



NCA 21-112

CLASSIFICATION: #28. LANDS AND MINERALS

A LAW OF THE MUSCOGEE (CREEK) NATION CREATING A NEW SUBCHAPTER SEVEN, ENTITLED "MCN FLOODPLAIN ADVISORY BOARD" IN MCNCA TITLE 28, CHAPTER 11

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

SECTION ONE. NEW LAW. The following new law shall be codified in Title 28, Chapter 11 of the Code of Laws of the Muscogee (Creek) Nation; provided that for purposes of codification of said new law and its inclusion in pocket parts for 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 in this law in order to be 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 new law:

TITLE 28. LANDS AND MINERALS

CHAPTER 11. FLOODPLAINS

SUBCHAPTER 7. MCN FLOODPLAIN ADVISORY BOARD

§ 11-701. General Function

The function of the members of the Advisory Board (hereinafter the "Advisory Board") shall be to advise and make non-binding recommendations to the MCN Floodplain Administrator with respect to the review of all Floodplain permit applications.

§ 11-702. Membership

The Advisory Board shall have no less than three (3) members. The members shall be nominated by the Secretary of Interior Affairs, as and when necessary to maintain active membership. The currently nominated members shall be: 1) Director, MCN Emergency Management; 2) Manager, MCN GIS; 3) CFM, MCN Department of Environmental Services; and 4) CFM, MCN Department of Tribal Construction Services. The term of

service for members of the Advisory Board will be one year from the date they were appointed until their successor is duly elected and qualified or until their resignation, removal by the MCN Secretary of Interior Affairs, or death. The Secretary of Interior Affairs shall appoint one of the members as Chairperson of the Advisory Board. The Secretary of Interior Affairs shall have the authority, in his/her sole and absolute discretion, to remove any member of the Advisory Board at any time for any reason with cause or without cause.

§ 11-703. Mode of Operation

The Advisory Board shall meet at least three (3) times a year, with each meeting date to be designated by the Chairperson. The sole responsibility of the members of the Advisory Board shall be to meet and make recommendations to the Floodplain Administrator as to matters related to the review of all Floodplain permit applications. The Advisory Board's role shall be purely ministerial and advisory and the ultimate responsibility for the management of the Floodplain Administrator's business and affairs shall rest with the Floodplain Administrator. The Floodplain Administrator shall have no obligation to adopt, or otherwise be bound to act upon, any recommendation of the Advisory Board, but shall, in his/her sole and absolute discretion, have the ability to take the Advisory Board's recommendations under advisement.

§ 11-704. Compensation

The members of the Advisory Board shall not receive compensation for their services.

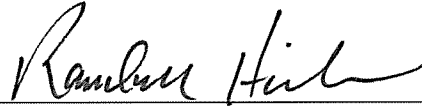
§ 11-705. Administrative Services

Administrative Services, such as but not limited to, Calling the Meetings to Order, Roll Call, and the Keeping of the Minutes, shall be provided by support staff from the Department of Tribal Construction Services.

SECTION TWO. 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 30TH day of October, 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 **Sixteen** members attending this meeting on the **30TH** day of **October, 2021** 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, Recording Secretary
Muscogee (Creek) National Council

APPROVAL

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature on this 1st day of November, **2021** to the above Law, **NCA 21-112** authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.



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

