

An Act

Legislative Act 44-03

**ACT RELATING TO AND APPROVING A CERTAIN COMPACT WITH THE
STATE OF OKLAHOMA TO BE KNOWN AS THE "CHEROKEE
NATION/STATE TOBACCO TAX COMPACT ACT OF 2003"**

BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title

This Act shall be known as "CHEROKEE NATION/ STATE TOBACCO TAX COMPACT ACT of 2003."

Section 2. Purpose

The Nation and the State agree to enter into a compact for the mutual benefit of both sovereign governments. In recognition of the sovereign authority of the Cherokee Nation to exercise the powers of self government and the sovereign authority of the State of Oklahoma to act as an independent sovereign state, this law authorizes the Principal Chief to approve a compact and to take the necessary action to implement the requirements of its provisions as authorized and approved by the Council of the Cherokee Nation.

Section 3. Approval of Compact; Authority to Execute, Effective Date

The Compact that has been negotiated by the Principal Chief and the Governor of the State of Oklahoma, a copy of which is attached hereto and incorporated herein by reference, is hereby approved and becomes effective as agreed to under the terms of the compact.

Section 4. Provisions as cumulative

The provisions of this act shall be cumulative to existing law except as the terms of this compact shall supercede provisions of the previous Tobacco Tax Compact approved by LA 3-92, effective May 11, 1992.

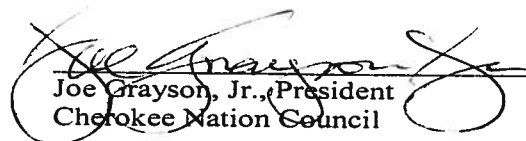
Section 5. Severability

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 6. 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 30TH day of DECEMBER, 2003.


Joe Grayson, Jr., President
Cherokee Nation Council

ATTEST:


Bill John Baker, Secretary
Cherokee Nation Council

Approved and signed by the Principal Chief this 7th day of JANUARY, 2004.



Chad Smith, Principal Chief
Cherokee Nation

ATTEST:


Jay Harrah, Secretary/Treasurer
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Audra Smoke-Connor	<u>YEA</u>	Melvina Shotpouch	<u>YEA</u>
Bill John Baker	<u>YEA</u>	Meredith A. Frailey	<u>YEA</u>
Joe Crittenden	<u>YEA</u>	John F. Keener	<u>YEA</u>
Jackie Bob Martin	<u>YEA</u>	Cara Cowan	<u>YEA</u>
Phyllis Yargee	<u>YEA</u>	Buel Anglen	<u>YEA</u>
David W. Thornton, Sr.	<u>YEA</u>	William G. Johnson	<u>YEA</u>
Don Garvin	<u>YEA</u>	Charles "Chuck" Hoskin	<u>ABSTAINED</u>
Linda Hughes-O'Leary	<u>YEA</u>		