



NCA 18-096

CLASSIFICATION: #35. SOCIAL SERVICES/PUBLIC ASSISTANCE/DONATIONS

A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 35 CHAPTER 9, ENTITLED "SPECIAL APPROPRIATIONS" AND CHAPTER 12, ENTITLED "DONATIONS"

Be it enacted by the National Council of the Muscogee (Creek) Nation:

SECTION ONE. AMENDMENT. These amendments shall be codified in Title 35, Chapters 9 and 12, of the Code of Laws of the Muscogee (Creek) Nation; provided that for purposes of codification of said amendment and its inclusion in pocket parts of the Code of Laws of the Muscogee (Creek) Nation, the Attorney General is hereby authorized: (1) to approve any changes related to the manner in which sections, articles, chapters and sub-chapters are designated consistent with the format in the Code of Laws published in 2010 by West Publishing Company; (2) to include footnoted references to the legislative history in said pocket parts to the Code of Laws and (3) to note in said pocket parts any editorial correction of minor clerical or grammatical errors in the following amendment, without further National Council approval:

SECTION TWO. AMENDMENT. MCNCA TITLE 35 § 9-103 B. is hereby amended to read as follows:

B. All other special appropriations will be considered on the availability of funds and in the absence of any reservation of available funds for needs cited in Title 35, § 9-101. An attached budget shall be submitted with each request. Such funding by the Nation will be based on the following:

1. Educational/Curricular – Requests from Muscogee (Creek) citizens twenty five years of age and older for funding beyond the assistance provided by the Nation will require proof, and will further require self-funding by the individual/entity equal to no less than 50% of the stated need. School curricular and extra-curricular activities and athletics will be considered under this subsection. Funds received from the Nation through any other grant or assistance program shall not be considered in the self-funding requirement.
2. Churches and Ceremonial Grounds – Requests for funding for Muscogee (Creek) Traditional Churches and Ceremonial Grounds must apply through the Comprehensive Assistance Grant Program. Churches and Ceremonial Grounds that do not qualify for the Comprehensive Assistance Grant shall not be eligible to receive special appropriations through the

National Council unless by waiver of the National Council through section C of this subsection.

3. Sports/Ball teams/Hobbies – Requests for organized sports/ball teams or hobbies that are not part of school curricular or activity may receive funding up to \$500.00 per organization per year. **Only teams or organizations with a majority of Muscogee (Creek) citizens shall be eligible for funding.**
4. Burial Assistance – Requests for Burial Assistance may only receive funding if the individual does not qualify under Burial Assistance for the tribe. Appropriations will not be made above the full assistance from the tribe and BIA unless there are special circumstances. Such circumstances will be determined by the proper Standing Committee.
5. Communities – Requests for special appropriations from Communities may receive funding with a resolution from the Community Board of Directors or appropriate board or committee established with an approved budget. The budget shall be detailed with specific line items and receipts for expenditures shall be returned to the Controller of the Muscogee (Creek) Nation. Communities that have economic development shall be required to provide to the National Council the most recent financial statements and the most recent audited financial statements for the community and community business(es), as well as, bank statements for the community and community business(es) upon requesting a special appropriation.

C. All citizens 24 years and younger shall not be eligible for special appropriations through the National Council pursuant to this Section, ~~B~~ but instead will be eligible for assistance through the Mvskoke Youth Council Grant opportunity as indicated in MCNCA TITLE 35 § 13-103 A. 4.

D. Waiver of this title **special appropriation guidelines as stated in § 9-103 B.** may only be made by two-thirds (2/3) vote of the full National Council.

E. Any special appropriations or prior obligations approved prior to the enactment of this Amendment shall not be subject to these amendments.

SECTION THREE. AMENDMENT. MCNCA TITLE 35 § 12-103. is hereby amended to read as follows:

§ 12-103 Donation Guidelines

All donation requests will be considered on the availability of funds and based on the following:

- A. Donations to Political Candidates – Request for donations to individual candidates for local office shall be limited to \$1,000.00, donations to individual state

candidates shall be limited to \$2,000.00 and donations to individual candidates for national office shall be limited to \$2,500.00 in each election year. Requests for donations to political committees shall be limited to \$5,000.00 in each election year. The total amount of contributions in any fiscal year of the Nation shall not exceed \$50,000.00.

