

**Cherokee Nation Tribal Council  
2003/2007 Term  
Veto Legislation Tracking**

Meeting	Title (Description)	Sponsor(s)	Bill John Baker	Audra Conner	Joe Crittenden	Jackie Bob Martin	David Thornton, Sr	Phyllis Yargee	Don Garvin	Linda O'Leary	Melvina Shopouch	Johnny Keener	Meredith Fralley	Cara Cowan Watts	Buel Anglen	Bill Johnson	Chuck Hoskin	Taylor Keen	Jack D. Baker
---------	---------------------	------------	-----------------	--------------	----------------	-------------------	--------------------	----------------	------------	---------------	------------------	---------------	------------------	------------------	-------------	--------------	--------------	-------------	---------------

**LA#22-04 An Act Protecting Threatened Traditional Cherokee Cemeteries Providing Severability**

Council Meeting	6/14/2004		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
No Override Action Taken - New Language Presented - See LA#33-04																			

**LA#8-05 An Act Relating to Cherokee Nation Employee Termination Appeals, Providing for Severability**

Rules Committee	1/17/2005	See 3-14-05	Bill John Baker	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Council Meeting	2/14/2005	Council Minutes	Bill John Baker	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
NOOVERRIDE ACTION TAKEN forexplanation																			

**LA#13-05 An Act Amending LA#16-01 Relating to Referendum and Initiative Measures; Setting Procedures; Setting Crime and Punishment;**

Rules Meeting	2/17/2005		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Council Meeting	3/14/2005		Y	-	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
VETO-Sustained	4/11/2005		Y	N	Y	N	-	N	N	Y	Y	Y	N	N	N	N	N	Y	Y

**Subsection 19, Corporation Code Requiring Council Approval of Campaign Contributions Given by Tribal Corporations**

Rules Meeting	5/19/2005		Linda O'Leary	Y	Y	-	N	Y	Y	-	Y	Y	Y	N	N	N	-	Y	Y
Council Meeting	6/20/2005			Y	Y	Y	N	Y	Y	N	Y	Y	Y	N	N	N	N	Y	Y
VETO-Sustained	8/15/2005			Y	Y	Y	N	Y	Y	N	Y	Y	Y	N	N	N	A	Y	Y

**LA#24-05 An Act Amending LA#16-01, and LA#15-04 Relating to Referendum and Initiative Measures; Setting Procedures; Setting Crime and Punishment**

Rules Meeting	5/19/2005		Joe Crittenden	Y	Y	Y	N	Y	Y	-	Y	Y	Y	Y	Y	Y	Y	Y	Y
Council Meeting	6/20/2005			Y	Y	Y	N	Y	Y	N	Y	Y	Y	N	N	N	N	N	Y
VETO-Sustained	8/15/2005			Y	Y	Y	N	N	Y	N	Y	Y	Y	N	N	N	N	-	Y

**LA#28-05 An Act Repealing and Superceding Cherokee Nation Law Regarding Labor and the Employment Rights Ordinance**

Rules Meeting	7/29/2005			N	Y	N	Y	-	Y	Y	N	N	N	Y	Y	Y	Y	Y	Y
Council Meeting	8/15/2005		Conner, Cowan, Anglen, Baker	Y	Y	Y	N	Y	N	N	Y	Y	Y	N	N	N	-	Y	Y
VETO-Sustained	9/12/2005			Y	Y	Y	N	N	-	N	Y	Y	Y	N	N	N	N	Y	Y

**LA#8-06 An Act Allowing for Additional Punishment for Crimes Against Public Justice Providing Severability**

Rules Meeting	3/30/2006		Linda O'Leary	Y	N	Y	-	Y	-	N	Y	Y	Y	N	N	N	N	Y	Y
Council Meeting	4/10/2006			Y	Y	Y	N	Y	Y	N	Y	Y	Y	N	N	N	N	Y	Y
VETO-Sustained	5/15/2006			Y	Y	Y	N	Y	Y	N	Y	Y	Y	N	N	N	N	Y	Y

**LA#23-06 An Act Establishing a Minimum Wage for Employees of the Cherokee Nation and its Corporations and Entities**

Rules Meeting	8/31/2006		ALL TCMS	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Council Meeting	9/11/2006			Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	N	N	N	Y	Y
VETO-Sustained	10/16/2006			Y	Y	Y	N	Y	Y	N	Y	Y	Y	N	N	N	N	Y	Y

**LA#24-06 An Legislative Act Amending LA#43-03; Authorizing the Emergency Assistance Program and Community Support Projects**

Council Meeting	9/11/2006		Bill John Baker	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	N	N	N	Y	Y
VETO-Sustained	10/16/2006			Y	Y	Y	N	Y	N	N	Y	Y	Y	N	N	N	N	Y	Y

**LA#27-06 An Legislative Act Related to Title 26 "Elections", as Amended by LA#39-05; Amending Representative Districts**

Rules Committee	8/31/2006			Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Council Meeting	10/16/2006		Meredith Fralley	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	N	N	N	Y	Y
VETO-Sustained	11/13/2006			Y	Y	Y	N	Y	Y	N	Y	Y	Y	N	N	N	N	Y	Y

**LA#34-06 An Act Amending Legislative Act#26-06 Authorizing the Comprehensive Budget for Fiscal Year 2007-Mod 1;**

Executive & Finance Committee	10/26/2006		Linda O'Leary	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Council Meeting	11/13/2006			Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	N	N	N	Y	Y
VETO-Sustained	12/11/2006			Y	Y	Y	N	Y	Y	N	Y	Y	Y	N	N	N	N	Y	Y

**LA#35-06 A Legislative Act Related to Title 26 "Elections", as Amended by LA#39-05; Amending Representative Districts**

