



## Legislation Text

File #: 11-050, Version: 1

### **AN ACT ESTABLISHING PROCEDURES AND REQUIREMENTS FOR THE NAMING OF BUILDINGS OR FACILITIES OF THE CHEROKEE NATION AND ITS ENTITIES BE IT ENACTED BY THE CHEROKEE NATION:**

#### **Section 1. Title and Codification**

This Act shall be known as “The Building and Facility Naming Act of 2011” and shall be codified under Title 61 of the Cherokee Nation Code Annotated.

#### **Section 2. Purpose**

The purpose of this Act is to set forth and establish the procedures and requirements for the process of naming buildings and/or facilities owned by the Cherokee Nation and its entities.

#### **Section 3. Legislative History**

Article VI, Section 7 of the Cherokee Nation Constitution, “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.”

#### **Section 4. Definitions**

1. Cherokee Nation: means the government of the Cherokee Nation located at Tahlequah, Oklahoma and all divisions thereof.
2. Cherokee Nation entity: means any corporation, organization or group in which the Cherokee Nation is a majority owner or contributor a majority of its funds to the entity’s annual budget, or in which the Cherokee Nation exercises control.
3. Cherokee Nation Building or Facility: means structures and areas owned and/or constructed or developed by the Cherokee Nation or its entities, where ever they may be located, except for such structures owned or controlled by Cherokee Nation Business or its subsidiaries.

#### **Section 5. Substantive Provisions.**

**A. Naming of Cherokee Nation Buildings or Facilities:** The names of Cherokee Nation Building or Facilities may only be designated, or redesignated, by Act of the Council of the Cherokee Nation.

**B. Prohibition on Public Depiction of Building Names Prior to Name Council Designation:** No Cherokee Nation Building or Facility may be depicted in any way, including but not limited to in documents or signage, by Cherokee Nation or any Cherokee Nation Entity as bearing a particular name prior to the designation of that name by Act of Council pursuant to this Act, except:

- i. **Temporary Generic Names:** Where the executive branch, for ease of reference,

designates a particular Cherokee Nation Building or Facility by the name of the community in which it is located and the basic function that it serves, for a period not to exceed 1 year from the date the facility commences operation, after which time such name, or such other name designated by the Council, must be designated pursuant to this Act.

- ii. **Communication of Proposals to Council:** Where the executive branch designates a name solely for the purpose of communicating a proposal to directly and solely to members of the Council for designation of a name pursuant to this Act.
- iii. **Cherokee Nation Buildings or Facilities Already in Operation:** Where the executive branch, or the Council by previous resolution, has designated the name of a particular Cherokee Nation Building or Facility prior to the enactment of this Act, but only where the Cherokee Nation Building or Facility was constructed and in operation prior to the enactment of this Act.

**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 sixty (60) days after its passage in accordance with the Cherokee Nation Constitution.