



Council of the Cherokee Nation

Meeting Minutes Rules Sub Committee

Monday, January 14, 2008

3:00 PM

Legislative Conference Room

Election Law Reform

CALL TO ORDER

Chair Frailey called the meeting to order at 3:20 p.m.

INVOCATION

Councilor Bill John Baker gave the invocation.

ROLL CALL

Present 15 - Meredith Frailey; Jack D. Baker; Julia Coates; Janelle Fullbright; Curtis Snell; Buel Anglen; Harley Buzzard; S. Joe Crittenden; Chuck Hoskin, Jr. ; Cara Cowan Watts; Bill John Baker; Bradley Cobb; Jodie Fishinghawk; Tina Glory Jordan and Don Garvin

DISCUSSION REGARDING REDISTRICTING

Councilor Cowan Watts introduced David Justice from the GEO Data department as he handed out maps. She stated she and Councilor Garvin feel the appropriation of citizens is unequal in the current system. Ideally they are hoping for one person one vote which would create 15 districts within the 14 counties plus the 2 at large. The map on the 3rd page shows the Cherokee citizens by 14 counties. There are huge discrepancies on numbers. She stated Mayes and Adair counties have significantly decreased in population with how we currently apportion by county or current districts. Under the current system if we were to reapportion both those counties would lose a seat. Page 4 is Cherokee citizens by 14 county jurisdiction as best estimated by GEO data. The map on page 5 shows Cherokee citizens by county using zip codes. If a portion of a zip code was within the 14 county jurisdiction it was included in this map. If you look at one person one vote you could no longer retain the by county districting. Page 6 shows Cherokee citizenship by 911 addresses with a dot representing each Cherokee. She announced page 7 is what they feel is the closest they could get with something to present to this committee. Mr. Todd Hembree reminded the committee that during the last term an enormous amount of time was spent on this issue. He recommended allowing the committee time to digest these maps and placing it as an agenda item next month and using the remainder of the time today to discuss any changes in the election code. Councilor Cowan Watts stated she would be happy to table to the next meeting but once tabled there shouldn't be any further discussion. She stated if there isn't a move made to reconcile her and Councilor Garvin's miss apportionment of being due one additional resource each then they will have to take action outside this body. Councilor Hoskin Jr. stated at a minimum the adoption of a rule to set aside at least half of the meeting time to discuss this very important and difficult topic over the next several months. Councilor Fishinghawk inquired as to what to do with Adair County not using the 911 system. Mr. Hembree stated this is obviously something that needs to be discussed. We must make sure to use the same criteria of information for all parties. Mr. Hembree

stated his position is that there should be 15 districts. Last term a plan passed Council, vetoed by the Chief, and the override was lost by one vote. He stated one of the main concerns should be voter familiarity. This needs to be as easy for the voters as possible. Mr. Todd Enlow reminded the committee there are different ways to breakdown where our citizens live. He stated the most finite and equal is zip codes. They allow the geographic region in which our citizens live easily and equitably. He stated during the last term they tried an apportionment method by dividing where citizens lived by geographic areas. He stated 911 geo coding is not available in Adair County as well as portions of other counties. Councilor Glory Jordan echoed Councilor Hoskin Jr.'s comments that this appears to be drastically different than anything seen before. She agreed there needed to be discussion over the next several months. The constituents haven't been given an opportunity to weigh in their opinions. She suggested holding community meetings to obtain their input. Councilor Glory Jordan stated she felt the committee could better determine the redistricting issue rather than the courts. Chair Frailey stated in her opinion the committee is the place to make the determination however it may not stop a law suit. Councilor Cowan Watts gave appreciation for the need of additional time but didn't feel it would warrant 3 additional meetings. She stated if action is needed they would need time to prepare. She stated reapportionment is a mathematical issue not a political one. She stated they want this body to make the decisions but there is a point where they will have to take action. She stated she understands that the people have concerns but people live where they live. The people don't get to decide where the state or national districting is placed. Councilor Glory Jordan again asked for the voters to be involved in the process. She voiced concern for the big hurry. Mr. Hembree recommended a balancing act and a compromise. He suggested continuing discussion in February and March, sending to regular Rules committee in April, then forwarding to Council in May. Councilor Hoskin Jr. stated we are at least as deliberate as a body in the Oklahoma state legislature whom took an entire legislative session to consider redistricting. He agreed it is mathematical but it is also other considerations as well. He inquired on the congressional districts if the courts have determined what is an acceptable deviation between districts as opposed to what is not acceptable. Mr. Hembree stated he is unsure. Councilor Hoskin this in terms of percentage might help us determine acceptable deviations. Councilor Anglen reminded the new Council members that this issue was discussed for three years last term and was taken to the communities. He stated we have to do this because of the constitution. Councilor Jack Baker stated we need to discuss this over the next several meetings and not put a time limit on discussion. If in the discussion we don't seem to be getting anywhere then set a time limit or file a law suit. Councilor Garvin suggested discussing until finished we have a lot of time. He stated if there is a zip code a Council member wants to move just let him or Cara know. Mr. Hembree stated once the redistricting is taken care of all other election law revisions should fall into place. He recommended redistricting be the sole topic on the agenda until it is resolved. Councilor Crittenden requested during the next few meetings to revisit the map that was vetoed. Chair Frailey announced a large 3 ring binder of the election law survey from last term is in Shelli's office for anyone who wants to review. Councilor Garvin announced other possibilities having 1 district or 5 districts.

Councilor Cowan Watts made a motion to table this discussion to the next meeting. Councilor Garvin seconded the motion. Motion carried.

DISCUSSION REGARDING THE 1999 CARTER COMMISSION REPORT

ANNOUNCEMENTS

None

ADJOURNMENT

Councilor Cowan Watts moved for adjournment. Councilor Anglen seconded the motion. Motion carried at 3:57 p.m.

STAFF PRESENT:

<i>Todd Enlow</i>	<i>Tom Elkins</i>	<i>Nason Morton</i>
<i>Ginger Brown</i>	<i>David Justice</i>	<i>Doug Evans</i>

VISITORS PRESENT:

<i>Raymond Vann</i>	<i>Todd Hembree</i>	<i>Jim Ketcher</i>
---------------------	---------------------	--------------------

APPROVAL / DISTRIBUTION

Minutes submitted by: Shelli Brittain, Recording Secretary

Motion to approve minutes made by: _____

Minutes attested and concurred by: _____

Date: _____