

**CHICKASAW TRIBAL LEGISLATURE
REGULAR SESSION
David Stout Building
Ada, Oklahoma
December 19, 2003**

AGENDA ITEM #1 CALL MEETING TO ORDER

Chairperson Linda Briggs called the meeting to order at 9:00 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
Judy Goforth Parker
Wilson Seawright
Steve Woods

Member absent: Wanda Blackwood Scott

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, Sue Simmons, Ross Hill, Anna Cole, Robert L. Cole, Josie Crow, Wilma Watson, Dar Cheadle, Cindy Johnson, Ramona McKee, Misty Barker, Robyn Elliott, Jessie Kemp

AGENDA ITEM #3 INVOCATION

Invocation was given by Mrs. Green.

AGENDA ITEM #4 READING OF MINUTES - November 21, 2003

A motion was made by Mrs. Green to approve the November 21, 2003 minutes. 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, Judy Goforth Parker,
Wilson Seawright, Steve Woods, Linda Briggs
12 yes votes

The motion to approve the minutes of November 21, 2003 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

Permanent Resolution Number 21-004, Amendment to Title 2, Chapter 4, Article B, Section 2-422 of the Chickasaw Nation Code (Salary Review Act of 1991)

This resolution corrects a date referring to Amendment IV of the Constitution of the Chickasaw Nation in Title 2, Chapter 4, B, Section 2-422 of the Chickasaw Nation Code.

A motion was made by Mrs. Green to approve PR21-004. The motion was seconded by Dr. Goforth Parker.

Members voting yes:

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

The motion to approve PR21-004 carried unanimously.

Permanent Resolution Number 21-009, Approval of Amendment to the Off-Track Wagering Compact with the State of Oklahoma

This resolution approves the Chickasaw Nation's compact with the State of Oklahoma, as approved by the Joint Committee on State and Tribal Relations, to conduct off-track wagering in Chickasaw Nation Indian Country at additional locations, specifically Ardmore, Duncan, Kingston, Madill, and Paoli.

A motion was made by Mr. Woods to approve PR21-009. The motion was seconded by Dr. Goforth Parker.

Mr. David Hatton from Enterprises was present. He answered questions of the Legislators regarding this resolution.

Mr. Woods stated the resolution number should be a general resolution.

A motion was made by Mr. Tim Colbert to amend the resolution number to General Resolution 21-022. The motion was seconded by Mr. Woods.

Members voting yes:

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

The motion to renumber the resolution to GR21-022 carried unanimously.

A vote was taken to approve the resolution as amended.

Members voting yes:

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

The motion to approve GR21-022, as amended, carried unanimously.

Mr. Woods concluded his report.

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

General Resolution Number 21-014, Supplemental Capitalization for Bank 2

This resolution increases the capitalization base of Bank 2 by \$1,000,000 to be provided on or before December 31, 2003, and an additional sum of \$2,000,000 to be provided on or before March 31, 2004, such additional sum to be provided at the Governor's discretion and conditioned upon the availability of funds and Bank 2 meeting specified goals prior to that date.

A motion was made by Dr. Goforth Parker to approve GR21-014. The motion was seconded by Mr. Burris.

Members voting yes:

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

Member voting no:

Donna Hartman
1 no vote

The motion to approve GR21-014 carried.

Mr. Scott Colbert extended a merry Christmas to everyone from the Finance Committee. He concluded his report.

(C) HUMAN RESOURCES COMMITTEE REPORT by Chairman Dean McManus

General Resolution Number 21-013, Approval of Application for Funding Family Violence Prevention and Services

This resolution approves the Chickasaw Nation's application for the Family Violence Prevention Services program funding through the Office of Community Services, Administration for Children and Families, U.S. Department of Health and Human Services.

A motion was made by Mrs. McManus to approve GR21-013. The motion was seconded by Mr. Tim Colbert.

