

VETO

10-29-02

DATE

An Act

PRINCIPAL CHIEF

Overruled  
11/18/02  
10 votes, 3 yeas

Legislative Act 35-02

AN ACT AMENDING THE CHEROKEE NATION GENERAL CORPORATION ACT CREATING AND ADVISORY BOARD OF DIRECTORS AND SETTING TERM LIMITS ON DIRECTORS ON CORPORATIONS IN WHICH THE CHEROKEE NATION IS A MAJORITY SHAREHOLDER

BE IT ENTITLED BY THE CHEROKEE NATION:

Section 1. Title.

This Act shall be known as the Cherokee Corporation Advisory Board Act and shall be codified in Title 18 of the Cherokee Code Annotated.

Section 2. Purpose.

The purpose of this Act is to amend Legislative Act 16-19 to provide an advisory board of tribal council members to all corporation Board of Directors in which the Cherokee Nation is a majority stockholder and provide term limits for the Board of Directors.

Section 3. Legislative History.

- A. Cherokee Nation General Corporation Act Legislative Act-1-1-85 as amended in LA 16-96, LA 15-96.
- B. Article V § 7 of the Cherokee Nation Constitution.

Section 4. Substantive Provisions.

- A. Add new Section "I" to Article 5 Section 27 of the Cherokee Nation General Corporation Act, which shall state, "There shall be an advisory board of directors to all corporations in which the Cherokee Nation is a majority shareholder. This advisory board shall consist of three (3) members of the Cherokee Nation Tribal Council. The Tribal Council shall appoint these members in accordance with their rules and procedures. The advisory board shall have full access to all information and meetings of the Board of Directors and have all privileges of the Board of Directors except voting privileges.
- B. Add new language to Article V Section 27(B) "Provided, that a Director shall not serve more than four (4) consecutive years without confirmation by the Tribal Council to a corporation whose majority shareholder is the Cherokee Nation.

Section 5. Severability.

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

Section 6. Declaration of emergency.

It being immediately necessary for the welfare of the Cherokee Nation, the Council hereby declares that an emergency exists, by reason whereof this Act shall take effect and be in full force after its passage and approval.

Enacted by the Council of the Cherokee Nation on the 28<sup>th</sup> day of OCTOBER, 2002.

\_\_\_\_\_  
Hastings Shade, President  
Council of the Cherokee Nation

ATTEST:

\_\_\_\_\_  
Stephanie Wickliffe – Shepherd, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Chadwick Smith, Principal Chief  
Cherokee Nation

ATTEST:

\_\_\_\_\_  
Jay Hannah, Secretary – Treasurer  
Cherokee Nation

**YEAS AND NAYS AS RECORDED:**

John Ketcher	<u>YEA</u>	Melvina Shotpouch	<u>ABSENT</u>
Don Crittenden	<u>YEA</u>	Stephanie Wickliffe-Shepherd	<u>YEA</u>
Harold "Jiggs" Phillips	<u>ABSENT</u>	John Keener	<u>YEA</u>
Jackie Bob Martin	<u>ABSENT</u>	Harold DeMoss	<u>YEA</u>
Mary Flute-Cooksey	<u>YEA</u>	David Thornton, Sr.	<u>YEA</u>
Nick Lay	<u>ABSENT</u>	Charles "Chuck" Hoskin	<u>YEA</u>
Don Garvin	<u>YEA</u>	Barbara Starr-Scott	<u>YEA</u>
Buel Anglen	<u>YEA</u>		