Special Rules Committee	11/13/2006		Meredith Fralley	Y	Y	Y	N	Y	-	A	Y	Y	Y	-	A	N	N	Y	Y
Council Meeting	11/13/2006			Y	Y	Y	N	Y	Y	A	Y	Y	Y	Y	N	N	N	Y	Y
VETO-Sustained	12/11/2006			Y	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N	N	N	Y	Y

**LA#4-07 An Act Amending Legislative Act#26-06 Authorizing the Comprehensive Budget for Fiscal Year 2007-Mod 3**

Executive & Finance Committee	12/14/2006			Y	-	Y	-	Y	Y	N	Y	-	Y	-	N	-	N	-	Y
Council Meeting	1/22/2007		Linda O'Leary Bill John Baker	Y	Y	Y	N	A	Y	N	Y	Y	Y	N	N	N	N	Y	Y
VETO-Sustained	2/12/2007			Y	Y	Y	N	Y	Y	N	Y	Y	Y	A	N	N	N	Y	Y

"Y"=Yeal "N"=Nay "A"=Abstain " "-=Absent or Nonmember

continued on page 6

**Slate Members Math On Disclosure Reports Don't Add Up**

The April window for filing candidate financial disclosure reports with the Election Commission is closed. Reports should be filed as required by election law and available as public records. Already it is looking like some are not quite according to Hoyle.

The Chief's political slate members have blitzed voters with a series of full color ads in The Cherokee Phoenix, the tribal paper, since February when the candidate filing period opened.

**On the first advertisements, the slate printed a disclosure at the bottom of the ads, paid for by "Cherokees for Continued Progress."**

Election law states: Contributions may only be made by natural persons. No corporation, partnership, and/or any other legal entity shall contribute to any Cherokee Nation campaign or candidate.

§47. Financial Disclosure Report-Contents.

A. Contributions. With respect to contribution, the report shall include the name, occupation and mailing address of the source of each contribution.

Candidates are also to disclose who pays for advertising on their behalf. Any expenditure over \$100 is required to be paid by a check from a campaign account and reported on disclosure reports. Cherokees for Progress dropped off of their next round of ads instead stating that they paid for the ads themselves. However that could be too little, too late as an actionable violation may have occurred.

Slate members eluded the matter by saying they had pooled their personal money together helping each other until they could all get financially organized and together they chose the name for their group. Opposing candidates graciously dismissed the blunder either as a legitimate mistake or a violation that would have been hard to prove.

B. Expenditures. The report shall detail expenditures in categories set forth on the report form, excluding filing fees, any interest earned on contributions, candidate's costs for necessary personal travel within the boundaries of the Cherokee Nation, and candidate's subsistence expenses. Payment made by a candidate or his or her financial agent from the candidate's own funds shall be included as expenditures for purposes of this Subsection, and may be shown as a loan from the candidate or may include any funds loaned to the candidate by a bank, savings and loan association or credit union and on his or her own behalf, which shall not be considered as contributions. All expenditure from loans shall specify the name of the lending institution, the date of the loans and the amount of the loans. The candidate may reimburse his or her personal funds from campaign contributions in the amount of the reported loan or loans.

After review of the Phoenix price schedule we discovered that color advertisements in the tribal paper are quite pricey, probably beyond what most Cherokees candidates would consider affordable. A quarter page ad the size that the slate began running monthly four months ago has a base rate of \$367.50 plus a \$350 full color charge for a total of normal cost of \$717.50. Yet the price slate members are paying calculates closer to \$317.63 including the color charge.

The Phoenix ran a special discounted rate if a 3<sup>rd</sup> party vender wanted to buy from 9 to 12 full pages and provide camera ready advertisements that could be cut and pasted into the layout of the newspaper.

Ironically slate members have found that 3<sup>rd</sup> party vender who is designing all of their ads alike. The vender name is Turnbull & Associates, owned by Linda Turnbull Lewis. Lewis in former elections has been Chad Smiths publicity person and campaign manager.

The newspaper's special deal enabled the group to accomplish blocking their opposition from buying color ads even if anyone was willing to pay the extreme regular prices because the vendor has allegedly bought all of the color pages available within the paper.

All other Council candidates would have to pay double the rate, \$2,373.00 for the same type and amount of advertising that the slate has paid approximately \$1270.50.

**Further investigation disclosed that several slate candidates have failed to disclose any expenditures confirming that the Phoenix has been paid. Neither have they disclosed any contribution made where someone else might be paying for the ads. If found to be election law violations serious consequences are specified under election law. Candidates found in violation can be ruled invalid candidates and barred from holding elected office for as long as 5 years.**

E. Certification; Criminal Sanctions for Misrepresentation. Each financial disclosure report shall be certified by the candidate or his or her financial agents. A candidate or a candidate's financial agent who certifies a report and therein knowingly fails to fully disclose the information required in the Section as to any gift, promise, treat, reward, favor, or anything of value given or expended, is guilty of a crime. If a person is convicted of a criminal violation under this Sub-section, then he or she shall not hold the office and shall be barred for a period of five (5) years from holding any elective office of the Cherokee Nation. Where any person who has received the highest number of votes for any office is disqualified from holding said office, a special election shall be held to elect another person to hold office.

Curtis Snell, running for a District 5 Delaware County seat is one candidate that has neither disclosed any contribution or expenditure to explain his advertisements in the tribal newspaper.

continued on page 6

**Do Not Vote for Chad Smith's tribal councilor's Slate. The slate is bought & paid for by Chad Smith. They will do whatever Smith tells them to do. They are suppose to represent your district cherokees. Vote for the person you feel will represent & listen to your needs.**

Become a cwyReporter for the Cherokee Observer.

[www.cherokeeobserver.org](http://www.cherokeeobserver.org)