B. Donations to Charities – Requests for donations to charities shall be limited to ~~\$5,000.00~~ **\$2,000.00** per organization per fiscal year. Donations to charitable organizations will be considered only if the appropriate federal or state certifications are submitted to the National Council for review. The total amount of donations shall not exceed ~~\$100,000.00~~ **\$50,000.00** in any fiscal year of the Nation.

C. Donations to Organizations – Requests for donations to **local and state** organizations shall be limited to ~~\$5,000.00~~ **\$2,000.00** per organization per fiscal year. **Requests for donations to national organizations shall be limited to \$10,000.00.** The total amount of donations to local organizations shall not exceed ~~\$100,000.00~~ **\$120,000.00** in any fiscal year of the Nation.

D. Donations to Local Schools - Requests for donations to local schools shall be limited to ~~\$2,000.00~~ **\$5,000.00** per school per fiscal year. The total amount of donations to local schools shall not exceed ~~\$50,000.00~~ **\$125,000.00** in any fiscal year of the Nation.

~~E. Donations to Local Governments – Requests for donations to local governments shall be limited to \$5,000.00 per request per fiscal year. Requests may be made from the same government for different purposes. The total amount of donations to local governments shall not exceed \$100,000.00 in any fiscal year of the Nation.~~

~~F.E.~~ All other donations – All other donations shall be determined by the proper Standing Committee and shall not exceed ~~\$5,000.00~~ **\$2,000.00** per request per fiscal year. **The total amount for other donations shall not exceed \$80,000.00 in any fiscal year of the Nation.**

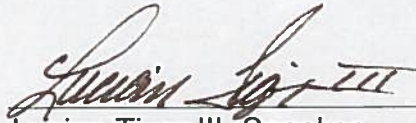
G. § 12-104 Waiver

Waiver of this title **donation guidelines as stated in § 12-103** may only be made by two-thirds (2/3) vote of the full National Council.

SECTION FOUR. EFFECTIVE DATE. This Act shall become effective October 1, 2018 (Fiscal Year 2019) upon proper approval and execution in accordance with the requirements of the Muscogee (Creek) Nation Constitution.

ENACTED by the Muscogee (Creek) National Council on this **30th** day of **June, 2018.**

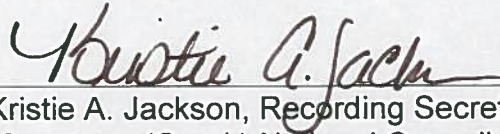
IN WITNESS WHEREOF, the Speaker of the Muscogee (Creek) National Council has hereto attached his signature.



Lucian Tiger III, Speaker
National Council
Muscogee (Creek) Nation

CERTIFICATION

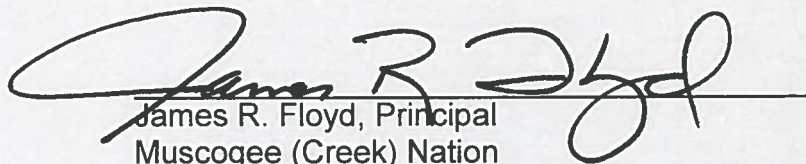
I, the undersigned, certify that the foregoing is a true extract from the minutes of the Muscogee (Creek) National Council comprised of Sixteen members with **Fifteen** members attending this meeting on the **30th** day of **June, 2018** and that the above is in conformity with the provisions therein adopted by a vote of **14** in favor, **0** against and that said Law has not been rescinded or amended in any way and the above is the signature of the Speaker of the National Council.



Kristie A. Jackson, Recording Secretary
Muscogee (Creek) National Council

APPROVAL

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature on this **40th** day of **July**, **2018** to the above Law, **NCA 18-096** authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.



James R. Floyd, Principal
Muscogee (Creek) Nation

