



Council of the Cherokee Nation

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

Legislation Text

File #: LA-20-05, Version: 1

Committee: Rules Author: Todd Hembree
Date: 04-05-05 Committee Date: 4-12-05 Sponsor: Cara Cowan
An Act

LEGISLATIVE ACT 20-05

AN ACT REQUIRING THE REGISTRAR OF THE CHEROKEE NATION AND THE
REGISTRATION COMMITTEE TO ISSUE CITIZENSHIP CARDS TO INDIVIDUALS
APPROVED TO JOIN THE CHEROKEE NATION

BE IT ENACTED BY THE CHEROKEE NATION: SECTION 1. TITLE AND CODIFICATION

This Act shall be titled as "The Cherokee Citizenship Identification Act of 2005" and shall be codified under Title 11 of the Cherokee Code Annotated.

SECTION 2. PURPOSE

The purpose of this Act shall be to change the term member to citizen on the identification card when individuals are approved to join the Cherokee Nation. Further this Act would require the term citizen to replace member on all statutes and documents within the Cherokee Nation.

SECTION 3. LEGISLATIVE HISTORY AND CONSTITUTION AUTHORITY

Title 11 of the Cherokee Nation Code Annotated, Article V, Section 7 of the Cherokee Nation Constitution states:

The Council shall have the power to establish laws which it shall deem necessary and proper for the good of the Nation, which shall not be contrary to the provisions of this Constitution. Laws or enactments which are required by Federal Statutes to be approved shall be transmitted immediately upon enactment as provided by Section 11 of this Article to the President of the United States or his authorized representative. The style of all bills or laws shall be: "Be It Enacted By The Cherokee Nation." The style of all resolutions shall be "Be It Resolved by the Cherokee Nation."

Article HE of the Cherokee Nation Constitution.

SECTION 4. DEFINITIONS

For the purposes of this Title:

A. "Cherokee Nation" means the Cherokee Nation, located at Tahlequah, Oklahoma.

B. "Registrar" means the person who has the immediate administrative jurisdiction over the affairs of registration for enrollment.

SECTION 5. SUBSTANTIVE PROVISIONS

The term "member" or "membership" shall be replaced with the term "citizen" or "citizenship" throughout Title 11 of the Cherokee Code Annotated when the term refers to enrollment in the Cherokee Nation. The Registrar shall issue cards that include the term "citizen" replacing the term "member" or "membership" on all new cards issued. Further, when practicable, upon replacement of documents or statutes within the Cherokee Nation the term "citizen" or "citizenship" shall replace the term "member" or "membership".

SECTION 6. PROVISIONS AS CUMULATIVE

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

SECTION 7. 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 8. EMERGENCY DECLARED

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 upon its approval and signatures.

Enacted by the Council of Cherokee Nation on the 16th day of May, 2005.

Joe Grayson, Jr. President Council of the Cherokee Nation

ATTEST Audra Smoke-Conner, Secretary Council of the Cherokee Nation

Approved and signed by the Principal Chief this 19th day of MAY, 2005

Chadwick Smith, Principal Chief Cherokee Nation

ATTEST: Callie Catcher, Secretary/Treasurer Cherokee Nation

YEAS AND NAYS AS RECORDED:

Bill John Baker	YEA	Melvina Shotpouch	YEA
Audra Smoke-Conner	YEA	Meredith Frailey	YEA
S. Joe Crittenden	YEA	John F. Keener	YEA
Jackie Bob Martin	YEA	Cara Cowan	YEA
Phyllis Yargee	YEA	Buel Anglen	YEA
David W. Thornton, Sr.	YEA	William G. Johnson	YEA
Charles "Chuck" Hoskin	YEA	Don Garvin	YEA
Linda Hughes-O'Leary	YEA		