

An Act

Legislative Act 7-07

A LEGISLATIVE ACT RELATED TO TITLE 26 "ELECTIONS", AS AMENDED BY LA#39-05; AMENDING PROVISIONS CONCERNING STAGGERED TERMS; AND DECLARING AN EMERGENCY

BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title:

This act shall be known as the "Election Code Amendment Act of 2006" and codified as Title 26 Sections 62(D), 73(B) of the Cherokee Nation Code Annotated.

Section 2. Purpose

The purpose of this Act is to establish staggered terms for Tribal Council seats.

Section 3. Legislative History

Title 26, "Elections", of the Cherokee Nation Code Annotated as amended by Legislative Act 39-05.

Section 4. Definitions

Staggered Terms: The Cherokee Nation Tribal Council seats shall be elected in staggered terms.

Section 5. Amendment

Legislative Act 39-05 is hereby amended as follows:

~~§ 5(D) Council Persons Elected by District. In Council Districts that have two or more Council seats by apportionment, each apportioned seat shall be designated numerically. Candidates shall select the seat in which they wish to run for office. Each seat shall be elected separately in staggered fashion for a four (4) year term as set forth in this Act.~~

§ 5(D) Staggered Terms. The Cherokee National Tribal Council seats shall be elected in staggered terms. In order to achieve this, beginning in the 2007 Election, the Council seats shall be elected as follows:

District 1: Cherokee: (Cherokee County)

Seat 1 - 6 year term

Seat 2 - 4 year term

District 2: Trail of Tears: (Adair County)

Seat 1 - 6 year term

Seat 2 - 4 year term

District 3: Sequoyah: (Sequoyah County)

Seat 1 - 6 year term

Seat 2 - 4 year term

District 4: Three Rivers (McIntosh, Muskogee & Wagoner)
Seat 1 - 6 year term

District 5: Delaware (Delaware County)
Seat 1 - 4 year term
Seat 2 - 6 year term

District 6: Mayes: (Mayes County)
Seat 1 - 4 year term
Seat 2 - 6 year term

District 7: Will Rogers: (Rogers County)
Seat 1 - 4 year term

District 8: Keeler (Tulsa and Washington Counties)
Seat 1 - 6 year term
Seat 2 - 4 year term

District 9: Craig: (Craig & Nowata Counties)
Seat 1 - 6 year term

At Large: Seat One

4 year term

At Large: Seat Two

6 year term

Section 6. Provisions as cumulative

The provisions of this act shall be cumulative to existing law.

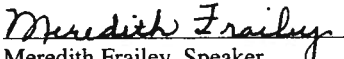
Section 7. Severability

The provisions of this Act are severable and if any part of provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this Act.

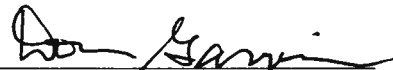
Section 8. Effective date

Said amendment shall take effect on March 1, 2007 provided the Cherokee Nation Supreme Court does not hold or rule to the contrary.

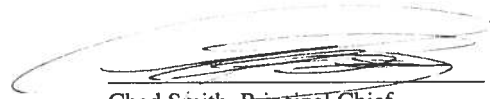
Enacted by the Council of the Cherokee Nation on the 12th day of February, 2007.


Meredith Frailey, Speaker
Council of the Cherokee Nation

ATTEST:

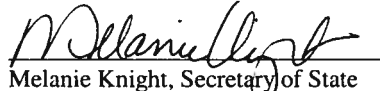

Don Garvin, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 19th day of February, 2007.



Chad Smith, Principal Chief
Cherokee Nation

ATTEST:


Melanie Knight, Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Audra Smoke-Conner	<u>Yea</u>	Melvina Shotpouch	<u>Nay</u>
Bill John Baker	<u>Yea</u>	Meredith A. Frailey	<u>Absent</u>
Joe Crittenden	<u>Yea</u>	John F. Keener	<u>Yea</u>
Jackie Bob Martin	<u>Yea</u>	Cara Cowan Watts	<u>Nay</u>
Phyllis Yargee	<u>Yea</u>	Buel Anglen	<u>Yea</u>
David W. Thornton, Sr.	<u>Yea</u>	William G. Johnson	<u>Yea</u>
Don Garvin	<u>Yea</u>	Charles "Chuck" Hoskin	<u>Yea</u>
Linda Hughes-O'Leary	<u>Yea</u>	Jack D. Baker	<u>Nay</u>
Taylor Keen	<u>Yea</u>		