Members voting yes:

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

The motion to approve GR21-013 carried unanimously.

Mrs. McManus concluded her report.

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

General Resolution Number 21-012, Business Sublease No. G09-1524 in Latimer County

This resolution approves a business sublease in favor of Choctaw Hope Development Corporation, in Hugo, Oklahoma. The sublease is for the construction of elderly community homes on property belonging to the Choctaw and Chickasaw Nations, in Latimer County, Oklahoma, containing 25.00 acres, more or less.

A motion was made by Dr. Goforth Parker to approve GR21-012. The motion was seconded by Mrs. Green.

Members voting yes:

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

The motion to approve GR21-012 carried unanimously.

General Resolution Number 21-015, Authorization for Acquisition of Real Property in Murray County

This resolution approves the Chickasaw Nation's request to acquire real property, in Murray County, Oklahoma, located in Sulphur, 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 Dr. Goforth Parker to approve GR21-015. The motion was seconded by Mr. Woods

Members voting yes:

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

Member voting no:

Donna Hartman
1 no vote

The motion to approve GR21-015 carried.

General Resolution Number 21-016, Authorization for Acquisition of Real Property in Pontotoc County

This resolution approves the Chickasaw Nation's request to acquire real property, containing 3.83 acres, more or less (according to appraisal), 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 Dr. Goforth Parker to approve GR21-016. The motion was seconded by Mrs. McManus

Members voting yes:

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

The motion to approve GR21-016 carried unanimously.

General Resolution Number 21-017, Authorization for Acquisition of Real Property in

Pontotoc County

This resolution approves the Chickasaw Nation’s request to acquire real property, containing 221.41 acres, more or less, in Ada, Pontotoc County, Oklahoma, and described as follows:

- Tract 1: Containing 30 acres, more or less;
- Tract 2: containing 61.05 acres, more or less;
- Tract 3: containing 76.97 acres, more or less;
- Tract 4: containing 16.27 acres, more or less;
- Tract 5: containing 37.12 acres, more or less,

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 Dr. Goforth Parker to approve GR21-017. 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, Judy Goforth Parker,
Wilson Seawright, Steve Woods, Linda Briggs
12 yes votes

The motion to approve GR21-017 carried unanimously.

General Resolution Number 21-018, Authorization for Acquisition of Real Property in Pontotoc County (Adjacent to Carl Albert Indian Health Facility)

This resolution approves the Chickasaw Nation’s request to acquire real property, consisting of a vacant lot, in Ada, Pontotoc County, Oklahoma, located in the 1000 Block of North Country Club Road. 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, is such action is advantageous.

A motion was made by Dr. Goforth Parker to approve GR21-018. The motion was seconded by Mrs. Green.

Members voting yes:

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

The motion to approve GR21-018 carried unanimously.

General Resolution Number 21-019, Authorization for Acquisition of Real Property in Garvin County (Contiguous to Bedre’ Chocolate Factory)

This resolution approves the Chickasaw Nation’s request to acquire real property, containing

5 acres, more or less, in Pauls Valley, Garvin County, Oklahoma, located North of the existing Bedré Chocolate Factory. 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 Dr. Goforth Parker to approve GR21-019. The motion was seconded by Mrs. Green.

Members voting yes:

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

Member voting no:

Tim Colbert
1 no vote

The motion to approve GR21-019 carried.

General Resolution Number 21-020, Authorization for Acquisition of Real Property in Pontotoc County

This resolution approves the Chickasaw Nation's request to acquire real property, containing approximately 20 acres, more or less (according to appraisal), in Ada, Pontotoc County, Oklahoma, located on the 1100 Block of West Main Street, Ada. 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 Dr. Goforth Parker to approve GR21-020. The motion was seconded by Mrs. McManus.

Members voting yes:

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

The motion to approve GR21-020 carried unanimously.

