

TENTH LEGISLATURE  
OF THE  
CHEYENNE AND ARAPAHO TRIBES  
REGULAR SESSION  
APRIL 13, 2024  
LCR, CONCHO, OK

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**RESOLUTION:** A Resolution to Appropriate Funds to comply with the agreed court order in Election Board v. Governor Wasana, No. CIV-2018-114 (Cheyenne-Arapaho Dist. Ct.).

**RESOLUTION NO:** 10L-RS-2024-04-003

**DATE INTRODUCED:** March 4, 2024

**SPONSOR:** Kendricks Sleeper, A2 District

**CO-SPONSOR:** Rector Candy, A4 District

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**SUBJECT:** A Resolution to Appropriate Funds to comply with the agreed court order in Election Board v. Governor Wasana, No. CIV-2018-114 (Cheyenne-Arapaho Dist. Ct.).

**WHEREAS:** The Cheyenne and Arapaho Tribes are duly recognized by the United States Secretary of the Interior as a self-governing, Sovereign Nation, that is a federally recognized Indian Tribe with all rights, privileges, and powers attended thereto as a sovereign government, and organized in accordance with Title 25 of the United States Code, Section 450, the “Indian Self-Determination and Education Assistance Act,” and Article XVII of the Tribe’s Constitution and By-Laws and Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat.1967), under an amended Constitution ratified on August, 2006 and approved by the Secretary of Interior on May 17, 2006; and

**WHEREAS:** Article V, Section 5(a) of the Constitution provides that the Legislative power shall be vested in the Legislature; and

**WHEREAS:** Article VI, Section 5(a) of the Constitution grants the Legislature the power to make laws and resolutions in accordance with the Constitution, which are necessary and proper for the good of the Tribes; and

**WHEREAS:** Article VI, Section 5(d) of the Constitution grants the Legislature the power to appropriate funds for expenditure; and

**WHEREAS:** The Election Commission and Executive Branch agreed to resolve their dispute over backpay and benefits for Election Commissioners for the total sum of

\$250,000 and the court approved this agreement and entered the agreement in its January 30, 2024 Court Minute; and

**NOW THEREFORE BE IT RESOLVED** that the Tenth Legislature of the Cheyenne and Arapaho Tribes appropriate funds for the payment of the settlement agreement between the Election Commission and the Executive Branch for backpay for Election Commissioners in the total sum of \$250,000 to be disbursed as shown below and hereby authorizes the Executive Branch to process and execute all documents consistent with the intent of the resolution.

**BE IT FURTHER RESOLVED** that the settlement amount of \$250,000 shall be disbursed as follows:

1. To Elizabeth Birdshead the sum of \$30,629.54;
2. To Dale Hamilton, Jr. the sum of \$8,101.01;
3. To Dale Hamilton, Sr. the sum of \$19,030.95;
4. To Sandra Hinshaw the sum of \$31,503.94;
5. To Ray Mosqueda the sum of \$32,429.77;
6. To Sarah Orange the sum of \$30,089.48;
7. To Pat Smothers the sum of \$33,098.42;
8. To Ramona Welch the sum of \$31,786.83; and
9. To Norma Yarbrough the sum of \$33,330.06.

For a total payout of \$250,000.00.

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Kendricks Sleeper,  
Speaker of the Tenth Legislature  
Cheyenne and Arapaho Tribes



**ATTEST:**

I, Jodi White Buffalo, Legislative Clerk, hereby certify that the foregoing is a True and Accurate Copy of the Original Bill No. 10L-RS-2024-04-003 which was acted upon by the Legislature of the Cheyenne and Arapaho Tribes in the Tenth Legislature Special Session, by a roll call vote on the 13th day of April 2024, by a vote.

**VOTE RECORD:**

DISTRICT	LEGISLATOR	YES	NO	ABSTAIN	ABSENT
A1	Diane Willis				
A2	Kendricks Sleeper				
A3	Travis Ruiz				
A4	Rector Candy				
C1	Bruce Whiteman, Jr.				
C2	George Woods				
C3	Thomas Trout				
C4	Byron Byrd				
<b>TOTAL</b>					
<b>Passes ( ) Fails ( ) Tabled ( ) Allowed to Die ( ) No Action ( )</b>					

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Jodi White Buffalo, Legislative Clerk  
Tenth Legislature, Cheyenne and Arapaho Tribes



**ATTEST:**

Pursuant to Article VI, Section 7, subsection (a)(iv) of the Tribes Constitution reads in part: “All Bills passed by the Legislature shall be presented to the Governor for signature or veto. All laws shall take effect thirty days after signature by the Governor or veto override by the Legislature unless any Member of the Tribes submits to the Coordinator of the Office of Tribal Council a petition signed by at least one hundred fifty Members of the Tribal Council seeking to repeal the law or resolution at the next Tribal Council meeting. If the Tribal Council fails to repeal such law or resolution at the next Tribal Council where the matter has been properly placed on the agenda for the Tribal Council meeting, such law or resolution shall become effective immediately.”

