



RECONSIDERATION OF NCA 10-024

I, the undersigned, certify that the foregoing "Reconsideration of NCA 10-024" is a true extract from the February 27, 2010, Regular Session Journal of the Muscogee (Creek) National Council.

AND THAT, NCA 10-024 entitled, A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 17, § 2-107, ENTITLED "Board of Trustees and Officers, was presented to the National Council acting as a Council as a Whole and was approved in Regular Session on February 27, 2010, National Council by a vote of 21 in favor, 0 against, 0 abstention.

AND THAT, Said legislation was returned as a Veto with objections by the Principal Chief on March 11, 2010 and said objections have been entered at large in the Journal of the Muscogee (Creek) National Council;

AND THAT, The National Council taking action reconsider the Bill to **OVER-RIDE** the Veto at the Regular Session on March 27, 2010, in accordance with the Constitution, Article VI, Section 6(a), requires a (2/3) vote of the full membership, which consists of Twenty-six members;

AND THAT, The record of vote reflects there were Twenty-Five present with a vote of 23 in favor, 2 against, 0 abstention;

THEREFORE, BE IT KNOWN, under Article VI., Section 6. (a) of the Muscogee (Creek) Nation Constitution, NCA 10-024 is hereby recorded as a "VETO OVER-RIDE" on this 29th day of March 2010.

Terry A. Fish, Recording Secretary
National Council
Muscogee (Creek) Nation

CERTIFICATION OF APPROVAL

IN WITNESS WHEREOF, I, the Presiding Officer of the Muscogee (Creek) National Council have hereto attached my signature this 29th day of March 2010.

Roger Barnett, Speaker
National Council
Muscogee (Creek) Nation



VETO OVERRIDE



NCA 10-024

CLASSIFICATION: #17. ECONOMIC DEVELOPMENT

A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 17, § 2-107, ENTITLED "Board of Trustees and Officers"

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

SECTION ONE. FINDINGS. The National Council finds:

A. Per MCNCA Title 17, § 2, the purpose of the Muscogee (Creek) Nation Tribal Trade and Commerce Authority ("Authority") is to "investigate, evaluate, carry on and maintain various for-profit tribal business enterprises, ventures and/or economic development projects."

B. The Authority is governed by the Board of Trustees ("Board"), which consists of five members.

C. There is a need for an ex-officio member to serve as a liaison between the Board and the National Council to promote communication and awareness of the issues involving tribal business enterprises and economic development that benefit the Muscogee (Creek) Nation and its citizens.

SECTION TWO. AMENDMENT. This amendment shall be codified in Title 17, Chapter 2, 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 2003 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 THREE. AMENDMENT. MCNCA Title 17, § 2-107, is hereby amended to read as follows:

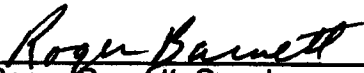
A. The Authority shall be governed by a five-member Board of Trustees consisting of:

1. **Membership and Appointment.** Two members shall be appointed by the Principal Chief and confirmed by the National Council by Tribal Resolution. Three members shall be nominated by the Business & Governmental Committee of the National Council and confirmed by the National Council by Tribal Resolution.
2. **Qualifications.** Candidates for appointment must have reputation of good character and honesty and shall have demonstrated experience, education, skill or training in business or economic development. Candidates must be enrolled Tribal members Muscogee (Creek) Citizens.
3. **Term and.** The All appointees shall serve a term of office of two years, commencing on the date of confirmation and shall holdover in office until a new appointee is confirmed.
4. **Ex-Officio Member.** There shall be an ex-officio member on the Tribal Trade & Commerce Authority Board who shall be a member of the Business & Governmental Committee of the National Council and selected by said Committee. The ex-officio member shall have no voting rights nor be counted for the purpose of establishing a quorum. The ex-officio shall act only as a liaison between the Muscogee (Creek) Nation Tribal Trade and Commerce Authority Board of Trustees and the National Council.
5. **Compensation.** The Board of Trustees, with the exception of the ex-officio member, shall receive a stipend of \$150.00 for each meeting of the Board that he or she attends plus telephone and mileage reimbursement.
46. **Officers, Meetings and Minutes.** The Tribal Trade and Commerce Authority shall provide for the election of its officers to affect the discharge of its responsibilities, in addition, it shall adopt a schedule of meetings, attendance requirements and methods of recording minutes of all Tribal Trade and Commerce Authority Affairs. ~~The Chairman shall be responsible for drafting bylaws of the Authority.~~

~~B. When a new trustee has not been confirmed or an incumbent trustee reconfirmed, pursuant to paragraph 2 or 3 of subsection A of this section, prior to the expiration of the term of office of the previous trustee appointed and confirmed to that same office, the previous trustee shall hold over in office until a new appointee is confirmed pursuant to paragraph 2 or 3 of subsection A of this section.~~

ENACTED by the Muscogee (Creek) National Council on this 27th day of February 2010.

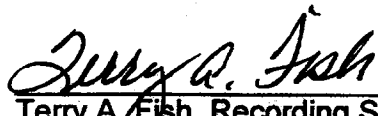
IN WITNESS WHEREOF, the Speaker of the Muscogee (Creek) National Council has hereto attached his signature.



Roger Barnett, 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 twenty-six members with **Twenty-Two** members attending this meeting on the **27th day of February 2010**, and that the above is in conformity with the provisions therein adopted by a vote of **21** in favor, **0** against, **0** abstentions, 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.



Terry A. Fish, Recording Secretary
Muscogee (Creek) National Council

APPROVAL

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature this _____ day of _____, 2010, to the above Law, **NCA 10-024** authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.

A. D. Ellis, Principal Chief
Muscogee (Creek) Nation