



Council of the Cherokee Nation

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

Legislation Text

File #: 10-053, Version: 1

**A LEGISLATIVE ACT RELATED TO TITLE 26 "ELECTIONS", AS AMENDED BY LA#07-97, LA#39-05 AND LA#06-10; AMENDING REVISIONS FOR APPORTIONMENT
BE IT ENACTED BY THE CHEROKEE NATION:**

Section 1. Title and Codification

This act shall be referred as the "Citizenship Apportionment Amendment of 2010" and codified under Title 26 Section 5 of the Cherokee Nation Code Annotated (CNCA).

Section 2. Purpose

The purpose of this Act is to amend the Cherokee Nation Election Code and add the methodology for determining citizenship data for use in apportionment of Tribal Council Districts.

Section 3. Legislative History

Title 26, "Elections", of the Cherokee Nation Code Annotated as amended by Legislative Act LA#07-97, LA#39-05 and LA#06-10.

Section 4. Definitions

None.

Section 5. Amendment

Legislative Act 06-10 is hereby amended as follows:

§ 5. Representation by District.

Apportionment. Apportionment of representation having been first conducted in 1990, shall be conducted every twelve years thereafter, and shall be concluded no later than June 30 of the year preceding a regular election year. Apportionment shall be conducted by the Election Commission and approved by the Council by amendment of this Section. Said apportionment shall be attained by first dividing the combined total population of all citizens of the Cherokee Nation residing within the jurisdictional boundaries of the Cherokee Nation by fifteen (15). This figure must then be divided into the total population of all citizens of the Cherokee Nation residing within each district. The resulting percentage shall determine the number of representatives per district. All percentage points .5 or higher shall be rounded upward to the nearest whole number and all percentage points less than .5 shall be rounded downward to the nearest whole number.

Said apportionment shall be attained by taking the citizenship registration database addresses as maintained by the Cherokee Nation Registrar to determine residency of Tribal citizens for districting apportionment. The primary city for zip codes within the Cherokee Nation jurisdictional

service area and the district boundaries are to be used to determine residency.

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 after its passage and approval.