

Committee: Rules

Date: 8/31/11 Committee Date: 9/12/11

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Sponsor: Lee Keener Jr., Jodie Fishinghawk
and Curtis Snell

RESOLUTION NO. 75-11

COUNCIL OF THE CHEROKEE NATION

**A RESOLUTION ESTABLISHING THE DATE OF THE SPECIAL ELECTION
TO FILL A VACANCY FOR COUNCIL PERSON FOR DISTRICT 2
OF THE CHEROKEE NATION TRIBAL COUNCIL**

WHEREAS, the Cherokee Nation, since time immemorial has exercised the sovereign rights of self-government on behalf of the Cherokee People; and,

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; and

WHEREAS, a vacancy has occurred in District 2 of the Cherokee Nation Tribal Council by the resignation of S. Joe Crittenden, when he assumed the office of Deputy Chief and Interim Principal Chief of the Cherokee Nation; and,

WHEREAS, Article VI Section 13 of the Cherokee Nation Constitution states that upon the removal, death, resignation or inability to discharge the powers and the duties of a Council member, the Council shall authorize a special election within ninety days of the vacancy when there is one year or more left remaining in the term that has been vacated; and

WHEREAS, the term of office in question has more than one year remaining; and

WHEREAS, it is a Constitutional requirement that the Council set a special election to fill this vacancy within ninety days of the vacancy; and

WHEREAS, the Election Commission is responsible for conducting special elections in accordance with the laws of the Cherokee Nation by setting dates that include, but are not limited to, opening and closing voter registration, filing periods, absentee ballot mailing dates and in-person absentee dates.

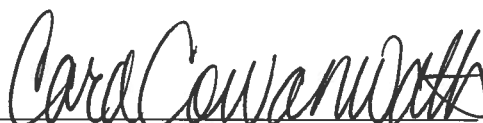
WHEREAS, Saturday, November 12, 2011, is within the ninety day time-period.

NOW, THEREFORE BE IT RESOLVED by the Cherokee Nation Tribal Council, that the Council of the Cherokee Nation does hereby set the date for the election to fill the vacancy of Council person for District 2 of the Cherokee Nation on November 12, 2011.

NOW, THEREFORE BE IT FURTHER RESOLVED by the Cherokee Nation Tribal Council, that Council requests the Election Commission of the Cherokee Nation to establish dates, time-lines and deadlines applicable to conducting a fair election that coincides with the election date of November 12, 2011.

CERTIFICATION

The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 12th day of September, 2011, having 15 members present, constituting a quorum, by the vote of 15 yea; 0 nay; 0 abstaining.




Cara Cowan Watts, Acting Speaker
Council of the Cherokee Nation

ATTEST:




Don Garvin, Secretary
Cherokee Nation Tribal Council

Approved and signed by the Principal Chief this 11th day of September, 2011.



S. Joe Crittenden, Interim Principal Chief
Cherokee Nation

ATTEST:



Melanie Knight, Secretary of State
Cherokee Nation