

An Act

Legislative Act 23-12

AN ACT AMENDING LEGISLATIVE ACT 11-10 RELATING TO CREATION OF JOBS GROWTH; ADDING LANGUAGE TO ASSIGN SEAT DESIGNATIONS

BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title and Codification

This Act shall be referred as the “Jobs Growth Amendment Act of 2012” and codified under Title ____ Section _____ of the Cherokee Nation Code Annotated (CNCA).

Section 2. Purpose

The purpose of this Act is to designate seats for the seventeen (17) board members.

Section 3. Legislative History

Legislative Act 96-16 Cherokee Nation General Corporation Act
Legislative Act 32-04 Cherokee Nation Limited Liability Corporation Act
Legislative Act 37-05 Jobs Growth Act
Legislative Act 11-10 Jobs Growth Act

Section 4. Definitions

For the Purposes of this Act:

“Parent Company” means a company that owns a majority of the shares in another company or companies.

“Subsidiary” means a company owned by another company. If a subsidiary is wholly owned, all its stock is held by the parent company.

Section 5. Substantive Provisions

A. Jobs Growth.

- i.** CNB Board of Directors shall be comprised of no more than seventeen (17) members and shall, upon the dissolution of the CNE and CNI boards, be comprised of the then-current CNB directors, the former members of the dissolved CNE and CNI boards. Other subsidiaries may have directors as allowed by Cherokee law. Provided that, effective upon enactment of this Act, the seats shall be assigned as follows:

Seat 1, a term expiring 9/30/14, currently held by Mike Watkins

Seat 2, a term expiring 9/30/14, currently held by Tommy Sue Wright

Seat 3, a term expiring 9/30/14, currently held by Rex Earl Starr

Seat 4, a term expiring 9/30/14, currently held by Bob Berry

Seat 5, a term expiring 9/30/14, currently held Brent Taylor

Seat 6, a term expiring, 9/30/14, currently held by Sam Hart

Seat 7, a term expiring, 9/30/14, currently held by Gary Cooper

Seat 8, a term expiring, 9/30/14, currently held by Jerry Holderby

Seat 9, a term expiring, 9/30/14, currently held by Rick Doherty

Seat 10, a term expiring, 9/30/14, currently held by Deacon Turner

Seat 11, a term expiring, 9/30/11, currently held by David Ballew

Seat 12, currently an open seat

Seat 13, currently an open seat

Seat 14, currently an open seat

Seat 15, currently an open seat

Seat 16, currently an open seat

Seat 17, currently an open seat

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

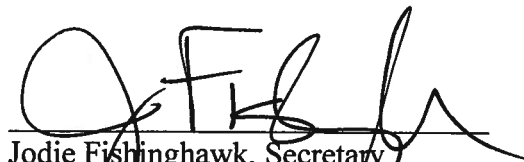
The provisions of this act shall become effective thirty (30) days from and after the date of its passage and approval.

Enacted by the Council of the Cherokee Nation on the 16th day of July, 2012.



Tina Glory-Jordan, Speaker
Council of the Cherokee Nation

ATTEST:



Jodie Fishinghawk, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this _____ day of _____, 2012.

ATTEST:

Bill John Baker, Principal Chief
Cherokee Nation

Charles Head, Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Joe Byrd	<u>Yea</u>	Dick Lay	<u>Yea</u>
Tina Glory Jordan	<u>Yea</u>	Meredith A. Frailey	<u>Yea</u>
David Walkingstick	<u>Yea</u>	Chuck Hoskin, Jr.	<u>Yea</u>
Frankie Hargis	<u>Yea</u>	Buel Anglen	<u>Yea</u>
Jodie Fishinghawk	<u>Yea</u>	Cara Cowan Watts	<u>Yea</u>
Curtis Snell	<u>Yea</u>	Lee Keener, Jr.	<u>Nay</u>
Don Garvin	<u>Yea</u>	Julia Coates	<u>Yea</u>
Janelle Lattimore Fullbright	<u>Yea</u>	Jack Baker	<u>Yea</u>
David W. Thornton, Sr.	<u>Yea</u>		



GWYB DBP
CHEROKEE NATION®
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Office of the Chief

