

**CHICKASAW TRIBAL LEGISLATURE
REGULAR SESSION
David Stout Building
Ada, Oklahoma
October 17, 2003**

AGENDA ITEM #1 CALL MEETING TO ORDER

Chairperson Wanda Blackwood Scott called the meeting to order at 9:01 a.m.

AGENDA ITEM #2 ROLL CALL

Members present:

Beth Alexander
Linda Briggs
Melvin Burris
Scott Colbert (Late arrival; 9:23 a.m.)
Tim Colbert
Holly Easterling
Mary Jo Green
Donna Hartman
Dean McManus
Judy Goforth Parker
Wanda Blackwood Scott
Wilson Seawright
Steve Woods

Staff present:

Doretta Sellers, Recording Secretary
Harold Stick, Sergeant-At-Arms
Robert Cheadle, Legislative Counsel
David Mitchell,

Guests present:

Lonie Burris, Buck Cheadle, J.L. Rhodes, Lucy Calla, Mike Watson, Wilma Watson, Josie Crow, Anna Cole, Robert Cole, Frank Griffith, Harold Akins, David Allred, Moris Chiles, Tony Choate, Robyn Elliott, Dar Cheadle, Alan Foster, Marilyn Foster, Phillip Burris, James A. Humes, Ramona T. McKee, Cindy Johnson, Mooniene Ogee, Kim Abbott, Danny Key, James Burris

AGENDA ITEM #3 INVOCATION

Invocation was given by Mrs. Green.

AGENDA ITEM #4 ELECTION OF OFFICERS

Election of Chairperson

Mrs. Green nominated Mrs. Briggs for Chairperson. Mr. Burris seconded the nomination.

Mr. Seawright nominated Mr. Tim Colbert for Chairperson.

Mr. Tim Colbert declined the nomination.

A motion was made by Dr. Goforth Parker for nominations to cease and Mrs. Briggs be declared Chairperson by acclamation. The motion was seconded by Mr. Tim Colbert.

Election of Secretary

Mr. Woods nominated Dr. Judy Goforth Parker for Secretary. Mr. Burris seconded the nomination.

Mr. Seawright nominated Mrs. Donna Hartman for Secretary. Mrs. Alexander seconded the nomination.

Secret ballots were cast and Dr. Goforth Parker won by a vote of nine to three.

Chairperson Briggs appointed Mrs. Doretta Sellers as Recording Secretary and Mr. Harold Stick as Sergeant-At-Arms. All members were in favor of the appointments.

AGENDA ITEM #5 READING OF MINUTES - September 9, 2003

Mrs. Green noted a statement she made was omitted from the minutes. Mrs. Hartman also noted that comments from the citizens were not included in the minutes. There were several citizens that made comments at that meeting under Citizens Comments.

A motion was made by Mrs. Hartman to table the September 9, 2003 minutes. The motion was seconded by Mr. Seawright.

Members voting yes:

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

The motion to table the minutes of September 9, 2003 carried unanimously.

AGENDA ITEM #6: UNFINISHED BUSINESS

There was no unfinished business.

AGENDA ITEM #6: REPORTS OF COMMITTEES

(A) LEGISLATIVE COMMITTEE REPORT by Chairman Linda Briggs

No report.

(B) FINANCE COMMITTEE REPORT by Chairman D. Scott Colbert

No report.

(C) HUMAN RESOURCES COMMITTEE REPORT by Chairman Steve Woods

General Resolution Number 20-075, Application for Membership, National Congress of American Indians

This resolution approves the Chickasaw Nation's application for membership in the National Congress of American Indians ("NCAI"). This is the same application which is submitted to the Legislature for approval each year, and is drafted in accordance with the specifications and requirement of the NCAI. The NCAI has been instrumental in supporting issues of importance to Native Americans. As an independent group, NCAI is representative of the largest concentration of Native Americans and is often called upon by Congress to provide information and testimony on important Indian subjects. The Chickasaw Nation has been a member in good standing in NCAI since the early 1980's. This resolution also names the representatives of the Chickasaw Nation to NCAI.

A motion was made by Mrs. Green to approve GR20-075. The motion was seconded by Dr. Goforth Parker.

A motion was made by Mr. Woods to amend the resolution to change the annual membership fee from \$1,000 to \$5,000. The amendment was seconded by Mrs. Blackwood Scott.

Mr. Seawright asked for an explanation of the increase.

Mr. Woods explained dues were based on the population size of the Nation. The fees increased from \$1,000 to \$5,000.

A motion was made by Mrs. Green to approve GR20-075 with the amendment. The motion was seconded by Dr. Goforth Parker.

