

Cherokee Nation Code Annotated

Title 68: Revenue and Taxation

Chapter 2: Cherokee Nation Tax Commission and Enforcement Procedures

§ 12. Membership

Cite as: 68 CNCA § 12

A. The Commission shall consist of three (3) members, at least two (2) of whom shall be citizens of the Nation and at least two (2) of whom shall reside within the boundaries of the Nation. To be eligible to serve as a Commissioner, a person must (i) be at least twenty-five (25) years of age; (ii) have a bachelor's degree from a college or university or its equivalent; (iii) be of high moral character or integrity; (iv) never have been convicted of a criminal offense other than misdemeanor traffic offenses; and (v) be physically able to carry out the duties of office.

B. The Principal Chief of Cherokee Nation shall select the members of the Commission, subject to confirmation by majority vote of the Council of Cherokee Nation.

C. The Principal Chief shall, at the time of making the initial appointments and also at the time of making each appointment to fill a vacancy on the Commission as provided herein, designate one (1) member to serve as Chairman, one (1) member to serve as Vice-Chairman and one (1) member to serve as Secretary.

D. The terms of office of the Commissioners shall be three (3) years; provided, however, that in order to stagger the expiration of office, one (1) of the first group of Commissioners appointed hereunder shall be appointed for a term of one (1) year, one (1) for a term of two (2) years, and one (1) for a term of three (3) years.

E. Commissioners shall serve their terms of office free from political influence from any department of the government of the Nation and may be removed only for cause, after a hearing by the Supreme Court under such rules and procedures as prescribed by the Council. A petition for removal for cause may be brought by a vote of the majority of Council Members, or the Principal Chief. Except as authorized under the Constitution of Cherokee Nation, no member of the Commission shall, directly or indirectly, solicit, receive or in any manner be concerned in soliciting or receiving any assessment, subscription or contribution for any political organization, candidacy or other political purpose. No member of the Commission shall be a member of any tribal or local committee of a political party, or an officer or a member of a committee of a partisan political club, or a candidate for nomination or election to any paid tribal office, or take part in the management or affairs of any tribal political party or in any political campaign, except to

exercise his or her right as a citizen privately to express his or her opinion and to cast his or her vote.

F. In the event of a vacancy in the membership of the Commission, the Principal Chief shall, within twenty (20) days of the occurrence of the vacancy, fill such vacancy for the unexpired term, subject to confirmation by a majority vote of the Council.

Historical Data

LA 01-90, eff. February 10, 1990. Amended LA 04-90, eff. June 9, 1990.