



Legislation Text

File #: 12-053, Version: 3

A LEGISLATIVE ACT AMENDING TITLE ____ OF THE CHEROKEE NATION CODE ANNOTATED - PROVIDING A LIMITED EXEMPTION FROM CERTAIN PURCHASING LAWS BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title and Codification

This act shall be known as the "Willard Stone Appreciation Act of 2012" and codified as _____ (Title) _____ (Section) _____ of the Cherokee Nation Code Annotated (CNCA).

Section 2. Findings Purpose

The Council finds that non-citizens who contribute to the health, education or welfare of the Cherokee people, or the preservation of Cherokee culture, deserve special recognition. The Council further finds that Willard Stone, a non-citizen and non-member of any federally recognized Indian tribe, has made such a contribution and further has been recognized as a Cherokee Indian Artisan under the provisions of the Indian Arts and Crafts Act of 1990 - Resolution 15-91. This Act provides a limited exemption to certain purchasing laws for the benefit of Stone's family in honor of his contribution.

Section 3. Substantive provisions

A. The following sections shall be included in Title ____ of the Cherokee Nation Code Annotated

1. Willard Stone, by his surviving widow, shall be entitled to a limited exemption form LA 1-07 and LA-01 -08, know as the Truth in Advertising Act, any other Cherokee Nation law, policy, rule or procedure prohibiting the purchase of works of art by non-citizens, subject to the following:

- a. The exemption shall expire within one year following the enactment of this Act.
- b. All proposed purchases under this Act shall be disclosed to the Council's Education and Culture Committee in writing no less than 21 days prior to said purchase and said Committee.
- c. Only the Council of the Cherokee Nation shall have standing to enforce this Act and the Act creates no enforceable right by any individual Cherokee citizen.

Section 4. Provisions as cumulative

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

Section 5. 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 6. Effective Date

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 from and after its passage.