



KIOWA TRIBE

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

KIOWA TRIBE
RESOLUTION NO. KL-CY-2019-008

THE TREASURY DIVISION ESTABLISHMENT ACT OF 2019

At a duly called Session of the Legislature of the Kiowa Tribe held this 9th day of March, 2019, 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 hereby finds and declares that it is in the best interest of the Tribe to establish a Treasury Division to assist the Tribe in streamlining services and as Division Director; and

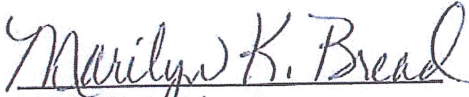
Treasurer
TERO
Tax Commission

Payroll
Accounting
Procurement/Contracting
Property

NOW THEREFORE BE IT RESOLVED that the Legislature hereby enacts the attached law entitled "The Treasury Division Establishment Act of 2019.

CERTIFICATION

The foregoing resolution was duly voted upon by the Legislature on March 9, 2019, at a Legislative Regular Session XXIII with a vote of (7) in favor and (0) opposed, (0) abstaining, and (0) absent, pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.


Marilyn K. Bread
Speaker of the Legislature



LEGISLATURE - RESOLUTION NO. KL-CY-2019-008:

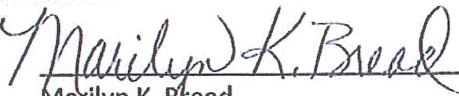
SPONSOR: Modina Waters, District #7 Kiowa Tribe Legislature

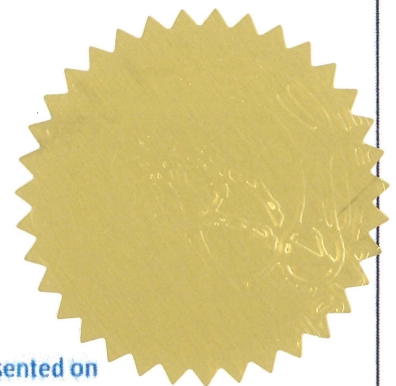
CO-SPONSOR(S):

LEGISLATORS	YES	NO	ABSTAIN	ABSENT
Angela McCarthy District #1	X			
Michael Primus District #2	X			
Marilyn K. Bread District #3	X			
Jessie Svitak District #4	X			
Anita Onco-Johnson District #5	X			
Ben Wolf District #6	X			
Modina Waters District #7	X			

DELIVERY OF THE RESOLUTION AND LAW TO THE CHAIRMAN

Resolution No. KL-CY-2019-008 was presented to the Chairman of the Kiowa Tribe on the ____ day of March, 2019, 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.


Marilyn K. Bread
Speaker of the Legislature



Posted by Modina Waters, District #7 Kiowa Legislator on February 11, 2019 and presented on Legislative Session XXIII, March 9, 2019.

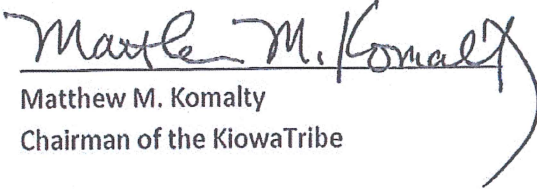
CHAIRMAN'S ACTION:

APPROVED

VETO - RETURNED TO LEGISLATURE WITH EXPLANATION:

See attached document

On this 4th day of April, 2019.


Matthew M. Komalty
Chairman of the Kiowa Tribe

Presented by the Chairman to the Legislature on the ____ day of _____, 2019.

LEGISLATURE'S ACTION:

Override of Chairman's veto:

YES

NO



Kiowa Tribe

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Phone: (580) 654-6343 · Fax: (580) 654-8412

KIOWA EXECUTIVE BRANCH

March 21, 2019

To: The Kiowa Tribe Legislature

From: Matthew M. Komalty, Tribal Chairman

Subject: Veto of Kiowa Tribe Resolution No. KL-CY-2019-008, The Treasury Division Establishment Act of 2019.

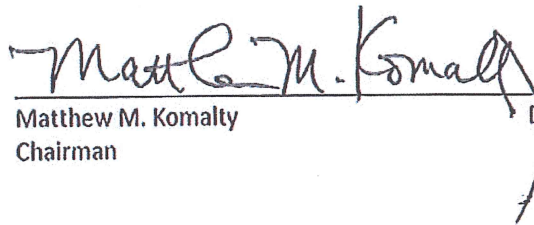
Kiowa Legislature:

I am exercising the Chairman's right to veto legislation concerning "The Treasury Division Establishment Act of 2019", for the following reasons:

(a) The Constitution of the Kiowa Tribe clearly gives the Chairman the power to establish divisions within the Executive Branch. This Act violates that language by the Kiowa Legislature acting to establish a Division.

(b) Section 1.4 TREASURY DIVISION, Subsection (c) states the Treasury Division "shall notify the Speaker of the Legislature in writing and in a timely manner of all Kiowa Tribe budget submissions (including Kiowa Casino Gaming Budgets and Revenue and Kiowa Gaming Commission Budget and Revenue) with details prepared and submitted on behalf of the Tribe. Again, the Constitution of the Kiowa Tribe, Section 4. Powers, Subsection (d), states, "The Treasurer shall act at the direction of the Chairman..." Therefore, the language in the Act violates the separation of powers in our Kiowa Tribe Constitution.