Members voting yes:

Beth Alexander, Linda Briggs, Melvin Burris,
Tim Colbert, Holly Easterling, Mary Jo Green,
Donna Hartman, Dean McManus,
Judy Goforth Parker, Steve Woods,
Wanda Blackwood Scott
11 yes votes

Member voting no:

Wilson Seawright
1 no vote

The motion to approve GR20-075, as amended, carried.

General Resolution Number 21-007, Approval of Chickasaw Nation/Oklahoma Tobacco Tax Compact of 2003

This resolution approves the language of the Chickasaw Nation/Oklahoma Tobacco Tax Compact and pledges the support of the Chickasaw Tribal Legislature to the entering into and execution of said compact.

A motion was made by Mr. Woods to approve GR21-007. The motion was seconded by Mrs. Blackwood Scott.

Members voting yes:

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

The motion to approve GR21-007 carried unanimously.

Mr. Woods concluded his report.

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

Dr. Goforth Parker announced GR21-005, Authorization for Acquisition of Property in Johnston County was withdrawn from the agenda.

General Resolution Number 21-001, Authorization for Purchase of Property in Pontotoc County

This resolution approves the Chickasaw Nation's request to acquire a tract of land including a 33,000 sq. ft. building in Pontotoc County, Oklahoma, containing 13 acres, more or less, and shall be placed U.S.A. in Trust for the Chickasaw Nation after property is acquired.

A motion was made by Dr. Goforth Parker to approve GR21-001. The motion was seconded by Mrs. Blackwood Scott.

Mr. Seawright asked if the committee received an appraisal of the property.

Dr. Goforth Parker replied in the negative.

Mr. Seawright recommended this resolution be tabled until an appraisal was obtained.

A motion was made by Mr. Seawright to table GR21-001. The motion was seconded by Mrs. Alexander.

Dr. Goforth Parker explained that it was her understanding there was a need to move quickly on purchase of this property. The resolution states the price shall not be above the appraisal price.

A vote was taken to table GR21-001.

Members voting yes:

Beth Alexander, Donna Hartman,
Wilson Seawright
3 yes votes

Members voting no:

Linda Briggs, Melvin Burris, Tim Colbert,
Holly Easterling, Mary Jo Green,
Dean McManus, Judy Goforth Parker,
Steve Woods, Wanda Blackwood Scott
9 no votes

The motion to table GR21-001 failed.

A vote was taken to approve GR21-001.

Members voting yes:

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

Members voting no:

Beth Alexander, Donna Hartman,
Wilson Seawright
3 no votes

The motion to approve GR21-001 carried.

General Resolution Number 21-002, Authorization for Acquisition of Property in Johnston County (Adjoins Capitol Reserve)

This resolution approves the Chickasaw Nation's request to acquire a tract of land and dwelling west of the Capitol Reserve in Tishomingo, Johnston County, Oklahoma, and shall be placed U.S.A. in trust for the Chickasaw Nation after acquired.

A motion was made by Dr. Goforth Parker to approve GR21-002. The motion was seconded by Mrs. Green.

Members voting yes:

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

The motion to approve GR21-002 carried unanimously.

(Mr. Scott Colbert arrived and was in attendance for the remainder of the session.)

General Resolution Number 21-003, Agricultural Lease No. G09-1505 in McCurtain County

This resolution approves Agricultural Lease No. G09-1505 for grazing purposes, in favor of G.F. Parsons, in McCurtain County, Oklahoma, on property belonging to the Choctaw and Chickasaw Nations. This lease will be for a 3 year term beginning July 1, 2003, and ending on June 30, 2006, with a per annum payment of \$3,700 plus weed and brush control valued at \$3,960. Fencing and gate improvements of \$2,396.25 will be constructed on site by December 31, 2003.

A motion was made by Dr. Goforth Parker to approve GR21-003. The motion was seconded by Mr. Burris.

Members voting yes:

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

The motion to approve GR21-003 carried unanimously.

General Resolution Number 21-004, Oil and Gas Lease in Pittsburg County

This resolution approves an Oil and Gas Lease in Pittsburg County, Oklahoma, on property belonging to the Choctaw and Chickasaw Nations, containing 123.89 acres, more or less, together with all accretions or erosion thereto. Minerals are subordinated to the prior right of the U.S. to flood and submerge the lands as may be necessary. This land is offered strictly on a per tract basis and the bonus bids received shall not necessarily be considered correlative with acreage as may eventually be determined. G.M. Oil Properties, Inc. has offered \$101.00 per acre for a total bonus of \$12,512.89 per annum of which the Chickasaw Nation will receive \$3,128.23 per annum, for a primary term of 3 years beginning on June 27, 2003, and ending on June 26, 2006, at a royalty rate of 18.75%.

