

**PROPOSED AMENDMENT TO THE CHOCTAW NATION OF OKLAHOMA CONSTITUTION
TO PROVIDE FOR A SUCCESSION PLAN FOR THE OFFICE OF THE CHIEF**

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL

TO APPROVE the proposed amendment to the Constitution of the Choctaw Nation of Oklahoma.

WHEREAS, the Constitution of the Choctaw Nation of Oklahoma (the "Constitution") provides in Article XVIII, Section 1 that amendments to the Constitution may be proposed by the Tribal Council and shall require at least eight (8) affirmative votes;

WHEREAS, ARTICLE XIV – FILING VACANCIES of the Constitution currently states the following:

Section 1. In the case of the death, resignation or removal of the Chief, the Assistant Chief shall immediately become the Chief for the remainder of the unexpired term. In the event the Assistant Chief shall succeed to the office of Chief, he shall appoint a successor Assistant Chief with the advice and consent of the Tribal Council.

Section 2. The Chief shall have power within sixty (60) days after a vacancy occurs in the Tribal Council to fill such vacancy for the remainder of the unexpired term. Such appointee shall meet the same qualifications as required of a candidate for election to such office. If a vacancy occurs more than one (1) year before the expiration of such term, a special election shall be called to fill the vacancy;

WHEREAS, the Tribal Council submits the following proposed amendment as Section 3:

Section 3. In the event there are vacancies in both the Chief and Assistant Chief positions, the Speaker of the Tribal Council shall become the Chief to fill such vacancy for the remainder of the unexpired term if it is one (1) year or less, provided the Speaker resigns from the Council and meets the same eligibility criteria as required of a candidate for Chief. Tribal Council shall enact legislation not inconsistent with this Constitution to provide for further succession in the event the Speaker does not meet the same eligibility criteria as required of a candidate for Chief. If the Chief vacancy occurs more than one (1) year before the expiration of such term, a special election shall be called within sixty (60) days by the Council to fill the vacancy and in the interim, the Speaker shall become the Chief provided that he/she resigns from the Council. The Assistant Chief vacancy shall be filled as stipulated in Section 1 of Article XIV and the vacancy in the Council shall be filled as stipulated in Section 2 of Article XIV; and

WHEREAS, upon the approval of this Council Bill by at least eight (8) affirmative votes, the next step required by the Constitution before the adoption of this amendment may commence.

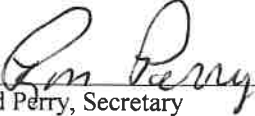
THEREFORE, BE IT ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma that this Bill be cited as approval to propose an amendment to the Choctaw Nation of Oklahoma Constitution to provide for a Succession Plan for the Office of the Chief.

BE IT FURTHER ENACTED, by the Tribal Council of the Choctaw Nation of Oklahoma that the Tribal Council submits the following proposed amendment as Section 3:

Section 3. In the event there are vacancies in both the Chief and Assistant Chief positions, the Speaker of the Tribal Council shall become the Chief to fill such vacancy for the remainder of the unexpired term if it is one (1) year or less, provided the Speaker resigns from the Council and meets the same eligibility criteria as required of a candidate for Chief. Tribal Council shall enact legislation not inconsistent with this Constitution to provide for further succession in the event the Speaker does not meet the same eligibility criteria as required of a candidate for Chief. If the Chief vacancy occurs more than one (1) year before the expiration of such term, a special election shall be called within sixty (60) days by the Council to fill the vacancy and in the interim, the Speaker shall become the Chief provided that he/she resigns from the Council. The Assistant Chief vacancy shall be filled as stipulated in Section 1 of Article XIV and the vacancy in the Council shall be filled as stipulated in Section 2.

CERTIFICATION

I, the undersigned, as Speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that twelve (12) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on May 11, 2019. I further certify that the foregoing Council Bill, CB - 104 - 19 was adopted at such meeting by the affirmative vote of eleven (10) members, two (2) negative votes, and zero (0) abstaining.



Ronald Perry, Secretary
Choctaw Nation Tribal Council

Date: 5-15-19



Delton Cox, Speaker
Choctaw Nation Tribal Council



Gary Batton, Chief
Choctaw Nation of Oklahoma