

An Act

LEGISLATIVE ACT 19 - 2003

A LEGISLATIVE ACT AMENDING LA#34-02, THE "CHEROKEE NATION MOTOR VEHICLE LICENSING AND TAX CODE" AS AMENDED BY LA# 4-03

BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. TITLE AND CODIFICATION

This act shall be known as the "2003 Technical Amendment to the Cherokee Nation Motor Vehicle Licensing and Tax Code," and codified as _____ (Title) _____ (Section) _____ of the Cherokee Nation Code Annotated.

SECTION 2. PURPOSE

The purpose of this Act is to amend LA# 34-02, as amended by LA#4-03, section 105 B. (3) and section 105 C. (3). This Amendment will make the list of roads eligible to receive funds from the sale of Motor Vehicle Tags more clearly equivalent to the list of roads eligible under the Tribal-State Motor Vehicle Licensing Compact.

SECTION 3. LEGISLATIVE HISTORY

LA #01-01, LA #27-01, LA #34-01, Cherokee Nation and State of Oklahoma Tribal-State Motor Vehicle Licensing Compact 2001-2011, LA #34-02

SECTION 4. DEFINITIONS

For purposes of this Title: O.S. means Oklahoma Statute, as amended from time to time by the State of Oklahoma legislature.

SECTION 5. SUBSTATIVE PROVISIONS

- a. Section 105 B. (3) of LA#34-02, as amended by LA #4-03, is hereby amended to read in full as follows:

(3) 20% of all fees and taxes collected by the Commission shall be made available for contribution to the cost of constructing or maintaining federally- highways, and/or state funded-highways, or highways constructed or maintained with funds apportioned pursuant to 47 O.S. § 1104(A) that are part of the counties' collector system, within the Nation's Reservation Boundaries, to be allocated such highway projects in accordance with subsection C. (3) of this section.

or:

(3) 20% of all fees and taxes collected by the Commission shall be made available for contribution to the cost of constructing or maintaining federal highways, state highways, or highways constructed or maintained with funds apportioned pursuant to 47 O.S. § 1104(A) that are part of the counties' collector system, within the Nation's Reservation Boundaries, to be allocated such highway projects in accordance with subsection C. (3) of this section.

- b. Section 105 C. (3) of LA#34-02, as amended by LA #4-03, is hereby amended to read in full as follows:

(3) The funds set aside under Section 105 B. (3) shall be allocated each year to governmental agencies or political subdivisions for expenditure on construction or maintenance projects on federally highways, and/or state funded highways construction or maintenance projects, or highways constructed or maintained with funds apportioned pursuant to 47 O.S. § 1104(A) that are part of the counties' collector system, within the Nation's Reservation Boundaries. The projects and their respective allocations hereunder shall be identified in the comprehensive annual budget approved by the Tribal Council. These funds are to be distributed equally between Councilors for appropriation.

or:

(3) The funds set aside under Section 105 B. (3) shall be allocated each year to governmental agencies or political subdivisions for expenditure on construction or maintenance projects on federal highways, state highways, or highways constructed or maintained with funds apportioned pursuant to 47 O.S. § 1104(A) that are part of the counties' collector system, within the Nation's Reservation Boundaries. The projects and their respective allocations hereunder shall be identified in the comprehensive annual budget approved by the Tribal Council. These funds are to be distributed equally between Councilors for appropriation.

SECTION 6. PROVISIONS AS CUMULATIVE

The provisions of this act shall be cumulative to existing law.

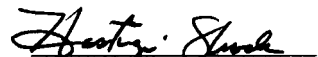
SECTION 7. SEVERABILITY

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 and be in full force after its passage and approval.

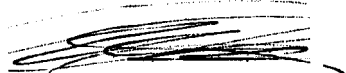
Enacted by the Council of the Cherokee Nation on the 14th day of July, 2003.


Hastings Shade, President
Council of Cherokee Nation

ATTEST:

Stephanie Wickliffe Shepherd, Secretary
Council of Cherokee Nation

Approved and signed by the Principal Chief this 18th day of JULY, 2003.


Chad Smith, Principal Chief
Cherokee Nation

ATTEST:

Jay Hannah, Secretary/Treasurer
Cherokee Nation

YEAS AND NAYS AS RECORDED:

John A. Ketcher	<u>YEA</u>	Melvina Shotpouch	<u>YEA</u>
Don Crittenden	<u>YEA</u>	Stephanie Wickliffe-Shepherd	<u>YEA</u>
Ralph Keen Jr.	<u>YEA</u>	John F. Keener	<u>YEA</u>
Jackie Bob Martin	<u>YEA</u>	Harold DeMoss	<u>YEA</u>
Mary Flute-Cooksey	<u>YEA</u>	Buel Anglen	<u>YEA</u>
David W. Thornton, Sr.	<u>YEA</u>	Nick Lay	<u>YEA</u>
Don Garvin	<u>YEA</u>	Charles "Chuck" Hoskin	<u>YEA</u>
Barbara Starr-Scott	<u>YEA</u>		