

**CHICKASAW TRIBAL LEGISLATURE
REGULAR SESSION
David Stout Building
Ada, Oklahoma
February 15, 2002**

AGENDA ITEM #1 CALL MEETING TO ORDER

Chairperson Wanda Blackwood Scott called the meeting to order at 9:03 a.m.

AGENDA ITEM #2 ROLL CALL

Members present: Beth Alexander
 Linda Briggs
 Tim Colbert
 Mary Jo Green
 Donna Hartman
 Lisa Johnson-Billy
 Dean McManus
 Mooniene Ogee
 Wanda Blackwood Scott
 Wilson Seawright
 Lisa Shephard
 Robert Walton

Chairperson Blackwood Scott declared a quorum.

Member absent: Judy Goforth Parker

Staff present: Doretta Sellers, Recording Secretary
 Harold Stick, Sergeant-At-Arms
 Monette Richardson, Administrative Assistant
 Lori Hamilton, Legislative Legal Assistant

Guest present: Freda Ozbien, J.L. Green, Heath Allison, Jay Keel, Danny Key,
 Jade Eason, Evan O. John, Marlene Tims, Don Tims, Shannon
 Campbell, Mike Watson, Wilma Watson, Josie Crow, Sally Johns

AGENDA ITEM #3 INVOCATION

The invocation was given by Mrs. Green

AGENDA ITEM #4 READING OF MINUTES - January 18, 2002

A motion was made by Mrs. Shephard to approve the minutes of January 18, 2002.

**The motion was seconded by Mr. Colbert.
Members voting yes:**

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Wanda Blackwood Scott,
Wilson Seawright, Lisa Shephard, Robert Walton
12 yes votes

The motion to approve the minutes of January 18, 2002 carried unanimously.

AGENDA ITEM #5: UNFINISHED BUSINESS

There was no unfinished business.

AGENDA ITEM #6: REPORTS OF COMMITTEES

- (A) LEGISLATIVE COMMITTEE REPORT** by Chairperson Wanda Blackwood Scott
No report.
- (B) FINANCE COMMITTEE REPORT** by Chairman Wilson Seawright

Permanent Resolution Number 19-013, Amendment to Title 1, Chapter 5, Section 1-523 of the Chickasaw Nation Code (Elder Council)

Explanation: This resolution clarifies language authorizing members of the Council of Elders to receive a stipend of fifty dollars (\$50) for each meeting attended, up to twelve (12) meetings per year.

Mr. Seawright explained last year the Elder's Council was created and this responsibility was delegated to the Cultural Resources Department. A stipend was allowed for those serving on the council, however, there were questions whether this was clearly stated in the Code. This resolution will clarify that language.

A motion was made by Mrs. Johnson-Billy to approve PR19-013. The motion was seconded by Mrs. Alexander.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Wanda Blackwood Scott,
Wilson Seawright, Lisa Shephard, Robert Walton
12 yes votes

The motion to approve PR19-013 carried unanimously.

Mr. Seawright concluded his report.

(C) HUMAN RESOURCES COMMITTEE REPORT by Chairman Lisa Shephard

General Resolution Number 19-024, Approval of Application for Funding VOCA Crime Victim Assistance

Explanation: This resolution authorizes and approves the Chickasaw Nation's application for VOCA Crime Victim Assistance funding from the Oklahoma District Attorneys Council.

A motion was made by Mrs. Shephard to approve GR19-024. The motion was seconded by Mrs. Green

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Wanda Blackwood Scott,
Wilson Seawright, Lisa Shephard, Robert Walton
12 yes votes

The motion to approve GR19-024 carried unanimously.

General Resolution Number 19-025, Approval of Application for Funding - National Park Service Native American Graves Protection and Repatriation Act (NAGPRA) Documentation Project

Explanation: This resolution will allow the application for federal funding to assist in the identification and documentation of potentially contaminated human remains, associated funerary objects and objects of cultural patrimony of Chickasaw origin. This documentation will be utilized as the basis for future repatriation efforts. Methods for handling of contaminated materials will be developed as a means of injury mitigation for Chickasaw citizens and Chickasaw Nation employees involved in the repatriation process. An appropriately credentialed consultant will be hired to carry out the project activities under tribal supervision.

A motion was made by Mrs. Shephard to approve GR19-025. The motion was seconded by Mrs. Johnson-Billy.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Wanda Blackwood Scott,
Wilson Seawright, Lisa Shephard, Robert Walton

12 yes votes

The motion to approve GR19-025 carried unanimously.

Mrs. Shephard concluded her report.

