

Committee: Rules

Date: 02-12-13 Committee Date: 02-28-13

Author: Todd Hembree

Sponsor: T. Glory-Jordan, J. Fishinghawk, J. Byrd, D. Garvin,  
F. Hargis, C. Hoskin Jr., L. Keener, D. Walkingstick,  
C. Cowan Watts, B. Anglen, D. Lay, M. Frailey,  
D. Thornton, C. Snell, J. Fullbright, J. D. Baker

## An Act

### Legislative Act 09-13

#### A LEGISLATIVE ACT AMENDING LA#01-01 SECTION 204A

#### BE IT ENACTED BY THE CHEROKEE NATION:

##### Section 1. Title and Codification

Example: This act shall be known as the Cherokee Veteran's Tag Act of 2013 and codified as \_\_\_\_\_ (Title) \_\_\_\_\_ (Section) \_\_\_\_\_ of the Cherokee Nation Code Annotated.

##### Section 2. Purpose

The purpose of this act is to amend LA#01-01, the Cherokee Nation Motor Vehicle Licensing and Tax Code, to modify registration fees of Active or Former Military Veteran Registration and Veteran of Foreign Wars Registration and add Commercial Truck Fees.

##### Section 3. Legislative History

Legislative Act 01-01, "The Cherokee Nation Motor Vehicles and Licensing Tax Code" of 2001, as amended by Legislative Acts 27-01, 34-01, 34-02, 25-04, 29-04, 07-06, 12-06, 17-06, 08-07, 05-08, 24-08, 23-08, 04-09, 07-10, 23-10, 33-10.

##### Section 4.

Section 204A of LA#01-01 is hereby amended as follows:

Eligible Vehicles and Trailers may be registered with the Cherokee Nation, subject to the following fees and taxes:

##### A. Registration Fees

There is hereby levied on every Eligible Vehicle registered with the Cherokee Nation, an annual registration fee of the following:

Registration years 1-4:	\$75.00
Registration years 5-8:	\$65.00
Registration years 9-12:	\$45.00
Registration years 13-16:	\$25.00
Registration years 17 and over:	\$10.00

(1) The registration fee on an Eligible Vehicle previously registered with any other tribe or with any state or territory will be calculated as if the Vehicle had been registered with the Cherokee Nation for the same number of years it had been so previously registered.

(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 registrations years 13 and over, the same the same fees as provided above in this subsection A for other Eligible Vehicles;~~

~~Registration years 1-4 \$65.00~~

~~Registration years 5-8 \$45.00~~

~~Registration years 9-12 \$35.00~~

~~Registration years 13-16 \$20.00~~

~~Registration years 17 and over \$5.00~~

~~(ii) Veterans of Foreign Wars Special Fee; \$60.00 for registration years 1-4; \$40.00 for registration years 5-12; and for registrations years 13 and over, the same fees as provided above in this subsection A for other Eligible Vehicles;~~

~~Registration years 1-4 \$60.00~~

~~Registration years 5-8 \$40.00~~

~~Registration years 9-12 \$30.00~~

~~Registration years 13-16 \$20.00~~

~~A: Registration years 17 and over \$5.00~~

~~(i)(iii) Disabled Veterans, Special Fee: \$5.00 for registration years 1-8; and registration years 9 and over, no fee.~~

~~(ii)(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;~~

~~(iii)(v) Prisoners of war; Exempt from registration fee.~~

(b) COMMERCIAL TRUCKS

Registration Years 1-8 \$70.00

Registration Years 9-16 \$40.00

Registration Years 17 and over \$30.00

~~(b)(c)~~ The annual registration fee on Farm Trucks and Farm Tractors shall be \$25.00.

~~(e)(d)~~ The annual registration fee on Commercial Trailer shall be \$45.00.

~~(e)(e)~~ The annual registration fee on a Farm Trailer shall be \$20.00

~~(e)(f)~~ The one time permit fee for All Terrain Vehicles is \$6.00

## Section 5. Provisions as cumulative

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

**Section 6. 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.

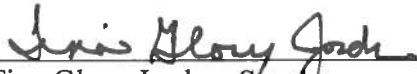
**Section 7. Effective Date**

The provisions of this act shall become effective thirty (30) days from and after the date of its passage and approval.


**Section 8. 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.

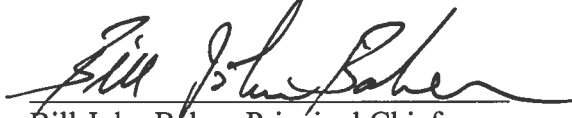
Enacted by the Council of the Cherokee Nation on the 11<sup>th</sup> day of March, 2013.

  
Tina Glory-Jordan, Speaker  
Council of the Cherokee Nation

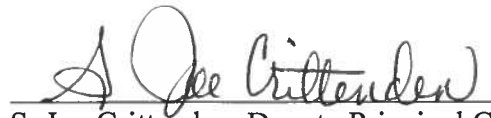
**ATTEST:**

  
Jodie FISHINGHAWK Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 14<sup>th</sup> day of March, 2013.

  
Bill John Baker, Principal Chief  
Cherokee Nation

**ATTEST:**

  
S. Joe Crittenden, Deputy Principal Chief  
Cherokee Nation

**YEAS AND NAYS AS RECORDED:**

Tina Glory Jordan	<u>Yea</u>	Meredith A. Frailey	<u>Yea</u>
Joe Byrd	<u>Yea</u>	Dick Lay	<u>Yea</u>
Frankie Hargis	<u>Yea</u>	Cara Cowan Watts	<u>Yea</u>
Jodie FISHINGHAWK	<u>Absent</u>	Buel Anglen	<u>Yea</u>
Janelle Lattimore Fullbright	<u>Yea</u>	Lee Keener	<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>
David Walkingstick	<u>Yea</u>	Jack D. Baker	<u>Yea</u>
Curtis G. Snell	<u>Yea</u>		

**ADMINISTRATIVE  
CLEARANCE**

Dept/Program: Tax Commission

Sharon Swepton 2-7-13

Signature/Initial

Date

**Executive Director:**

Sharon Swepton 2-7-13

Signature/Initial

Date

**Treasurer: (Required:  
Grants/Contracts/Budgets)**

James Horn 2-7-13

Signature/Initial

Date

**Government Resources:**

Signature/Initial

Date

**Administration Approval:**

C. J. Berlin 2-7-13

Signature/Initial

Date

**LEGISLATIVE CLEARANCE:**

**Legal & Legislative Coordinator:**

William 2/12/13

Signature/Initial

Date

**Standing Committee & Date:**

Rules 2/28/13

**Chairperson:**

William

Signature/Initial

Date

**Returned to Presenter:**

Date

**Cherokee Nation  
Act/Resolution Proposal Form**

Act

Resolution

**TITLE:**

**DEPARTMENT CONTACT:** Sharon Swepton

**RESOLUTION PRESENTER:** Sharon Swepton

**COUNCIL SPONSOR:** Tina Glory Jordan

**NARRATIVE:**

The purpose of this act is to amend LA#01-01, the Cherokee Nation Motor Vehicle Licensing and Tax Code, to modify registration fees of Active or Former Military Veteran Registration and Veteran of Foreign Wars Registration and add Commercial Truck Fees.