

Cherokee Nation Code Annotated

Title 4: Amusements and Sports

Chapter 2: Gaming Commission Administration and Enforcement Procedures

§ 26. Budget and compensation

Cite as: 4 CNCA § 26

A. Commission funding and budget

1. Fees; general

a. The Gaming Commission shall be subject to the annual budgeting process as prescribed by the Principal Chief.

b. Each licensee under the jurisdiction of the Gaming Commission shall pay to the Nation fees as established and scheduled by the Gaming Commission.

c. The Gaming Commission, by a vote of not less than a majority of its members, shall adopt the rate of the fees imposed on any gaming vendor, employee, facility, and any other licensing fee schedule on a bi-annual basis.

d. The projected expenditures of the Gaming Commission shall be in an amount not to exceed the amount of funds projected to be derived from fee assessments made under this section.

e. Any increases to the Gaming Commission budget shall follow the established tribal budgetary process.

f. Any unexpended fees shall be considered gaming revenues and shall be used in accordance with 4 CNCA § 38.

2. Operational fees

a. The Treasurer shall adopt preliminary rates for gaming operations fees prior to the beginning of each fiscal year based upon the approved budget for the Commission and, if deemed necessary, shall modify those rates at any time during the fiscal year.

b. The Gaming Commission shall establish a schedule of fees to be paid to the Nation by each operation regulated under this Act. Fees shall be paid to the Nation on a monthly basis.

3. Penalties

a. Failure by any vendor or facility to pay the fees imposed under the schedules established by the Gaming Commission shall, subject to the regulations of the Gaming Commission, be grounds for denial or revocation of the approval of any permit or license issued the licensee.

b. The Gaming Commission may assess a fine on any vendor or facility for failure to pay any prescribed license fee.

i. Any assessed fines shall be collected by the Nation to be used in accordance with 4 CNCA § 38 and shall not be considered a part of the Gaming Commission budget.

B. Gaming Commissioner compensation

1. The annual compensation, payable monthly, of the Gaming Commissioners shall be determined as a part of the annual budget appropriation.

2. In no event shall compensation be based on a percentage of net profits from gaming operations of the Nation.

3. Members are eligible to be reimbursed for actual expenses incurred for Gaming Commission business, including necessary travel expenses, in addition to their monthly compensation.

Historical Data

LA 26–10, eff. September 13, 2010. Amended LA 10–11, eff. June 19, 2011; LA 07–14, eff. April 24, 2014; LA 17–14, eff. July 18, 2014.

Derivation

LA 30–89.

LA 09–90.

LA 01–94.

Former 4 CNCA § 18.