



Council of the Cherokee Nation

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

Legislation Text

File #: 21-068, **Version:** 2

FOR DISCUSSION ONLY - AN ACT ESTABLISHING THE CHEROKEE NATION STOMP GROUNDS PRESERVATION ACT

BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title and Codification

This act shall be known as the “Cherokee Nation Stomp Grounds Preservation Act” and codified at Title 31, Chapter 5 of the Cherokee Nation Code.

Section 2. Purpose

The purpose of this act is to provide for the preservation of Cherokee history and culture through the funding of all existing Cherokee Stomp Grounds and provide a process for the nomination and approval of future Cherokee Nation Stomp Grounds by the Culture Committee and Council of the Cherokee Nation.

Section 3. Legislative History

Article VI, Section 7 of the Cherokee Nation Constitution states that the Council shall have the power to establish laws which it shall deem necessary and proper for the good of the Nation.

LA 10-91, eff. July 13, 1991.

Amended. LA 2-95, eff. April 10, 1995.

Amended. LA 25-05, eff. August 12, 2005.

Amended. LA 01-07, eff. February 25, 2007.

Amended. LA 19-07, eff. June 22, 2007.

Amended. LA 42-12, eff. December 16, 2012.

Section 4. Findings

The Council of the Cherokee Nation finds that:

1. Since its forced removal from the east, Cherokee people have established and maintained within the existing Cherokee Nation Reservation the following sacred, ceremonial stomp grounds (collectively referred to as “Cherokee Stomp Grounds”):
 - a. Echota Stomp Ground
 - b. Redbird Stomp Ground
 - c. Stokes Stomp Ground;
2. These Cherokee Stomp Grounds have helped to preserve Cherokee ceremonies, history and culture;
3. These Cherokee Stomp Grounds are located within the Cherokee Nation jurisdictional boundaries and operate on limited funds; and
4. To guarantee the preservation of these sacred sites and to preserve Cherokee ceremonies, history and culture, these Cherokee Stomp Grounds should have assisted funding by the Cherokee Nation on an annual and reoccurring basis.

Section 5. Substantive Provisions

CHAPTER 5

CHEROKEE NATION STOMP GROUNDS PRESERVATION ACT

Section

501. Short title

502. Purpose

503. Appropriation - Policies and procedures

§ 501. Short title

This act shall be known and may be cited as the Cherokee Stomp Grounds Preservation Act.

§ 502. Purpose

The purpose of this act is to provide for the preservation of Cherokee history and culture through the funding

of all existing Cherokee Stomp Grounds and provide a process for the nomination and approval of future Cherokee Stomp Grounds by the Culture Committee and Council of the Cherokee Nation. This act shall establish the annual and reoccurring funding of Cherokee Stomp Grounds and to establish processes for the nomination and approval of future Cherokee stomp grounds.

§ 503. Cherokee Stomp Grounds

The following are the recognized existing sacred, ceremonial Cherokee stomp grounds (collectively “Cherokee Stomp Grounds”) on the existing Cherokee Nation Reservation:

- A. Echota Stomp Ground;
- B. Redbird Stomp Ground;
- C. Stokes Stomp Ground.

§ 504. Appropriation - Policies and procedures

A. All monies appropriated for Cherokee Stomp Grounds shall be used for preservation, repair, restoration and/or maintenance of Cherokee Stomp Grounds, as established herein and/or as approved by the Culture Committee of the Council. Further, monies appropriated may be used for expenses associated with tribal ceremonies conducted at a Cherokee Stomp Ground.

B. No less than five thousand dollars (\$5,000.00) per year shall be appropriated to each Cherokee Stomp Ground, as identified above or approved by the Culture Committee as provided below.

C. The funds are to be distributed annually to the Ceremonial Ground Leader for each Cherokee Stomp Ground.

D. The Culture Committee of the Council shall review and approve nominations of other Cherokee stomp grounds to recognized and included as Cherokee Stomp Grounds, including the funding as provided herein. The Culture Committee of the Council is hereby authorized and directed to develop such policies and procedures necessary to effectively implement this act.

E. The Charitable Contributions currently identified by AU1010042 shall be the source of funds appropriated in this act.

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 or 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/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.

Section 9. 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.