A motion was made by Dr. Goforth Parker to approve GR21-004. The motion was seconded by Mrs. McManus.

Members voting yes:

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

The motion to approve GR21-004 carried unanimously.

General Resolution Number 21-006, Oil and Gas Lease in Pittsburg County (Tribal Tract No. 1203)

This resolution authorizes and approves an Oil and Gas Lease on property belonging to the Choctaw and Chickasaw Nations in Pittsburg County, Oklahoma. The lease contains 20 acres more or less, in favor of Chesapeake Exploration Limited Partnership. The property will lease at \$157 per acre for a total bonus of \$3,140 of which the Chickasaw Nation will receive \$785 per annum, for a primary term of three years beginning on July 1, 2003, and ending on June 30, 2006, with a royalty rate of 18.75%.

A motion was made by Mrs. Green to approve GR21-006. The motion was seconded by Mr. Woods.

Members voting yes:

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

Member abstaining:

Wanda Blackwood Scott
1 abstention

The motion to approve GR21-004 carried.

Mr. Tim Colbert referred to General Resolution 21-005 stating that he understood there was a problem with the land description. However, only the Governor could withdraw the resolution from the agenda.

Mr. Robert Cheadle, Legislative Counsel, responded the Governor proposed the legislation. According to Robert's Rules of Order, legislation can be withdrawn anytime.

Mr. Tim Colbert stated he felt that it would be proper to table GR21-005 instead of withdrawing it.

A motion was made by Mr. Tim Colbert to table GR21-005. The motion was seconded by Mr. Scott Colbert.

Members voting yes:

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

The motion to table GR21-005 carried unanimously.

Dr. Goforth Parker concluded her report.

(E) EDUCATION COMMITTEE REPORT

The Education Committee was given by Mr. Woods.

Permanent Resolution Number 20-026, Amendments to Title 7, Chapter 2 of the Chickasaw Nation Code (The Chickasaw Nation Scholarship Program)

This resolution repeals certain sections of Title 7, Chapter 2 of the Chickasaw Nation Code regarding scholarship programs for Chickasaw students. This resolution also establishes a comprehensive scholarship program with the intention to promote excellence in higher education among Chickasaw students by rewarding achievement, consolidating and streamlining the application process, providing flexibility in the assignment of scholarship funds according to the needs of each school year and promoting clarity in the selection and award process.

A motion was made by Mr. Woods to approve PR20-026. The motion was seconded by Mr. Tim Colbert.

Dr. Goforth Parker suggested amending Section 7-201.4 to add “C. Forgiveness. Upon graduation of a student who had received a PSS scholarship and agreed to service repayment, should no appropriate position exist with the Chickasaw Nation, the Governor, within his discretion, may forgive the debt,” and the current “C” would be written as “Determination of Amount”

Mr. Woods amended his original motion to include the amendment. Mr. Tim Colbert seconded the motion.

Mrs. Alexander asked if the formula, mentioned in the resolution, was available.

Dr. Goforth Parker stated in the Committee meeting a proposed formula was given with the original resolution.

Mrs. Hartman asked if the grants will have a specific grade point average.

Mr. Woods explained the preliminary formula, provided by the Education Department, listed different levels. It did not list a specific grade point at that time. What was explained was that the formula would be based on the number of students and the amount of funding. The Education Department would break the grade points down so they will be able to utilize all the funding.

Mrs. Hartman asked if the amount identified to fund this scholarship program was the same amount funded to the Education Foundation, or was additional funding added to this program.

Dr. Goforth Parker stated it is the amount listed in the FY 2004 budget.

Mrs. Alexander stated if the Nation was going to reward students by helping finance their education, it should not require them to pay back or work for the Nation as repayment. She felt the Nation should be willing to educate its citizens, and if a student chose to be employed by the Nation he/she should be able to make that determination. She recommended to strike Section 7-201.4, B and C.

A motion was made by Mrs. Alexander to strike Section 7-201.4, B and C. The motion was seconded by Mr. Seawright.

Mr. Seawright stated it was his understanding that the Professional Studies Scholarship was a new scholarship.

Dr. Goforth Parker explained the Professional Studies Scholarship (PSS) was a new scholarship, however, it pulled together scholarships that were already in existence such as the Health Care Scholarship and Legal Studies Scholarship. The PSS was set up in some ways to reflect similar to the Indian Health Service Scholarship, in that a student's tuition and books were paid and the student does repayment time. The motive for asking repayment time is they would like to see the students come back and work for the Nation. In health care the system works nicely. It is not an uncommon practice for the students to come back and work for the Health Systems. She was not in favor of the motion.

