



Council of the Cherokee Nation

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

Legislation Text

File #: 09-151, Version: 1

AN ACT AMENDING LEGISLATIVE ACT 30-04 ESTABLISHING REQUIREMENTS FOR APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS; ENABLING AN EMERGENCY BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title and Codification

This act shall be referred as the "Amendment to the Appointment of Boards and Commissions Act of 2009" and codified under Title ____ Section _____ of the Cherokee Nation Code Annotated (CNCA).

Section 2. Purpose

The purpose of this Act is to require that all Board of Directors appointed to boards or commissions of the Cherokee Nation Government or its entities be a citizen of the Cherokee Nation. Further, that no one individual shall serve concurrently on more than one board or commission.

Section 3. Legislative History

Legislative Act 30-04
Legislative Act 16-96
Article V Section 7 of the Cherokee Nation Constitution

Section 4. Definitions

For the 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). All appointees to any boards or commissions to any Cherokee Nation entity shall be a citizen of the Cherokee Nation.
- b. No individual shall serve concurrently on more than one board or commission.
- c. Terms, number of members and all other requirements of entities are not affected by this Act.
- d. 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.