



Council of the Cherokee Nation

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

Legislation Text

File #: 23-035, Version: 1

PRINCIPAL CHIEF WILMA P. MANKILLER CAPITOL PARK ACT - 2023 AMENDMENTS

BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title and Codification

This legislative act shall be titled and codified as the “**Principal Chief Wilma P. Mankiller Cherokee Capitol Park Act - 2023 Amendments**”

Section 2. Findings

The Council of the Cherokee Nation has demonstrated its commitment to improving access to outdoor recreation activities through various legislative actions, including but not limited to; the Cherokee Nation Wildlands, Parks and Fishing and Hunting Preserve Act of 2021, the Public Health and Wellness Improvement Act of 2022, **Public Health and Wellness Act 2023 amendments**, and its appropriation of American Recovery Plan Act dollars, supporting various public park improvements. The Council finds that these kinds of investments across the Cherokee Nation reservation improve the quality of life for Cherokee citizens. In furtherance of these efforts, the Council finds it to be in the Cherokee Nation’s interest to establish a public park in Tahlequah, befitting its status as our nation’s capital city. The Council further finds it appropriate to name the park after Wilma P. Mankiller, former Principal Chief of the Cherokee Nation, in honor of her service to the Cherokee people. **The Council, having been advised by Administration of the increased cost of construction, the increased geographic scope of the proposed park described herein and the increase in features included in the proposed park, including substantial walking trails and infrastructure needs, finds that an increase in the authorization of funds for this project is warranted.**

Section 3. Purpose

The purpose of this Act is to authorize the construction of and funding for a public park located in Tahlequah, Oklahoma, and to name the park in honor of former Principal Chief Wilma P. Mankiller, from enactment until the end of fiscal year **2024 2025**.

Section 4. Substantive Provisions

§ 1. Amounts Authorized.

- A. For fiscal years 2022, 2023, ~~and 2024 and 2025~~, a total of \$510,000,000 is authorized for expenditure under this Act.
- B. The primary funding source is federal American Rescue Plan Act (ARPA) funds under the Cherokee Nation COVID-19 Respond, Recover and Rebuild Plan (RRR). Other funding sources include the Cherokee Nation Public Health and Welfare Fund Improvement Act; the Housing, Jobs and Sustainable Communities Act of 2022; dividends received from those for-profit corporations in which Cherokee Nation is the sole or majority shareholder, and that are incorporated under Cherokee Nation law and grants, miscellaneous sources and contributions, revenues of enterprises, taxes, and special and general fund sources.
- C. All funding authorized herein is subject to the Council appropriations process.
- D. Additional funds, not to exceed \$1 million, may be utilized on this project to supplement or supplant the funds authorized under this Act may be provided directly by Cherokee Nation Businesses under sponsorship, naming opportunities or other such recognition under appropriate agreements between the Principal Chief and CNB under extant law and policy, with copies of said agreements disclosed to the Council within 45 days of execution.**

§ 3. Principal Chief Wilma P. Mankiller Cherokee Capitol Park

- A. The park established by this act shall:
 - a. Be located on approximately **6.25 10 17** acres of land at approximately 18050 S. Muskogee Ave, Tahlequah Oklahoma, Cherokee Nation Reservation, the description of which is as follows:

The W½ NW¼ NW¼ lying North of US Hwy 62 in Section 21, Township 16 North Range 22 East, and the South 820 feet of the W½ SW¼ SW¼ and all that part of the SE¼ SW¼ SW¼ lying and being north of US Hwy 62 and lying West of the 50' road easement located in the SW¼ of Section 16, Township 16 North, Range 22 East of the Indian Base & Meridian, Cherokee County, State of Oklahoma, containing 19.50 acres more or less.

- b. Include elements of Cherokee language, culture and traditions in its design, landscaping, public art, playground and facilities **and walking trails, with the entirety of said improvements occupying approximately 10 acres of the total acreage, the balance of which will remain unimproved but well maintained, with said future improvements authorized under the direction of the Secretary of Natural Resources.**
- c. Include a building for community gatherings.
- d. Include a space of sufficient size within the park for the future placement of a statue of former Principal Chief Wilma P. Mankiller.
- e. Be named “Principal Chief Wilma P. Mankiller Cherokee Capitol Park” or alternatively “Wilma P. Mankiller Cherokee Capitol Park.
- f. Be a “reserved land” within the meaning of the Cherokee Nation Park, Wildlands, Fishing and Hunting Preserve Act of 2021, LA 21-2006.

B. Consultation with Representatives of Mankiller Family:

- a. The Principal Chief shall make reasonable efforts to consult with such representatives of Chief Mankiller’s family as he deems appropriate as to the overall design of the park and any depiction of Chief Mankiller at the park, including any statue of Chief Mankiller. Said consultation shall be memorialized in at least one interim and one final report to the Council as to the status of the park.

C. Chief Mankiller Statue:

- a. The Principal Chief is authorized to solicit, on behalf of Cherokee Nation, private funds to support the construction of a statue of Chief Mankiller to supplement such funds as may be appropriated by the Council, **or to utilize such funding authorized under this Act above that necessary for the construction of the park described herein, subject to future Council appropriations but not subject to further authorization under this act.**

Section 5. Provisions as cumulative

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

Section 6. 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 7. Effective Date: 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 immediately upon its approval and signatures.