



Council of the Cherokee Nation

Cherokee Nation Complex
17675 S. Muskogee Ave.
Tahlequah, OK 74464

Meeting Minutes - Final RULES COMMITTEE

Joe Byrd, Chair

Recording Secretary, Shelli Brittain

Phone: 1-800-995-9465,

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Thursday, March 29, 2018

1:00 PM

Tribal Council Offices

CALL TO ORDER

Chair Byrd called the meeting to order at 1:00 p.m.

INVOCATION

Councilor Warner gave the invocation.

ROLL CALL

Present 17 - Keith Austin; Buel Anglen; Dick Lay; David Walkingstick; Shawn Crittenden; Wanda Hatfield; Rex Jordan; Bryan Warner ; Joe Byrd; Janees Taylor; Victoria Vazquez; Frankie Hargis ; Harley Buzzard; E. O. "JR." Smith; Mike Shambaugh; Mike Dobbins and Mary Baker Shaw

APPROVAL OF MINUTES

Councilor Hargis moved to approve the February 22nd regular session minutes as submitted. Councilor Taylor seconded the motion. The motion carried.

REPORTS:

Marshal Service - Shannon Buhl

Mr. Buhl reported they are entering their busy event season. Councilor Buzzard inquired about a need to update our policies in regard to fire arms on the Cherokee Nation campuses. Councilor Anglen requested clarification on citizens with a concealed carry license on Indian Country. Councilor Crittenden asked for a definition of Indian Country. Chair Byrd commented on ALICE training.

Office of the Attorney General - Chrissi Nimmo

Ms. Nimmo gave an update on the Murphy case. They are working to set up a meeting at the Five Tribes Conference with the all of District Attorneys within the jurisdiction of the five tribes to discuss the Murphy case. The United Keetoowah land in trust case is set for oral argument in Denver on May 16th. Councilor Lay inquired about the possible need to change laws in regard to the concealed carry and the Murphy case.

Councilor Walkingstick inquired about increasing taxation, civil jurisdiction and sovereignty.

FOIA-GRA - Gwen Terrapin

Ms. Terrapin provided an update on the FOIA and GRA requests. The website update is continuing. Councilor Walkingstick voiced concern in the GRA/FOIA process.

Election Commission - Marcus Fears

Chair Byrd announced this report was inadvertently placed on the agenda. They are scheduled to report next month.

Tax Commission - Sharon Swepston

Ms. Swepston offered to answer questions from the report provided. Councilor Buzzard requested an update on the handicapped ramp issue at the Jay tag office.

Self-Governance - Karen Ketcher

Ms. Ketcher reported the budget looks good and has increases. Councilor Buzzard inquired about the USDA donated foods already being compacted.

Gaming Commission - Jamie Hummingbird

Mr. Hummingbird reported they are still awaiting word on the professional/amateur sports protection act. They are closely watching HB3375 which if passed would remove a couple of prohibitions dealing with the use of wheels and balls when playing roulette and dice when playing craps. Councilor Walkingstick inquired about the status of the proposal to have gaming in Arkansas.

Human Resources - Nason Morton

Mr. Morton announced the changes to the report requested last month will start in the April reporting. Our annual open enrollment will happen in April. He offered to answer questions from the report provided.

OLD BUSINESS

- 1. [17-136](#)** A LEGISLATIVE ACT AMENDING TITLE 12 OF THE CHEROKEE NATION CODE ANNOTATED - CIVIL PROCEDURE - COMPREHENSIVE ACCESS TO JUSTICE ACT AMENDMENT

Councilor Vazquez moved to approve the substitute version that has been distributed. She made a brief statement. Councilor Lay requested clarification that the substitute version deletes Section 30. He stated with this revision to strike Section 30 he would withdraw his motion which remains on the floor from the last meeting. Councilor Shambaugh seconded the motion. Councilor Lay requested an overview by section of the changes submitted. Councilor Walkingstick asked if the probable cause section is legal without section 30.

