

Includes: LA 15-20

## **TITLE 8**

### **CEMETERIES**

#### **Chapter**

#### **1. Cemeteries Preservation**

### **CHAPTER 1**

### **CEMETERIES PRESERVATION**

#### **Section**

#### **4. Appropriation—Advocate/coordinator—Policies and procedures**

#### **§ 4. Appropriation—Advocate/coordinator—Policies and procedures**

- A. All monies appropriated for cemetery maintenance shall be used for preservation, repair, restoration and/or maintenance of traditional or historically significant Cherokee cemeteries, unmarked graves and/or damaged graves that are threatened by neglect and non-maintenance.
- B. The funds are to be distributed to cemetery boards or individuals interested in the preservation of the cemetery, unmarked graves and/or damaged graves in question.
- C. The Principal Chief shall designate an advocate/coordinator to ensure effective implementation of this act.
- D. The Culture Committee of the Council is hereby authorized and directed to develop such policies and procedures necessary to effectively implement the program, including but not limited to, determining eligibility, verification of circumstances, assuring that services are not duplicated, and conducting appropriate follow-up services and appeal rights in the event that assistance is denied. The policies and procedures will be published for review by the Tribal Council as well as the general public.
- E. The Culture Committee of the Council shall review and approve requests or referrals for projects under this act, to be forwarded to the designated staff. Approvals or denials by the designated staff pursuant to the established policies and procedures will be reported to the Culture Committee of the Council.
- F. All approved applications will be processed in accordance with this act and applicable policies and procedures.
- G. Persons or organizations receiving funds shall give a written accounting with receipts detailing the supplies expended on the maintenance of cemeteries in question. This accounting shall be presented to the designated staff within one hundred and twenty (120) days from receipt of any funds.
- H. The Motor Fuels Tax Funds shall be the source of funds appropriated in this act.
- I. All proposals or applications demonstrating self-help by labor contribution

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and community involvement shall be given preference.

J. The advocate/coordinator shall develop and implement a program to repair/restore unmarked and/or damaged Cherokee graves subject to the following:

1. Total amount to be awarded for each headstone is not to exceed two hundred dollars (\$200.00);
2. Limit of one headstone per applicant;
3. Qualifying unmarked and/or damaged Cherokee graves beginning in 1839; and
4. Total expenditures under this program is limited to twenty-five percent (25%) of the total amounts appropriated for cemetery maintenance under this act.

LA 33-04, eff. August 11, 2004. Amended LA 02-07, eff. February 21, 2007; LA 17-17, eff. July 21, 2017; LA 15-20, eff. Aug. 31, 2020.

**Historical and Statutory Notes**

LA 15-20, Section 2, provides:

**Section 2. Purpose**

The purpose of this Act is to amend Title 8 of the Cherokee Nation Code Annotated to provide for the restoration and repair of unmarked and/or damaged historical Cherokee graves.

NOT YET CODIFIED - SEE HEADER