

Committee: Rules
Date: _____ Committee Date: _____

Sponsor: Meredith Frailey
Author: Todd Hembree

An Act

Legislative Act 25-04

A LEGISLATIVE ACT AMENDING LA# 01-01, "THE CHEROKEE NATION MOTOR VEHICLE LICENSING AND TAX CODE"

BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Purpose.

The purpose of this Act is to amend LA# 01-01, section 205-E.

Section 2. Amendments.

Section 205-E of LA# 01-01 is hereby rescinded and repealed in full as follows:

~~E. Sale Of Vehicle To Non-Indian.~~

~~In the event a Tribal Citizen sells a Vehicle registered under this Act to a person who is not a Tribal Citizen, the seller shall at the time of sale provide copies of his or her current CDIB and Tribal membership cards to the purchaser. If the Tribal Citizen seller fails to provide the purchaser with copies of such documents at the time of sale of the Vehicle, the Nation's Registrar is authorized upon request of the purchaser to provide said purchaser the documentation confirming the enrollment of the seller as a citizen of Cherokee Nation.~~

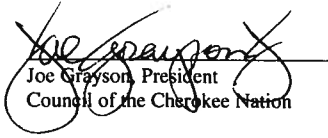
Section 3. Severability

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.

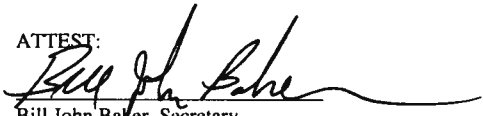
Section 4. Emergency declared

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.

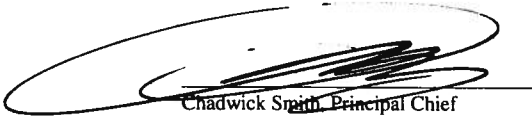
Enacted by the Council of the Cherokee Nation on the 14th day of June, 2004.


Joe Grayson, President
Council of the Cherokee Nation

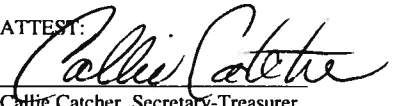
ATTEST:


Bill John Baker, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 17th day of JUNE, 2004.


Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:


Chaffie Catcher, Secretary-Treasurer
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Bill John Baker	<u>YEA</u>	Melvina Shotpouch	<u>YEA</u>
Audra Smoke-Conner	<u>YEA</u>	Meredith A. Frailey	<u>YEA</u>
S. 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>	William G. "Bill" Johnson	<u>YEA</u>
David W. Thornton, Sr.	<u>YEA</u>	Buel Anglen	<u>YEA</u>
Don Garvin	<u>YEA</u>	Charles "Chuck" Hoskin	<u>YEA</u>
Linda Hughes-O'Leary	<u>YEA</u>		

Cherokee Nation Act /Resolution Proposal Form



Act



Resolution

Administrative Clearance

Program/Project Manager

Signature/Initial _____ Date _____

Department Director:

Signature/Initial _____ Date _____

Executive Director:

Signature/Initial _____ Date _____

Controller: (If Needed)

Signature/Initial _____ Date _____

Government Resource:

Signature/Initial _____ Date _____

Administration Approval:

Signature/Initial _____ Date _____

Legislative Clearance

Legislative Aide:

Signature/Initial dp Date 4.28.04

Standing Committee:

Next Meeting Date

Chairperson:

Signature/Initial _____ Date _____

Returned to Presenter: _____

Date _____

04-28-C4-P04:44 RCVD

TITLE: A Legislative Act Amending LA # 01-01, "The Cherokee Nation Motor Vehicle Licensing And Tax Code"

DEPARTMENT CONTACT: Paula Holder, Tax Administrator

RESOLUTION PRESENTER: Paula Holder, Tax Administrator

Sponsor: Meredith A. Frailey, Council Member, District 6, Maves.

NARRATIVE:

(See Attached Outline for Information Needed)

The purpose of this Act is to amend Legislative Act number 01-01 § 205E: Sale of Vehicle To Non-Indian

The proposal is to rescind and repeal § 205E eliminating the inequitable requirement that copies of personal information be provided to transfer a Cherokee Nation Certificate of Title to the State Of Oklahoma jurisdiction. In cooperation with the Oklahoma Tax Commission (OTC) and the Cherokee Nation Tax Commission (CNTC) an agreed upon process/procedure to place a statement on the face of the Title certifying the person named on the title is a citizen of this Nation would eliminate the need for citizens to provide proof of citizenship. Language added to provide certification by the Nation of citizenship shall be placed on the face of a Cherokee Nation Certificate Of Title: **It is hereby certified that according to the records of the Cherokee Nation, the person named hereon is a Citizen of this Nation.** This proposal benefits our citizens and maintains notable Tribal/State governmental relations in this period of cooperation and expansion.

RECEIVED

APR 27 2004
9:04 am BK
GOVERNMENT RESOURCES