



**NCA 15-138**

**CLASSIFICATION: #37. TRIBAL GOVERNMENT**

**A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING TITLE 37, CHAPTER 3 AND ESTABLISHING A NEW TITLE 37, CHAPTER 3, SUBCHAPTER 11, ENTITLED "HIRING AND EMPLOYMENT PROHIBITION"**

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

**SECTION ONE. FINDINGS. The National Council finds that:**

A. The Muscogee (Creek) Nation is committed to hiring qualified persons who respect the Nation's property interests and do not participate in criminal activities that deplete, diminish or damage the Nation's assets and property.

B. It is the duty of the Muscogee (Creek) Nation to preserve and protect its assets and property for the benefit of all Muscogee (Creek) citizens.

C. The objective of the Muscogee (Creek) Nation in prohibiting the hiring or employment of persons who have committed felony crimes against the Nation is to: 1) define felony crimes against the Nation; and 2) prohibit the hiring and employment of all persons who have committed felony crimes against the Nation or any entity, board, authority, limited liability company, business enterprise, or court of the Muscogee (Creek) Nation, or by any Chartered Muscogee (Creek) Indian Community.

**SECTION TWO. AMENDMENT. This amendment shall be codified in Title 37, 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 Codification Committee 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:**

**Subchapter**

1. Boards, Authorities and Courts, Employment of Members Prohibited
2. Indian Preference
3. Disclosure of Names, Grades and Compensation
4. Employees Violating Law
5. Employee Protection
6. Politically Discharged Employees
7. Drug Testing Policy
8. Drug-Free Workplace
9. Minimum Hourly Wage
10. Sexual Harassment Prohibited
- 11. Hiring and Employment Prohibition**

**SECTION THREE. NEW LAW.** The following new law shall be codified in Title 37, Chapter 3, Sub-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 Codification Committee 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 of 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:

**SUBCHAPTER 11. HIRING AND EMPLOYMENT PROHIBITION**

**Section 11-101. Prohibition.** No person who has been convicted of a felony crime against the Muscogee (Creek) Nation in a court of competent jurisdiction shall be hired or employed by the Nation, or by any entity, board, authority, limited liability company, business enterprise, or court of the Muscogee (Creek) Nation, or by any Chartered Muscogee (Creek) Indian Community

**Section 11-102. Definitions.** Felony Crimes against the Nation shall be defined in the following ways:

A. Felony Crimes against the Muscogee (Creek) Nation are felony crimes committed by persons whereby the Nation or any entity, board, authority, limited liability company, business enterprise, or court of the Muscogee (Creek) Nation, or Chartered

Muscogee (Creek) Indian Community is the victim of the felony crime or has sustained loss or damages as a result of the felony crime.

B. Felony Crimes against the Nation may include (but are not limited to):

1. embezzlement;
2. larceny;
3. theft;
4. burglary;
5. fraud;
6. robbery;
7. arson;
8. forgery;
9. malicious damage to property; and
10. any crime involving dishonesty or breach of trust.

**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 20<sup>th</sup> day of June, 2015.

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

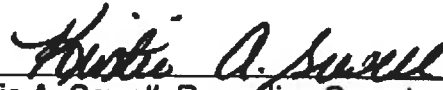


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Thomas Yahola, Speaker  
National Council  
Muscogee (Creek) Nation

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 20<sup>th</sup> day of June, 2015 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.



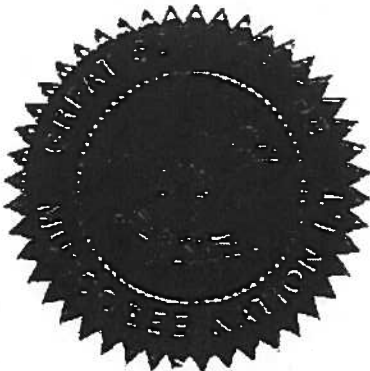
Kristie A. Sewell, Recording Secretary  
Muscogee (Creek) National Council

APPROVAL

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature on this 6<sup>th</sup> day of July, 2015 to the above Law, NCA 15-138 authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.



George Tiger, Principal Chief  
Muscogee (Creek) Nation





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

**SECTION ONE. FINDINGS. The National Council finds that:**

A. The Muscogee (Creek) Nation is committed to hiring qualified persons who respect the Nation's property interests and do not participate in criminal activities that deplete, diminish or damage the Nation's assets and property.

B. It is the duty of the Muscogee (Creek) Nation to preserve and protect its assets and property for the benefit of all Muscogee (Creek) citizens.

C. The objective of the Muscogee (Creek) Nation in prohibiting the hiring or employment of persons who have committed felony crimes against the Nation is to: 1) define felony crimes against the Nation; and 2) prohibit the hiring and employment of all persons who have committed felony crimes against the Nation or any entity, board, authority, limited liability company, business enterprise, or court of the Muscogee (Creek) Nation, or by any Chartered Muscogee (Creek) Indian Community.

**SECTION TWO. AMENDMENT. This amendment shall be codified in Title 37, 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 Codification Committee 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:**

**Subchapter**

1. Boards, Authorities and Courts, Employment of Members Prohibited
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**SECTION THREE. NEW LAW.** The following new law shall be codified in Title 37, Chapter 3, Sub-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 Codification Committee 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 of 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:

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**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 20<sup>th</sup> day of June, 2015.

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



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Thomas Yahola, 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 20<sup>th</sup> day of June, 2015 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.

  
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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 6<sup>th</sup> day of July, 2015 to the above Law, NCA 15-138 authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.

  
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George Tiger, Principal Chief  
Muscogee (Creek) Nation

