

AN ACT

Enrolled
Legislative Act 1-85

AN ACT RELATING TO CHEROKEE NATION OF OKLAHOMA
GENERAL LAWS; PROVIDING FOR THE REVISION OF THE
GENERAL LAWS INTO STATUTE FORM; ESTABLISHING A
CODE COMMISSION WITHIN THE RULES COMMITTEE; AND
DECLARING AN EMERGENCY.

BE IT ENACTED BY THE CHEROKEE NATION:

SECTION 1. A code commission is hereby established within the rules committee of the council of the Cherokee Nation to be composed of the Principal Chief of the Cherokee Nation, the President of the Council, and all members of the rules committee, of which the Principal Chief shall be ex officio chairman. Said code commissioners shall serve without additional compensation; providing that if sessions of this Commission shall be necessary when the rules committee is not in session, the members and officers of the council on said Commission shall receive their regular per diem as members of the council, together with their proper and necessary expenses incurred in attendance upon said meeting; to be paid from the appropriation made for the salaries and expenses of the council. The Commission shall meet at the Seat of Government upon the call of the chairman.

SECTION 2. Said Code Commissioners shall supervise in the revision of the general laws. Said revision shall consist of those activities necessary to allow for the codification of the general laws. Said revision activities shall include:

(a) Specifically repeal laws or sections thereof already repealed by general repealing acts, but the repeal of which is not sufficiently specific and certain to justify their omission from the compilation of codes.

(b) Shall specifically repeal laws or sections thereof superseded by subsequent statutes, but not described or indicated with sufficient definiteness to justify elimination.

(c) Consolidate sections where two or more sections cover the same subject matter.

(d) Re-draft laws or sections thereof where two or more subjects are covered in the same law or section.

(e) Re-draft laws or sections thereof which have been partially repealed, superseded or held unconstitutional.

(f) Repeal laws or sections thereof which have obviously become obsolete and entirely inapplicable because of subsequent legislation.

(g) Amend laws or sections thereof already amended by general acts, but the amendment of which is not sufficiently specific and certain to justify their amendment in the compilation of the code.

(h) Correct terminology in the general laws to conform with the terms and names of officers made necessary by subsequent enactments.

(i) Draft new bills from resolutions which have the purpose or intention of law.

SECTION 3. Upon completion of said revised laws and new bills, the Code Commission shall introduce said laws and bills at the next regularly scheduled council meeting. Each individual revised law and each individual new bill shall be introduced with a recommendation from the Code Commission of "do pass" or "do not pass".

SECTION 4. If any section, sentence, clause or phrase of this act is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this act. The Council hereby declares that it would have passed this act, and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, sentences, clauses or phrases be declared unconstitutional.

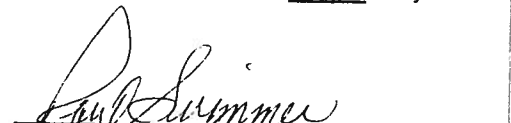
SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

C E R T I F I C A T I O N

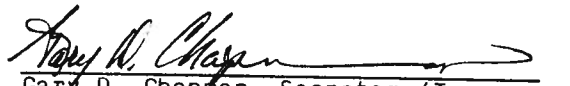
The foregoing Legislative Act was adopted by the Council of the Cherokee Nation at a duly called meeting on the 9th day of February, 1985 having fifteen (15) members present, constituting a quorum, by a vote of 15 yea; 0 nea; 0 abstaining.


Wilma P. Mankiller, President

Approved and signed by the Principal Chief this 9th day of February 1985.


Ross O. Swimmer, Principal Chief
Cherokee Nation of Oklahoma

ATTEST:


Gary D. Chapman, Secretary/Treasurer
of the Cherokee Nation Council