(D) LAND DEVELOPMENT COMMITTEE REPORT by Chairman Robert Walton

General Resolution 19-020, Authorization for Acceptance and Transfer of Title of Properties in Murray County

Explanation: This resolution authorizes the exchange of lands between the Chickasaw Nation, City of Sulphur, and the National Park Service, for the purpose of constructing a cultural center in Sulphur, Murray County, Oklahoma. The lands involved in the transfer are Tract No. 102-25, currently owned by the National Park Service, to be conveyed to the Chickasaw Nation, which consists of 29.16 acres, more or less, and lies within the Chickasaw National Recreation Area, and Tract No. 102-26, owned by the City of Sulphur, which adjoins the national park, to be conveyed to the National Park Service, and consists of 38.96 acres, more or less, both of which represent an equal market value.

A motion was made by Mr. Walton to approve GR19-020. The motion was seconded by Mr. Colbert.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Wanda Blackwood Scott,
Wilson Seawright, Lisa Shephard, Robert Walton
12 yes votes

The motion to approve GR19-020 carried unanimously.

General Resolution Number 19-023, Agricultural Lease in Johnston County

Explanation: This resolution approves an agricultural lease in favor of Stanley Williams, Bromide, Oklahoma 74530, on property located in Johnston County, Oklahoma, containing 110.00 acres, more or less, in the amount of \$640.00 annual rental, and \$800.00 worth of improvements to the property for a term of five (5) years.

A motion was made by Mr. Walton to approve GR19-023. The motion was seconded by Mrs. Green.

Members voting yes:

Beth Alexander, Linda Briggs, Mary Jo Green,
Donna Hartman, Lisa Johnson-Billy, Dean McManus,
Mooniene Ogee, Wanda Blackwood Scott,
Wilson Seawright, Lisa Shephard, Robert Walton
11 yes votes

Member voting no:

Tim Colbert
1 no vote

The motion to approve GR19-023 carried.

**General Resolution Number 19-026, Right-of-way Easement in Pontotoc County
Repeals General Resolution 19-012**

Explanation: This resolution approves a Right-of-Way to Pontotoc County for a road widening project on Latta Road crossing property U.S.A. in Trust for the Chickasaw Nation, described as a strip, piece or parcel of land lying in the SW/4 of Section 32, Township 4 North, Range 6 East, Indian Meridian, Pontotoc County, Oklahoma. The Chickasaw Nation waives compensation for said right-of-way, and will participate in the funding of this project through the Bureau of Indian Affairs Roads Program along with the Oklahoma Department of Transportation and Pontotoc County.

**A motion was made by Mr. Walton to approve GR19-026. The motion was
seconded by Mrs. McManus**

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Wanda Blackwood Scott,
Wilson Seawright, Lisa Shephard, Robert Walton
12 yes votes

The motion to approve GR19-026 carried unanimously.

Mr. Walton concluded his report.

(E) EDUCATION COMMITTEE REPORT by Chairman Beth Alexander

Mrs. Alexander reported there was no new business, however, there was unfinished business to consider.

A motion was made by Mrs. Alexander for a veto override on GR19-022. The

motion was seconded by Mrs. Hartman.

General Resolution Number 19-022, Authorization and Approval for Additional Funding for Education Foundation Scholarships

Explanation: A need exists to increase the amount of money being appropriated for education scholarships due to a growth in the number of applications being submitted by Chickasaw students. This resolution approves additional funding in the amount of \$115,000, from tribal funds, non trust, for Education Foundation scholarships.

Mrs. Green stated this issue was discussed, and a letter was sent explaining the money was already available. That was the reason the Governor vetoed this resolution.

Mr. Walton stated money could not be put into the Education Foundation in this fashion. It has to go through the budgetary process. He stated he had met with Governor Anoatubby and the Vice-Chair of the Education Foundation, Carolyn Nemo. The Governor agreed to fund the Education Foundation for the remainder of the year. He did not see a reason to override this veto. Mr. Walton cautioned if the resolution was overridden, it would end up in Tribal Court and the students would be left out.

Mrs. Alexander read a decision made by the Tribal Court clarifying the Legislature has the authority to reject, amend or alter a budget. She stated there is a need for additional funding in this program and as elected officials, the Legislature should take care of the needs of the students. This may not solve the entire problem, however, it will put money in to help others.

Mr. Seawright agreed with Mrs. Alexander's comment regarding the Legislature has the authority to alter the budget because the Constitution makes that clear. The issue is not just money. The regulations were changed without Legislative approval. Part of the resolution stipulates the regulations should go back to the way there were in the fall and allow those students that have a 2.5 GPA be included. The other issue is last year the administration advised the Legislature they would put additional funding in the JOM Program. There were schools that never received additional funding. If a law is passed, the Legislature has legal ground to stand.

