

Committee: Rules

Date: 8-30-12

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Author: Dianne Barker Harrold

Sponsor: Tina Jordan, Charles Hoskin, Jr.,

Jodie Fishinghawk

**RESOLUTION NO. 85-12**

**COUNCIL OF THE CHEROKEE NATION**

**A RESOLUTION RATIFYING THE FILING OF A FRIENDLY SUIT AGAINST THE ELECTION COMMISSION SEEKING A DECLARATORY JUDGMENT REGARDING THE VOTER DISTRICT AMENDMENT ACT OF 2012**

**WHEREAS**, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government in behalf of the Cherokee people;

**WHEREAS**, the Cherokee Nation is a federally recognized Indian Nation with a historic and continual government to government relationship with the United States of America;

**WHEREAS**, the Council of the Cherokee Nation passed the Voter District Amendment Act of 2012 at the July, 2012, Tribal Council Meeting; and,

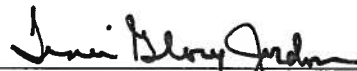
**WHEREAS**, to determine the Constitutionality of the Provisions, the Tribal Council seeks authorization to initiate a friendly suit in against the Cherokee Nation Election Commission seeking a declaratory judgment for the constitutionality of the legislation so that the election Commission can move forward with their plans and statutory duties for the 2013 Cherokee Nation Elections.

**BE IT RESOLVED BY THE CHEROKEE NATION**, that the Tribal Council ratifies the filing of a friendly suit against the Cherokee Nation Election Commission seeking a declaratory judgment for the constitutionality of the Voter District Amendment Act of 2012 to determine the constitutionality of the legislation so that the election commission can move forward their the plans and statutory duties for the 2012 Cherokee Nation Elections.

**BE IT RESOLVED BY THE CHEROKEE NATION**, that the Council of the Cherokee Nation ratifies this legal action on behalf of the Council.


**CERTIFICATION**

The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 17th day of September, 2012, having 17 members present, constituting a quorum, by the vote of 12 yea; 5 nay; 0 abstaining.



Tina Glory Jordan, Speaker  
Council of the Cherokee Nation

**ATTEST:**



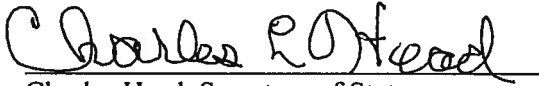
Jodie Fishinghawk, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 19<sup>th</sup> day of September, 2012.



Bill John Baker, Principal Chief  
Cherokee Nation

**ATTEST:**



Charles Head, Secretary of State  
Cherokee Nation