



Legislation Text

File #: 07-076, Version: 1

AN ACT PREVENTING THE EMPLOYMENT OF INDIVIDUALS BY THE CHEROKEE NATION OR ITS AFFILIATED ENTITIES THAT ARE CANDIDATES IN CHEROKEE NATION ELECTION FOR A PERIOD OF ONE YEAR

BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title:

This act shall be known as the “Cherokee Nation Candidate Employment Act of 2007” and codified under Title 26 Section 39 of the Cherokee Nation Code Annotated.

Section 2. Purpose

The purpose of this Act is to prevent the employment of candidates in Cherokee Nation elections, by the Cherokee Nation of its affiliated entities for a period of one year after the election cycle.

Section 3. Legislative History

Article VI Section 7 of the Cherokee Nation Constitution states: “The Council shall have the power to establish laws which it shall deem necessary and proper for the good of the Nation, which shall not be contrary to the provisions of this Constitution. The style of all bills shall be: “Be It Enacted By the Cherokee Nation”. The Style of all resolutions shall be “Be It Resolved By the Cherokee Nation”.

Section 4. Definitions

For purposes of this Act:

Cherokee Nation: means the government and related departments located at Tahlequah, Oklahoma.

Cherokee Nation affiliated entities: means any corporation, business or other entities in which the Cherokee Nation is the sole or majority owner.

Cherokee Nation Candidate: means any person who has filed for public office in accordance with the Cherokee Nation Election Code.

Employment: means doing any work for hire including but not limited to contracted services.

Section 5. Substantive Provisions

Add new section to read as follows:

§39 All candidates who file for public offices in Cherokee Nation elections and who are unsuccessful are prohibited from employment with the Cherokee Nation or its affiliated entities for a period of one (1) year after the general election.

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. Effective Date

This act shall become effective October 1, 2007 in accordance with the Cherokee Nation Constitution.