Following several questions the motion to approve carried with Councilor Crittenden opposed.

2. [18-013](#) A LEGISLATIVE ACT AMENDING TITLE 12 OF THE CHEROKEE NATION CODE ANNOTATED - CIVIL PROCEDURE

Councilor Vazquez moved to approve. Councilor Shambaugh seconded the motion. The motion carried with Councilor Crittenden opposed.

NEW BUSINESS

1. [18-019](#) AN ACT REPEALING TITLE 10 OF THE CHEROKEE NATION CODE ANNOTATED CHAPTER 51, SECTION 1130(D)

Councilor Warner moved to approve. Councilor Taylor seconded the motion. The motion carried.

2. [18-025](#) ACT RELATING TO THE DUTIES OF THE OFFICE OF ATTORNEY GENERAL AND AMENDING THE ATTORNEY GENERAL ACT

Councilor Lay moved to approve. Councilor Anglen seconded the motion. The motion failed with the following roll call vote:

Yea: 6 - Buel Anglen; Dick Lay; David Walkingstick; Shawn Crittenden; Janees Taylor and Harley Buzzard

Nay: 10 - Keith Austin; Wanda Hatfield; Rex Jordan; Bryan Warner ; Joe Byrd; Victoria Vazquez; Frankie Hargis ; E. O. "JR." Smith; Mike Shambaugh and Mary Baker Shaw

Abstain: 1 - Mike Dobbins

3. [18-026](#) ACT RELATING TO THE SAFETY FOR NATIVE AMERICAN WOMEN AND CREATING SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION

Chair Byrd stated this is for discussion only today. He gave a brief background and asked if the Attorney General's office or our Council Attorney had any input. Ms. Nimmo proposed the attorneys form a work group to combine this version with the version they have been working on and bring back at a later time.

Councilor Vazquez moved to table. Councilor Hargis seconded the motion. The motion carried.

4. [18-027](#) ACT RELATING TO THE ISSUANCE AND ENFORCEMENT OF CIVIL PROTECTIVE ORDERS WITHIN THE CHEROKEE NATION; AND AMENDING TITLE 12 OF THE CHEROKEE NATION CODE ANNOTATED

Councilor Hargis moved to approve. Councilor Jordan seconded the motion. Chair Byrd requested this item be tabled as it is a companion item to the VAWA act just tabled.

Councilor Hargis moved to table. Councilor Vazquez seconded the motion. The motion carried.

ANNOUNCEMENTS

Councilor Walkingstick requested the Registration Department report to this committee monthly or quarterly.

Councilor Vazquez announced due to technical issues during Culture committee they

weren't able to watch the video and would have it on the agenda at the next meeting in May.

ADJOURNMENT

Councilor Hargis moved to adjourn. Councilor Vazquez seconded the motion. The motion carried at 2:26 p.m.

STAFF PRESENT:

<i>Chrissi Nimmo</i>	<i>Gwen Terrapin</i>	<i>Jamie Hummingbird</i>
<i>Jeremy Hanvy</i>	<i>Tristian Trumbla</i>	<i>David Cornsilk</i>
<i>Brandon Scott</i>	<i>Shannon Buhl</i>	<i>Bill John Baker</i>
<i>Todd Hembree</i>	<i>Sharon Swepston</i>	<i>Nason Morton</i>
<i>John Paden</i>	<i>Canaan Duncan</i>	<i>Chuck Hoskin Jr.</i>
<i>Ethan Green</i>	<i>Karen Ketcher</i>	<i>Suzanne Drywater</i>
<i>Rhonda Trumbla</i>	<i>Chad Harsha</i>	<i>John Young</i>

VISITORS PRESENT:

<i>Teddy Snell</i>	<i>Phyllis Lay</i>	<i>Dianne Barker Harrold</i>
<i>Tahlina Nofire Blakestad</i>		