Thank you for your attention to this matter.


Matthew M. Komalty
Chairman

Date

LEGISLATORS	YES	NO	ABSTAIN	ABSENT
Angela McCarthy District #1				
Michael Primus District #2				
Marilyn K. Bread District #3				
Jessie Svitak District #4				
Anita Onco-Johnson District #5				
Ben Wolf District #6				
Modina Waters District #7				

CERTIFICATION

The foregoing resolution was duly voted upon by the Legislature on _____, 2019, at a meeting with a vote of _____ in favor and _____ opposed, and _____ abstaining pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

Marilyn K. Bread
Speaker of the Legislature

Section 1.1 Short Title

This enactment shall be known as the "Treasury Division Establishment Act of 2019" ("Act").

Section 1.2 Purpose

The purpose of this Act is to establish a Treasury Division to assist the Tribe in streamlining and implementing the following services under the direction of the Treasurer of the Kiowa Tribe.

Section 1.3 Findings

- (a) The Legislature has identified the need to streamline financial revenue and their listed services address service referrals and goals of the Tribe and assist the leaders of the Tribe and the Departments in fulfilling the needs of the Tribe and its Members.
- (b) A Treasury Division is needed to address not only the need to streamline financial and services listed in (a) above, but also assist the Tribe in preparing and submitting various actions and reports for the Departments and programs within the Tribe, when necessary.

Section 1.4 TREASURY DIVISION

- (a) There is hereby established a Treasury Division, which shall be located within the Executive branch of government. The Treasury Division shall include one Treasurer who is selected upon nomination by the Chairman and confirmation by the Legislature.
- (b) The Treasury Division shall be responsible for developing overall plans for the Tribe and providing direction, budget preparations, and reports, which address budget expenditures and Treasury needs.
- (c) The Treasury Division shall work closely with the Compliance Officer and shall assist the Tribe and its Departments with the preparation and submission of Treasury Division reports. The Treasury Division shall notify the Speaker of the Legislature in writing and in a timely manner of all Kiowa Tribe budget submissions (including Kiowa Casino Gaming Budgets and Revenue and Kiowa Gaming Commission Budget and Revenue) with details prepared and submitted on behalf of the Tribe.



Kiowa Tribe

P.O. Box 157 · Carnegie, Oklahoma · 73015
Phone: (580) 654-6343 · Fax: (580) 654-8712
EXECUTIVE BRANCH

April 4, 2019

Kiowa Tribe Legislature
Marilyn K. Bread, Speaker of the Kiowa Legislature District #3
Kiowa Tribe Complex
Carnegie, Oklahoma 73015

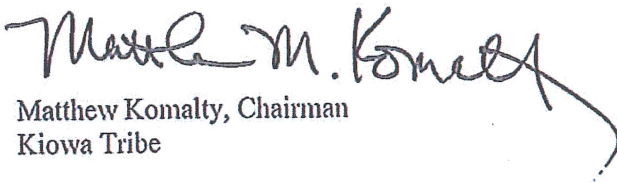
RE: Resolutions/Bills of the Kiowa Tribe Legislature Regular Session XXIII, March 9, 2010

Dear Ms. Bread:

Below are the Resolutions/Bills that I have reviewed and signed.

1. Resolution KL-CY-2019-002; Economic Development Board Establishment Act of 2019 – **VETO**
2. Resolution KL-CY-2019-007; The Kiowa Tribe Department of Veterans Affairs Act of 2019 – **APPROVED**
3. Resolution KL-CY-2019-008; The Treasury Division Establishment Act of 2019 – **VETO**
4. Resolution KL-CY-2019-009; Revenue Allocation Plan (RAP) Development Act of 2019 – **APPROVED**

Sincerely,


Matthew Komalty, Chairman
Kiowa Tribe

Legislative Office

RECEIVED BY: Ami Ancofer DATE: 4/5/19



Kiowa Tribe

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KIOWA LEGISLATURE

INTER-OFFICE MEMORANDUM:

TO: Matthew Komalty, Chairman of the Kiowa Tribe

FROM: Marilyn K. Bread, Speaker for the Kiowa Legislature *MKBread*

DATE: Wednesday, March 20, 2019

SUBJECT: APPROVAL OF RESOLUTIONS/BILLS OF THE KIOWA TRIBE,
LEGISLATIVE REGULAR SESSION XXIII, MARCH 9TH, 2019.

The Kiowa Legislature held Regular Session XXIII meeting on March 9, 2019, as specified in the Kiowa Constitution. The Legislature approved Resolutions/Bills, please see attachment for the Chairman's approval or veto.

1. Resolution KL-CY-2019-002; Economic Development Board Establishment Act of 2019.
2. Resolution KL-CY-2019-007; The Kiowa Tribe Department of Veterans Affairs Act of 2019.
3. Resolution KL-CY-2019-008; The Treasury Division Establishment Act of 2019.
4. Resolution KL-CY-2019-009; Revenue Allocation Plan (RAP) Development Act of 2019.

Should you have any other questions, please contact the Legislature Clerk at Ext. 6338. Thank you

Civa Hill

Received By: Signature

March 26, 2019

Date

Civa Hill

Print Name