Bill John Baker
Principal Chief
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S. Joe Crittenden
Deputy Principal Chief
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July 24, 2012

Tina Glory-Jordan, Speaker
Chuck Hoskin, Jr., Deputy Speaker
Council of the Cherokee Nation
Tahlequah, Oklahoma

07-24-12P04:44 RCVD

Dear Speaker Jordon and Council Members:

I am returning the enactments passed by the Tribal Council at the regular meeting held on July 16, 2012, as required by our Constitution. The Cherokee Constitution (Article VI, Section 10) requires that every enactment approved by the majority of the Council be presented to the Principal Chief before it becomes effective. I am returning the enactments unsigned.

1. Resolution No. 67-12, A Resolution Authorizing the Submission of a Grant Application for Youth Shelter Services by the Department of Children, Youth and Family Services to the U.S. Family and Youth Services Bureau, Runaway and Homeless Youth Program.
2. Resolution No. 68-12, A Resolution Authorizing the Donation of Surplus Equipment to Kenwood Water District.
3. Resolution No. 69-12, A Resolution Approving and Authorizing the Submission of the Fiscal Year 2013 Indian Housing Plan to the U.S. Department of Housing and Urban Development.
4. Resolution No. 70-12, A Resolution Confirming the Nomination of Lynna Carson as a Member of the Cherokee Nation Environmental Protection Commission.
5. Resolution No. 71-12, A Resolution Confirming the Nomination of Linda O'Leary as Registrar for the Cherokee Nation Registration Committee.
6. Resolution No. 72-12, A Resolution Authorizing Cherokee Nation Marshal Service to Donate One (1) 1993 Chevrolet Ambulance to Craig County Emergency Management.

7. Resolution No. 73-12, A Resolution Authorizing the Submission of a Special Grant Application to the Centers for Disease Control and Prevention (CDC) for Funding to Develop and Build Capacity to Implement Interventions.
8. Resolution No. 74-12, A Resolution Authorizing the Submission of a Grant Application to the Department of Health and Human Services, Administration for Children and Families, Office of Child Care for Tribal Maternal, Infant and Early Childhood Home Visiting Grant Program.
9. Resolution No. 75-12, A Resolution Authorizing Cherokee Nation Warehouse to Donate Surplus Office Equipment to Ballu Indian Baptist Church in Mayes County.
10. Resolution No. 76-12, A Resolution Authorizing the Donation of Surplus Office Furniture to the Stilwell Police Department.

APPROVED LEGISLATIVE ACTS

1. Legislative Act 23-12, An Act Amending Legislative Act #11-10 Relating to Creation of Jobs Growth; Adding Language to Assign Seat Designations.
2. Legislative Act 24-12, An Act Relating To and Amending Title 10 of the Cherokee Nation Code Annotated, The Children's Code-Sections 1.2, 25, 27, 28, 29.1, 40.2, 40.3, 40.4, 40.11 and 60.2; and Declaring an Emergency.
3. Legislative Act 25-12, A Legislative Act Amending LA-34-07-Defining Nepotism, and Defining Acceptable Parameters for Employment and Contracting and Amending Title 28, "Ethics", Adding New Sections of the Cherokee Nation Code Annotated.
4. Legislative Act 26-12, An Act Repealing Legislative Act 36-10 and Amending Legislative Act 06-10; Revising Title 26 ("Elections") of the Cherokee Nation Code Annotated; Amending § 5, Adding Provisions for Apportionment; and Declaring an Emergency.
5. Legislative Act 27-12, An Act Amending Legislative Act #20-11 Authorizing the Comprehensive Operating Budget for Fiscal Year 2012-Mod. 10; and Declaring an Emergency.
6. Legislative Act 28-12, An Act Amending Legislative Act #21-11 Authorizing the Comprehensive Capital Budget for Fiscal Year 2012-Mod.4; and Declaring an Emergency.

Sincerely,

Charles R. Heard

for

Bill John Baker
Principal Chief

Cc: Legal & Legislative Coordinator, Council of the Cherokee Nation
Councilors (17), Council of the Cherokee Nation
Secretary of State, Cherokee Nation