



# Council of the Cherokee Nation

Cherokee Nation Tribal  
Council  
17763 S. Muskogee Ave.  
Tahlequah, OK 74464

## Legislation Details (With Text)

**File #:** 08-023      **Version:** 3      **Name:** Division of the Question  
**Type:** Legislative Act      **Status:** Failed  
**File created:** 2/19/2008      **In control:** Rules Committee  
**On agenda:** 2/28/2008      **Final action:** 6/26/2008  
**Enactment date:**      **Enactment #:** N/A  
**Title:** AN ACT RELATING TO THE AMENDMENT OF TITLE 19 OFFICERS AND MEETINGS; ADDING DIVISION OF QUESTION; AND DECLARING AN EMERGENCY  
**Sponsors:** Jack D. Baker  
**Indexes:** Tribal Council  
**Code sections:** Title 19 - Council  
**Attachments:**

Date	Ver.	Action By	Action	Result
6/26/2008	3	RULES COMMITTEE	Amended	Fail
6/26/2008	3	RULES COMMITTEE		
6/26/2008	3	RULES COMMITTEE	Approved and Forwarded to Council	Fail
5/29/2008	1	RULES COMMITTEE	Tabled	Fail
5/29/2008	2	RULES COMMITTEE	Tabled	Pass
4/24/2008	1	RULES COMMITTEE	Tabled	Pass
3/27/2008	1	RULES COMMITTEE	Tabled	Pass
2/28/2008	1	RULES COMMITTEE	Tabled	Pass

**AN ACT RELATING TO THE AMENDMENT OF TITLE 19 OFFICERS AND MEETINGS; ADDING DIVISION OF QUESTION; AND DECLARING AN EMERGENCY**  
**BE IT ENACTED BY THE CHEROKEE NATION:**

**Section 1. Title and Codification**

This act shall be known as the "Division of Question amendment to the Rules and Procedure of the Cherokee Nation Tribal Council" and codified in Title 19 Article 35.1 of the Cherokee Nation Code Annotated.

**Section 2. Purpose**

The purpose of the Act is to allow individual members of the Cherokee Nation Tribal Council the right to divide a piece of legislation into two (2) or more separate acts if each of those acts is cable of standing on its own. The Amendment would add Section 35.1.

**Section 3. Legislative History**

LA 3-85, §2, eff. July 13, 1985.

**Section 4. Division of Question**

§35.1 Division of Question

Any member of the Cherokee Nation tribal Council may call for a division of the question if a pending question contains two (2) or more parts, each of which is capable of standing as a complete proposition if the other portions are removed.

The presiding officer shall determine whether the pending question is susceptible to division. The pending question shall then be divided and voted upon separately. ~~This provision is only applicable in committees of the Council and shall remain divided, unless a majority of Council Members present and voting vote to combine the question before moving it to full Council.~~ provided that an enactment shall not be divided into more than five (5) separate acts.

**Section 5. Provisions as cumulative**

The provisions of this act shall be cumulative to existing law.

**Section 6. Severability**

The provisions of this act are severable and if any part of provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

**Section 7. Effective Date**

It being immediately necessary for the welfare of the Cherokee Nation, the Council hereby declares that an emergency exists, by reason whereof this act shall take effect and be in full force after its passage and approval.

**Section 8. Self-Help Contributions**

To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.