



**NCA 16-160**

**CLASSIFICATION: #32. PROCUREMENT**

**A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 32, CHAPTER 3-101, ENTITLED "SURPLUS TRIBAL PROPERTY; PROCEDURES FOR DISPOSAL" and 3-102 A., ENTITLED "CERTIFICATION OF PROPERTY AS SURPLUS TO NEEDS OF PROGRAM; USE OF PROPERTY**

**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 of the Muscogee (Creek) Nation, the Office of 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:

**SECTION TWO. AMENDMENT.** MCNCA Title 32, Chapter 3, is hereby amended to read as follows:

**TITLE 32. PROCUREMENT  
CHAPTER 3. SURPLUS TRIBAL PROPERTY; PROCEDURES FOR DISPOSAL**

**§ 3-101. Disposal of Property**

**A. Property subject to federal rules.** Property acquired by the Muscogee (Creek) Nation that is subject to federal rules and regulations for the disposal of property, shall be disposed of in accordance with those federal rules and regulations.

**B. Disposal of other property.** Disposal of surplus property that is not subject to federal rules and regulations shall be disposed of in accordance with Title 32, §§ 3-103 and 32-3-104, subject to the following exceptions:

- 1. Property belonging to the Farm shall be disposed of in accordance with procedures in Title 1 of the Muscogee (Creek) Nation Code of Laws.**

2. Vehicles that have reached the retirement criteria under the Fleet Policy may be traded in or sold by sealed bids for cash value towards the purchase of a new vehicle or sold for parts or scrap.
3. Surplus property that is determined by the Program or Department Supervisor and the Manager of General Services Administration to have a value of less than fifty dollars (\$50.00) shall not be subject to the requirements of public sale and shall be disposed of by the Program Supervisor with the approval of the Manager of General Services Administration.
4. Property belonging to Gaming shall be disposed in accordance with Gaming Rules and Policies.

**SECTION THREE. AMENDMENT.** MCNCA Title 32, Chapter 3-102. A., is hereby amended to read as follows:

§ 3-102. Certification of property as surplus to needs of program; use of property

A. **Certification of property as surplus to needs of program.** Prior to disposal or sale, all Tribal personal property, except property belonging to the Farm and Gaming, shall not be subject to disposition until it is certified by the program or Department Supervisor and the Manager of General Services Administration to be surplus to the needs of the program to which the property was assigned.

**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 24<sup>th</sup> day of September, 2016.

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

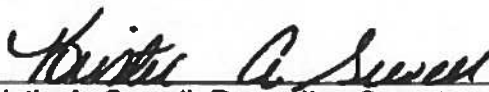


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Lucian Tiger III, Speaker  
National Council  
Muscogee (Creek) Nation

**CERTIFICATION**

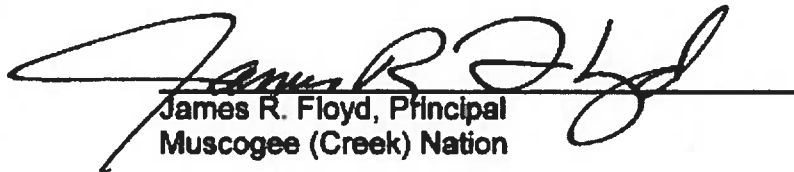
I, the undersigned, certify that the foregoing is a true extract from the minutes of the Muscogee (Creek) National Council comprised of Sixteen members with Fifteen members attending this meeting on the 24<sup>th</sup> day of September, 2016 and that the above is in conformity with the provisions therein 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.



Kristie A. Sewell, Recording Secretary  
Muscogee (Creek) National Council

**APPROVAL**

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature on this 29<sup>th</sup> day of September, 2016 to the above Law, NCA 16-160 authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.



James R. Floyd, Pncipal  
Muscogee (Creek) Nation

