



# KIOWA TRIBE

P.O. Box 369 • Carnegie, Oklahoma • 73015  
Phone: (580) 654-2300 • Fax: (580) 654-1788  
OFFICE OF THE LEGISLATURE

RESOLUTION NO. KL-CY-2017-001

## CONTINGENCY FUND REGULATION AND FAIRNESS ACT OF 2017

At a duly called Session of the Legislature of the Kiowa Tribe held this 10<sup>th</sup> day of June 2017, the following Resolution and Law were adopted.

**WHEREAS;** the Legislature is vested with the authority to pass laws and resolutions pursuant to Article VI, Section 6(a) of the Constitution of the Kiowa Tribe; and,


**WHEREAS;** the Legislature has the responsibility to establish laws that preserve and protect the financial assets of the Tribe, and to require accountability and oversight of the expenditure of the Tribe's funds; and,

**WHEREAS;** the Tribe currently provides emergency funds to Members of the Tribe from a "Contingency Fund" (or its equivalent); however, no written standards exist for determining reasons why, and in what amount, emergency funds should be issued.

**NOW THEREFORE IT BE IT RESOLVED;** that the Legislature hereby enacts the attached law entitled, "Contingency Fund Regulation and Fairness Act of 2017".

## CERTIFICATION

The foregoing Resolution No. **KL-CY-2017-001** was duly voted upon at a duly called **Session II** of the Legislature of the Kiowa Tribe held this **10th** day of **June 2017**, the following Resolution and Law were adopted, with a vote of **( 3 )** in favor, and **( 1 )** opposed, **( 1 )** abstaining, and **( 0 )** absent, pursuant to the authority vested in the Kiowa Tribe Legislature by the Constitution of the Kiowa Tribe.

  
Rhonda J. Ahhaitt, Secretary  
of the Kiowa Tribe Legislature



RESOLUTION NO KL-CY-2017-001

SPONSOR: RENEE M. PLATA, SPEAKER OF THE KIOWA TRIBE LEGISLATURE

CO-SPONSOR(S): RHONDA J. AHHAITY, SECRETARY OF THE KIOWA LEGISLATURE; ANITA ONCO-JOHNSON, LEGISLATOR

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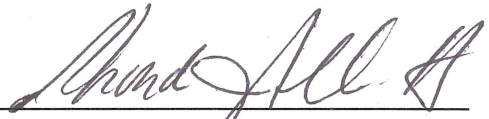
LEGISLATORS	YES	NO	ABSTAIN	ABSENT
Rhonda J. Ahhaitty, Secretary	x			
Renee M. Plata,	x			
Ronald C. Poolaw, Sr.	x		x	
Dave Geimausaddle		x		
Anita L. Onco-Johnson				

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**DELIVERY OF THE RESOLUTION AND LAW TO THE CHAIRMAN**

Resolution No. KL-CY-2017-001 was presented to the Chairman of the Kiowa Tribe on the 13<sup>th</sup> day of June 2017, pursuant to the Article VI, Section 8(a)(iv) of the Constitution of the Kiowa Tribe, and will become effective after signature by the Chairman or veto override by the Legislature, and as otherwise required by the Constitution.

  
Rhonda J. Ahhaitty, Secretary  
of the Kiowa Tribe Legislature

**CHAIRMAN'S ACTION:**

APPROVED

VETO - RETURNED TO LEGISLATURE WITH EXPLANATION:

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On this \_\_\_\_ day of \_\_\_\_\_, 2017.

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**Matthew Komalty, Chairman  
of the Kiowa Tribe**

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Presented by the Chairman to the Legislature on the \_\_\_\_ day of \_\_\_\_\_, 2017.

**LEGISLATURE'S ACTION:**

**Override of Chairman's veto:**

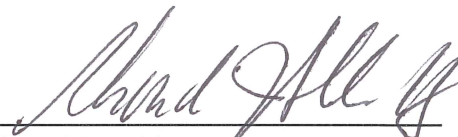
YES

NO

LEGISLATORS	YES	NO	ABSTAIN	ABSENT
Rhonda J. Ahhaitty, Secretary				
Renee M. Plata, Speaker				
Ronald C. Poolaw, Sr.				
Dave Geimausaddle				
Anita L. Onco-Johnson				

## CERTIFICATION

The foregoing **Resolution No. KL-CY-2017-001** was duly voted upon at a duly called **Session II** of the Legislature of the Kiowa Tribe held this **10th** day of **June 2017**, the following Resolution and Law were adopted, with a vote of **( 3 )** in favor, and **( 1 )** opposed, **( 1 )** abstaining, and **( 0 )** absent, pursuant to the authority vested in the Kiowa Tribe Legislature by the Constitution of the Kiowa Tribe.



**Rhonda J. Ahhaitty, Secretary  
of the Kiowa Tribe Legislature**

### **Section 1.1 Short Title**

This enactment shall be known as the “CONTINGENCY FUND REGULATION AND FAIRNESS ACT OF 2017” (“Act”).

### **Section 1.2 Purpose**

The purpose of this Act is to establish laws that set standards for issuing limited emergency funds in a fair and impartial manner for the benefit of as many Members of the Tribe as possible.

### **Section 1.3 Findings**

The Legislature hereby finds and declares that:

- (a) On April 17, 2017, the voters of the Tribe approved a new constitution (“New Constitution”);
- (b) The New Constitution calls for the Legislature to pass laws and resolutions to establish clear financial practices that the must be followed to provide greater accountability of the Tribe’ funds and assets;
- (c) The Tribe has administered a “Contingency Fund” that provides emergency funds to Members of the Tribe upon request for family, medical, and other personal needs; however, the Tribe currently provides emergency funds to needy Members of the Tribe from a “Contingency Fund” (or its equivalent); however, no written standards exist for determining reasons why, and in what amount, emergency funds should be issued.
- (d) The Bill of Rights in the Constitution requires that the Tribe to provide equal treatment to all Members of the Tribe when it administers programs and services.

### **Section 1.4 Minimum Criteria**

The Legislature hereby authorizes and directs the Chairman and Vice Chairman, or their designee, to develop and implement written rules and procedures to administer the Contingency Fund for distribution of funds to Members of the Tribe, including the following minimum criteria:

- (a) The rules shall establish a fair and equal process for Members of the Tribe to apply for and receive funds from the Contingency Funds for emergency purposes.
- (b) An adult Member of the Tribe may receive no more than one distribution per calendar year from the Contingency Fund.



- (c) Each distribution from the Contingency Fund shall be limited to **\$250** per person, until the funds have been expended.
- (d) The funds from the Contingency Fund shall be issued on a first-come, first-served basis until all of the appropriated funds are expended from the Contingency Fund for the fiscal year. **The total Contingency Funds will be allocated on a Quarterly basis.**
- (e) The Chairman or his designee shall be required to maintain a written record of all funds issued from the Contingency Fund, to whom the funds were issued, and the reason offered in support of the request for funds, and to provide a copy of the report to the Legislature sixty days after the end of each fiscal year.

**Section 1.6 Authorization of Appropriation of Funds**

The Legislature hereby authorizes an appropriation of funds to be included in the Annual Budget or Budget Modification for expenditure to implement this Act.