

An Act

LEGISLATIVE ACT 20-02

AN ACT AMENDING LEGISLATIVE ACT #37-01 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2002 – Mod. 7; AND DECLARING AN EMERGENCY

BE IT ENACTED BY THE CHEROKEE NATION:

SECTION 1. TITLE AND CODIFICATION

This legislative act shall be titled and codified as “An Act Amending Legislative Act #37-01 Authorizing the Comprehensive Budget for Fiscal Year 2002 – Mod. 7”.

SECTION 2. PURPOSE

The purpose of this amendment is to authorize and approve the use of funds, subject to the availability of such funds, in accordance with Section 4, changing the amounts of certain cost centers approved in the “Comprehensive Budget Act for Fiscal Year 2002” or subsequent amendment. The cumulative total of the budget is increased by \$4,649,150 for a total budget authority of \$272,453,284. The following items are identified as estimated funding sources in excess of appropriated uses to wit:

A. Motor Fuels Tax	\$1,247,535	(\$441,421 Appropriated)	Balance:	\$806,114
B. G/F special div.	\$250,000	(\$0 Appropriated)	Balance:	\$250,000
C. Gammon Trust	\$290,625	(\$290,625 Restricted)	Balance:	\$0
D. G/F settlement	\$253,685	(\$253,685 Restricted)	Balance:	\$0

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act 37-01 are applicable to this amendment.

SECTION 4. FUNDING AUTHORIZATIONS

The changes reflect increases to cost centers set forth in the program budget justifications incorporated herein. This amendment changes the total amount of the comprehensive budget authorization by an increase of \$4,649,150, to wit:

- A. An increase in the **General Fund** budget authority of \$1,696 for the Cherokee Nation Holiday activities.
- B. An increase in the **Non-Expendable Trust Fund** budget authority of \$7,558 for various tribal loan funds.
- C. An increase in the **Enterprise Fund** budget authority of \$22,607 for the Childhood Development Centers in Tahlequah and Stilwell.
- D. A decrease in the **DOI-Self Governance Roads** budget of <\$280,788> to adjust FY2001 carryover funds for the Candy Mink and Fairview/Eucha Phase-II projects.
- E. An increase in the **DOI-Self Governance** budget authority of \$36,995 for the Real Estate Services program.
- F. An increase in the **DOI-Self Gov. PL 102-477** budget authority of \$2,970,379 for the Child Care Program’s FY2002 grant award.
- G. An increase in the **IHS-Self Governance – TEH** budget authority of \$1,871,000 for the FY2002 funding of the Scattered Housing program as well as new waterline extension projects.

- H. An increase in the **DHHS-General** budget authority of **\$19,690** for the Child Care program's FY2001 carryover adjustment.
- I. An increase in the **State of Oklahoma** budget authority of **\$13** to adjust the Resource and Referral program to the actual award amount.

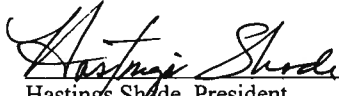
SECTION 5. SEVERABILITY

The provisions of this Act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this Act.

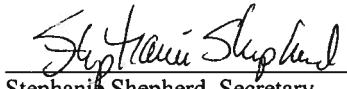
SECTION 6. EFFECTIVE DATE: EMERGENCY DECLARED

It being immediately necessary for the welfare of the Cherokee Nation, the Council hereby declares that an emergency exists, by reason whereof this Act shall take effect immediately upon its approval and signatures.

Passed by the Cherokee Council on the 15th day of JULY, 2002.


Hastings Shade, President
Council of the Cherokee Nation

ATTEST:


Stephanie Shepherd, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 22nd day of JULY, 2002.


Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:


Jay Hannah, Secretary / Treasurer
Cherokee Nation

YEAS AND NAYS AS RECORDED:

John A. Ketcher	<u>YEA</u>	Melvina Shotpouch	<u>YEA</u>
Don Crittenden	<u>YEA</u>	Stephanie Shepherd	<u>YEA</u>
Harold "Jiggs" Phillips	<u>ABSENT</u>	John F. Keener	<u>YEA</u>
Jackie Bob Martin	<u>YEA</u>	Harold DeMoss	<u>ABSENT</u>
Mary Flute-Cooksey	<u>YEA</u>	Buel Anglen	<u>YEA</u>
David W. Thornton, Sr.	<u>YEA</u>	Nick Lay	<u>ABSENT</u>
Don Garvin	<u>YEA</u>	Charles "Chuck" Hoskin	<u>YEA</u>
Barbara Starr-Scott	<u>ABSENT</u>		



CHEROKEE NATION TRIBAL COUNCIL

Doug Evans, C.P. A.,
Executive Director, Financial Oversight

M e m o

To: Harold DeMoss, Chairman, Executive & Finance Committee &
Barbara Starr-Scott, Co-Chair, Executive & Finance Committee

From: Doug Evans

CC: Executive & Finance Committee
Gina Blackfox, Legislative Aide

Date: 06/19/2002

Re: Budget Mod. #7 for June Executive & Finance Committee

Per your request, I have reviewed the budget modification package for June 2002. Below is a summary of my review:

GENERAL FUND: (Increase - \$1,696)

(1 - 11): Cherokee Nation Holiday Activities: Requesting an increase of \$1,696 for various activities to be conducted during the holiday which will be funded by other income derived by the activities themselves.

NON-EXPENDABLE TRUSTS: (Increase - \$7,558)

(12 - 14): Tribal, Employee and Emergency Loan Funds: Requesting an increase of \$7,558 to cover the costs associated with potential bad debts. These expenditures are covered with other income derived from the outstanding loans.

ENTERPRISES - Tribal (Increase - \$22,607)

(15 - 16): Child Development Centers: Requesting an increase of \$22,607 of spending authority related to the start up operation of the new building. Transfers provide these funds from the Child Development Grant.

DOI-SELF GOVERNANCE - Roads: (Decrease - <\$280,788>)

(17 - 19): IRR Road Projects: Represents a decrease of spending authority on the Candy Mink and The Fairview Eucha Phase II projects of <\$280,788> to match the actual carryover of FY2001 and the FY2002 award amount.

DOI-SELF GOVERNANCE: (Increase - \$36,995)

(20): Real Estate Services: Requesting an increase of \$36,995 of spending authority with the funds derived from other income received pursuant to the administrative fees received for actions related to agricultural leases. Budgeted uses primarily are capital acquisitions of \$20,000 and the increase costs for IDC charges.

DOI-SELF GOVERNANCE-PL 102-477: (Increase – \$2,970,379)

(21 - 24): Child Care Grant: Requesting spending authority for the FY2002 Child Care Grant award primarily budgeted to be expended for contracted child care providers.

IHS-SELF GOVERNANCE - TEH: (Increase - \$1,871,000)

(25 - 28): Environmental Health Services: Requesting an increase of \$1,871,000 of new self governance funding for Scattered Housing (\$940,000), the Mayes/Leach extension project (\$169,000), the Thompson Corner extension project (\$368,000) and the Stickcross Mountain/Miller project (\$394,000).

DHHS - GENERAL: (Increase - \$19,690)

(29 - 40): Child Care Program: Reprogramming and realigning of budgets to fund the transfers to the CDC Enterprise operations (items 15 & 16) and adjust the budgets to the actual FY2001 carryover amounts.

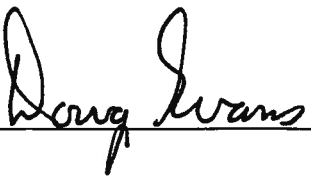
STATE OF OKLAHOMA: (Increase - \$13)

(41): Resource and Referral - DHHS: Requesting an increase of \$13 to adjust the budget to the actual award amount received from the state.

