



NCA 18-191

CLASSIFICATION: #32. PROCUREMENT

A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 32, CHAPTER 3, ENTITLED "SURPLUS TRIBAL PROPERTY; PROCEDURES FOR DISPOSAL"

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

SECTION ONE. AMENDMENT. This amendment shall be codified in Title 32, Chapter 3 of the Code of Laws of the Muscogee (Creek) Nation; provided that for purposes of codification said amendment and its inclusion in pocket parts of the Code of Laws for the Muscogee (Creek) Nation, the Attorney General is 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 of 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 32, § 3-103 is hereby amended to read as follows:

§ 3-103. Opportunity to acquire property surplus to needs of the Nation by communities, churches, ceremonial grounds, and schools

A. Right to acquire property. Subject to the limitations in Title 32, § 3-101, Muscogee (Creek) Nation Indian communities, churches and ceremonial grounds shall have the opportunity to acquire property that has been certified as surplus to the needs of the Nation. Following the completion of this process, the remaining surplus will be made available for acquisition to schools located within the jurisdictional boundaries of the Muscogee (Creek) Nation.

B. Maintenance of list and acquisition. The Manager of General Services Administration shall maintain and make available for inspection a list of such property on an ongoing basis and will donate such property to a Muscogee (Creek) Nation Indian community, church, ceremonial grounds or schools on a first come first serve basis.

C. Publication of list and acquisition. At least annually, and at such other times as deemed prudent, the Manager of General Services Administration shall send

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notice that property certified as surplus to the needs of the Nation is available for acquisition, together with a list of the surplus property, to all Muscogee (Creek) Indian communities, churches, ceremonial grounds or schools. The notice shall state that a full description of each item may be obtained from the Manager of General Services Administration, that the notified entities shall have thirty (30) days from the date of the notice to request property on the list, and that they will be granted property from this surplus property list on a first come, first serve basis.

D. Affidavit. An officer or recognized leader of the community, church, ceremonial ground, or school receiving the property shall sign an affidavit that the property is to be used only for official business.

SECTION THREE. AMENDMENT. MCNCA Title 32, § 3-104 is hereby amended to read as follows:

§ 3-104. Public sale of property surplus to needs of the Nation

A. Publication. After affording communities, churches, ceremonial grounds, and schools the opportunity to acquire surplus property pursuant to Title 32, § 3-103, and at such time as the Manager of General Services Administration determines that sufficient property has accumulated for the cost efficient conduct of a public sale or online auction, publication notice of the sale or online auction shall be given. The notice shall be posted at least five days prior to a public sale or the start date of the online auction, the Manager shall cause notice to be published in the Muscogee Nation News and at least two other newspapers with a circulation in the Muscogee (Creek) Nation's jurisdictional boundaries, notifying interested persons of a date, place, and time a public sale will be held to dispose of surplus property, this notice will also include details pertaining to the online auction option. The publication shall include a statement that persons may write to request the Manager of General Services Administration, Muscogee (Creek) Nation, for to provide a full description of each item.

B. Expenses; conduct of sale. Expenses, including the expense of publication, shall be paid from the proceeds of the sale. All items shall be sold on a first come first serve basis and no property shall be held for an individual. Property shall be priced according to value as determined by the Manager of General Services Administration.

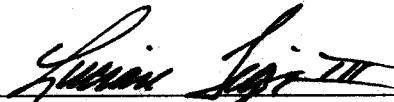
C. Return of sale. Within thirty (30) days from the date of the sale, an itemized list of property sold, including the amount it sold for and to whom it was sold, shall be given to the Controller. This list shall be available to the public upon written request.

D. Proceeds. All proceeds from public sale shall be deposited in the Tribal Treasury.

SECTION FOUR. EFFECTIVE DATE. This Act shall become effective immediately 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 **15th** day of **December, 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

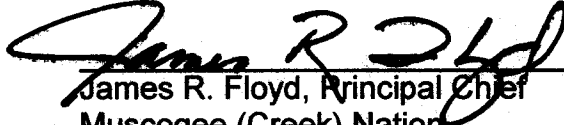
I, the undersigned, certify that the foregoing is a true extract from the minutes of the Muscogee (Creek) National Council comprised of Sixteen members with **Sixteen** members attending this meeting on the **15th** day of **December, 2018** and that the above is in conformity with the provisions therein adopted by a vote of **15** 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.



Alicia Stroble, Acting Recording Secretary
Muscogee (Creek) National Council

APPROVAL

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature on this 4th day of January, 2018, to the above Law, **NCA 18-191** authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.



James R. Floyd, Principal Chief
Muscogee (Creek) Nation

