

**CHICKASAW TRIBAL LEGISLATURE
REGULAR SESSION
David Stout Building
Ada, Oklahoma
May 21, 2004**

AGENDA ITEM #1 CALL MEETING TO ORDER

Chairperson Linda Briggs called the meeting to order at 9:04 a.m.

AGENDA ITEM #2 ROLL CALL

Members present: Beth Alexander
 Linda Briggs
 Melvin Burris
 Scott Colbert
 Tim Colbert
 Holly Easterling
 Mary Jo Green
 Donna Hartman
 Dean McManus
 Wanda Blackwood Scott
 Wilson Seawright
 Steve Woods

Member absent: Judy Goforth Parker

Staff present: Doretta Sellers, Recording Secretary
 Harold Stick, Sergeant-At-Arms
 Robert Cheadle, Legislative Counsel
 David Mitchell, Legislative Legal Assistant

Guests present: James A. Humes, Buck Cheadle, Lela Seawright Mechfly,
 Victoria Mechfly, Misty Barker, Sue Simmons, Juanita Tate,
 Traile G. Glory, Robert Cole, Ruth Cole, Ron Frazier, Bob Martin,
 Mike Watson, Wilma Watson

AGENDA ITEM #3 INVOCATION

Invocation was given by Mrs. Green.

Chairperson Briggs announced that Dr. Goforth Parker was attending a meeting of the Center for Disease Health Resources and Services of Administrative Aids Advisory Committee. This was a presidential appointment and she served as the Native American representative on this committee.

AGENDA ITEM #4 SECRETARY PRO TEMPORE

Chairperson Briggs appointed Mr. Woods to serve as Secretary Pro Tempore in the absence of Dr. Goforth Parker.

AGENDA ITEM #5 READING OF MINUTES - April 16, 2004

A motion was made by Mrs. Green to approve the April 16, 2004 minutes. The motion was seconded by Mrs. Wanda Blackwood Scott.

Members voting yes:

Beth Alexander, Linda Briggs, Melvin Burris,
Scott Colbert, Tim Colbert, Holly Easterling,
Mary Jo Green, Donna Hartman, Dean McManus,
Wilson Seawright, Steve Woods, Wanda Blackwood Scott
12 yes votes

The motion to approve the minutes of April 16, 2004 carried unanimously.

AGENDA ITEM #5: UNFINISHED BUSINESS

There was no unfinished business.

AGENDA ITEM #6: REPORTS OF COMMITTEES

(A) LEGISLATIVE COMMITTEE REPORT by Chairman Steve Woods

No report.

(B) FINANCE COMMITTEE REPORT by Chairman Scott Colbert

Permanent Resolution Number 21-021, Amendments to Title 10, Chapter 2, Sections 10-206 and 10-208 of the Chickasaw Nation Code, (Budgeting and Appropriations)

This resolution reduces the restrictions placed on Chickasaw citizens in receiving information contained in the Consolidated Tribal Budget and presenting comments, questions and recommendations or information on any part of the proposed budget during public hearings regarding the Consolidated Tribal Budget.

A motion was made by Mr. Seawright to approve PR21-021. The motion was seconded by Mrs. Hartman.

Members voting yes:

Beth Alexander, Linda Briggs, Melvin Burris,
Scott Colbert, Tim Colbert, Holly Easterling,
Mary Jo Green, Donna Hartman, Dean McManus,
Wilson Seawright, Steve Woods, Wanda Blackwood Scott
12 yes votes

The motion to approve PR21-021 carried unanimously.

Permanent Resolution Number 21-022, Amendments Title 10, Chapter 2, Section 10-202 of the Chickasaw Nation Code (Development Budget)

This resolution amends Section 10-202 to further define the Development Budget as a one-time, living budget, subject to continual change to keep pace with the changing needs of tribal government. It will provide updates to the Legislature on all ongoing projects relating to real property projects and allow for closer real-time monitoring and evaluation of such projects.

A motion was made by Mr. Scott Colbert to approve PR21-022. The motion was seconded by Mrs. Wanda Blackwood Scott.

Members voting yes:

Beth Alexander, Linda Briggs, Melvin Burris,
Scott Colbert, Tim Colbert, Holly Easterling,
Mary Jo Green, Donna Hartman, Dean McManus,
Wilson Seawright, Steve Woods, Wanda Blackwood Scott
12 yes votes

The motion to approve PR21-022 carried unanimously.

Mr. Scott Colbert announced the Budget hearing dates and location, then concluded his report.

(C) HUMAN RESOURCES COMMITTEE REPORT by Chairman Dean McManus

No report.

