

An Act

LEGISLATIVE ACT 20-03

AN ACT AUTHORIZING THE PUBLICATION OF CONTRACTS AWARDED BY THE CHEROKEE NATION

BE IT ENACTED BY THE CHEROKEE NATION:

SECTION 1. TITLE AND CODIFICATION

This Act shall be titled as “The Contract Publication Act of 2003”.

SECTION 2. PURPOSE

The purpose of this Act shall be to ensure that all laws and regulations are properly followed in awarding contracts given by the Cherokee Nation to individuals, businesses or agencies; further the purpose of this Act is to make available that information to other branches of government and the Cherokee people.

SECTION 3. LEGISLATIVE HISTORY

Article 5 Section 7 of the Cherokee Nation Constitution states that “The Council shall have the power to establish laws which are deemed necessary and proper for the good of the Nation which shall not be contrary to the provisions of this Constitution...”

SECTION 4. SUBSTATIVE PROVISIONS

- A. Each Executive Director of a department of the Cherokee Nation shall submit to the Secretary/Treasurer by November 1 of each year, a report listing all acquisitions exceeding \$5,000 dollars of the department for the preceding fiscal year which will include the following information:
 - 1. Professional service contracts;
 - 2. Nonprofessional service contracts; and
 - 3. Contracts for the leasing of property including real property contracts and any lease agreements for the products or equipment.
- B. The report shall contain:
 - 1. The name of the supplier;
 - 2. A description of each acquisition;
 - 3. The purchase price of the acquisition; and
 - 4. The total amount expended to date for the preceding fiscal year for the acquisition.
- C. The report shall specifically identify sole source, sole brand acquisitions, and acquisitions by TERO vendors.
- D. The Executive Director of the department of the Cherokee Nation shall submit the report to the Secretary/Treasurer and to the office of the Controller. The Executive Director of any department shall submit the report to any member of the Cherokee Nation Tribal Council if a member so requests.
- E. The Secretary/Treasurer shall review the report for compliance with statutes and rules or other provisions of law applicable.
- F. All Contract awards given by the Cherokee Nation to individuals, businesses or agencies over \$100,000.00 will be published annually in January on the Cherokee Nation Website and in the Phoenix.

SECTION 5. CUMULATIVE

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

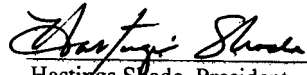
SECTION 6. SEVERABILITY

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 7. EFFECTIVE DATE

This Act shall take effect October 1, 2003.

Enacted by the Cherokee Nation Tribal Council on the 14TH day of JULY, 2003.


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 18th day of JULY, 2003.


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>YEA</u>
Don Crittenden	<u>YEA</u>	Stephanie Wickliffe	<u>YEA</u>
Ralph Keen, Jr.	<u>YEA</u>	John Keener	<u>YEA</u>
Jackie Bob Martin	<u>YEA</u>	Harold DeMoss	<u>YEA</u>
Mary Flute-Cooksey	<u>YEA</u>	David Thornton, Sr.	<u>YEA</u>
Nick Lay	<u>YEA</u>	Charles "Chuck" Hoskin	<u>YEA</u>
Don Garvin	<u>YEA</u>	Barbara Starr-Scott	<u>YEA</u>
Buel Anglen	<u>YEA</u>		