



# Council of the Cherokee Nation

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

## Legislation Text

File #: 10-114, Version: 1

**A RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE IX OF THE CHEROKEE NATION CONSTITUTION, PURSUANT TO ARTICLE XV SECTION 2, TO REQUIRE THAT ALL BALLOTS CAST IN CHEROKEE NATION ELECTIONS BE DONE IN PERSON AND AT POLLING STATIONS WITHIN THE JURISDICTIONAL BOUNDARIES 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; 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**, the Constitution of the Cherokee Nation was approved by Commission of Indian Affairs on April 23, 2002 and ratified by the Cherokee people on July 26, 2003, after said Constitution was revised at a duly called Convention of Delegates as provided by law; and

**WHEREAS**, the Cherokee Nation Tribal Council is approved by Article XV Section 2 of the Constitution to proposed constitutional amendments when the same are approved by a majority of all members of the Council and submitted to the people for their approval at a general election, or at a special election called for that purpose by a two-thirds vote of the Council; and

**WHEREAS**, Article IX, Section 4 of the Cherokee Constitution of 1999 would state as follows:

All balloting conducted for Cherokee Nation elections shall be in person and within the jurisdictional boundaries of the Cherokee Nation, except where the voter can demonstrate that voting by absentee mail ballot is necessary solely due to temporary or permanent physical disability or service in the United States military.

**BE IT RESOLVED BY THE COUNCIL OF THE CHEROKEE NATION**, that through its Tribal Council, that a proposed amendment to add language in Article IX, Section 4 of the Cherokee Nation Constitution and that the same be submitted to the duly qualified registered voters of the Cherokee Nation setting forth the following question:

### **REFERENDUM ON CONSTITUTIONAL AMENDMENT**

There is hereby an amendment to the Constitution of the Cherokee Nation, pursuant to Article XV Section 2. Said Amendment would create Article IX Section 4 as follows:

All balloting conducted for Cherokee Nation elections shall be in person and within the jurisdictional boundaries of the Cherokee Nation, except where the voter can demonstrate that voting by absentee mail ballot is necessary solely due to temporary or permanent physical disability or service in the United States military.

\_\_\_\_\_ Yes In favor of the Amendment

\_\_\_\_\_ No     Against the Amendment

**BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CHEROKEE NATION**, that this Amendment shall be put to a vote of the people during the 2011 General Election of the Cherokee Nation.