General Resolution Number 21-021, Real Property Lease in Pontotoc County

This resolution approves a real property lease on property belonging to the Chickasaw Nation in Pontotoc County, Oklahoma. It contains approximately 2.0 acres, more or less, for a primary term of 24 months beginning January 1, 2004 and ending December 31, 2005.

A motion was made by Dr. Goforth Parker to approve GR21-021. The motion was

seconded by Mrs. Green.

Members voting yes:

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

The motion to approve GR21-021 carried unanimously.

Mrs. Hartman stated a resolution was approved three years ago to build a food distribution in the Duncan/Marlow area. She asked the status of this facility.

Mr. Seawright stated it was his understanding a food distribution center was part of the capital improvement plan for 2004.

Mrs. Alexander stated she was agreement with Mrs. Hartman. Land could be found quickly if this was a priority. Three years ago this facility was approved and something should be done to get this project underway.

Dr. Goforth Parker thanked Jessie Kemp and Cindy Johnson for their hard work. She concluded her report.

(E) EDUCATION COMMITTEE REPORT by Chairman Wanda Blackwood Scott

No report

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

Mrs. Green reported there was a committee working to assess the need for an assisted living facility and a nursing home.

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

No report.

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

No report.

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

Mr. Woods reported the committee was reviewing changes to the election rules. He welcomed any suggestions in revising the rules to be submitted in writing.

(J) COURT DEVELOPMENT AD HOC SUBCOMMITTEE REPORT by Chairman

Tim Colbert

Permanent Resolution Number 21-006, Amendment to Title 5, Chapter 1, Article B of the Chickasaw Nation Code (Rules of Procedure)

This resolution applies the rules, procedures and law to be applied provisions already established for the Court of Indian Offenses for the Chickasaw Nation and the Chickasaw District Court to the Chickasaw Supreme Court by adding a section to Title 5, Chapter 1, Article B of the Chickasaw Nation Code. The District Court participated in the drafting of this resolution.

A motion was made by Mr. Tim Colbert to approve PR21-006. The motion was seconded by Dr. Goforth Parker.

Members voting yes:

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

The motion to approve PR21-006 carried unanimously.

Permanent Resolution Number 21-007, Amendments to Title 5, Chapter 1, Article B, Section 5-102.1 and Title 5, Chapter 2, Article B, Section 5-202.16 of the Chickasaw Nation Code (Locations and Addresses for the Chickasaw Courts)

This resolution amends sections of Title 5 of the Chickasaw Nation Code to provide the addresses and telephone numbers for the Chickasaw District and Supreme Courts. The District Court participated in the drafting of this resolution.

A motion was made by Mr. Tim Colbert to approve PR21-007. 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, Judy Goforth Parker,
Wilson Seawright, Steve Woods, Linda Briggs
12 yes votes

The motion to approve PR21-007 carried unanimously.

Permanent Resolution Number 21-008, Amendments to Title 5, Chapter 2, Article D of the Chickasaw Nation Code (Summons, Subpoena, Other Process; Service)

This resolution amends the title, section numbers and other items of Title 5, Chapter 2, Article D of the Chickasaw Nation Code and grants authority to the Chickasaw District Court to issue subpoenas. The District Court participated in the drafting of this resolution.

A motion was made by Mr. Tim Colbert to approve PR21-008. The motion was

seconded by Dr. Goforth Parker.

Members voting yes:

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

The motion to approve PR21-008 carried unanimously.

Mr. Tim Colbert concluded his report.

AGENDA ITEM #7 NEW BUSINESS (Comments from Citizens)

James Humes voiced his concerns regarding citizen's input in legislation.

Mike Watson commented on the inaccuracy of the mailing of the election ballots and problems he has had in getting his address corrected with the Election Office. He also voiced a complaint of the numerous times his medical folder had been lost in the Ardmore Clinic resulting in him not receiving medical services.

AGENDA ITEM #8 ADJOURNMENT

The Legislative Session adjourned at 10:05 a.m.