

An Act

Legislative Act 15-09

A LEGISLATIVE ACT AMENDING TITLE 68 CHAPTER 4 OF THE CHEROKEE NATION CODE ANNOTATED – TOBACCO TAX AMENDING §42 Tax on Cigarettes and § 43 Tax on Tobacco Products

BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title and Codification

This act shall be known as the “Amended Cigarette and Tobacco Tax Rate Act of 2009” and codified as _____ (Title) _____ (Section) _____ of the Cherokee Nation Code Annotated (CNCA).

Section 2. Purpose

The purpose of this Act is to amend the Cigarette and Tobacco Tax Rates to reflect the tax rate established in the current Cherokee Nation/State Tobacco Compact.

Section 3. Substantive provisions

A. The following sections of CNCA Title 68 shall be amended as follows:

§ 42. Tax on cigarettes

There is hereby levied upon the sale, use, gift, possession or consumption of cigarettes occurring in Cherokee country a tax which shall be assessed at the rate established by the Cherokee Nation/State of Oklahoma Tobacco Tax Compact, as amended or superseded by agreement of both parties.

§ 43. Tax on tobacco products

There is hereby levied upon the sale, use, gift, possession, or consumption of tobacco product occurring in Cherokee country a tax which shall be assessed at the rate established by the Cherokee Nation/State of Oklahoma Tobacco Tax Compact, as amended or superseded by agreement of both parties.

Section 4. Provisions as cumulative

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

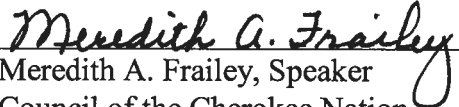
Section 5. Severability

The provisions of this act are severable and if any part of a 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. Effective Date

The provisions of this act shall become effective upon the date of its passage and approval.

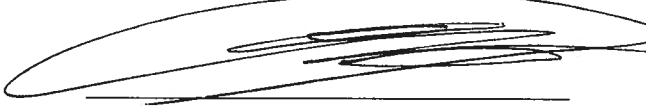
Enacted by the Council of the Cherokee Nation on the 15th day of June, 2009.


Meredith A. Frailey, Speaker
Council of the Cherokee Nation

ATTEST:


Don Garvin, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 22nd day of June, 2009.


Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:


Melanie Knight, Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Tina Glory Jordan	<u>Yea</u>	Meredith A. Frailey	<u>Yea</u>
Bill John Baker	<u>Yea</u>	Chris Soap	<u>Yea</u>
Joe Crittenden	<u>Yea</u>	Cara Cowan Watts	<u>Yea</u>
Jodie Fishinghawk	<u>Yea</u>	Buel Anglen	<u>Yea</u>
Janelle Lattimore Fullbright	<u>Absent</u>	Bradley Cobb	<u>Yea</u>
David W. Thornton, Sr.	<u>Yea</u>	Charles Hoskin, Jr.	<u>Yea</u>
Don Garvin	<u>Absent</u>	Julia Coates	<u>Yea</u>
Harley L. Buzzard	<u>Yea</u>	Jack D. Baker	<u>Yea</u>
Curtis G. Snell	<u>Absent</u>		

	25 cigarettes/package	25 or more per package
July 1, 1990	\$0.01/package	\$0.02/package
August 1, 1990	0.02/package	0.04/package
September 1, 1990	0.03/package	0.06/package
October 1, 1990	0.04/package	0.08/package
November 1, 1990	0.05/package	0.10/package

July 1, 1990
August 1, 1990
September 1, 1990
October 1, 1990
November 1, 1990

ADMINISTRATIVE CLEARANCE:

Program/Project Manager:

Sharon Swepton 5/12/09
Signature Date

Department Director:

Sharon Swepton 5/12/09
Signature Date

Group Leader:

Sharon Swepton 5/12/09
Signature Date

Finance Approval (if needed):

Signature Date

Government Resources Group:

Rita May 5/18/09
Signature Date

Administration Approval:

Melinda A 5/18/09
Signature Date

**Cherokee Nation
Act/Resolution Proposal Form**

Act

Resolution

TITLE: (A Legislative Act Amending Title 68 Chapter 4 of the Cherokee Nation Code Annotated – Tobacco Tax Amending §Tax on Cigarettes and §43 Tax on Tobacco Products)

Department Contact: Sharon Swepton

Resolution Presenter: Sharon Swepton

Council Sponsor: Buel Anglen

NARRATIVE:

The purpose of this resolution is amend the cigarette and Tobacco Tax Rates to reflect the tax rate established in the current Cherokee Nation/State Tobacco Compact.

LEGISLATIVE CLEARANCE

Legislative Aide:

Brittain 5/18/09
Signature/Initial Date

Standing Committee:

Rules

5/28/09

Next Meeting Date

Chairperson:

Traylor
Signature/Initial Date

Returned to Presenter: _____
Date

05-13-09P02:49 RCVD gm

05-18-09P02:47 RCVD 0605-22 100151