



Council of the Cherokee Nation

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

Legislation Text

File #: 08-085, Version: 2

A LEGISLAIVE ACT RELATED TO TITLE 26 "ELECTIONS", AS AMENDED BY LA#39-05, AMENDING REPRESENTATIVE DISTRICTS

BE IT ENACTED BY THE CHEROKEE NATION: Section 1.

Title:

This act shall be known as the "Election Code Amendment Act of 2008" and codified as Title 26 Sections 62(D), 73(B) of the Cherokee Nation Code Annotated.

Section 2.Purpose

The purpose of this Act is to establish 15 council districts within the Cherokee nation.

Section 3. Legislative History

Title 26, "Elections", of the Cherokee Nation Code Annotated as amended by Legislative Act 39-05.

Section 4.Definitions

Representative Districts: means the geographical area within the Cherokee Nation Jurisdictional Boundaries that have a reasonably equal apportionment of citizen population.

Section 5. Amendment

Legislative Act 39-05 is hereby amended as follows:

§5 (A) District Boundaries. There shall be established ~~nine (9) representative districts~~ fifteen (15) representative districts within the ~~historical boundaries~~/jurisdictional boundaries of the Cherokee Nation. These districts include only that portion of any existing county which lies within the ~~historical~~ jurisdictional boundary of the Cherokee Nation and is established as follows:

District 1: Cherokee-East

District 2: Cherokee-West

District 3: Three Rivers

District 4: Redbird

District 5: Sequoyah

District 6: Trail of Tears-South

District 7: Trail of Tears-North

District 8: Delaware 1

District 9: Craig

District 10: Mayes

District 11: Delaware 2

District 12: Cooweescoowee

District 13: Keeler

District 14: Tulsa County

District 15: Will Rogers

The boundaries of these districts are set out in particularly according to the map attached as Appendix A to the Act and made a part hereof.

§5 (C) 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.~~

§5 (D) Council Persons Elected by District. ~~In Council Districts that have two or more Council seats by apportionment, each apportioned seat shall be designated numerically. Candidates shall select the seat in which they wish to run for office. Each seat shall be elected separately for a four (4) year term as set forth in this Act.~~

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. Effective date

This Act shall be effective upon the next general election of the Cherokee Nation Tribal Council.