



Council of the Cherokee Nation

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

Legislation Text

File #: 19-063, Version: 1

AN ACT ESTABLISHING A SECRETARY OF VETERANS AFFAIRS BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title and Codification

This act shall be known as the Secretary of Veterans Affairs Act and codified as Title 51, Section 1101, *et seq.* of the Cherokee Nation Code Annotated.

Section 2. Purpose

To establish a new cabinet secretary known as the Secretary of Veterans Affairs.

Section 3. Legislative History

Article VII, Section 12 of the Cherokee Nation Constitution states that the Council, on recommendation of the Principal Chief only, may create additional cabinet positions and departments.

Section 4. Title 51, Cherokee Nation Code Annotated Section 1101 et seq. shall read as follows:

§1101. Establishment and selection.

A. There is hereby created a cabinet secretary known as the Secretary of Veterans Affairs. The Secretary must be a citizen of the Cherokee Nation. The Principal Chief shall prescribe the duties and responsibilities of the Secretary of Veterans Affairs.

B. The Secretary of shall be appointed by the Principal Chief and confirmed by the Tribal Council in accordance with Article VII, Section 12 of the Cherokee Nation Constitution.

§1102. Term of office.

The term for the Secretary of Veteran's Affairs shall coincide with the term of the Office of the Principal Chief.

§1103. Vacancy in office.

The Principal Chief may, in the case of a vacancy by reason of removal, death, resignation or permanent disability of the Secretary, appoint a successor with confirmation by the Council to fill the vacancy to serve the remainder of the term or until the disability be removed.

§1104. Removal from office.

The Secretary shall be subject to removal from office for cause in accordance with Article VI, Section

9 of the Constitution.

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 the provisions 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. Self-Help Contributions

To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.

Section 9. 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.