(D) LAND DEVELOPMENT COMMITTEE REPORT by Chairman Judy Goforth Parker

The Land Development Committee report was given by Mrs. Green.

General Resolution Number 21-051, Authorization for Acquisition of Real Property in Garvin County

This resolution approves the Chickasaw Nation's request to acquire real property, containing 4.2 acres, more or less, in Garvin County, Oklahoma. The Governor is authorized to request the Bureau of Indian Affairs to place the property U.S.A. in Trust for the Chickasaw Nation after acquisition, if such action is advantageous.

A motion was made by Mrs. Green to approve GR21-051. The motion was seconded by Mrs. Wanda Blackwood Scott.

Mrs. Hartman noted the Legislature did not know the price of said property.

Chairperson Briggs explained the reason the price was not given was because the property was in negotiation. By law the Nation could not pay more than ten percent of the appraised value of the property.

Mrs. Hartman stated as Legislators they have a right to know the price of property, because that is the constituent's dollar. For that reason she would not support any of the acquisition resolutions.

Mr. Seawright stated he supported Mrs. Hartman's comments and he did not feel it was good business to purchase property without knowing the price. He was familiar with the property in GR21-051 and would support this resolution, but would not support the other resolutions because he did not know the dollar amounts.

Mr. Tim Colbert made a recommendation to review legislation of how the Nation acquires property because the Legislature does not know the cost of the property when it comes up for a vote.

Mrs. Alexander stated she agreed with Mrs. Hartman and she would not vote on legislation not knowing the cost.

Chairperson Briggs explained the reason for not announcing the cost of property, was the Legislature had been given prices of property and they were divulged to the news media. When the owners of the property learned the Nation was the purchaser, the price doubled.

A roll call vote was taken on GR21-051.

Members voting yes:

Melvin Burris, Scott Colbert, Tim Colbert, Holly Easterling,
Mary Jo Green, Dean McManus, Wanda Blackwood Scott,
Wilson Seawright, Steve Woods, Linda Briggs
10 yes votes

Members voting no:

Beth Alexander, Donna Hartman
2 no votes

The motion to approve GR21-051 carried.

General Resolution Number 21-052, Authorization for Acquisition of Real Property in Pontotoc County

This resolution approves the Chickasaw Nation's request to acquire real property, containing 4.66 acres, more or less, in Ada, Pontotoc County, Oklahoma. The Governor is authorized to request the Bureau of Indian Affairs to place the property U.S.A. in Trust for the Chickasaw Nation after acquisition, if such action is advantageous.

A motion was made by Mrs. Green to approve GR21-052. The motion was seconded by Mrs. Wanda Blackwood Scott.

Members voting yes:

Melvin Burris, Scott Colbert, Tim Colbert,
Holly Easterling, Mary Jo Green, Dean McManus,
Wanda Blackwood Scott, Steve Woods, Linda Briggs
9 yes votes

Members voting no:

Beth Alexander, Donna Hartman, Wilson Seawright
3 no votes

The motion to approve GR21-052 carried.

General Resolution Number 21-053, Authorization for Acquisition of Real Property in Pontotoc County

This resolution approves the Chickasaw Nation's request to acquire real property, in Ada, Pontotoc County, Oklahoma. The Governor is authorized to request the Bureau of Indian Affairs to place the property U.S.A. in Trust for the Chickasaw Nation after acquisition, if such action is advantageous.

A motion was made by Mrs. Green to approve GR21-053. The motion was seconded by Mrs. Wanda Blackwood Scott.

Members voting yes:

Melvin Burris, Scott Colbert, Tim Colbert,
Holly Easterling, Mary Jo Green, Dean McManus,
Wanda Blackwood Scott, Steve Woods, Linda Briggs
9 yes votes

Members voting no:

Beth Alexander, Donna Hartman, Wilson Seawright
3 no votes

The motion to approve GR21-053 carried.

General Resolution Number 21-054, Authorization for Acquisition of Real Property in Pontotoc County

This resolution approves the Chickasaw Nation's request to acquire real property, in Ada, Pontotoc County, Oklahoma, together with all improvements thereon and the appurtenances thereunto belonging. The Governor is authorized to request the Bureau of Indian Affairs to place the property U.S.A. in Trust for the Chickasaw Nation after acquisition, if such action is advantageous.

A motion was made by Mrs. Green to approve GR21-054. The motion was seconded by Mrs. Wanda Blackwood Scott.

Members voting yes:

Melvin Burris, Scott Colbert, Tim Colbert,
Holly Easterling, Mary Jo Green, Dean McManus,
Wanda Blackwood Scott, Steve Woods, Linda Briggs
9 yes votes

Members voting no:

Beth Alexander, Donna Hartman, Wilson Seawright
3 no votes

The motion to approve GR21-054 carried.

