



Council of the Cherokee Nation

Cherokee Nation Tribal
Council
17763 S. Muskogee Ave.
Tahlequah, OK 74464

Legislation Details (With Text)

File #: 11-059 **Version:** 1 **Name:** FY 2011 BUDGET MOD 7
Type: Legislative Act **Status:** Passed
File created: 4/13/2011 **In control:** TRIBAL COUNCIL
On agenda: 5/16/2011 **Final action:** 5/16/2011
Enactment date: 5/16/2011 **Enactment #:** LA-11-11
Title: AN ACT AMENDING LEGISLATIVE ACT #29-10 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2011 - MOD 7; AND DECLARING AN EMERGENCY
Sponsors: Jack D. Baker, Cara Cowan Watts
Indexes: Budget - Comprehensive, Budget - Modification
Code sections: N/A - Not Applicable
Attachments: 1. LA-11-11.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|---------------------------------|-----------------------------------|--------|
| 5/25/2011 | 1 | OFFICE OF THE CHIEF | Signed | |
| 5/16/2011 | 1 | TRIBAL COUNCIL | Approved | Pass |
| 4/28/2011 | 1 | EXECUTIVE AND FINANCE COMMITTEE | Approved and Forwarded to Council | Pass |

**AN ACT AMENDING LEGISLATIVE ACT #29-10 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2011 - 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 #29-10 Authorizing the Comprehensive Budget for Fiscal Year 2011 - 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 2011” or subsequent amendment. The cumulative total of the budget is increased by **\$1,265,284** for a total budget authority of **\$629,208,436**. The following items are identified as selective General Fund sources in excess of appropriated uses to wit:

| | <u>Previous Balance</u> | <u>Estimated Sources</u> | <u>Estimated <Uses></u> | <u>Adjusted Balance</u> |
|--------------------|-----------------------------|------------------------------|-----------------------------------|-----------------------------|
| A. Tribally Funded | \$0 | \$832 | <\$832> | \$0 |
| B. Motor Fuels Tax | \$0 | \$0 | <\$0> | \$0 |

| | |
|---|---------------------------|
| Grants Received & Authorized per LA-29-10 (detail attached) | \$637,721 |
| Modification Request #7 (see Section 4 below) | \$627,563 |
| Cumulative change in budget authority | <u>\$1,265,284</u> |

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #21-09 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 **\$627,563** to wit:

- A. An increase in the **General Fund** budget authority of **\$832** related to prior year royalty income.
- B. An increase in the **Enterprise Fund** budget authority of **\$315,547** related to the Consumer Loan Funds.
- C. An increase in the **IHS Self Governance - Health Fund** budget authority of **\$279,900** related to Salina Clinic dental equipment.
- D. An increase in the **IHS Self Governance - TEH Fund** budget authority of **\$29,306** related to interest income on unexpended stimulus funds for water and sewer projects.
- E. An increase in the **Permanent Funds** budget authority of **\$1,978** related to interest income of the Gammon Education Trust.

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.

Cherokee Nation Tribal Council

Doug Evans, C.P.A.,

Executive Director, Financial Oversight



M e m o

To: Jack D. Baker, Chair, Executive & Finance Committee &
Cara Cowan Watts, Co-Chair, Executive & Finance Committee

From: Doug Evans

CC: Executive & Finance Committee

Date: 4/14/2011

Re: Review of Budget Modification - 7

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. APRIL GRANTS RECEIVED (REPORTING ONLY):

| <u>Funding Source</u> | <u>Program</u> | <u>Amount</u> |
|------------------------------|---|-------------------------|
| DOT | ES FHWA Road Construction - Program Income | \$74,910 |
| DOI - General | NR Fire grant increase | \$10,513 |
| EPA | 1 - carryover adj. (-\$26k) & 1 - program income incr. (+\$12k) | <\$13,664> |
| Oklahoma | New Tobacco Usage Prevention award | \$50,000 |
| Private | CITGO heating fuel grant (LIHEAP households) | \$515,962 |
| | TOTAL GRANTS | <u>\$637,721</u> |

B. MOD - 7 (6 budgets) Net Increase in budget authority - \$627,563:

General Fund (Tribal): (Increase - \$832)

(1): General Fund Operations: Requesting an increase of **\$832** from the Conley Book Royalties to be transferred to the Cherokee Nation Education Corporation.

Enterprise Fund: (Increase - \$315,547)

(2): Consumer Loan Fund: Requesting an increase in spending authority of **\$29,156** largely represented in an increase in bad debt expense funded by interest income. The Employee Loan Fund is being combined with this Consumer Loan Fund and is receiving a \$286,391 transfer from that budget below.

(3): Employee Loan Fund: Requesting authority to transfer the balance of funding (**\$286,391**) into the Consumer Loan Fund above and combine these loan funds going forward.

IHS - Self Governance Health Fund: (Increase - \$279,900)

(4): Health Equipment Replacement: Requesting spending authority of **\$279,900** of increased IHS funding for Dental Equipment in the New Salina Dental Lab.

IHS - Self Governance TEH Fund: (Increase - \$29,306)

(5): ES Water & Sewer: Requesting an increase in spending authority of **\$29,306** related to interest income earned on the unexpended stimulus funds.

Permanent Funds: (Increase - \$1,978)

(6): Gammon Education Trust: Requesting authorization to transfer prior period interest income of **\$1,978** to the Cherokee Nation Education Corporation.

C. CEMETERIES & LAW ENFORCEMENT FUNDS:

The attached lists of projects have been approved, or are being requested to be approved in this Executive/Finance Committee. These projects have already been appropriated; therefore, there is no need to appropriate the funds again. This list is for informational purposes and is included within this mod package review for inclusion purposes.

Summary:

After reviewing the submission of Mod-7 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