Summary:

All budgets submitted in this modification package appear to have adequate documentation and appear to be properly accounted for and justified.

If I can provide any further information, please do not hesitate to contact me.



Doug Evans

CHEROKEE COUNTY

FY2002 Comprehensive Budget Summary of Sources and Uses

Legislation passed thru - 05/13/2002

Item Description	L.A. #	Funding Source(s)	Prior Yr	ESTIMATED REVENUES Current Yr	Transfers In	TOTAL	Dir. Exp.	Indirect	Transfers Out	Reserves	TOTAL	REVENUES AVAILABLE
1. Comprehensive Budget Act - Original	37-01	All	20,715,833	198,633,857	16,609,880	235,959,570	223,171,580	(3,244,396)	12,538,859	2,491,538	234,957,581	1,001,989
a. Direct/Indirect Realloc's & Transfer Corrections		IDC & G/F				-	13,653	(13,653)	(23,100)		(23,100)	23,100
2. Court Appointed Special Advocate (CASA)	38-01	MFT				-	20,000				20,000	(20,000)
3. Comprehensive Budget Amend. (Mod-1)	39-01	various	30,000	2,780,357	1,135,493	3,945,850	2,144,086	666,271	1,135,493		3,945,850	-
4. Reprogram Higher Ed. PY Fund Balance	40-01	MFT	676,408			676,408	-				-	676,408
5. Motor Fuels Tax - Road Program Projects	41-01	MFT			112,018	112,018	112,018		112,018	(112,018)	112,018	-
6. Comprehensive Budget Amend. (Mod-2)	42-01	various		2,833,985	24,925	2,858,910	2,530,471	280,414	48,025	-	2,858,910	-
7. LIHEAP Subsidy - MFT	43-01	MFT				-	15,000				15,000	(15,000)
8. Capital Expansion - Balance Sheet Only	44-01	GF				-					-	-
9. MFT Prior Yr Reconciliation Adjustment	n/a	MFT	(935,144)	191,192		(743,952)				(11,848)	(11,848)	(732,104)
10. MFT - Graduate Scholarship Program	1-02	MFT				-	400,000				400,000	(400,000)
11. Motor Fuels Tax - Road Program Projects	2-02	MFT			337,533	337,533	337,533		337,533	(337,533)	337,533	-
12. Comprehensive Budget Amend. (Mod-3)	3-02	various		92,134		92,134	86,345	5,639			91,984	150
13. MFT-Est. Interest Income Adjustment	n/a	MFT	(24,641)	(173,450)		(198,091)					-	(198,091)
14. MFT Roads Program-Carryover Correction	n/a	MFT	1,855,028			1,855,028				1,855,028	1,855,028	-
15. PY Discr. Closeout/Tfrs & Cash Reserve	5-02	various	1,882,931	34,020	20,210,584	22,127,535	(3,110,326)	139,969	20,210,584	4,887,308	22,127,535	-
16. Motor Fuels Tax - Road Program Projects	6-02	MFT			208,027	208,027	208,027		208,027	(208,027)	208,027	-
17. Comprehensive Budget Amend. (Mod-4)	11-02	various	1,438,424	(5,437,262)	11,231	(3,987,607)	(4,038,444)	46,713	11,231	-	(3,980,500)	(7,107)
18. Additional Ramoth Settlement Distribution	15-02	GF		253,684		253,684					-	253,684
19. Motor Fuels Tax - Road Program Projects	E/F-3/28	MFT			255,915	255,915	255,915		255,915	(255,915)	255,915	-
20. Motor Fuels Tax - Road Program Projects	E/F-4/25	MFT			220,583	220,583	220,583		220,583	(220,583)	220,583	-
21. Comprehensive Budget Amend. (Mod-5)	14-02	various	(188,134)	1,034,115	125,000	970,981	663,538	307,443	-	-	970,981	-
22. Motor Fuels Tax - Road Program Projects	E/F-5/30	MFT			97,666	97,666	97,666		97,666	(97,666)	97,666	-
Reconciled Totals			25,450,705	200,242,632	39,348,855	265,042,192	223,127,645	(1,811,600)	35,152,834	7,990,284	264,459,163	583,029
Totals per AFW System Difference			25,450,705	200,242,632	39,348,855	265,042,192	223,127,645	(1,811,600)	35,152,834	7,990,284	264,459,163	583,029
Reconciled Totals from above			25,450,705	200,242,632	39,348,855	265,042,192	223,127,645	(1,811,600)	35,152,834	7,990,284	264,459,163	583,029
23. Comprehensive Budget Amend. (Mod-6)	pending	various		3,456,275	6,421	3,462,696	3,140,185	198,365	6,421	-	3,344,971	117,725
24. Comprehensive Budget Amend. (Mod-7)	pending	various		4,663,189	(17,393)	4,645,796	4,574,663	91,880	(17,393)	-	4,649,150	(3,354)
Totals after Proposed Amendments			25,450,705	208,362,096	39,337,883	273,150,684	230,842,493	(1,521,355)	35,141,862	7,990,284	272,453,284	697,400