General Resolution Number 21-055, Authorization for Acquisition of Real Property in Pontotoc County

This resolution approves the Chickasaw Nation's request to acquire real property, containing 1.29 acres, more or less, in Ada, Pontotoc County, Oklahoma. The Governor is authorized to request the Bureau of Indian Affairs to place the property U.S.A. in Trust for the Chickasaw Nation after acquisition, if such action is advantageous.

A motion was made by Mrs. Green to approve GR21-055. The motion was seconded by Mrs. Wanda Blackwood Scott.

Members voting yes:

Melvin Burris, Scott Colbert, Tim Colbert,
Holly Easterling, Mary Jo Green, Dean McManus,
Wanda Blackwood Scott, Steve Woods, Linda Briggs
9 yes votes

Members voting no:

Beth Alexander, Donna Hartman, Wilson Seawright
3 no votes

The motion to approve GR21-055 carried.

General Resolution Number 21-056, Authorization for Real Property Lease in Pontotoc County

This resolution approves a Real Property Lease on property belonging to the Chickasaw Nation located at 801 N. Mississippi, Ada, Oklahoma, together with all the improvements thereon and the appurtenances thereunto belonging, for a primary term of 20 months beginning May 1, 2004, and ending December 31, 2005.

A motion was made by Mrs. Green to approve GR21-056. The motion was seconded by Mrs. Wanda Blackwood Scott.

Members voting yes:

Beth Alexander, Melvin Burris, Scott Colbert,
Tim Colbert, Holly Easterling, Mary Jo Green,
Donna Hartman, Dean McManus,
Wanda Blackwood Scott, Wilson Seawright,
Steve Woods, Linda Briggs

12 yes votes

The motion to approve GR21-056 carried unanimously.

General Resolution Number 21-057, Authorization for Real Property Lease in Pontotoc County

This resolution approves a Real Property Lease on property belonging to the Chickasaw Nation located at 731 N. Mississippi, Ada, Oklahoma, together with all the improvements thereon and the appurtenances thereunto belonging, for a primary term of 20 months beginning May 1, 2004, and ending December 31, 2005.

A motion was made by Mrs. Green to approve GR21-057. The motion was seconded by Mrs. Wanda Blackwood Scott.

Mrs. Hartman noted in the third paragraph, the word “no” should be “not.”

A motion was made by Mrs. Hartman to amend the word “no” to “not” in the third paragraph. The motion was seconded by Mrs. Alexander.

Members voting yes:

Beth Alexander, Melvin Burris, Scott Colbert,
Tim Colbert, Holly Easterling, Mary Jo Green,
Donna Hartman, Dean McManus,
Wanda Blackwood Scott, Wilson Seawright,
Steve Woods, Linda Briggs
12 yes votes

The motion on the amendment carried unanimously.

A motion was made by Mrs. Green to approve GR21-057 as amended. The motion was seconded by Mrs. Wanda Blackwood Scott.

Members voting yes:

Beth Alexander, Melvin Burris, Scott Colbert,
Tim Colbert, Holly Easterling, Mary Jo Green,
Donna Hartman, Dean McManus,
Wanda Blackwood Scott, Wilson Seawright,
Steve Woods, Linda Briggs
12 yes votes

The motion to approve GR21-057, as amended, carried unanimously.

Mrs. Green concluded her report.

(E) EDUCATION COMMITTEE REPORT by Chairman Wanda Blackwood Scott

No report.

(F) HEALTH CARE COMMITTEE REPORT by Chairman Mary Jo Green

No report.

- (G) HISTORICAL AND CULTURAL COMMITTEE REPORT** by Chairman Scott Colbert

No report.

- (H) HISTORIC CAPITOL AD HOC COMMITTEE REPORT** by Chairman Wanda Blackwood Scott

Mrs. Wanda Blackwood Scott reported the capitol building will be completed in time for the Chickasaw Festival.

- (I) COURT DEVELOPMENT AD HOC COMMITTEE REPORT** by Chairman Tim Colbert

Permanent Resolution Number 21-058, Addition of Title 19, Chapter 2 of the Chickasaw Nation Code, (Chickasaw Lighthouse)

This resolution establishes a Chickasaw Nation police force. Law Enforcement is an inherent function of a sovereign. Further, in a three branch government like the Chickasaw Nation, it is an inherent function of the Executive Department to provide for Law Enforcement to be carried out. The Executive Department will establish the department structure and policies and procedures in order to provide this essential function.

