

1 OSAGE NATION CONGRESS

2
3 2d Session of the 1st Congress

4
5 BILL NUMBER ONCA 07-41

6
7 ENROLLED

8
9 April 16, 2007

10
11 SPONSOR: Congressman Anthony Shackelford

12
13 **An Act**

14 Amending the Osage Nation Revenue and Taxation Act of 2006, as amended; declaring an emergency, and
15 establishing an effective date.

16
17 *Be it enacted by the Congress of the Osage Nation:*

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19 **SECTION 1. AMENDING SECTION 267**

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21 Section 267 is amended to read as follows:

22
23 Tobacco Retailer Licenses shall only be issued to individuals who are of Osage
24 Indian blood and descent, and who own and manage the licensed premises, **provided**
25 **that the management requirements of this Section shall not apply to Retailers who**
26 **had Retail Licenses in effect on September 30, 2006.**

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28 **SECTION 2. AMENDING SECTION 403**

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30 Section 403 is amended as follows:

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32 Strike "\$31.00" listed in the registration fee for vehicles in the ninth (9th) year and insert
33 "37.00" for vehicles priced from twelve thousand five hundred dollars (\$12, 500) to
34 fourteen thousand nine hundred ninety-nine dollars and ninety-nine cents (\$14,999.99),
35 and strike "\$45.00" and insert fifty-five dollars "\$55.00" for vehicles priced at fifteen
36 thousand dollars (\$15,000) or more.

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38 **SECTION 3. AMENDING SECTION 405**

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40 Section 405 is amended to read as follows:

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42 (a) There is hereby levied an annual registration tax on every commercial
43 vehicle according to the factory delivered price of the vehicle, and year of registration in
44 this, or any other jurisdiction, at a rate equal to the tax imposed by Section 403 of this
45 Chapter, if the vehicle is a passenger vehicle **or a commercial vehicle six thousand**
46 **(6,000) pounds or less combined laden weight, and twice the amount stated in**
47 **Section 403** ~~Section 404~~ if the vehicle is anything other than a passenger vehicle **and**

48 weighs over six thousand (6,000) pounds combined laden weight. For purposes of
49 this Chapter, the term “combined laden weight” means the weight of a truck or
50 station wagon and its cargo or payload transported thereon, or the weight of a truck
51 or truck-tractor plus the weight of any trailers or semi-trailers together with the
52 cargo or payload transported thereon. Provided, that the owner or operator of said
53 vehicle shall sign an affidavit under oath, in such form as the Tax Commission shall
54 prescribe, that such vehicle is to be used primarily for his trade or business purposes, and
55 shall either:

- 56
- 57 (1) affix the federal employer identification number of said business to
58 the affidavit;
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- 60 (2) cause the name of the business to be permanently affixed to each
61 side of said vehicle in letters or numerals at least one inch in height
62 and in a color contrasting with the color of said vehicle; or
- 63
- 64 (3) affix a copy of the business’ federal and State tax return.
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66 (b) ~~There is hereby levied an annual registration tax on every truck trailer,~~
67 ~~designed to be pulled behind a truck tractor as an assembly for the hauling of cargo of~~
68 ~~any type or nature, at a rate per ton carrying capacity equal to the amount of the tax~~
69 ~~imposed by Section 404 of this Chapter. No commercial vehicle weighing over six~~
70 ~~thousand (6,000) pounds combined laden weight shall be registered under this~~
71 ~~Chapter unless the applicant presents evidence satisfactory to the Tax Commission~~
72 ~~that said vehicle is principally garaged within the jurisdiction of the Osage Nation.~~

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74 SECTION 4. AMENDING SECTION 414(a)

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76 Section 414(a) is amended is to read as follows:

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78 Only individuals who are of Osage Indian descent or legal entities principally
79 owned and operated by individuals who are of Osage Indian descent, ~~who reside within~~
80 ~~the jurisdiction of the Osage Nation~~ and who meet the requirements of subsection (c),
81 shall be eligible to register motor vehicles and to receive tags under this Act.

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83 SECTION 5. AMENDING SECTION 414(C)(4)

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85 Section 414(c)(4) is amended to read as follows:

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87 Except as provided in Section 405(b), evidence ~~Evidence~~ that the owner resides
88 within the confines of the areas of the State that constitute the Osage Nation
89 Reservation or former Indian reservation lands in Oklahoma (“Indian Country”).

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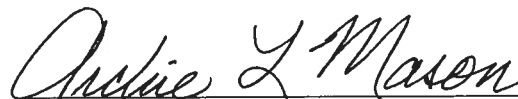
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92 ENACTED by the Osage Nation Congress on this 16TH day of April, 2007.

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IN WITNESS WHEREOF, the Speaker of the Osage Nation Congress has
hereto attached his signature.



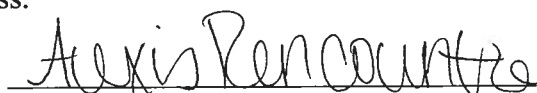
Archie Mason, Speaker
Osage Nation Congress

CERTIFICATION

I, THE UNDERSIGNED, CERTIFY THAT THE FOREGOING IS A TRUE EXTRACT
FROM THE MINUTES OF THE Osage Nation Congress comprised of twelve
members and one ex-officio member with 12 members attending this meeting on
the 16TH day of April, 2007, and that the above is in conformity with the
provisions therein adopted by a vote of 12 in favor, 0 against, and 0 absent.

- | | |
|------------------------|-----|
| Faren Revard Anderson | yes |
| Jerri Jean Branstetter | yes |
| Shannon Edwards | yes |
| Mark Freeman | yes |
| Debra Littleton | yes |
| Archie Mason | yes |
| Raymond Red Corn | yes |
| Eddy Red Eagle, Jr. | yes |
| Doug Revard | yes |
| Anthony Shackelford | yes |
| Mark Simms | yes |
| William Supernaw | yes |

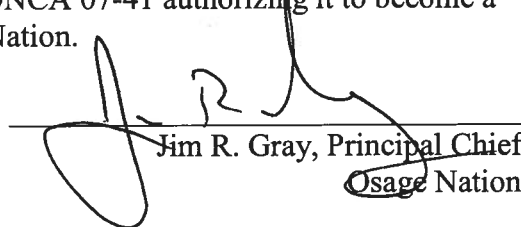
Said Bill has not been rescinded or amended in any way and the above is the signature of
the Speaker of the Osage Nation Congress.



Alexis Rencountre, Clerk
Osage Nation Congress

APPROVAL

I, the Principal Chief of the Osage Nation, hereby affix my signature this 23 day of
April, 2007, to the above Bill No. ONCA 07-41 authorizing it to become a
law under the Constitution of the Osage Nation.



Jim R. Gray, Principal Chief
Osage Nation