

An Act

Legislative Act 02 – 10

A LEGISLATIVE ACT AMENDING TITLE 68 CHAPTER 9 OF THE CHEROKEE NATION CODE ANNOTATED – CHEROKEE NATION MOTOR VEHICLE LICENSING AND TAX CODE §1259 – REGISTRATION FEES AND TAXES

BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title and Codification

This act shall be known as the “Cherokee Nation Motor Vehicle Registration Fees and Taxes Amendment Act of 2009” and codified as Title 68 §1259 of the Cherokee Nation Code Annotated (CNCA).

Section 2. Purpose

The purpose of this Act is to amend the registration fees and taxes for Disabled Veterans.

Section 3. Substantive provisions

The following section of CNCA Title 68 shall be amended as follows:

§ 1259. Registration Fees and Taxes

2. Exceptions.

a. The annual registration fee for tribal citizens who present documentation that they are entitled to the veteran status shall be as follows:

- (i) Any active or former member of a branch of the United States military, not including veterans of foreign wars or disabled veterans, Special Fee: \$65.00 for registration years 1-4; \$45.00 for registration years 5-12; and for registration years 13 and over, the same fees as provided above in this Subsection A for other eligible vehicles;
- (ii) Veterans of Foreign Wars, Special Fee: \$60.00 for registration years 1-4; \$40.00 for registration years 5-12; and for registration years 13 and over, the same fees as provided above in this Subsection A for other eligible vehicles;

- (iii) Disabled Veterans, Special Fee: \$5.00 for registration years 1-8; and for registration years 9 and over, no fee.
- (iv) Winners of medals of honor, bronze or silver stars equivalent medals for bravery or heroism in combat, Special Fee: \$7.00 for registration years 1-8; and for registration years 9 and over, no fee;
- (v) Prisoners of war: Exempt from registration fee.

- b. The annual registration fee on farm trucks and farm tractors shall be \$25.00.
- c. The annual registration fee on a commercial trailer shall be \$45.00.
- d. The annual registration fee on a farm trailer shall be \$20.00.
- e. The annual registration fee for tribal citizens who present documentation that they are personally qualified through the Oklahoma Department of Public Safety (DPS) as being physically disabled and having a 5 year expiration parking permit from DPS shall be free of charge. Any Cherokee citizen who is eligible for a physically disabled license plate or whose vehicle has had modifications because of the physical disability of the owner or of an individual related to the owner within the second degree of consanguinity (parent, grandparent, child, grandchild or sibling by blood) may register the vehicle for the fee proscribed above. This fee shall be in lieu of all other registration fees provided by this act.

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 thirty (30) days from and after the date of its passage and approval.

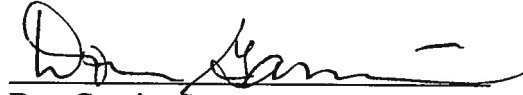
Section 7. Self-Help Contributions

To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute


Enacted by the Council of the Cherokee Nation on the 11th day of January, 2010.


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 15th day of JANUARY, 2010.


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>Yea</u>	Bradley Cobb	<u>Yea</u>
David W. Thornton, Sr.	<u>Yea</u>	Charles Hoskin, Jr.	<u>Yea</u>
Don Garvin	<u>Yea</u>	Julia Coates	<u>Yea</u>
Harley L. Buzzard	<u>Yea</u>	Jack D. Baker	<u>Yea</u>
Curtis G. Snell	<u>Yea</u>		

Cherokee Nation Act/Resolution Proposal Form

ADMINISTRATIVE CLEARANCE:

Program/Project Manager:
Sharon Swepton 11/20/09
 Signature Date

Department Director:
Sharon Swepton 11/20/09
 Signature Date

Group Leader:
Sharon Swepton 11/20/09
 Signature Date

Finance Approval (if needed):

 Signature Date

Government Resources Group:

 Signature Date

Administration Approval:
M. Frailey 12/1/09
 Signature Date



Act



Resolution

TITLE: (Registration Fees and Taxes)

Department Contact: Sharon Swepton

Resolution Presenter: Sharon Swepton

Council Sponsor: Meredith Frailey

NARRATIVE:

(See Attached Outline for Information Needed)

The purpose of this Act is to amend the registration fees and taxes for Disabled Veterans.

LEGISLATIVE CLEARANCE

Legislative Aide:
Brittani 12/1/09
 Signature/Initial Date

Standing Committee:
Rules

 12/15/09
 Next Meeting Date

Chairperson:
Frailey
 Signature/Initial Date

Returned to Presenter: _____
 Date

12-01-09P04:35 RCVD