



# Council of the Cherokee Nation

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

## Legislation Text

File #: 08-152a, Version: 1

**A RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VI SECTION 3 OF THE CHEROKEE NATION CONSTITUTION, PURSUANT TO ARTICLE XV SECTION 2, CHANGING THE DATE BY WHICH REGISTERED VOTERS MAY CHOOSE TO VOTE IN A COUNCIL DISTRICT WITHIN THE 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**, All registered voters residing outside the boundaries of the Cherokee Nation, may, at the time of the first 2013 election to fill at-large Council seats, choose to ~~continue to~~ be registered to vote in the in a district in which they were previously registered within the boundaries of the Cherokee Nation. In the absence of making that choice, they shall be registered to vote at-large. Notwithstanding the above, citizens under the age of twenty-five (25) who reside outside the boundaries and who have not previously registered to vote, may make a single choice to register to vote in the district of their choice at the time of their first registration, failing which their registration shall be to vote at-large. All citizens age twenty-five (25) or older residing outside the boundaries not registered to vote at the time of the first election to fill at-large Council seats may only register to vote at-large. Citizens residing outside the boundaries who relocate within a district shall be subject to the requirements to vote in that district. Those residing within the boundaries must vote within the district of their residence.

**BE IT RESOLVED BY THE COUNCIL OF THE CHEROKEE NATION**, that through its Tribal Council, that a proposed amendment to delete language in Article VI, Section 3 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 modify Article VI Section 3 as follows:

All registered voters residing outside the boundaries of the Cherokee Nation, may, at the time of the first 2013 election to fill at-large Council seats, choose to ~~continue to~~ be registered to vote in the in a district in which they were previously registered within the boundaries of the Cherokee Nation. In the absence of making that choice, they shall be registered to vote at-large. Notwithstanding the above, citizens under the age of twenty-five (25) who reside outside the boundaries and who have not previously registered to vote, may make a single choice to register to vote in the district of their choice at the time of their first registration, failing which their registration shall be to vote at-large. All citizens age twenty-five (25) or older residing outside the boundaries not registered to vote at the time of the first election to fill at-large Council seats may only register to vote at-large. Citizens residing outside the boundaries who relocate within a district shall be subject to the requirements to vote in that district. Those residing within the boundaries must vote within the district of their residence.

This would allow registered voters who live outside the boundaries of the Cherokee Nation an opportunity to choose to vote in a district within the boundaries of the Cherokee Nation before the 2013 election.

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

\_\_\_\_\_ No      Against the Amendment and keep the language the same

**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.