

Committee: Rules
Date: 5-22-07 Committee Date: 6-1-07

Author: Melanie Knight
Sponsor: Meredith Frailey

RESOLUTION NO. 61-07

COUNCIL OF THE CHEROKEE NATION

A RESOLUTION RESCINDING RESOLUTION #63-06, "A RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE III, SECITON 1 OF THE CHEROKEE NATION CONSTITUTION OF 1975 AND ARTICLE IV, SECTION 1 OF CHEROKEE CONSTITUTION OF 1999 PURSUANT TO ARTICLE 15, SECTION 2, DETERMINING CRITERIA FOR CITIZENSHIP INTO THE CHEROKEE NATION

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, Resolution #63-06 was passed on June 12, 2006, calling for a proposed amendment to the Constitution regarding criteria for citizenship to be placed on the ballot of a general or special election with no specific date established;

WHEREAS, concurrently, an initiative petition was circulated by citizens of the Cherokee Nation calling for a special election to propose an amendment to the Constitution for determining criteria for citizenship into the Cherokee Nation, and was subsequently certified by the Election Commission on September 14, 2006;

WHEREAS, the Cherokee Nation Supreme Court, by Administrative Order #SC-AD-06-06 on October 5, 2006, approved the Election Commission's certification of the numerical sufficiency of signatures on the initiative petition and re-affirmed that decision in SC-06-12;

WHEREAS, the Tribal Council passed Resolution #01-07, approving the date of the special election set by the Principal Chief as authorized by Article XV § 4 of the Constitution of the Cherokee Nation;

WHEREAS, the special election was held Saturday, March 3, 2007.

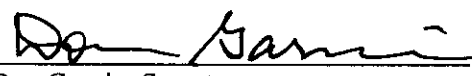
BE IT RESOLVED BY THE CHEROKEE NATION, that, in view of the fact that a special election, regarding the same citizenship amendment as brought forth in Resolution 63-06, has already transpired, the Council hereby rescinds Resolution #63-06, as adopted on June 2, 2006, in its entirety.

CERTIFICATION

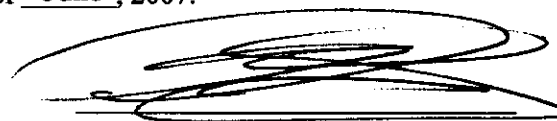
The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 11th day of June, 2007, having 17 members present, constituting a quorum, by the vote of 17 yea; 0 nay; 0 abstaining.


Meredith A. Frailey, Speaker
Council of the Cherokee Nation

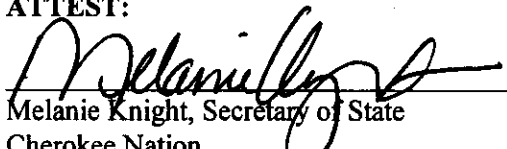
ATTEST:


Don Garvin, Secretary
Council of the Cherokee Nation

Approved and this 15th day of June, 2007.


Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:


Melanie Knight, Secretary of State
Cherokee Nation

05-22-07 11:08 RCVD

ADMINISTRATIVE CLEARANCE:

Program/Project Manager:

Signature _____ Date _____

Department Director:

Signature _____ Date _____

Attorney General:

Signature _____ Date _____

Finance Approval (if needed):

Signature _____ Date _____

Government Resources Group:

Yita May 5/22/07
Signature _____ Date _____

Administration Approval:

Melanie Knight 5/22/07
Signature _____ Date _____

**Cherokee Nation
Act/Resolution Proposal Form**

Act

Resolution

TITLE: A Resolution Rescinding Resolution #63-06, "A Resolution Proposing an Amendment to Article III, Section 1 of the Cherokee Nation Constitution of 1975 and Article IV, Section 1 of the Cherokee Constitution of 1999 Pursuant to Article 15, Section 2, Determining Criteria for Citizenship Into the Cherokee Nation

Department Contact: Melanie Knight

Resolution Presenter: Melanie Knight

Council Sponsor: Councilwoman Meredith Frailey

NARRATIVE:

The purpose of this resolution is to rescind Resolution #63-06 due to the fact that the special election has already occurred.

LEGISLATIVE CLEARANCE

Legislative Aide:

Brittain 5/22/07
Signature/Initial _____ Date _____

Standing Committee:

rules

6-1-07

Next Meeting Date

Chairperson:

Frailey
Signature/Initial _____ Date _____

Returned to Presenter: _____
Date