Pursuant to Article VII, Section 4, subsection (g) of the Tribes Constitution reads: “The Governor shall have the power to sign any enactment passed by the Legislature into law or to veto any enactment passed by the Legislature within ten days of passage with a written explanation of any objections; and if the Governor takes no action within ten days, then the enactment shall become law in accordance with this Constitution.”

{ } APPROVED

{ } VETOED: Attachment \_\_\_\_; Governor’s written explanation of any objections.

On the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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Reggie Wassana, Governor  
Cheyenne and Arapaho Tribes



**TRANSMITTAL OF DOCUMENTS:**

**From the Legislative Branch to the Office of Records Management**

**ATTEST:**

Pursuant to Article VI, Section 7, subsection (a)(v), of the Tribes Constitution reads, “The Office of Records Management shall compile all Laws and Resolutions into a comprehensive Code in an orderly manner that shall be published annually.”

Office of Records Management Staff, hereby certify that the foregoing is a True and Accurate Original Resolution No. 10L-RS-2024-04-003.

Space below is reserved for Stamp:

Received (Date) Office of Record Management

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Office of Records Management  
Department of Administration, Executive Branch  
Cheyenne and Arapaho Tribes



Election Commission of the Cheyenne  
and Arapaho Tribes,

Petitioner,

v.

Governor Reggie Wassana,

Respondent.

Case No. CIV-2018-114

### ORDER OF JUDGMENT

The Court finds that the parties have resolved the last remaining issue in this case: the amount of restitution owed to the Election Commissioners. The parties have agreed to the following payments, totaling \$250,000:


1. To Elizabeth Birdshead the sum of \$30,629.54;
2. To Dale Hamilton, Jr. the sum of \$8,101.01;
3. To Dale Hamilton, Sr. the sum of \$19,030.95;
4. To Sandra Hinshaw the sum of \$31,503.94;
5. To Ray Mosqueda the sum of \$32,429.77;
6. To Sarah Orange the sum of \$30,089.48;
7. To Pat Smothers the sum of \$33,098.42;
8. To Ramona Welch the sum of \$31,786.83; and
9. To Norma Yarbrough the sum of \$33,330.06.

In addition, the parties have agreed that the Election Commission will submit timesheets and activity logs to the Treasury Department and, if contested, the

Election Commission will provide all work product regarding contested timesheets or activity logs. Finally, the parties have agreed that work product of the Election Commission shall be maintained by the Election Commission and presented if any timesheet or activity log becomes contested.

The Court having considered all claims, pleadings, briefs, and testimony in this matter, hereby APPROVES the above settlement agreement terms and ORDERS the parties to submit the amounts shown above to the Legislature for appropriation and to abide by the terms of the settlement agreement.

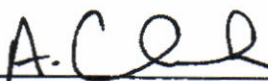
All issues in this case have now been resolved and this ORDER OF JUDGMENT shall result in the closing of this case as of the date of filing.



Judge of the District Court of the  
Cheyenne and Arapaho Tribes

Approved:

Klint A. Cowan  
Lippes Mathias  
512 NW 12<sup>th</sup> St.  
Oklahoma City, OK 73103  
*Attorney for the Election Commission*

  
Antonio Church  
Deputy Attorney General  
Cheyenne and Arapaho Tribes  
100 Red Moon Circle  
Concho, OK 73022  
*Attorney for the Governor*

2-8-24

CHEYENNE - ARAPAHO  
DISTRICT COURTS OF OKLAHOMA  
I HEREBY CERTIFY THAT THE FOREGOING  
IS A TRUE AND CORRECT AND COMPLETE  
COPY OF THE INSTRUMENT HEREWITH SET  
OUT AS IT APPEARS ON THE RECORD IN THE  
COURT CLERK'S OFFICE.

Witness my hand and seal this 1<sup>st</sup> day  
of March, 20 24

  
COURT CLERK

DEPUTY

