



Council of the Cherokee Nation

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

Legislation Text

File #: LA-30-04, Version: 1

Committee: Rules Author: Melanie Knight
Date: 6-10-04 Committee Date: 6-15-04 Sponsor:

An Act
Legislative Act 30-04
AN ACT TO ESTABLISH REQUIREMENTS FOR APPOINTMENT OF MEMBERS OF
BOARDS AND COMMISSIONS; AND DECLARING AN EMERGENCY
BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title.

This act shall be known as the "Appointment of Boards and Commissions Act of 2004"

Section 2. Purpose.

The purpose of this Act is to make certain technical and substantive amendments to the appointment procedure for members of boards, commissions or authorities of the Cherokee Nation, including boards of entities that the Nation is the majority owner. This Act would require that all appointments be consistently applied.

Section 3. Legislative History.

Boards, Commissions, and Governmental Agencies of the Nation are authorized by various enactments, and business entities established by the Nation operate under applicable statute and bylaws.

Section 4. Definitions.

For 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).

b. Terms, number of members and all other requirements of entities are not affected by this Act.

c. 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.

Enacted by the Council of the Cherokee Nation on the 12th day of July, 2004.

Joe Grayson, Jr., President Cherokee Nation Tribal Council

ATTEST: Bill John Baker, Secretary Cherokee Nation Tribal Council

Approved and signed by the Principal Chief this 16th day of JULY, 2004.

Chad Smith, Principal Chief, Cherokee Nation

ATTEST: Callie Catcher, Secretary/Treasurer Cherokee Nation

YEAS AND NAYS AS RECORDED:

Audra Smoke-Conner	Yea	Melvina Shotpouch	Yea
Bill John Baker	Nay	Meredith A. Frailey	Yea
Joe Crittenden	Yea	John F. Keener	Yea
Jackie Bob Martin	Yea	Cara Cowan	Yea
Phyllis Yargee	Yea	Buel Anglen	Yea
David W. Thornton, Sr.	Absent	William G. Johnson	Yea
Don Garvin	Yea	Charles "Chuck" Hoskin	Nay
Linda Hughes-O'Leary	Yea		

LEGISLATIVE CLEARANCE

Legislative Aide:

Signature/Initial Date
Committee:

65-04

Next Meeting Date

Chairperson:

Signature/ Date
Returned to Presenter:

Date

The purpose of this act is to make certain amendments to the appointment procedure for members of boards, commissions or authorities of the Cherokee Nation, and to require that all appointments be consistently applied.