



Council of the Cherokee Nation

Cherokee Nation Tribal Council
17763 S. Muskogee Ave.
Tahlequah, OK 74464

Legislation Details (With Text)

File #: LA-30-04 **Version:** 1 **Name:** Appointment of Boards and Commissions Act of 2004

Type: Legislative Act **Status:** Passed

File created: 6/10/2004 **In control:** Tribal Council

On agenda: 6/15/2004 **Final action:** 7/12/2004

Enactment date: 7/12/2004 **Enactment #:** LA-30-04

Title: AN ACT TO ESTABLISH REQUIREMENTS FOR APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS; AND DECLARING AN EMERGENCY

Sponsors: Unknown

Indexes: Boards and Commissions

Code sections: Title 14 - Commissions and Other Entities

Attachments: 1. LA-30-04.pdf

Date	Ver.	Action By	Action	Result
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Committee: Rules Author: Melanie Knight
Date: 6-10-04 Committee Date: 6-15-04 Sponsor:

An Act
Legislative Act 30-04
AN ACT TO ESTABLISH REQUIREMENTS FOR APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS; AND DECLARING AN EMERGENCY
BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title.
This act shall be known as the "Appointment of Boards and Commissions Act of 2004"

Section 2. Purpose.
The purpose of this Act is to make certain technical and substantive amendments to the appointment procedure for members of boards, commissions or authorities of the Cherokee Nation, including boards of entities that the Nation is the majority owner. This Act would require that all appointments be consistently applied.

Section 3. Legislative History.
Boards, Commissions, and Governmental Agencies of the Nation are authorized by various enactments, and business entities established by the Nation operate under applicable statute and bylaws.

Section 4. Definitions.
For purposes of this Act:
"Entities" means all boards, commissions, operations, agencies and majority-owned businesses of the Cherokee Nation.
"Member(s)" means individual persons who are appointed to serve on the governing body of Entities.

Section 5. Appointments.
a. All Members of Entities of the Nation, if not designated by title in the applicable authorizing legislation or governing documents, shall be appointed by the Principal Chief and confirmed by the Council of the Cherokee Nation, with the exception of the Election Commission (26 CNCA ♦ 11) and the Editorial Board (Legislative Act 17-00 as amended by LA 08-01).
b. Terms, number of members and all other requirements of entities are not affected by this Act.
c. This procedure shall be implemented for all future appointments, in accordance with item a. of this Section.

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. 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.
Enacted by the Council of the Cherokee Nation on the 12th day of July, 2004.
Joe Grayson, Jr., President Cherokee Nation Tribal Council
ATTEST: Bill John Baker, Secretary Cherokee Nation Tribal Council
Approved and signed by the Principal Chief this 16th day of JULY, 2004.
Chad Smith, Principal Chief, Cherokee Nation

ATTEST: Callie Catcher, Secretary/Treasurer Cherokee Nation

YEAS AND NAYS AS RECORDED:

Audra Smoke-Conner	Yea	Melvina Shotpouch	Yea	
Bill John Baker	Nay	Meredith A. Frailey	Yea	
Joe Crittenden	Yea	John F. Keener	Yea	
Jackie Bob Martin	Yea	Cara Cowan	Yea	
Phyllis Yargee	Yea	Buel Anglen	Yea	
David W. Thornton, Sr.	Absent	William G. Johnson	Yea	
Don Garvin		Yea	Charles "Chuck" Hoskin	Nay
Linda Hughes-O'Leary	Yea			

TITLE: An Act to Establish Requirements for Appointments of Members of Boards and Commissions: and Declaring an Emergency

Department Contact: Melanie Knight

Resolution Presenter: Melanie Knight Sponsor:

NARRATIVE:

(See Attached Outline for Information Needed)

V

ADMINISTRATIVE CLEARANCE:

Program/Project Manager:

Signature Date

Department Director:

Signature Date

Executive Director:

Controller (if needed):

Signature Date

Government Resources Group:

Date

Administration Approval :

LEGISLATIVE CLEARANCE

Legislative Aide:

Signature/Initial Date

Committee:

65-04

Next Meeting Date

Chairperson:

Signature/Initial Date

Returned to Presenter:

Date

The purpose of this act is to make certain amendments to the appointment procedure for members of boards, commissions or authorities of the Cherokee Nation, and to require that all appointments be consistently applied.