

STATE OF OKLAHOMA - OFFICIAL TRANSCRIPT

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MEETING OF THE CHEROKEE NATION CONSTITUTION

4

CONVENTION COMMISSION

5

HELD ON THE 29TH DAY OF OCTOBER, 1998

6

BETWEEN THE HOURS OF 6:00 P.M. TO 8:00 P.M.

7

AT JAY COMMUNITY CENTER

8

JAY, OKLAHOMA

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12 COMMISSIONERS PRESENT:

13 Mr. George Underwood, Tulsa, Oklahoma

Mr. Paul Thomas, Pryor, Oklahoma

14 Mr. George Wickliffe, Kenwood, Oklahoma

Mr. Jay Hanna, Norman, Oklahoma

15 Mr. Ralph Keene, Jr., Stilwell, Oklahoma

16 INTERPRETER:

"Jumper"

17

18 Court Reporter:

19 Rebecca S. Searle, CSR., CP.,

Official Court Reporter

20 57200 E. Hwy. 125

Monkey Island, Oklahoma 74331

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1 INDEX

2 REGISTER VOTER SPEAKING: PAGE:

3 Woodrow Wilson.....3

4 Court Reporter's Certificate.....13

5 *****

- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

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1 PROCEEDINGS

2 MR. WICKLIFFE: Woody Wilson.

3 MR. WILSON: I don't have my registry number. I don't
4 carry my card with me. But I have got one.

5 MR. WICKLIFFE: Do you need it?

6 MR. KEENE: That is our rules.

7 If you know the man personally --

8 MR. WICKLIFFE: I know him personally.

9 JUMPER: I will get it from him tomorrow.

10 MR. HANNA: Yeah, I think even I could find him.

11 MR. WICKLIFFE: What we would like to do is have you
12 introduce yourself, then go ahead.

13 MR. THOMAS: Speak up, Woody.

14 WOODROW WILSON

15 MR. WILSON: I am Woody Wilson, Woodrow Wilson. Go by
16 Woody. And we have an organization here in Jay. It's
17 Central Delaware County Cherokee Organization, and we are in
18 the process right now of getting our charter finished up.
19 George is working on that. But the thing that I want to
20 talk about, and I agree with what Paul said completely, that
21 we don't have any safeguards in our constitution. It just
22 kinda runs loose. And as far as I am concerned we are going
23 to have to give the final power to the people. And the only
24 way that I know no do that is like the state, your city
25 boards and a lot of different boards do, and that's by

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1 petitioning for a recall election. And that gives the
2 people the final power. If they want to put somebody out,
3 they can -- you may set it up to where they could go to the
4 council, secretary, just like they do in the court house,
5 you could go and start a petition and they will give you a
6 date to start it and you have so many days to finish your
7 petition. And you have to get like ten percent of your last
8 major vote, the voters on the petition, and they have to be
9 certified voters, and that -- take that back to the council,
10 and have them to petition a vote, to recall the vote, if
11 that's what the people want. And I think that would stop a
12 lot of this stuff, because it's just what you said while
13 ago, we have no way of doing anything right now. We are just
14 stuck with what we have got. And this will work either
15 direction. It doesn't make any difference if you are
16 against the administration or if against the council, it can
17 work on any of them. If there is something that's causing a
18 problem, I think this is a safeguard to get rid of it. And
19 just -- I guess all your boards and city council, even state
20 government has the same system, and I don't know why it
21 wouldn't work for the Cherokee Nation. This is the one main
22 thing that I think we have to have is this added to the
23 constitution.

24 Another thing I want today ask, too, was, you say
25 you can go ahead and write other amendments to this

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1 constitution.

2 MR. WICKLIFFE: Sure. New amendments.

3 MR. WILSON: And give to your commission.

4 MR. WICKLIFFE: Sure. I think there is an address we
5 have been giving out for that.

6 MR. THOMAS: Box 1931, Tahlequah.

7 MR. WILSON: Box what?

8 MR. WICKLIFFE: 1931.

9 MR. HANNA: Woody, unlimited remarks or comments or
10 testimony may be given, if you would address that to the
11 Constitution Commission -- yeah, Constitution Convention
12 Commission, at P.O. Box 1931.

