



# Council of the Cherokee Nation

Cherokee Nation Tribal  
Council  
17763 S. Muskogee Ave.  
Tahlequah, OK 74464

## Legislation Text

**File #:** LA-44-03, **Version:** 1

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 supersede 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 17th day of JANUARY, 2004  
Chad Smith, Principal Chief Cherokee Nation  
ATTEST: Jay Hannah, Secretary/Treasurer Cherokee Nation

**YEAS AND NAYS AS RECORDED:**

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