

**FOURTH LEGISLATURE  
OF THE  
CHEYENNE AND ARAPAHO TRIBES  
2nd Regular Session  
Concho Tribal Complex, Concho, Oklahoma  
February 11, 2011**

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**BILL NO:**

**DATE INTRODUCED:**                    **January 11, 2012**

**SPONSOR:**                    **Patrick Spottedwolf, A3 District**

**CO-SPONSOR:**                **Bruce Whiteman, C1 District**

**TITLE:**                    **FY 2012 TAX COMMISSION APPROPRIATIONS ACT**

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**SUBJECT:**    **This Bill enacts, authorizes, and approves a FY 2012 Budget and Appropriations for the Tax Commission.**

**WHEREAS,** the Cheyenne and Arapaho Tribes are a federally recognized Indian tribe, organized under a Constitution approved by Tribal membership on April 4, 2006 and approved by the Secretary of Interior; and,

**WHEREAS,** Article VI, §§ 5(a) and (c) of the Constitution provides that “Legislative power shall be vested in the Legislature” and “[t]he Legislature shall have the power to make laws and resolutions in accordance with the Constitution which are necessary and proper for the good of the Tribes ...Laws and resolutions which have been enacted shall remain valid until amended or repealed[;]” and,

**WHEREAS,** Article VI, § 5(d) of the Constitution provides that,

The Legislature shall enact an annual budget by law which shall include an appropriation of operating funds for the Tribal Council, the Executive Branch, and the Judicial Branch. The annual budget shall include all revenue and funds controlled by the Tribes including gaming revenue, and all revenue and funds received by the Tribes from any and all sources. The Legislature shall conduct one semi-annual budget assessment and shall have the authority to make appropriate modifications by law. The Tribes shall operate on a fiscal year of January 1st to December 31st. The Legislature shall have the power to raise revenue and appropriate funds for expenditure. Every funding item in the annual budget must have been previously authorized by law. No monies shall be drawn from the Treasury except by signature of

the Governor and except upon authorization and appropriation by law.

**WHEREAS**, the Tax Commission's budget and appropriations for the fiscal years 2008 through 2011 was approved at a funding level of \$1,484,420.60.

**NOW THEREFORE**, the Legislature of the Cheyenne and Arapaho Tribes hereby enacts the following FY 2012 TAX COMMISSION APPROPRIATIONS ACT:

### **An Act**

To provide an appropriation to the Tax Commission of the Cheyenne and Arapaho Tribes for Fiscal Year 2012; to declare and establish an effective date.

*Be it enacted by the 4<sup>th</sup> Legislature of the Cheyenne and Arapaho Tribes:*

#### **SECTION 1.        Short Title**

This Act may be cited as the "FY 2012 Tax Commission Appropriations Act."

#### **SECTION 2.        Findings; Purpose**

- (a) The Legislature is mandated by the Constitution of the Cheyenne and Arapaho Tribes to enact an annual budget by law which shall include an appropriation of operating funds for the Tax Commission. Const. Art. VI § 5(d).
- (b) The purpose of this Act is to fulfill the requirements of the Constitution regarding the annual expenditure of funds for entities, divisions, departments, offices, committees, boards, task forces, and other authorities or arms of tribal government.
- (c) All spending associated with this appropriation shall be subject to Cheyenne and Arapaho tribal laws, rules, and regulations regarding the same.

#### **SECTION 3.        Definitions**

The definitions established by the "Cheyenne and Arapaho Budget and Appropriations Act" shall be applicable to this general appropriations act.

#### **SECTION 4.        Finding of Necessity**

For the Fiscal Year beginning January 1, 2012, and ending December 31, 2012, there is appropriated a sum of \$1,484,420.60 to the Tax Commission from the General Treasury fund from the sources listed below. These funds are appropriated to carry out the responsibilities and duties of the Tax Commission in accordance with authorizing legislation as follows:

**SECTION 5.            Fiscal Year Limitations; Lapse Date**

The appropriations made by this Act shall be subject to budgetary limitations and fiscal year limitations and may be encumbered through December 31, 2012. All funds appropriated that have not been expended at the end of the term shall lapse and be unencumbered for future appropriations.

**SECTION 6.            Effective Date**

This bill shall be effective thirty (30) days after signature by the Governor or thirty (30) days after a valid veto override by the Legislature.

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Speaker of the Legislature or  
Chairman of the 2nd Regular Session  
4<sup>th</sup> Legislature Cheyenne and Arapaho Tribes