

NCA 15-242

CLASSIFICATION: #49. MVSKOKE MEDIA

A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 49 §§ 3-101, ENTITLED “Editorial Board” AND 3-103, ENTITLED “Mvskoke Media Manager”

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

SECTION ONE. AMENDMENT. These amendments shall be codified in Title 49, 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:

SECTION TWO. AMENDMENT. §3-101 shall be amended to read as follows:

§ 3-101. Editorial Board.

The Editorial Board shall consist of three (3) members, of which at least two (2) members shall be enrolled Muscogee (Creek) citizens.

A. One (1) member of the Board shall be selected by the Principal Chief and One (1) member to be selected by the National Council. The third member of the Board shall be selected by Mvskoke Media. Each appointment shall require confirmation by Tribal Resolution of the National Council. **Two (2) Editorial Board members shall constitute a quorum to conduct business.**

B. The term of the board members shall be three (3) years and shall have no holdover. The board members' terms shall be staggered to guarantee Board continuity.

C. One member shall serve as Chairman, one member to serve as Vice-Chairman and one member to serve as Secretary. **Board Members shall designate, amongst themselves, said officers.** ~~Said officers shall be designated by Tribal Council at the time of confirmation by the Council.~~

D. The following are requirements to be eligible to serve on the Board:

1. be at least 25 years of age;
2. one board member must have background in Tribal Law;
3. two board members must have experience in the journalism field, either as management, operations, editorial staff or reporting experience or one board member must have experience in the journalism field and one board member with graphic design and printing experience;
4. one board member must have a bachelor's degree or higher in journalism or related field;
5. be of good character and have a reputation of integrity;
6. be physically able to carry out the duties of office; and
7. certify he or she will adhere to the standards of accepted ethics of journalism as defined by the Society of Professional Journalists and endorsed by the Native American Journalists Association.

E. Board Members shall serve their terms of office free from political influence from any governmental branch of the Muscogee (Creek) Nation or any department or entity of the Muscogee (Creek) Nation and may only be removed for cause subject to Title 31.

F. The board members shall be provided a monthly stipend to be paid after the first meeting of each month. The stipend for board members shall be \$350.00 monthly. The board members shall be provided for reimbursement of reasonable expenses in regard to their duties.

G. No member of the board shall, directly or indirectly, solicit, receive or in any manner be concerned in soliciting or receiving any assessment, subscription or contribution for any political organization, candidacy or other political purpose. The board members shall not participate in any political campaign or be involved in any tribal political activity, except to exercise his or her right as a citizen to express his or her individual opinion and cast his or her right to vote. Nothing herein shall prevent political organizations or candidates from purchasing advertisements in any medium operated by Mvskoke Media.

H. A board member cannot work for the executive or legislative branches, or Mvskoke Media.

I. The deadline to have the Editorial Board in place shall be January 1, 2016.

SECTION THREE. AMENDMENT. §3-103. shall be amended to read as follows:

§ 3-103. Mvskoke Media Manager.

A. The Mvskoke Media Manager shall be appointed by the Editorial Board to oversee the operations of the newspaper, television, radio, website, graphics and printing staff.

B. The Mvskoke Media Manager shall:

1. be solely responsible for existing staff and hire qualified staff in accordance with the Editorial Board policy; and
2. be responsible for management functions, including but not limited to, financial responsibilities and daily functions of Mvskoke Media.

C. The Mvskoke Media Manager must:

1. be at least 25 years of age;
2. have a bachelor's degree in journalism or a related field from a college or university, or an appropriate combination of education and experience;
3. be of good character and have a reputation of integrity;
4. be physically able to carry out the duties of office;
5. certify he or she will adhere to the standards of accepted ethics of journalism as defined by the Society of Professional Journalists and endorsed by the Native American Journalists Association;
6. have experience necessary for the successful operation of the publications, television and radio subsidiaries; and
7. be a Muscogee (Creek) citizen.

C.D. If a vacancy should occur, the Editorial Board shall appoint a new Mvskoke Media Manager. The enactment of this law shall not create a vacancy with the current Mvskoke Media Manager. **In the event there is a vacancy prior to the appointment and seating of the Board, Mvskoke Media may select an interim manager (or interim managers as the case may be) to fulfill administrative functions and editorial functions until a Board is appointed and fills any vacancy for Mvskoke Media Manager.**

D.E. The Mvskoke Media Manager shall serve until removed by the Editorial Board or until the Mvskoke Media Manager resigns the position in writing to the Editorial Board.

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E.F. The Mvskoke Media Manager shall serve his or her term of office free from political influence from any branch or entity of the government of the Muscogee (Creek) Nation and may be removed only for cause.

F.G. The Mvskoke Media Manager and staff shall not, directly or indirectly, solicit, receive or in any manner be concerned in soliciting or receiving any assessment, subscription or any contribution for any political organization, candidacy or other political purpose. The Mvskoke Media Manager shall not participate in any political campaign or be involved in any tribal political activity, except to exercise his or her right as a citizen to express his or her individual opinion and cast his or her right to vote.

§ 3-104.G. Equipment. All equipment currently used by Mvskoke Media staff (Muscogee Nation News, Native News Today and Mvskoke Radio) shall be retained by Mvskoke Media.

§ 3-105.H. Access. All reporters, radio and video crews are allowed access to tribal complex and Muscogee (Creek) Nation facilities.

§3-106.I. Creative Rights. Mvskoke Media shall retain the rights to previously produced media, including but not limited to, written, visual or audio creations and interviews.

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 15th day of October, 2015.

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

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 **Thirteen** members attending this meeting on the **15th** day of **October**, **2015** and that the above is in conformity with the provisions therein adopted by a vote of **12** 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 _____ day of _____, **2015** to the above Law, **NCA 15-242** authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.

George Tiger, Principal
Muscogee (Creek) Nation