

An Act

LEGISLATIVE ACT 40-03

AN ACT AMENDING TITLE 20, SECTION 37 OF CHEROKEE
NATION CODE ANNOTATED SETTING ANNUAL STIPENDS
OF THE JUDICIAL APPEALS TRIBUNAL AND CREATING
A SPECIAL CLASS OF EMPLOYEES PROVIDING FOR SEVERABILITY
AND DECLARING EMERGENCY

BE IT ENACTED BY THE CHEROKEE NATION:

SECTION 1. TITLE AND CODIFICATION

This Act shall be titled as "Judicial Appeals Tribunal Compensation Act of 2003" to be codified under Title 20, Section 37 of the Cherokee Nation Code Annotated.

SECTION 2. PURPOSE

The purpose of this Act shall is to increase the annual stipend of the Judicial Appeals Tribunal Justices and designate them as a special class of employees with certain rights and benefits.

SECTION 3. LEGISLATIVE HISTORY

Article V, Section 7 The Cherokee Nation Constitution, Article VII of the Cherokee Nation Constitution, Title 20, Section 37 of Cherokee Nation Code Annotated, and Legislative Act 7-95.

SECTION 4. DEFINITIONS

- A. Judicial Appeal Tribunal Justice means any duly appointed and confirmed member of the Judicial Appeals Tribunal who performs the duties of office under color of law.
- B. Special Class of employee means the Justices of the Judicial Appeals Tribunal will be considered a special class of employees for travel purposes and insurance purposes.

SECTION 5. SUBSTANTIVE PROVISIONS

- A. Title 20, Section 37 of the Cherokee Nation Code Annotated amended as follows:

Section 37 Salaries of Justices - the Salary for Justice of the Tribunal shall be \$27,600 per annual; and the salary for Chief Justice shall be \$28,800 per annual. The Justices of the Judicial Appeals Tribunal shall be considered a special class of employees for travel purposes. Justices of the Judicial Appeals Tribunal will be entitled to health insurance benefits that are offered to other elected and appointed officials of the Cherokee Nation. Justices of the Judicial Appeals Tribunal are exempt from any disciplinary action through the Human Resource Department Policy and Procedures. Justices of the Judicial Appeals Tribunal may only be disciplined or removed under provisions of the Constitution of the Cherokee Nation.

SECTION 6. CUMULATIVE

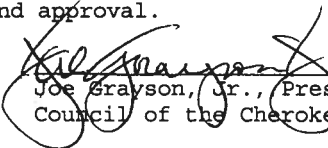
The provisions of this Act shall be cumulative to existing laws.

SECTION 7. SEVERABILITY

The provisions of this Act are severable and if any part or 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.

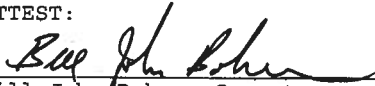
SECTION 8. EMERGENCY DECLARED

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.



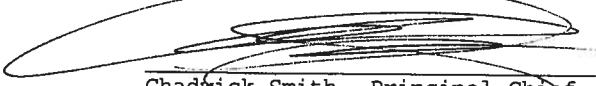
Joe Grayson, Jr., President
Council of the Cherokee Nation

ATTEST:



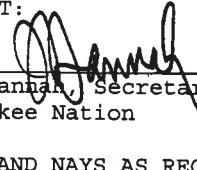
Bill John Baker, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 22 day of DECEMBER
_____, 2003.



Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:



Jay Hannah, Secretary/Treasurer
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Bill John Baker	<u>YEA</u>	Melvina Shotpouch	<u>YEA</u>
Audra Smoke-Connor	<u>YEA</u>	Meredith Frailey	<u>YEA</u>
S. Joe Crittenden	<u>YEA</u>	John F. Keener	<u>YEA</u>
Jackie Bob Martin	<u>YEA</u>	Cara Cowan	<u>YEA</u>
Phyllis Yargee	<u>YEA</u>	Buel Anglen	<u>YEA</u>
David W. Thornton, Sr	<u>YEA</u>	William G. "Bill" Johnson	<u>YEA</u>
Don Garvin	<u>YEA</u>	Charles "Chuck" Hoskin	<u>YEA</u>
Linda Hughes-O'Leary	<u>YEA</u>		