Survey of Sources and Uses

Reconciled Totals from above

Cherokee Nation
PROPOSED BUDGET SUMMARY
BY FUNDING SOURCES
CN Fiscal Year Ending 09/30/2002

SYSTEM MASK	FUNDING SOURCES	FUNDING SOURCES			FUNDING USES				Total	NET
		Revenue	Tfrs In	Total	Dir. Exp.	Indir. Exp.	Tfrs Out	Total		
AX01XXX XXXXXX	Cherokee Nation - Tribal	12,816,599	21,536,951	34,353,550	11,486,798	2,752,135	19,976,419	34,215,352	138,198	
AX02XXX XXXXXX	Motor Fuels Tax	15,060,761	1,231,742	16,292,503	14,063,322	125,146	1,291,500	15,479,968	812,535	
AX03XXX XXXXXX	Expendable Trusts	100,864	0	100,864	100,864	0	0	100,864	0	
AX04XXX XXXXXX	Indirect Cost Pool	40,000	0	40,000	19,101,563	(19,061,563)	0	40,000	0	
AX05XXX XXXXXX	Vehicle Tax	0	0	0	0	0	0	0	0	
AX06XXX XXXXXX	Tribal Force Account	(743,765)	904,922	161,157	135,883	25,274	0	161,157	0	
AX07XXX XXXXXX	Non-Expendable Trusts	1,883,255	87,600	1,970,855	596,449	0	0	1,917,347	53,508	
AX10XXX XXXXXX	Tribal Enterprises	965,030	2,915,564	3,880,594	3,031,615	439,516	1,320,898	3,629,034	251,560	
AX11XXX XXXXXX	HOME HEALTH	(385,452)	385,452	0	0	0	157,903	0	0	
AX12XXX XXXXXX	Fringe Pool	0	0	0	0	0	0	0	0	
AX13XXX XXXXXX	Leases - Internal	(885,708)	4,188,703	3,302,995	955,560	0	2,874,920	3,830,480	(527,485)	
AX15XXX XXXXXX	Construction	0	2,860,238	2,860,238	2,947,406	58,119	0	3,005,525	(145,287)	
AX20XXX XXXXXX	DOI - General	9,346,625	0	9,346,625	8,885,209	461,416	0	9,346,625	0	
AX21XXX XXXXXX	DOI - Self Governance (Roads)	19,855,512	0	19,855,512	19,694,950	160,562	0	19,855,512	0	
AX22XXX XXXXXX	DOI - Self Governance	14,905,581	175,810	15,081,391	11,724,758	1,510,631	1,846,002	15,081,391	0	
AX23XXX XXXXXX	DOI - Self Governance (PL102)	7,264,244	40,000	7,304,244	5,078,048	446,489	1,779,707	7,304,244	0	
AX30XXX XXXXXX	IHS - Self Governance	52,832,512	4,425,249	57,257,761	49,292,025	5,309,504	2,656,232	57,257,761	0	
AX31XXX XXXXXX	IHS - Self Governance (TEH)	4,498,295	0	4,498,295	3,916,788	581,507	0	4,498,295	0	
AX32XXX XXXXXX	IHS - Self Governance Office	592,162	0	592,162	515,823	76,339	0	592,162	0	
AX35XXX XXXXXX	IHS - Self Gov. Discretionary	1,909,320	0	1,909,320	1,173,615	27,180	708,525	1,909,320	0	
AX40XXX XXXXXX	DHHS - General	25,598,411	7,500	25,605,911	21,244,366	2,037,137	2,324,408	25,605,911	0	
AX41XXX XXXXXX	DHHS - TEH	8,473	0	8,473	7,594	879	0	8,473	0	
AX45XXX XXXXXX	Dept of Agriculture	5,444,821	360,843	5,805,664	5,152,983	476,871	175,810	5,805,664	0	
AX50XXX XXXXXX	Dept of Education	993,898	44,025	1,037,923	908,358	129,565	0	1,037,923	0	
AX55XXX XXXXXX	Housing & Urban Dev (HUD)	43,195,576	173,025	43,368,601	41,946,622	1,421,979	0	43,368,601	0	
AX60XXX XXXXXX	Environmental Protection (EPA)	3,902,796	0	3,902,796	3,355,373	547,423	0	3,902,796	0	
AX70XXX XXXXXX	Dept of Labor	5,077,071	0	5,077,071	4,496,929	539,632	40,510	5,077,071	0	
AX75XXX XXXXXX	Other Federal Funding	801,646	11,231	812,877	780,061	32,816	0	812,877	0	
AX80XXX XXXXXX	State of Oklahoma	529,611	0	529,611	446,552	83,059	0	529,611	0	
AX85XXX XXXXXX	Private Fundings	85,199	0	85,199	78,415	6,784	0	85,199	0	
AX90XXX XXXXXX	Other	0	0	0	0	0	0	0	0	
TOTAL OF ALL FUNDING SOURCES		225,693,337	39,348,855	265,042,192	231,117,929	(1,811,600)	35,152,834	264,459,163	583,029	

