

An Act

LEGISLATIVE ACT 31-13

AN ACT AMENDING LEGISLATIVE ACT #21-13 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2014 – Mod. 3; 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 #21-13 Authorizing the Comprehensive Operating Budget for FY 2014 – Mod. 3”.

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 2014” or subsequent amendment. The cumulative total of the budget is increased by \$ 634,374 for a total budget authority of \$ 573,440,996. The following items are identified as components of such change:

Grants Received & Authorized per LA-21-13 (detail attached)	\$ 634,374
Modification Request #3 (see Section 4 below)	<u>0</u>
Cumulative change in budget authority	<u>\$ 634,374</u>

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #21-13 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 modification request changes the total amount of the comprehensive budget authorization by an increase of \$ 0 to wit:

A. No Funding Authorizations – Only Grants Reporting in Section 2.

SECTION 5. PROVISIONS AS CUMULATIVE

The provisions of this Act shall be cumulative to existing law.

SECTION 6. 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.

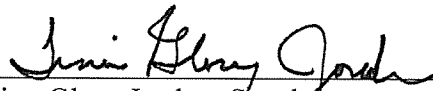
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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.

SECTION 8. SELF-HELP CONTRIBUTIONS

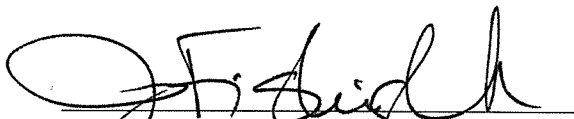
To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.

Enacted by the Council of the Cherokee Nation on the 16th day of December, 2013




Tina Glory Jordan, Speaker
Council of the Cherokee Nation

ATTEST:



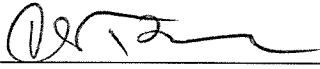
Jodie Fishinghawk, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 8 day of Jan, 2014



Bill John Baker, Principal Chief
Cherokee Nation

ATTEST:



Chuck Hoskin, Jr., Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Tina Glory-Jordan	<u>Yea</u>	Harley Buzzard	<u>Yea</u>
Joe Byrd	<u>Yea</u>	Victoria Vazquez	<u>Yea</u>
David Walkingstick	<u>Yea</u>	Dick Lay	<u>Yea</u>
Don Garvin	<u>Yea</u>	Cara Cowan Watts	<u>Yea</u>
David W. Thornton, Sr.	<u>Yea</u>	Lee Keener	<u>Yea</u>
Janelle Fullbright	<u>Yea</u>	Janees Taylor	<u>Yea</u>
Frankie Hargis	<u>Yea</u>	Jack Baker	<u>Yea</u>
Jodie Fishinghawk	<u>Absent</u>	Julia Coates	<u>Yea</u>
Curtis Snell	<u>Absent</u>		

CHEROKEE NATION
 PROPOSED FY 2014 AMENDMENT
 Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2014 Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
40-DHHS-General	1	3402610 Diabetes Grant Health Ed	LA 21-13	88,225	88,225	\$ -
	2	3408700 Kawi Café	New	238,265	238,265	\$ -
40-DHHS-General Total				\$ 326,490	\$ 326,490	\$ -
55-HUD	3	3552550 Collinsville F. D. Building	New	51,983	51,983	\$ -
55-HUD Total				\$ 51,983	\$ 51,983	\$ -
61-EPA	4	3612110 Leaking Underground Storage Tank	New	10,000	10,000	\$ -
61-EPA Total				\$ 10,000	\$ 10,000	\$ -
62-EPA	5	3622425 Brownfield Tribal Respoonse Pgm	LA 21-13	(195,000)	(195,000)	\$ -
	6	3622455 2014 UST	New	150,000	150,000	\$ -
	7	3622460 2014 Brownfield Tribal Res Pg	New	200,000	200,000	\$ -
62-EPA Total				\$ 155,000	\$ 155,000	\$ -
70-US Department of Labor	8	3701400 TLJC Operations	LA 21-13	30,005	30,005	\$ -
	9	3701500 TLJC Capital Projects	New	60,896	60,896	\$ -
70-US Department of Labor Total				\$ 90,901	\$ 90,901	\$ -
Grand Total				\$ 634,374	\$ 634,374	\$ -

