

Committee: Special Tribal Council

Date: 11-20-18

Committee Date: 11-26-18

Author: T. Nofire

Sponsor: Joe Byrd

RESOLUTION NO. 51-18

## **COUNCIL OF THE CHEROKEE NATION**

### **A RESOLUTION ESTABLISHING THE DATE OF THE SPECIAL ELECTION TO FILL A VACANCY FOR TRIBAL COUNCIL MEMBER FOR DISTRICT 7 OF THE COUNCIL OF THE CHEROKEE NATION**

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

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

**WHEREAS**, a vacancy has occurred in District 7 of the Council of the Cherokee Nation by the resignation of Frankie Hargis, in connection with her nomination as Registrar of the Cherokee Nation Registration Committee; and

**WHEREAS**, Article VI, Section 13 of the Cherokee Nation Constitution states that the Council of the Cherokee Nation shall authorize a special election within 90 days of the vacancy when there is one or more year left remaining on the term that has been vacated; and

**WHEREAS**, the term of office in question has more than one year remaining; 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 mailing dates and in-person absentee dates.

**WHEREAS**, January, 5<sup>th</sup>, 2019 is within the 90 day time-period.

**BE IT RESOLVED BY THE CHEROKEE NATION**, that the Council of the Cherokee Nation hereby authorizes the date for the election to fill the vacancy of Tribal Council person for District 7 of the Cherokee Nation on January 5<sup>th</sup>, 2019, in accordance with the timeline set for the in the attached Exhibit A.

**THEREFORE BE IT FURTHER RESOLVED**, that the Election Commission of the Cherokee Nation establishes dates, timelines and deadlines applicable to conducting a fair election that coincides with the election date of January 5<sup>th</sup>, 2019.


## CERTIFICATION

The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 26<sup>th</sup> day of November 2018 having 16 members present, constituting a quorum, by the vote of 9 yea(s); 7 nay(s); 0 abstaining.




Joe Byrd, Speaker  
Council of the Cherokee Nation

ATTEST:




Victoria Vazquez, Deputy Speaker  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 28<sup>th</sup> day of November 2018.



Bill John Baker, Principal Chief  
Cherokee Nation

ATTEST:



Chuck Hoskin Jr., Secretary of State  
Cherokee Nation

## January 5 Special Election Timeline

Nov 2.....	Absentee Ballot Requests Accepted
Nov 26.....	Council Meeting if Approve Election day of Jan 5
Nov 27, 28 & 29.....	Candidate Filing Period
Dec 4.....	Contest of Candidacy to Commission Deadline
Dec 4.....	Certification of Eligibility of Candidates if no Contest
Dec 6 & 7.....	Contest of Candidacy Hearings by Commission (if needed)
Dec 7.....	Certification of Eligibility of Candidates if Contest
Dec 11.....	Voter Registration and Absentee Ballot Request Closes
Dec 14.....	Appeal of Decision to Supreme Court Deadline
Dec 17, 18 & 19.....	Supreme Court Appeal Contest Hearing if Needed
Dec 21.....	Absentee Ballots Mailed
Jan 2.....	Absentee Ballots Accepted at Commission
Jan 3 & 4.....	In Person Absentee (Early Walk-In) Voting
Jan 5.....	Special General Election
Jan 9.....	Request for Recount Deadline
Jan 10 & 11.....	Recount
Jan 11.....	Certification of Election Results
Jan 14.....	Supreme Court Appeal Deadline
Jan 15.....	If no Run-off or Appeal, Certify Election Outcome.
Jan 16.....	Swearing in Dist. 7 Council Member if Election Certified
Jan 15, 16 & 17.....	Supreme Court Election Appeal Hearings, if Needed
Jan 21.....	Absentee Ballots for Run-Off Mailed
Jan 28.....	Absentee Ballots for Run-Off Accepted at Commission
Jan 31 & Feb 1.....	In-Person Absentee (Early Walk-In) Voting
Feb 2.....	Special Run-Off Election
Feb 6.....	Request for Recount
Feb 7 & 8.....	Recount (if needed)
Feb 11.....	Supreme Court Appeal Deadline
Feb 12.....	If no Appeal, Certify Election Outcome
Feb 13.....	Swearing in Dist. 7 Council Member if Election Certified
Feb 12, 13 & 14.....	Supreme Court Appeal Hearings, if needed
Feb 14.....	Certify Election Outcome after appeal if needed.
Feb 15.....	Swearing In of District 7 Council Member

# Cherokee Nation Election Commission

P.O. Box 1188, Tahlequah, OK 74465

Email: [election-commission@cherokee.org](mailto:election-commission@cherokee.org)

Website: [www.cherokee.org/elections.aspx](http://www.cherokee.org/elections.aspx)



Phone: 918-458-5899

Toll Free: 1-800-353-2895

Fax: 918-458-6101

In a Special Meeting held November 26<sup>th</sup>, 2018 the Cherokee Nation Election Commission accepts the timeline and Special Election dates confirmed by the Cherokee Nation Tribal Council on November 26, 2018 and hereby adopts the timeline and Special Election dates for the 2018-2019 District 7 Special Election.

*Shawna Calico*

Shawna Calico, Chairperson of the  
Cherokee Nation Election Commission

*11 26-18*

Date