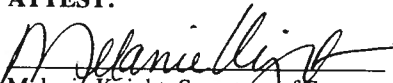
ATTEST:


Don Garvin, Secretary
Council of the Cherokee Nation

Approved this 15th day of June, 2007.


Chad Smith, Principal Chief
Cherokee Nation

ATTEST:


Melanie Knight, Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Audra Smoke-Conner	<u>Yea</u>	Melvina Shotpouch	<u>Yea</u>
Bill John Baker	<u>Yea</u>	Meredith A. Frailey	<u>Yea</u>
Joe Crittenden	<u>Yea</u>	John F. Keener	<u>Yea</u>
Jackie Bob Martin	<u>Yea</u>	Cara Cowan Watts	<u>Yea</u>
Phyllis Yargee	<u>Yea</u>	Buel Anglen	<u>Yea</u>
David W. Thornton, Sr.	<u>Yea</u>	William G. Johnson	<u>Yea</u>
Don Garvin	<u>Yea</u>	Charles "Chuck" Hoskin	<u>Yea</u>
Linda Hughes-O'Leary	<u>Yea</u>	Taylor Keen	<u>Yea</u>
Jack D. Baker	<u>Yea</u>		