Grants Reporting Only

COMPREHENSIVE BUDGET FOR FISCAL YEAR 2014

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	85,789,034	1,390,822	87,179,856	76,297,172	4,500,892	6,374,486	87,172,550	7,306
Motor Fuels Tax Funding Srce	10,103,938	13,357,108	23,461,046	14,086,920	146,850	9,227,276	23,461,046	0
Motor Vehicle Tax Funding Srce	15,749,802	450,000	16,199,802	14,526,461	394,916	1,278,425	16,199,802	0
Permanent Fund Funding Source	10,530	0	10,530	10,530	0	0	10,530	0
DOI General Funding Source	12,698,554	0	12,698,554	11,903,478	795,076	0	12,698,554	0
DOI Self Gov Funding Source	14,225,484	79,600	14,305,084	13,032,451	1,261,833	10,800	14,305,084	0
DOI Self Gov Roads Funding Srce	23,844,432	0	23,844,432	23,616,471	141,088	86,873	23,844,432	0
Dept of Transportation Fnd Srce	47,825,387	0	47,825,387	47,566,718	158,826	99,843	47,825,387	0
DOI PL102-477 Funding Source	15,980,768	0	15,980,768	15,220,767	760,001	0	15,980,768	0
IHS Self Gov Health Funding Sr	244,949,439	28,140	244,977,579	224,914,075	17,413,504	2,650,000	244,977,579	0
IHS Self Gov TEH Funding Srce	5,690,386	0	5,690,386	5,311,703	378,683	0	5,690,386	0
IHS Self Gov Office Funding Srce	322,788	0	322,788	284,719	38,069	0	322,788	0
IHS Discretionary Funding Srce	68,400	0	68,400	30,000	0	38,400	68,400	0
DHHS General Funding Source	36,337,954	516,894	36,854,848	33,213,388	3,041,460	600,000	36,854,848	0
USDA Funding Source	16,630,810	743,192	17,374,002	16,679,804	694,198	0	17,374,002	0
Dept of Education Funding Srce	1,269,942	67,154	1,337,096	1,221,420	115,676	0	1,337,096	0
HUD Funding Source	44,530,473	247,211	44,777,684	43,068,507	1,709,177	0	44,777,684	0
Housing Proceeds Funding Srce	0	0	0	0	0	0	0	0
EPA Funding Source	2,118,536	0	2,118,536	1,884,788	233,748	0	2,118,536	0
Dept of Labor Funding Source	6,403,806	0	6,403,806	5,768,562	635,244	0	6,403,806	0
Federal Other Funding Source	2,031,183	500	2,031,683	1,912,964	118,719	0	2,031,683	0
State of Oklahoma Funding Srce	1,423,804	0	1,423,804	1,298,103	125,701	0	1,423,804	0
Private Funding Source	671,114	183,222	854,336	795,545	58,791	0	854,336	0
Indirect Cost Pool Funding Srce	40,912,737	68,400	40,981,137	40,712,130	0	0	40,712,130	269,007
Fringe Pool Funding Source	0	0	0	0	0	0	0	0
Internal Lease Pool Funding Sr	4,168,254	0	4,168,254	4,168,254	0	0	4,168,254	0
Enterprise Funding Source	1,246,673	0	1,246,673	1,214,656	0	0	1,214,656	32,017
Other Funding Source	199,471	12,000	211,471	199,836	11,635	0	211,471	0
Debt Service Funding Source	0	2,650,000	2,650,000	2,650,000	0	0	2,650,000	0
Capital Projects Funding Sourc	7,338,347	600,000	7,938,347	7,910,207	0	28,140	7,938,347	0
Total	\$ 642,542,046	\$ 20,394,243	\$ 662,936,289	\$ 609,499,629	\$ 32,734,087	\$ 20,394,243	\$ 662,627,959	\$ 308,330

