



Council of the Cherokee Nation

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

Legislation Details (With Text)

File #: LA-04-02 **Version:** 1 **Name:** Calling for the Approval of a Trust Authority
Type: Legislative Act **Status:** Passed
File created: 1/1/2002 **In control:** Tribal Council
On agenda: N/A **Final action:** 1/14/2002
Enactment date: 1/14/2002 **Enactment #:** LA-04-02
Title: CALLING FOR THE APPROVAL OF A TRUST AUTHORITY
Sponsors: Unknown
Indexes: Boards and Commissions, Economic Development Trust Authority, Trust Authority
Code sections: Title 79 - Trust Funds and Trust Authorities
Attachments: 1. LA-04-02.pdf

Date	Ver.	Action By	Action	Result
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An Act

Legislative Act 04-02
 CALLING FOR THE APPROVAL OF A TRUST AUTHORITY
 BE IT ENACTED BY THE CHEROKEE NATION:
 Section 1. Title and Codification

This act shall be known as "Calling for the Approval of a Trust Authority" and codified as (Title) (Section) of the Cherokee Nation Code Annotated.

Section 2. Purpose

To seek approval for the establishment of the Cherokee Nation Economic Development Trust Authority Board of Directors, in compliance with the holding in Cantrell v The Cherokee Nation and Cherokee Nation Enterprises, Inc.. JAT-97-01.

Section 3. Legislative History

The Cherokee Nation is a federally recognized Indian Tribe, organized in accordance with a Constitution approved by the Commissioner of Indian Affairs on September 5, 1975 and ratified June 26, 1976.

2. The Cherokee Nation desires to establish a mechanism to promote economic development projects.

3. The Constitution of the Cherokee Nation permits the establishment of Trust Authorities pursuant to Article VI § 10 of the Cherokee Nation Code Annotated (CNCA).

4. The Cherokee Nation Economic Development Trust Authority was established by Act of this Council in LA #36-89, "An Act Calling for the Approval of a Trust Authority."

5. The Judicial Appeals Tribunal of the Cherokee Nation, in Case No. JAT 97-, 01, nullified that provision of Legislative Act #36-89, which provided for the appointment of the Board of Directors. This Act, therefore, provides for the appointment of members of the Board, replacing that portion of #36-89 previously addressing the appointment of said Board members.

Section 4. Definitions

For purposes of this Title:

Section 5 Substantive Provisions of Law

1. The Cherokee Nation Economic Development Trust Authority Board shall consist of Five (5) members.

2. The members of the Trust Authority Board shall be nominated by the principal Chief and confirmed, by way of resolution, by the Tribal Council.

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 in full force after its passage and approval.

be
Enacted by the Council of the Cherokee Nation on the day of
2001.
Hastings Shade, President Cherokee Nation Council

ATTEST:
Stephanie Wickliffe Shepherd, Secretary Cherokee Nation Council
Cherokee Nation Council
Approved and signed by the Principal Chief this 17th day of JANUARY
2001.
Jay Hannah, Secretary/Treasurer Cherokee Nation

ATTEST:
YEAS AND NAYS AS RECORDED:
John A. Ketcher YEA Melvina Shotpouch YEA
Don Crittenden YEA Stephanie Wickliffe Shepherd YEA
Harold "Jiggs" Phillips YEA John F. Keener YEA
Jackie Bob Martin YEA Harold DeMoss YEA
Mary Flute-Cooksey YEA Dorothy Jean McIntosh
David W. Thornton, Sr. ABSENT Nick Lay YEA
Don Garvin YEA Charles "Chuck" Hoskin ABSENT
Barbara Starr-Scott YEA