



Legislation Text

File #: CNCA-08, Version: 1

TITLE 8 - CEMETERIES **Oklahoma Statutes**

Cemetery corporations, see 8 O.S. § 1 et seq.

United States Code

Native American graves protection and repatriation, see 25 U.S.C. § 3001 et seq.

CHAPTER 1

CEMETERIES PRESERVATION

§ 1. Short title

This act shall be known and may be cited as the Cherokee Nation Cemeteries Preservation Act of 2004.

History

Source. LA 33-04, eff. August 11, 2004.

Amended. LA 02-07, eff. February 21, 2007.

Library References

Cemeteries <KEY>1.

Westlaw Topic No. 71.

C.J.S. Cemeteries §§ 1 to 3, 10.

§ 2. Purpose

The purpose of this act is to make funds available for traditional Cherokee cemeteries that are threatened with neglect and non-maintenance.

History

Source. LA 33-04, eff. August 11, 2004.

Amended. LA 02-07, eff. February 21, 2007.

Library References

Cemeteries <KEY>1.

Westlaw Topic No. 71.

C.J.S. Cemeteries §§ 1 to 3, 10.

§ 3. Definitions

"Traditional Cherokee cemetery" means any cemetery that contains gravesites of over fifty percent (50%) Cherokee tribal citizens or is historically significant.

History

Source. LA 33-04, eff. August 11, 2004.

Amended. LA 02-07, eff. February 21, 2007.

§ 4. Appropriation-Advocate/coordinator-Policies and procedures

A. A total of Forty Thousand Dollars (\$40,000.00), to be expended equally among Council Members, shall be used for preservation and maintenance of traditional Cherokee cemeteries that are threatened by neglect and non-maintenance.

B. The funds are to be distributed to cemetery boards or individuals interested in the preservation of the cemetery in question.

C. The Principal Chief shall designate an advocate/coordinator to ensure effective implementation of this act.

D. The Language and Culture Committee of the Council is hereby authorized and directed to develop such policies and procedures necessary to effectively implement the program, including but not limited to, determining eligibility, verification of circumstances, assuring that services are not duplicated, and conducting appropriate follow-up services and appeal rights in the event that assistance is denied. The policies and procedures will be published for review by the Tribal Council as well as the general public.

E. The Language and Culture Committee of the Council shall review and approve requests or referrals for projects under this act, to be forwarded to the designated staff. Approvals or denials by the designated staff pursuant to the established policies and procedures will be reported to the Language and Culture Committee of the Council.

F. All approved applications will be processed in accordance with this act and applicable policies and procedures.

G. Persons or organizations receiving funds shall give a written accounting with receipts detailing the supplies expended on the maintenance of cemeteries in question. This accounting shall be presented to the designated staff within one hundred and twenty (120) days from receipt of any funds.

H. The Motor Fuels Tax Funds shall be the source of funds appropriated in this act.

I. All expenditures for this program shall be for materials only and those proposals or applications demonstrating self-help by labor contribution and community involvement shall be given preference.

History

Source. LA 33-04, eff. August 11, 2004.

Amended. LA 02-07, eff. February 21, 2007.

Library References

Cemeteries <KEY>17.

Westlaw Topic No. 71.

C.J.S. Cemeteries §§ 25 to 26.