13 MR. WILSON: What was that first part again?

14 MR. HANNA: All right. Constitution Convention
15 Commission.

16 And we have tried to make it clear --

17 MR. WILSON: Constitution.

18 MR. HANNA: Convention Commission, at P.O. Box 1931, in
19 Tahlequah. And the zip for that box is 74465.

20 MR. WILSON: 74465.

21 MR. HANNA: Yes, sir. I had another lady that wanted
22 to -- I don't know if you could make an amendment to the
23 constitution. I think it would more or less be policy, but
24 she is concerned about people that don't have a CDIB. And I
25 have run across the same thing that she is talking about. I

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1 have got a guy that worked for us and tried for three years
2 just to get a delayed birth certificate before he could ever
3 get one, they just -- it would go on for a year and they
4 would say, well, fill out another form. It would go on
5 another year and they would say fill out another form. And
6 she is concerned about shortening that up some way and
7 trying to get people registered or give them CDIB without
8 having to go through all this. And I don't know how you
9 would do that. I would think that would probably have to be
10 in policies or something.

11 MR. WICKLIFFE: It's kinda odd, but that was brought up
12 at Kenwood even last night by a full blood. And, of course,
13 there was kind of some thinking that if a person could get
14 an affidavit trail going back to grandpa and bringing it up
15 to date that way. There are a lot of people who did not
16 enroll in the Dawse Rolls when they were enrolling. A lot
17 of them were -- feared, you know, their lives would be
18 restricted by the United States government. And that was
19 discuss had at Kenwood right there in Indian country last
20 night.

21 MR. WILSON: Well, the one I am talking about, even
22 after he got a delayed birth certificate, it only showed him
23 as a half blood, because his dad wouldn't sign it, you know,
24 so it shows him as a half blood, even though he is a full
25 blood, and everybody knows it.

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1 MR. WICKLIFFE: This would take him to the Texas
2 Cherokees, wouldn't it?

3 MR. THOMAS: I have heard there is a way, I never seen
4 it put in practice, but it's not unreasonable to think, if
5 you had a relative died way back, you know, some time back,
6 and nobody was registered after that, and this persons
7 belongings -- property and everything was probated through
8 the Bureau of Indian Affairs, then if you could prove kin to
9 that person through birth certificates, that that's about
10 the only other way that I have ever heard of that you can
11 get your CDIB card, is through a probated process that some
12 of your relatives were mixed up in that you can prove kin to
13 and it states they were a certain degree of Cherokee blood.

14 MR. WILSON: I don't know. I think there needs to be
15 some thought put into that. I don't know even who would do
16 it. I guess the Registration Department needs to probably
17 look at it and try to come up with some kind of policy to
18 help, if they could. But that's the only one that I have.
19 I may come up with something later on, but I certainly do
20 believe that we need some kind of a safeguard that gives
21 people the final power on anything, if they -- if we don't
22 have a democratic form of government.

23 MR. KEENE: Mr. Wilson, let me ask you, under your
24 suggestion for a recall by petition of the people, would
25 that petition be affectuated through a referendum? And what

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1 I mean, what do you do with that petition once you get
2 registered voters to sign it? Is that a matter that should
3 be brought before the council or should that go straight to
4 the vote of the people?

5 MR. WILSON: Once the petition -- Once you get ten
6 percent of the voters, of whatever the number was at the
7 last election, it would be turned over to the election
8 committee to verify that these people were registered
9 voters, to see that you do have the ten percent. And once
10 that was done I would think that there should be a recall.
11 Probably the council would have to issue the order. I don't
12 know. Someone would.

13 MR. KEENE: Okay. But it would go directly to a vote
14 of the people, either at the next election or at a special
15 election?

16 MR. WILSON: I think it should go to a special
17 election.

18 MR. KEENE: Okay.

19 MR. HANNA: Are we talking about a ten percent
20 referendum, then taken to a special vote?

21 MR. KEENE: Uh-huh..

22 MR. WICKLIFFE: We have something similar to that now,
23 but no place for recall.

24 MR. HANNA: Not for recall. Referendum ability in our
25 constitution with regard to the constitution, for

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1 legislative ability. If there is a particular law that the
2 tribe believes that we should have placed into existence and
3 the council not the chief brings it, then we have a
4 referendum ability currently to bring legislative matters to
5 the table. So this would be an extension of those powers of
6 people.

