



Council of the Cherokee Nation

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

Legislation Text

File #: 10-087, Version: 1

A LEGISLATIVE ACT REVISING SECTION 5, AMENDING REPRESENTATIVE DISTRICTS, OF TITLE 26 ("ELECTIONS") OF THE CHEROKEE NATION CODE ANNOTATED (9 Districts) BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title and Codification

This act shall be known as the "Nine District Council Act 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 establish nine (9) representative districts within the jurisdictional boundaries of the Cherokee Nation.

Section 3. Legislative History

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. Representation by District.

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

District 1:	Cherokee	(Cherokee County)
District 2:	Trial of Tears	(Adair County)
District 3:	Sequoyah	(Sequoyah county)
District 4:	Three Rivers	(McIntosh, Muskogee & Wagoner Counties)
District 5:	Delaware	(Delaware & Ottawa Counties)
District 6:	Mayes	(Mayes County)
District 7:	Will Rogers	(Rogers County)
District 8:	Keeler	(Tulsa and Washington Counties)
District 9:	Craig	(Craig and Nowata Counties)

B. Number of Representatives for Each District. The number of representatives from each district will be determined by apportionment as defined in the following paragraph.

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. 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.

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 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: 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 immediately upon its approval and signatures.