Mr. Walton commented on Mrs. Alexander's statement on amending the budget. He stated this law is effective when the Governor submits the budget to the Legislature in May. He asked how the Legislature could amend the budget after it had already been approved. Mr. Walton read Section 2-1031 from the Code specifying how funding could be added to the Education Foundation. The Education Foundation requested money, and it was approved.

Mr. Wilson stated Section 2-1031 of the Code does not prohibit the Legislature from passing a resolution to alter the budget. The Legislature does have the authority to alter the budget.

Mrs. Alexander made comments regarding the GPA being raised from a 2.5 to 3.0.

Mrs. Hartman voiced her support for the veto override.

Mrs. Briggs noted more money than had been asked for has been placed at the disposal of the Education Foundation. This is a general resolution meaning this is a one time only funding proposal. She suggested concentrating efforts on reviewing the education funding at budget time. (Amended to budget 3/15/02)

A roll call vote was taken to override the veto on GR19-022.

Members voting yes:

Beth Alexander, Donna Hartman, Lisa Johnson-Billy,
Mooniene Ogee, Wilson Seawright, Lisa Shephard
6 yes votes

Members voting no:

Linda Briggs, Tim Colbert, Mary Jo Green,
Dean McManus, Robert Walton, Wanda Blackwood Scott
6 no votes

The motion failed to override the veto on GR19-022.

(F) HEALTH CARE COMMITTEE REPORT by Donna Hartman

There was no report.

(G) HISTORICAL AND CULTURAL COMMITTEE REPORT by Chairman Dean McManus

There was no report.

(H) ELECTION RULES & PROCEDURES AD HOC COMMITTEE by Chairman Mooniene Ogee

Mrs. Ogee asked Mr. Seawright to give the report.

Permanent Resolution Number 19-010, Amendments to Title 8, Chapter 2, Section 8-205 of the Chickasaw Nation Code (Challenge to Candidacy)

Explanation: This resolution approves amending Title 8, Chapter 2, Section 8-205, Paragraph A., of the Chickasaw Nation Code. The amendments will change the words “appeal” to “response” and “counter appeals” to “responses” in Paragraph A to promote clarity and accuracy of content.

A motion was made by Mrs. Johnson-Billy to approve PR19-010. The motion was

seconded by Mrs. Shephard.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Wilson Seawright,
Lisa Shephard, Robert Walton, Wanda Blackwood Scott
12 yes votes

The motion to approve PR19-010 carried unanimously.

Permanent Resolution Number 19-011, Amendments to Title 16, Chapter 2, Section 16-204.C. of the Chickasaw Nation Code (Election Rules and Procedures Ad Hoc Committee)

Explanation: The resolution creates a permanent Ad Hoc committee titled the Election Rules and Regulations Ad Hoc Committee by adopting language to be codified at Title 16, Chapter 2, Section 16-204.C.

A motion was made by Mrs. Shephard to approve PR19-011. The motion was seconded by Mrs. Alexander.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Wilson Seawright,
Lisa Shephard, Wanda Blackwood Scott
11 yes votes

Member voting no:

Robert Walton
1 no vote

The motion to approve PR19-011 carried.

Permanent Resolution Number 19-012, Amendments to Title 8, Chapter 1 of the Chickasaw Nation Code (General Provisions)

Explanation: This resolution approves of Changes to Title 8, Chapter 1 of the Chickasaw Nation Code to improve organization and clarity.

A motion was made by Mrs. Shephard. to approve PR19-012. The motion was

seconded by Mrs. Alexander.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Wilson Seawright,
Lisa Shephard, Robert Walton, Wanda Blackwood Scott
12 yes votes

The motion to approve PR19-012 carried unanimously.

Mr. Seawright concluded his report.

AGENDA ITEM #7 NEW BUSINESS (Comments from Citizens)

Comments by Mr. Mike Watson

Mr. Watson made comments regarding audit procedures and suggested creating an audit committee within the Legislative Branch as well as, be proactive in defining accounting and auditing requirements. Mr. Watson voiced his fears of the Chickasaw Nation businesses transferring funds into Chickasaw Nation Industries, Incorporated. He voiced his concerns of contracting and doing business in Ft. Benning, Georgia to Reno, Nevada which negates the need to bring up the issue of extending the Chickasaw Nation boundaries, unless there are strict expenditure disclosure requirements where citizens may review the transfer of funds out of the Nation.

AGENDA ITEM #8 ADJOURNMENT

A motion was made by Mrs. Briggs to adjourn.

The Chickasaw Tribal Legislature adjourned at 9:43 a.m.

Respectfully submitted,

Dean McManus, Secretary
Chickasaw Tribal Legislature

Prepared by,

Doretta Sellers, Recording Secretary
Chickasaw Tribal Legislature