

An Act

Legislative Act 50-12

AN ACT RELATING TO STATE BURIAL CEREMONY OF CURRENT AND FORMER PRINCIPAL AND DEPUTY CHIEF'S OF THE CHEROKEE NATION AND PROVIDING A STIPEND TO THEIR FAMILY FOR BURIAL ASSISTANCE

BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title and Codification

Example: This act shall be known as the _____ and codified as _____ (Title) _____ (Section) _____ of the Cherokee Nation Code Annotated.

Section 2. Purpose

The purpose of this Act is to enact legislation that provides for a state burial ceremony of current and former principal and deputy chiefs of the Cherokee Nation and providing a stipend to their family for burial assistance.

Section 3. Legislative History-none

Section 4. Definitions

For purposes of this Title:

A. The Principal Chief and Deputy Chief titles are set forth and defined in the Executive Section of Article VII of the Constitution of the Cherokee Nation.

Section 5. Substantive Provisions

A. The Cherokee Nation shall offer to conduct a memorial befitting a former or current Chief or Principal Chief which shall be conducted as a funeral service or as a separate event in accordance with the wishes of the family of the deceased. The cost of the memorial shall be incurred one hundred per cent (100%) by the Cherokee Nation.

B. A stipend to the family or burial and incidental expenses at a rate no less than our burial assistance program rate, the precise payment to be determined by the principal Chief.

C. The Principal Chief or his designee shall commence planning for the memorial “immediately” upon the notice of death. If the deceased is the current Principal Chief, the current Deputy Chief shall conduct all duties related to the provisions of this act that direct actions by the Principal Chief.

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.

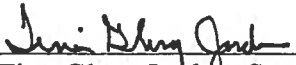
Section 8. Effective Date

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

Section 9. Self-Help Contributions

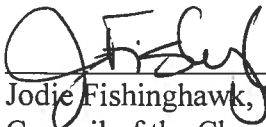
To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.

Enacted by the Council of the Cherokee Nation on the 10th day of December, 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 _____, 20____.

Bill John Baker, Principal Chief
Cherokee Nation

ATTEST:

Charles Head, Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

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



GWJ.B DBP
CHEROKEE NATION®
P.O. Box 948 • Tahlequah, OK 74465-0948 • 918-453-5000 • cherokee.org

Office of the Chief

Bill John Baker
Principal Chief
ᎠᎹ ᎠᎹᎠᎹ ᎠᎹᎠᎹ
ᎠᎹᎠᎹ

S. Joe Crittenden
Deputy Principal Chief
ᎠᎹ. ᎠᎹ. ᎠᎹᎠᎹ
ᎠᎹᎠᎹ ᎠᎹᎠᎹ ᎠᎹᎠᎹ

December 17, 2012

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

12-17-12P04:38 RCVD

Dear Speaker Jordon and Council Members:

I am returning the enactments passed by the Tribal Council at the regular meeting held on December 10, 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.

APPROVED RESOLUTIONS

1. Resolution No. 103-12, A Resolution Confirming The Nomination Of Angela Jones As a Justice Of The Cherokee Nation Supreme Court.
2. Resolution No. 104-12, A Resolution To Establish Council Warrior Awards to Recognize Current and Past Council Members, Chiefs and Deputy Chiefs and Judges and Justices of the Judicial Branch for Their Military Service.
3. Resolution No. 105-12, A Resolution Congratulating and Commending Cherokee Citizen Mark Wayne Mullin.
4. Resolution No. A Resolution Authorizing Cherokee Nation Environmental Programs to Submit a Formal Grant Application to the USEPA Office of Pesticides.
5. Resolution No. 107-12, A Resolution Authorizing Cherokee Nation Environmental Programs to Submit a Formal Grant Application to the U.S. Environmental Protection Agency for an Exchange Network Grant.
6. Resolution No. 108-12, A Resolution Allowing Cherokee Nation to Begin the Approval Processes for Leases of Land at Achilocco to the Chilocco Wind Park, LLC to Evaluate and Develop a Wind Farm.

APPROVED LEGISLATIVE ACTS

1. Legislative Act. 46-12, An Act Amending LA #7-97, LA #39-05 and LA #06-12; Revising Title 26 ("Elections") of the Cherokee Nation Code Annotated.
2. Legislative Act. 47-12, An Act Amending Legislative Act #37-12 Authorizing the Comprehensive Operating Budget for Fiscal Year 2013- Mod. 3; and Declaring an Emergency.
3. Legislative Act. 48-12, An Act Amending Legislative Act #38-12 Authorizing the Comprehensive Capital Budget for Fiscal Year 2013- Mod. 1; and Declaring an Emergency.

4. Legislative Act. 49-12, Act Relating to Voter Residency of Citizens of the Cherokee Nation.
5. Legislative Act 51-12, Act Amending LA#01-01 and 07-12, "The Cherokee Nation Motor Vehicle Licensing and Tax Code"; Amending Allocation of Revenues.
6. Legislative Act 52-12; An act Amending Legislative Act 03-09 and Title 68 Chapter 3 of the Cherokee Nation Code Annotated- Sales Tax; Amending the Act to Provide Veteran's Assistance to Veterans who are Cherokee Nation Citizens Only but Continuing Exemptions for One Hundred Percent (100%) Permanently Disabled Veterans for All Veterans.

I am returning the following enactment unsigned:

1. Legislative Act 50-12, An Act Relating to State Burial Ceremony of Current and Former Principal and Deputy Chief's of the Cherokee Nation and Providing a Stipend to Their Family for Burial Assistance.

Sincerely,



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