



# Council of the Cherokee Nation

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

## Legislation Details (With Text)

<b>File #:</b>	12-003	<b>Version:</b>	2	<b>Name:</b>	CHEROKEE NATION EDUCATION SCHOLARSHIP AMENDMENT ACT OF 2012
<b>Type:</b>	Legislative Act	<b>Status:</b>	Passed		
<b>File created:</b>	1/4/2012	<b>In control:</b>	TRIBAL COUNCIL		
<b>On agenda:</b>	2/13/2012	<b>Final action:</b>	2/23/2012		
<b>Enactment date:</b>	2/23/2012	<b>Enactment #:</b>	LA-03-12B		
<b>Title:</b>	AN ACT AMENDING LEGISLATIVE ACT 31-07 PROVIDING HIGHER EDUCATION SCHOLARSHIPS FOR CHEROKEE NATION STUDENTS				
<b>Sponsors:</b>	David Walkingstick, Jack D. Baker, Joe Byrd, Jodie Fishinghawk, Meredith Frailey, Janelle Fullbright, Don Garvin, Tina Glory Jordan, Frankie Hargis, Chuck Hoskin Jr., Dick Lay, Curtis Snell, David Thornton, Sr.				
<b>Indexes:</b>	Higher Education, Scholarship				
<b>Code sections:</b>	Title 70 - Schools and Education				
<b>Attachments:</b>	1. LA-03-12B				

Date	Ver.	Action By	Action	Result
2/28/2012	2	OFFICE OF THE CHIEF	Signed	
2/23/2012	2	TRIBAL COUNCIL	Approved	Pass
1/16/2012	1	EDUCATION COMMITTEE	Tabled	Fail
1/16/2012	1	EDUCATION COMMITTEE	Approved and Forwarded to Council	Pass

### AN ACT AMENDING LEGISLATIVE ACT 31-07 PROVIDING HIGHER EDUCATION SCHOLARSHIPS FOR CHEROKEE NATION STUDENTS BE IT ENACTED BY THE CHEROKEE NATION:

#### Section 1. Title and Codification

This Legislative Act shall be titled as the "Cherokee Nation Education Scholarship Amendment Act of 2012" and codified under Title \_\_\_\_ Section \_\_\_\_\_ of the Cherokee Nation Code Annotated ("CNCA").

#### Section 2. Purpose

The purpose of this Act is to increase the amount of scholarships available to Cherokee students, who receive Pell grant assistance to ~~\$1,000.00~~ \$2,000.00 per semester up to \$4,000.00 per academic year.

#### Section 3. Legislative History

Article VI Section 7 of the Cherokee Nation Constitution states:

"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. The style of all bills shall be: "Be It Enacted By the Cherokee Nation". The style of all resolutions shall be "Be It Resolved By the Cherokee Nation".

Article X Section 2 of the Cherokee Nation Constitution states:

"The Council shall provide by law for annual expenditure of funds, and the source from which

funds are to be derived, to defray the estimated expenses of the Executive, Legislative, and Judicial Branches and the departments of government of the Cherokee Nation for each fiscal year. The budget shall not exceed estimated revenues”.

Article X Section 8 of the Cherokee Nation Constitution states:

“All laws authorizing the expenditures of money by and on behalf of the Cherokee Nation shall specify the purpose for which the money is to be used, and the money so designated shall be used for no other purpose. No monies or resources of the Cherokee Nation or any of its entities shall be used to pay for representation of a defendant in a criminal matter, except where a public defender is authorized under Cherokee law. Annual expenditures shall not exceed the available funds”.

Legislative Act 31-07

Legislative Act 02-11

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

For purposes of this Act:

**Pell Grant Eligible student:** means a Cherokee student who qualified for the federal education PELL Grant program.

**Qualified Educational Facility:** means any educational facility for which PELL Grant Funds can be expended.

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

Cherokee Nation students who are eligible for PELL grant educational assistance and who are enrolled in a qualified educational facility shall receive a scholarship of ~~one thousand dollars (\$1,000.00)~~ two thousand dollars (\$2,000.00) per academic semester up to ~~two thousand dollars (\$2,000.00)~~ four thousand dollars (\$4,000.00) per academic year. Said scholarship shall be automatically renewed for ~~four (4) years ten (10) semesters~~ provided that the student remains enrolled in good standing at a qualified educational facility. Scholarship awards shall not require demonstration of need.

The funding source for this expenditure shall be the Cherokee Nation General Fund. Scholarship awards shall be contingent upon available funding.

#### **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 \_\_\_\_\_, 2012 in accordance with the Cherokee Nation Constitution.