

MUSCOGEE (CREEK) NATION CODE ANNOTATED

TITLE 1. AGRICULTURE CVPOFV-VPUEKV MVTOTKETV

Chapter	Section
1. FARM OPERATIONS.....	1-101
2. FOUR-H PROGRAM BOARD.....	2-101

CHAPTER 1. FARM OPERATIONS

Section
1-101. Authorization of expenditures and sales.

Historical and Statutory Notes

NCA-96-41, §§ 101, 102, provide:
“Section 101. Findings: The National Council finds that:

“A. The bill repealing the Farm Authority Board (NCA 96-03) made no provisions for expenditures for labor and expenses to care for cattle and equipment and to pay for utilities associated with the Farm.

“B. The bank account of the Farm Authority Board was closed and the ending balance was deposited in the MCN Treasury.

“C. The Principal Chief requires authorization from the National Council to expend funds

from the Farm Account for reasonable and necessary costs associated with maintaining the farm cattle and equipment, utilities and labor.

“D. A need exists to establish a revolving Farm fund account within the Treasury for income derived from the sale of cattle, crops and equipment.

“E. The farm must be self-sufficient and not require appropriations.

“Section 102. Purpose:

“To allow the Principal Chief to expend funds from the Farm Accounts for Farm Expenses.”

§ 1-101. Authorization of expenditures and sales

A. The Principal Chief is hereby authorized to expend funds for reasonable and necessary costs associated with maintaining the farm’s cattle, crops and equipment and for utilities, labor and related services; provided that if the National Council has approved a business plan for the Tribal Trade and Commerce Authority to manage agricultural projects on the Nation’s property in accordance with Title 17, § 2-106.D, the Tribal Trade and Commerce Authority shall have all authority delegated to the Principal Chief. The total amount authorized for expenditures shall not exceed the amount remaining in the Farm Account; provided that if the Tribal Trade and Commerce Authority has assumed all agricultural duties, then it shall provide for expenditures through Tribal Trade and Commerce Authority funds.

B. The Principal Chief or Tribal Trade and Commerce Authority, if assigned agricultural duties by the National Council, may authorize the sale of cattle, crops and equipment as required for prudent farm operations.

Title 1, § 1–101

AGRICULTURE

C. The farm shall consist of all property held in trust for the benefit of the Muscogee (Creek) Nation by the United States of America or land held in fee by the Muscogee (Creek) Nation that has been determined by the Principal Chief, through consultation with Realty and the Tribal Planner, as property which is best utilized for agricultural purposes and is best managed by the Nation; provided nothing herein shall interfere with the Principal Chief's authorization to enter into agricultural leases in accordance with Title 28, § 3–101, if the Principal Chief determines it would be more beneficial for the Nation to enter into a third party lease. A list of said property shall be presented to the Tribal Affairs Committee by October 1 of each year and supplemented each time new property is removed or added. The inclusion of property as the farm shall not interfere with any valid lease currently existing.

D. The Nation and its entities shall comply with all applicable federal laws and regulations regarding the use of land in trust, including permits for forest management and grazing permits.

[NCA 96–41, § 103, approved July 5, 1996; amended by NCA 01–66, § 1, approved July 10, 2001; NCA 04–176, § 1, approved Nov. 29, 2004.]

Cross References

Farm Account, see Title 37, § 2–210.

Surplus Tribal property, disposal, see Title 32, § 3–101 et seq.

Library References

Indians ⇄ 152, 210, 216.

Westlaw Topic No. 209.

C.J.S. Indians §§ 57 to 59, 66 to 72.

CHAPTER 2. FOUR-H PROGRAM BOARD

Section

2-101. Creation of Board.

2-102. Powers and duties of Board.

§ 2-101. Creation of Board

There is hereby created a Board for the Muscogee (Creek) Nation Four-H Program whose composition shall consist of volunteers from the Indian community. The volunteers shall elect among themselves officers consisting of a President, Vice-President and Secretary/Treasurer.

[NCA 93-137, § 103, approved Nov. 4, 1993.]

§ 2-102. Powers and duties of Board

The 4-H Program Board shall have the following powers and duties:

A. Provide advice, direction and support to the Muscogee (Creek) Nation 4-H Program.

B. Authorize expenditures from the Muscogee (Creek) Nation 4-H Program Account.

C. File a quarterly report with the Muscogee (Creek) National Council.

D. The 4-H Program Board will promulgate rules and regulations to carry out the purposes of this chapter.

[NCA 93-137, § 102, approved Nov. 4, 1993.]