7 MR. KEENE: Yeah, that's found in Article 15.

8 MR. WICKLIFFE: Is there anything further you want to
9 discuss while we are here?

10 MR. WILSON: I have just heard some things from
11 different people. Some are talking about term limits. I
12 don't know. Have you had any --

13 MR. KEENE: Yes, we have. That's been suggested by
14 more than one.

15 MR. WILSON: And I wouldn't be against that. You know,
16 I --

17 MR. UNDERWOOD: Are you for it?

18 MR. KEENE: What kind of limits?

19 MR. WILSON: I would --

20 MR. KEENE: What kind of limits would you advocate?

21 MR. WILSON: What are they; four year --

22 MR. KEENE: Four year term.

23 MR. WILSON: I think two, four year terms.

24 MR. THOMAS: They will have to layout one term at least
25 and then they could could back?

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1 MR. WILSON: Yeah, they could run two terms
2 consecutive, probably lay out one and come back maybe for
3 another one term.

4 MR. THOMAS: If the people wanted them.

5 MR. WILSON: Yeah.

6 MR. HANNA: Would you say term limits with regard to
7 any elected post? We have heard some discussion if someone,
8 for instance, ran for tribal council and then, you know,
9 went into their second term, that they could then run for a
10 different post such as principal chief.

11 MR. WILSON: No, I wouldn't be against that. If they
12 serve for two terms as council person then run for chief, I
13 think that would be fine.

14 MR. HANNA: And we want to make sure we are clear,
15 because we are hearing a lot of suggestions along these
16 lines. We want to clarify the opinion of the people, that
17 you would be in favor of term limits, two, four year terms,
18 in same office?

19 MR. WILSON: Right.

20 MR. HANNA: So if they wanted to pursue a different
21 office, then more or less it would reset the clock on their
22 term limit?

23 MR. WILSON: Yeah.

24 MR. WILSON: I don't know, on some of the boards and
25 councils, if they vote a raise, it is for the next group

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1 that comes in, and I would think that should be considered
2 also. I don't think it's right to go in and set down and
3 vote yourself a raise.

4 MR. WICKLIFFE: That's the county commissioners that do
5 that. I heard that this morning.

6 MR. WILSON: No, they can vote their self a raise right
7 now. But there are boards, I think, if I am not mistaken,
8 city boards, if they vote a raise, it has to come to the
9 next board that comes in.

10 MR. WICKLIFFE: That's right. You are right.

11 MR. KEENE: Well, one of the problems we currently have
12 under the current governmental structure we have is that all
13 the terms run consecutive. You know, everyone is elected
14 every four years. So, if a restriction like that was
15 imposed, then the worse case scenario, you are going to have
16 to wait four years before the raise took affect.

17 MR. WILSON: That's fine. They knew what they was
18 suppose to draw when they went in.

19 MR. WICKLIFFE: Okay. Any more comments that you want
20 to make? If not, we'll just go ahead.

21 MR. WILSON: I can't think of any right now.

22 MR. WICKLIFFE: We'll go ahead and close this.

23 Is there anyone else that wants to speak?

24 MR. UNDERWOOD: This gentlemen said he might want to
25 speak. We won't worry about the signature.

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1 UNIDENTIFIED PERSON: That's all I wanted to bring up
2 is on the council members.

3 MR. WICKLIFFE: Off the record.

4 (End of Proceedings.)

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1 STATE OF OKLAHOMA)
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3 COUNTY OF DELAWARE)
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5 CERTIFICATE

6 I, Rebecca S. Searle, Certified Shorthand
7 reporter within and for the State of Oklahoma, Certificate
8 of Proficiency, duly appointed in the District Court of
9 Delaware County, State of Oklahoma, do hereby certify that I
10 took down by machine shorthand the proceedings as described
11 on Page 1 herein, and the foregoing record is a true and
12 complete transcript of my shorthand notes so taken as
13 aforesaid of said proceedings.

14 IN WITNESS WHEREOF, I hereunto set my hand
15 and seal this 28th day of December, 1998.

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