CAPITAL RECONCILIATION			
LA-22-13 CAP	\$	92,360,612	
Mod-1 Capital		5,000,000	10/21 Council
Total Capital	\$	97,360,612	
Non Grant Requests			
Mod-1 Oper Reg		19,000	10/21 Council
Mod-1 Cap Reg		5,000,000	10/21 Council
Mod-2 Oper Reg		3,154,649	10/31 E&F
Mod-3 Oper Reg		-	11/13 E&F
Total after pending Mod's	\$	670,801,608	
Operating (LA21-13)	\$	573,440,996	<i>Cumulative Oper</i>
Capital (LA-22-13)		97,360,612	<i>Cumulative Cap</i>
Grand Total	\$	670,801,608	



CHEROKEE NATION TRIBAL COUNCIL

Jody S. Reece, CPA, CIA, CMA

Executive Director of Financial Oversight

Mem o

To: Jodie Fishinghawk, Chair, Executive & Finance Committee &
Janees Taylor, Co-Chair, Executive & Finance Committee

From: Jody S. Reece

CC: Executive & Finance Committee

Date: 10/29/2013

Re: Review of Operating Budget Modification #3 – **Total \$634,374**

Per your request, I have reviewed the administration's budget modification request for this month's Executive & Finance Committee Meeting. Below is a summary of my review:

A. November Grant Reporting:

<u>Funding Source</u>	<u>Reason</u>	<u>Amount</u>
40 - DHHS - Gen	2 – carryover reconciliation and new awards	\$ 326,490
55 - HUD	1 – carryover reconciliation	51,983
61 - EPA	1 – new award	10,000
62 - EPA	3 – carryover reconciliation and new awards	155,000
70 - DOL	2 – carryover reconciliations and awards	90,901
	TOTAL GRANTS	\$ 634,374

General Fund Cash Match for Grants (1010315) – In the original budget of \$2,300,072, there was \$1,550,072 in Cash Out: Grant Required and \$750,000 in Appropriated for Cash Match for future grants. None of the \$750,000 has been used yet.

B. MOD – 3 Request - (0 budgets) Increase in budget authority - \$ 0

1. No requests this month – Only Grant Reporting

Summary:

After reviewing the submission of Mod-3 by administration, I find no technical issues surrounding these requests, nor do I have any concerns related to their respective carryover estimates. If I can provide any further information, please do not hesitate to contact me.

Respectfully,

Attachments

Jody

Cherokee Nation Act/Resolution Proposal Form

Act Resolution

ADMINISTRATIVE CLEARANCE

Dept/Program: _____

AN ACT AMENDING LEGISLATIVE ACT #21-13 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2014 OPERATING – MOD 3; AND DECLARING AN EMERGENCY

TITLE:

Signature/Initial _____ Date _____

Executive Director:

DEPARTMENT CONTACT: Gaylon Thompson

RESOLUTION PRESENTER: _____

Signature/Initial _____ Date _____

Treasurer: (Required: Grants/Contracts/Budgets)

COUNCIL SPONSOR: _____

NARRATIVE:

Gaylon Thompson 10.24.13

Signature/Initial _____ Date _____

Government Resources:

Signature/Initial _____ Date _____

Administration Approval:

C. Haskin 10.24.13

Signature/Initial _____ Date _____

LEGISLATIVE CLEARANCE:

Legal & Legislative Coordinator:

Bourlaman 10/29/13

Signature/Initial _____ Date _____

Standing Committee & Date:

Executive Finance
11/13/13

Chairperson:

Signature/Initial _____ Date _____

Returned to Presenter: _____ Date _____

10-29-13 P02:53 RCVD