



NCA 21-071

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

A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 35, CHAPTER 7. ENTITLED "DISASTER ACT" AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO THE DISASTER ASSISTANCE FY 2021 BUDGET

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

SECTION ONE. AMENDMENT. This amendment shall be codified in Title 35, Chapter 7, 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:

§ 7-101. Disaster assistance

A. Households with at least one enrolled Muscogee (Creek) citizen (whether single, head-of-household or dependent) may be eligible for assistance for the loss of furniture, clothing, groceries, housing, etc. and emergency shelter costs if affected by one or more of the following:

1. Fire;
2. Flood;
3. Tornado;
4. Hurricane;
5. Earthquake; or
6. Other disasters considered on a case-by-case basis.

B. Incidents not covered, with the exception of clothing and food assistance for Muscogee (Creek) children in the home, include the following;

1. Meth lab fires
2. Gross Negligence; or
3. Arson/vandalism.

C. Disaster must have occurred within one (1) year of application date.

D. The following documentation is required:

1. Verification of Muscogee (Creek) citizenship for all applicable household members. Driver's license/ID or birth certificate will be accepted for non-native household members;
2. Copy of social security card for all household members;
3. Residence verification;
4. Vendor quote(s) when applicable; and
5. Documentation of disaster, example: fire report, landlord statements, weather report, emergency management statement, police report, pictures of disaster, etc.
6. Identification documents and social security cards may be waived on a case-by-case basis, however, individual eligibility may be affected.

E. Households may be eligible for assistance up to Seven Thousand, Five Hundred and No/100 dollars (\$7,500.00) per fiscal year as follows:

1. Groceries/food in the amount of up to \$500 per household;
2. Clothing in the amount of up to \$500 per Muscogee (Creek) Citizen;
3. Household items (furniture, bedding, kitchen items, etc.);
4. Personal hygiene items in the amount of up to \$200 per household;
5. Reimbursement for hotel/motel stays at government rate;
6. Shelter expenses (rent and/or utilities for new move-ins);
7. Amount of assistance is determined by severity of disaster and individual circumstances; and
8. Households experiencing a power outage only, will be eligible for groceries/food and/or hotel/motel assistance. These households will not be eligible for assistance with other expenses. Household must be without power for at least twelve (12) hours in order to qualify.

F. New move-ins must meet the ability to maintain as defined by Social Services policy or rent at new residence must not exceed rent at previous residence.

G. Disaster assistance may duplicate assistance already rendered by insurance companies, or other state, local, federal or tribal programs.

H. Vendor payments are preferable, however, payments or reimbursements to the head of household will be considered. Shelter expenses will be made directly to the vendor. Receipts will be required for all assistance when payment is made to the head of household. Failure to submit receipts within sixty (60) calendar days of the check date will result in disqualification for Human Services programs for one (1) year.

I. The Social Services Department will implement the program. The Department Manager will have final approval authority of all applications received by applicants.

J. The annual appropriation for Disaster Assistance shall be established at Two Hundred Twenty-Five Thousand and No/100 Dollars (\$225,000.00) beginning with the FY 2022 Comprehensive Annual Budget and annually thereafter.

§ 7-102. Retroactive eligibility

The provisions in this law shall be retroactive to October 1, 2020.


SECTION TWO. APPROPRIATION. The sum of Two Hundred Fifty Thousand and No/100 Dollars (\$250,000.00) is hereby appropriated from the Interest on Permanent Fund Account to provide supplemental funding for the Disaster Assistance FY 2021 Budget. All funds appropriated by the implementation of this Act shall carry forward until fully expended.

SECTION THREE. AUTHORIZATION. The National Council hereby authorizes the Principal Chief or his designee to expend the sum of Two Hundred Fifty Thousand and No/100 Dollars (\$250,000.00) from the Interest on Permanent Fund Account to the Disaster Assistance FY 2021 Budget.

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 26th day of June, 2021.

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



Randall Hicks, 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 **26th** day of **June, 2021** 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.

Tracy Wade

Tracy Wade, Recording Secretary
Muscogee (Creek) National Council

APPROVAL

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature on this **2nd** day of **July**, **2021** to the above Law, **NCA 21-071** authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.

David W. Hill

David W. Hill, Principal Chief
Muscogee (Creek) Nation

