



NCA 22-099

CLASSIFICATION: #28. LANDS AND MINERALS

A LAW OF THE MUSCOGEE (CREEK) NATION CREATING A NEW CHAPTER 12, ENTITLED "FORESTRY MANAGEMENT AND FENCING ACT" IN MCNCA TITLE 28 "LANDS AND MINERALS"

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

SECTION ONE. Findings. The National Council finds that:

A. There is a need for a Tribal Act that will help protect and preserve restricted and trust properties of the Nation and its citizens through fire preventative measures and establishing real property boundaries through the fencing of properties.

B. The Forestry Management and Fencing Act will benefit the Nation and its citizens as a whole by protecting restricted and trust property, defining boundaries and raising the value of restricted and trust property being serviced.

SECTION TWO. NEW LAW. The following new law shall be codified in Title 28 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. LAND AND MINERALS

CHAPTER 12. FORESTRY MANAGEMENT AND FENCING ACT

SUBCHAPTER 1. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND METHODS

§ 12-101. Short title and codification

This Act shall be known and may be cited as the Muscogee (Creek) Nation Forestry Management and Fencing Act (hereinafter the "Act") and shall be codified as Chapter 12 in Title 28, "Land and Minerals" of the Muscogee (Creek) Nation Code Annotated.

§ 12-102. Purpose

The purpose of these statutes is to promote the public health, safety and general welfare of the Nation and to minimize private and public losses due to forest wildfire or loss of lands through adverse possession by provisions designed to:

- A. Protect human life and health;
- B. Minimize expenditure of public money for costly wildfires damaging restricted and trust lands of the Nation and its citizens;
- C. Minimize the need for costly legal services for claims of adverse possession of restricted and trust lands of the Nation and its citizens; and
- D. Institute preventative measures that minimize damage to public and private facilities and utilities that may be caused by potential wildfires.

§ 12-103. Management Goals

In order to accomplish its purposes, these statutes use the following methods:

- A. Maintaining and improving the health, diversity, and productivity of the Nation's forests to meet the needs of current and future generations;
- B. Managing vegetation, restoring ecosystems, reducing hazards, and maintaining forest health; and
- C. Installing fencing from start to finish on restricted and trust properties to reduce claims of adverse possession and to clearly define landowner boundaries of the Nation and its citizens.

§ 12-104. Harvesting of Fire Wood

The Forestry Management and Fencing Program shall be permitted to harvest wood for Tribal citizens as well as sell to local entities. The Program shall set up a Revolving Fund before beginning the sale of harvested wood to local entities.

§ 12-105. Budget – Operations

- A. The Bureau of Indian Affairs will be assisting in the funding of the Program up to \$50,000.00.
- B. The Forestry Management and Fencing Program shall be funded through the Comprehensive Annual Budget annually for the administration, professional staff, equipment and the program operations.

§ 12-106. Oversight by Realty Trust Services

The Forestry Management and Fencing Program shall operate under the management and direction of the Muscogee (Creek) Nation Realty Trust Services.

SECTION THREE. 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 **24TH** day of **September, 2022.**

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



William Lowe, Speaker
National Council
Muscogee (Creek) Nation

CERTIFICATION

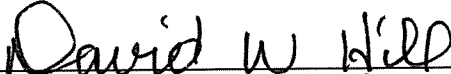
I, the undersigned, certify that the foregoing is a true extract from the minutes of the Muscogee (Creek) National Council comprised of Sixteen members with **Sixteen** members attending this meeting on the **24th** day of **September, 2022** and that the above is in conformity with the provisions therein 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 27^d day of September 2022 to the above Law, **NCA 22-099** 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