A motion was made by Mr. Tim Colbert to approve GR21-058. The motion was seconded by Mrs. Mary Jo Green.

Members voting yes:

Beth Alexander, Melvin Burris, Scott Colbert,
Tim Colbert, Holly Easterling, Mary Jo Green,
Donna Hartman, Dean McManus,
Wanda Blackwood Scott, Wilson Seawright,
Steve Woods, Linda Briggs
12 yes votes

The motion to approve GR21-058 carried unanimously.

Permanent Resolution Number 21-018, Amendments to Title 5, Chapter 2 of the Chickasaw Nation Code (Prosecutor and Court Appointed Counsel)

This resolution provides for a prosecutor and for court-appointed counsel in both criminal and civil cases in the District Court of the Chickasaw Nation.

A motion was made by Mr. Tim Colbert to approve PR21-018. The motion was seconded by Mr. Burris.

Members voting yes:

Beth Alexander, Melvin Burris, Scott Colbert,
Tim Colbert, Holly Easterling, Mary Jo Green,
Donna Hartman, Dean McManus,

Wanda Blackwood Scott, Wilson Seawright,
Steve Woods, Linda Briggs
12 yes votes

The motion to approve PR21-018 carried unanimously.

Permanent Resolution Number 21-019, Amendments to Title 5, Chapter 5, Section 5-501.4 of the Chickasaw Nation Code (Initial Appearance)

This resolution changes the arraignment of a criminal defendant to an initial appearance. The language of the resolution ensures that each defendant will be given an opportunity to obtain private counsel or have court-appointed counsel if the defendant is indigent prior to the disposition of the case.

A motion was made by Mr. Tim Colbert to approve PR21-019. The motion was seconded by Mr. Burris.

Members voting yes:

Beth Alexander, Melvin Burris, Scott Colbert,
Tim Colbert, Holly Easterling, Mary Jo Green,
Donna Hartman, Dean McManus,
Wanda Blackwood Scott, Wilson Seawright,
Steve Woods, Linda Briggs
12 yes votes

The motion to approve PR21-019 carried unanimously.

Permanent Resolution Number 21-020, Amendments to Title 5, Chapter 12 of the Chickasaw Nation Code (Emergency Orders)

This resolution amends 3 sections of Title 5, Chapter 12 of the Chickasaw Nation Code in order to allow the District Court to issue a broader range of protective orders using forms promulgated by the Court.

A motion was made by Mr. Tim Colbert to approve PR21-020. The motion was seconded by Mr. Burris.

Members voting yes:

Beth Alexander, Melvin Burris, Scott Colbert,
Tim Colbert, Holly Easterling, Mary Jo Green,
Donna Hartman, Dean McManus,
Wanda Blackwood Scott, Wilson Seawright,
Steve Woods, Linda Briggs
12 yes votes

The motion to approve PR21-020 carried unanimously.

Mr. Tim Colbert concluded his report.

AGENDA ITEM #7

NEW BUSINESS (Comments from Citizens)

Mrs. Hartman stated Betty Smith contacted her regarding the naming of the bridge to Pikey's Crossing. The legislation passed in the Oklahoma House of Representatives, but the Senate sent it to committee. Ms. Smith asked the Legislators and the Governor to contact the Senate to encourage them to not let this legislation die in committee.

Mr. Seawright referred to a letter that was presented to the Legislators from the Mill Creek Pentecostal Holiness Youth Group. He suggested sending a letter in recognition of their accomplishment in advancing to the national level in the organization's talent contest.

James Humes made comments on the naming of the bridge, Senate Bill 1252 Tribal Gaming Compact Act, and the Multimedia compact with the tribe.

Mike Watson made comments regarding per capita payments, the Development Budget, and the of purchase property without knowing the financial information.

Bob Martin read a list of questions he had been asked by other citizens It included why Chickasaws did not have storm shelters, clothing for school age children, medical prescription insurance for those living inside and outside the Nation, gasoline discounts for citizens, and per capita payments. He stated the Nation should help the people more.

Juanita Tate stated asked if the Governor had the authority to donate to one specific candidate. She felt this decision should come to the vote of the people.

Ms. Hartman stated she had read articles where the Governor, under the name of the Chickasaw Nation, made political contributions. She asked for an explanation why political contributions were made in the name of the Chickasaw Nation.

AGENDA ITEM #8 ADJOURNMENT

The Chickasaw Tribal Legislature adjourned at 10:15 a.m.

Respectfully submitted,

Judy Goforth Parker, Secretary
Chickasaw Tribal Legislature

Prepared by:

Doretta Sellers, Recording Secretary
Chickasaw Tribal Legislature