Mr. Seawright asked if the guidelines were repealed on the other scholarships.

Chairperson Briggs answered in the affirmative.

Mrs. Hartman asked if there was sufficient funding to cover this scholarship once it became well known.

A motion was made by Mr. Seawright to table PR20-026 for further study. The motion was seconded by Mrs. Hartman.

Mr. Tim Colbert asked if PR20-026 was tabled, would it effect the ongoing scholarships.

Mrs. Hartman noted the resolution stated the current program would be honored and completed for the 2003-2004 school year. The change will go into effect in the 2004-2005 school year.

A roll call vote was taken to table PR20-026.

Members voting yes:

Beth Alexander, Tim Colbert, Holly Easterling,
Donna Hartman, Wilson Seawright
5 yes votes

Members voting no:

Linda Briggs, Melvin Burris, Scott Colbert,
Mary Jo Green, Dean McManus, Judy Goforth Parker,
Steve Woods, Wanda Blackwood Scott
8 no votes

The motion to table PR20-026 failed.

A roll call was taken on Mrs. Alexander's motion to amend PR20-026.

Members voting yes:

Beth Alexander, Scott Colbert,
Donna Hartman, Wilson Seawright
4 yes votes

Members voting no:

Linda Briggs, Melvin Burris, Tim Colbert,
Holly Easterling, Mary Jo Green, Dean McManus,
Judy Goforth Parker, Steve Woods,
Wanda Blackwood Scott
9 no votes

The motion to amend PR20-026 by striking Section 7-201.4, B and C failed.

Mr. Tim Colbert called for the question. Dr. Goforth Parker seconded the motion.

Members voting yes:

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

Members voting no:

Beth Alexander, Holly Easterling,
Donna Hartman, Wilson Seawright
4 no votes

The motion to call for the question carried.

A vote was taken to approve PR20-026 as amended by Dr. Goforth Parker.

Members voting yes:

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

Members voting no:

Beth Alexander, Holly Easterling,
Donna Hartman, Wilson Seawright
4 no votes

The motion to approve PR20-026, as amended by Dr. Goforth Parker, carried.

Mr. Woods concluded his report.

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

No report.

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

No report.

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

Mrs. Blackwood Scott reported the committee was continuing to work on the historic capitol building.

(I) ELECTION RULES AND PROCEDURES AD HOC COMMITTEE REPORT by Chairman Steve Woods

No report.

(J) COURT DEVELOPMENT AD HOC SUBCOMMITTEE REPORT by Chairman D. Scott Colbert

Permanent Resolution Number 21-001, Amendment to Title 5, Chapter 2, Article C, Section 5-203.25 of the Chickasaw Nation Code (Court Clerk)

This resolution establishes the amount of a required position fidelity bond for the Court Clerk and Deputy Court Clerk(s) to be ten thousand dollars (\$10,000).

A motion was made by Mrs. Green to approve PR21-001. The motion was seconded by Mrs. McManus.

Members voting yes:

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

The motion to approve GR21-001 carried unanimously.

Mr. Scott Colbert concluded his report.

AGENDA ITEM #7 NEW BUSINESS (Comments from Citizens)

Chairperson Briggs thanked the Legislators for the honor of serving as Chairperson. She would work hard to represent the Legislature and the people of the Chickasaw Nation. She also thanked the guests for their attendance and their interest.

Members of the Masonic Lodge of Allen presented Mr. Burris with the first non-Mason award for his dedication and outstanding contribution to the Allen community.

Governor Anoatubby congratulated Mr. Burris for his award. He also recognized the Legislature for their work, congratulated Ms. Easterling on her election, and congratulated the newly elected officers of the Legislature.

Jim Humes congratulated the elected officers. He called attention to the resolution that was passed by the Oklahoma City Metro Community Council to change the meeting date of the Legislative Sessions to Saturdays, on a temporary basis. He reported at the last council meeting another resolution was passed requesting an incorporation act be implemented for the Chickasaw Nation for the community councils to incorporate as a not-for profit corporation. He read a letter from the Houston Chickasaw Council requesting all community councils be placed on the Chickasaw Net website and their support of the resolution passed by the Oklahoma City Metro Community Council of changing the Legislative session dates to Saturday.

AGENDA ITEM #8 ADJOURNMENT

A motion was made by Mr. Scott Colbert to adjourn. The motion was seconded by Mr. Burris.

The meeting adjourned at 10:20 a.m.

Respectfully submitted,

Judy Goforth Parker, Secretary
Chickasaw Tribal Legislature

Prepared by:

Doretta Sellers, Recording Secretary
Chickasaw Tribal Legislature