



Council of the Cherokee Nation

Meeting Minutes Rules Sub Committee

Thursday, November 20, 2008

12:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Anglen called the meeting to order at 12:15 p.m.

INVOCATION

Councilor Bill John Baker gave the invocation.

ROLL CALL

Present 12 - Jack D. Baker; Julia Coates; Curtis Snell; Buel Anglen; Harley Buzzard; S. Joe Crittenden; Cara Cowan Watts; Bill John Baker; Bradley Cobb; Jodie Fishinghawk; Tina Glory Jordan and Don Garvin

Absent 2 - Meredith Frailey and Chris Soap

Late Arrival 2 - Janelle Fullbright and Chuck Hoskin, Jr.

DISCUSSION AND POSSIBLE ACTION OF AMENDMENTS TO THE ELECTION CODE

Mr. Hembree recognized a soon to be complete Election Commission. He reminded the committee the last meeting ended with apportionment in Section 5C. The amendment would bring in line with the individual districts that have been passed and will become effective in 2011. He stated it would be more discussed in Rules committee but wanted to mention a law suit filed yesterday by the Principal Chief against the Cherokee Nation Election Commission. The purpose of the declaratory judgment is to answer three basic questions: 1) district map apportionment 2) what term of office for elected officials elected in 2007 3) are the staggered terms constitutional. Mr. Hembree suggested contacted him with any questions. Councilor Cowan Watts inquired as to the process for joining the lawsuit. He stated they are actions that should be taken as a Council and some that individual Councilors may want to take as well.

§ Representation by District

C Apportionment.

Mr. Hembree read through the suggest amendments that would bring in line with LA-14-08.

Councilor Glory-Jordan made a motion for the language to read "every 12 years or when deemed appropriate by the Tribal Council" Councilor Fishinghawk seconded the motion. Motion carried.

Councilor Coates made a motion to change June 30 of the year preceding to March 1st. Councilor Fishinghawk seconded the motion. Motion carried.

Councilor Bill John Baker made a motion to approve with the two

amendments. Councilor Jack Baker seconded the motion. Motion carried.

§ 21 (A) (4) *New section*

Mr. Hembree read the new proposed section pertaining to convicted felons eligibility to vote. after discussion no action was taken for this section to be added.

§ 21 C 1

This would replace the current C2. He read the proposed language pertaining to At Large Registered Voters. Councilor Jack Baker raised question for citizens living outside the 14 counties who are registered to vote within a district. Mr. Hembree requested this item be tabled.

Councilor Cowan Watts made a motion to table this item to allow time for research. Councilor Garvin seconded the motion. Motion carried.

§ 11 B 1

Mr. Hembree read the language for staggered terms for election commissioners.

Councilor Jack Baker made a motion for this to include the Chief's appointments as well. Councilor Cowan Watts seconded the motion. Motion carried.

Councilor Bill John Baker suggested staggering this term as well by possibly drawing straws. Councilor Glory-Jordan suggested language for the death of a member.

Councilor Glory-Jordan made a motion to table to add language for the death of a member and to develop staggered language for this term. Councilor Jack Baker seconded the motion. Motion carried.

§ 11 B 2

Hold over clause

Councilor Bill John Baker made a motion to accept the hold over clause. Councilor Glory-Jordan seconded the motion. Motion carried.

§ 31 (A) *General Qualifications*

Mr. Hembree stated this is a housekeeping issue. Councilor Jack Baker pointed out the need to change member by blood to citizen by blood.

Councilor Jack Baker made a motion to approve with the amendment. Councilor Bill John Baker seconded the motion. Motion carried.

ANNOUNCEMENTS

Councilor Crittenden suggested revisiting 21 A 4 at the next meeting.

ADJOURNMENT

Councilor Garvin made a motion to adjourn. Councilor Fullbright seconded the motion. Motion carried at 1:00 p.m.

STAFF PRESENT:

Sara Hill

VISITORS PRESENT:

*Todd Hembree
Charles Dry
Patsy Morton*

*Breanda Walker
Curtis Rohr
Raymond Vann*

*Martha Calico
Roger Johnson
Wanda Beaver*

APPROVAL / DISTRIBUTION

Minutes submitted by: Shelli Brittain, Legal & Legislative Coordinator

Motion to approve minutes made by: _____

Minutes attested and concurred by: _____

Date: _____