CHEROKEE NATION
PROPOSED FY 2002 AMENDMENT
Sorted by Funding Source

Funding Source	Ref # by FS	Program/Purpose	FY 2002 Prior LA	Data		
				Amend. Change to Sources	Amend. Expenses Total Change	Net Change
01 Cherokee Nation	1	101127 002000-CNH Golf Tournament	LA 05-02	-	(603)	603
	2	101127 018000-CNH Stickball & Stomp Dance	LA 05-02	-	(947)	947
	3	101127 021000-CNH Holiday Run	LA 05-02	-	1,809	(1,809)
	4	101127 029000-CNH Bass Tournament	LA 05-02	-	(4,113)	4,113
	5	101127 033000-CNH Publicity	LA 05-02	-	(6,330)	6,330
	6	101127 041000-CNH Car Show	New	500	3,014	(2,514)
	7	101127 043000-CNH Concert	New	-	4,219	(4,219)
	8	101127 045000-CNH Children's Fishing Derby	LA 37-01	-	(536)	536
	9	101127 047000-CNH Basketball Tournament	LA 37-01	2,500	2,170	330
	10	101127 049000-CNH Bingo	New	1,400	1,205	195
	11	101127 050000-CNH Karate Tournament	New	1,500	1,808	(308)
01 Cherokee Nation Total				\$ 5,900	\$ 1,696	\$ 4,204
07 Non-Expendable Trust	12	507111 000000-Tribal Loan Fund	LA 37-01	-	6,171	(6,171)
	13	507112 000000-Employee Loan Fund	LA 37-01	-	611	(611)
	14	507113 000000-Emergency Loan Fund	LA 37-01	-	776	(776)
07 Non-Expendable Trust Total				\$ -	\$ 7,558	\$ (7,558)
10 Enterprise	15	210130 000000-Childhood Dev Cntr-Tahlequah	LA 37-01	13,582	13,582	-
	16	210131 000000-Childhood Dev Cntr-Stilwell	LA 37-01	9,025	9,025	-
10 Enterprise Total				\$ 22,607	\$ 22,607	\$ -
21 DOI-Self Governance-Roads	17	321114 000000-Candy Mink Construction	LA 14-02	(35,000)	(35,000)	-
	18	321129 000000-Fairview/Eucha Phase II-OSG	LA 14-02	(209,000)	(209,000)	-
	19	321129 001102-Fairview/Eucha II Admin.	LA 14-02	(36,788)	(36,788)	-
21 DOI-Self Governance-Roads Total				\$ (280,788)	\$ (280,788)	\$ -
22 DOI-Self Governance	20	322001 001000-SG Real Estate Services	LA 37-01	36,995	36,995	-
22 DOI-Self Governance Total				\$ 36,995	\$ 36,995	\$ -
