



## NCA 23-123

### CLASSIFICATION: #38. TRIBAL ENTITIES

### A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 38, CHAPTER 3 ENTITLED "TRIBAL DRIVEWAYS PROGRAM"

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

**SECTION ONE. AMENDMENT.** This amendment shall be codified in Title 38, Chapter 3, 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:

#### CHAPTER 3. TRIBAL DRIVEWAYS PROGRAM

##### § 3-101. Services

The Tribal Driveways Program shall provide driveways repair or replacement services to homes of eligible Tribal citizens. Each project shall not exceed ~~five~~ six thousand dollars (\$~~5~~6,000.00) for materials.

##### § 3-102. Eligibility and priorities

###### A. Eligibility Requirements

1. Individual must be an enrolled member of the Muscogee (Creek) Nation, who can verify his or her membership with a certified Tribal enrollment card;
2. Individual must reside within the territorial jurisdiction of the Muscogee (Creek) Nation;
3. Individual must own and live on the property needing repair services **for six (6) months prior to application;**
4. There must be an existing driveway on the property; and
5. The property must not have received driveway repair assistance within the previous four (4) years.

**6. The program shall not provide service to any structure, including but not limited to travel trailers, recreational vehicles, and storage shed conversions.**

B. Priorities.

- 1.** Priorities shall be given to the elderly, applicants who are suffering from a severe health problem, handicap or permanent disability, and driveways that are rapidly deteriorating.
- 2.** **Applicants submitting a second request for service within 5 years of completion date will have no priority preference unless driveway is deemed washed out or unsafe by the Tribal Driveways program upon inspection.**

§ 3-103. Guidelines, applications, and approvals

A. The applicant for services that complete the “Driveway Repair Application” provided by the Tribal Driveways Program.

B. The applicant must fill out the application completely and provide a copy of his or her Tribal enrollment card and a copy of the deed to the property to be considered for driveway repair services. Failure to provide all necessary information may delay the application process.

C. Selection of services shall be made by the Tribal Driveways Program. A decision to grant or deny an application shall be based on the information contained in the application, the priorities described in § 3-102.B. of this Act and current funding available to the Tribal Driveways Program.

**SECTION TWO. EFFECTIVE DATE.** This Act shall become effective 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 **28<sup>th</sup>** day of **October, 2023.**

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



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William Lowe, Speaker  
National Council  
Muscogee (Creek) Nation

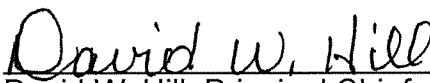
**CERTIFICATION**

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 **28<sup>th</sup>** day of **October, 2023** 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.

  
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April Lindsey, Recording Secretary  
Muscogee (Creek) National Council

**APPROVAL**

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature on this **1<sup>st</sup>** day of **November 2023** to the above Law, **NCA 23-123** authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.

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