23 DOI-PL 102-477	21	323100 001000-Child Care - Administration	LA 39-01	468,557	468,557	-
	22	323100 002000-Child Care-Subsidy	LA 39-01	2,401,680	2,401,680	-
	23	323100 003000-Child Care-Resource & Referral	LA 39-01	145,972	145,972	-
	24	323100 005000-Child Care-Licensing/Monitor	LA 39-01	(45,830)	(45,830)	-
23 DOI-PL 102-477 Total				\$ 2,870,379	\$ 2,870,379	\$ -
31 IHS-Self Governance-TEH	25	331200 202008-CN HIP & Scattered HsgOK02-C59	New	940,000	940,000	-
	26	331300 202010-Mayes Ext/Leach Area OK 02-N64	New	169,000	169,000	-
	27	331300 202011-Thompson Corner Ext OK 02-N68	New	368,000	368,000	-
	28	331300 202012-Stickcross Mtn-Miller OK 02-N75	New	394,000	394,000	-
31 IHS-Self Governance-TEH Total				\$ 1,871,000	\$ 1,871,000	\$ -
40 DHHS-General	29	340002 060000-Child Care Discretionary:Admin	LA 39-01	92,696	92,696	-
	30	340002 061000-Child Care Disc: Subsidy & Monitor	LA 39-01	24,783	24,783	-
	31	340002 062000-Child Care Disc: CDC Tahlequah	LA 39-01	59,385	59,385	-
	32	340002 065000-Discretionary Resource & Refer	LA 39-01	(10,264)	(10,264)	-
	33	340038 070000-Child Care Administration Mand	LA 39-01	(137,357)	(137,357)	-
	34	340038 071000-Subsidy and Monitoring Mand	LA 39-01	61,044	61,044	-
	35	340038 074000-Stilwell Dev. Center Mand	LA 39-01	1,043	1,043	-
	36	340038 075000-Resource & Referrals Mand	LA 39-01	(44,006)	(44,006)	-
	37	340038 077000-Eligibility - Mandatory	LA 39-01	13,671	13,671	-
	38	340038 078000-Certificates - Mandatory	New	39,323	39,323	-
	39	340038 079000-Systems - Mandatory	LA 39-01	11,963	11,963	-
	40	340048 000000-Child Care - Construction	LA 39-01	(92,591)	(92,591)	-
40 DHHS-General Total				\$ 19,690	\$ 19,690	\$ -
80 Oklahoma	41	380008 000000-Resource & Referral / DHS	LA 37-01	13	13	-
80 Oklahoma Total				\$ 13	\$ 13	\$ -
Grand Total				\$ 4,645,796	\$ 4,649,150	\$ (3,354)