



KIOWA TRIBE

P. O. Box 369 · Carnegie, Oklahoma · 73015
Phone: (580) 699-2407 · Fax: (580) 699-2408
OFFICE OF THE LEGISLATURE

Kiowa Tribe
Resolution No. KL-CY-2020-KL-CY-2020-0003

FIRST MODIFICATION TO THE ANNUAL BUDGET APPROPRIATION FOR FISCAL YEAR 2019-2020

At a duly called Session of the Legislature of the Kiowa Tribe held this 22nd day of January 2020, the following Resolution and Law were adopted.

WHEREAS; the Legislature is vested with the Authority to pass an Annual Budget, and budget modifications, for the Tribe pursuant to the Legislative Process, and subject to approval by the voters; and,

WHEREAS; the voters of the Tribe approved an Annual Budget, and any budget modifications, to be approved by the legislature and chairman, with final approval by the voter; and,

WHEREAS; the Legislature elected under the Kiowa Constitution recently approved for Modification of the 2019-2020 by majority vote.

WHEREAS; the Legislature has identified the need to enact a modification to the Annual Budget to include previously unidentified revenue and expenditures, including newly received funds, and to address funding shortfalls.

NOW THEREFORE IT BE IT RESOLVED; that the Legislature hereby enacts the attached "MODIFICATION TO THE ANNUAL BUDGET FOR FISCAL YEAR 2019-2020", subject to final approval by the voters.

CERTIFICATION

The foregoing *Resolution No. KL-CY-2020-0003* was duly voted upon by the Legislature on *February 22, 2020*, at a *Special Session* with a vote of *(4) yes* and *(3) opposed*, *(0) abstaining*, and *(0) absent*, pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

Anita Onco Johnson, District 5
Secretary of the Legislature



Section 1.1 Short Title

This enactment shall be known as the “MODIFICATION TO THE ANNUAL BUDGET FOR FISCAL YEAR 2019-2020”, (“Budget Modification #1”).

Section 1.2 Purpose

The purpose of the Act is to approve the first modification to the Annual Budget for Fiscal Year 2019-2020, subject to final approval by the voters.

Section 1.3 Findings

The Legislature Hereby finds and declares that:

- (a) The Legislature is vested with the authority to pass an Annual Budget, and budget modifications, for the Tribe, subject to approval by the voters;
- (b) The voters of the Tribe approved an Annual Budget 2019-2020, per the KIOWA CONSTITUTION, which requires an Annual Budget, and any budget modifications, to be approved by the Legislature and Chairman, with final approval by the voters;
- (c) The Legislature has identified the need to enact a modification to the Annual Budget to include previously unidentified revenue and expenditures, including newly received funds, and to address additional funding needs.

Section 1.4 Approval of the First Modification to the Annual Budget for Fiscal Year 2019-2020

The legislature hereby approves the First Modification to the Annual Budget for the Fiscal Year 2019-2020, subject to final approval by the voters, as listed below under Revenue in subsection (a), and Expenses in subsection (b), (c), (d), and (e):

- (a) Revenue: Under Revenue in the Annual Budget, the following modification shall be approved: (1) revenue granted from The Kiowa Tribe Casino operations of \$6,000,000 for disbursement for Tribal Operation and to supplement Tribal Programs.
- (b) Executive Branch: Under the General Budget, the Indian Self-Determination Contracts-P.L. 93-638, and/or Other Government Programs as listed in the Annual Budget, an appropriation of funds shall be increased and/or approved, as follows:
 - (i) Executive Branch: \$184,359.
 - (ii) Head Start: \$550,000 for the purchase of new Parking Lots for the program locations.
 - (iii) Education Department: \$721,750 to supplement the programs shortfall from Federal Funding from this year’s reduction of federal funding.
 - (iv) Tax Commission: \$52,760.

- (v) Enrollment: \$89,030 for the addition of personell staff and new mobile equipment.
- (vi) Museum (620): \$24,436.
- (vii) Planning Office: \$34,504.
- (viii) Housing: \$150,000.
- (ix) Veterans Assistance: \$8,240 for additional equipment.
- (x) IT Program: \$105,180 for the purchase of new servers and equipment.
- (xi) Security: \$116,967 for the additional staff and equipment/purchase of monitoring upgrades.
- (xii) AOA Supplement: \$56,000.
- (xiii) Building Insurance: \$40,000 for the increase of utilized space.
- (xiv) Kiowa Complex Upgrade: \$30,000.
- (xv) Handicap Ramps: \$30,000.
- (xvi) Building Improvements: \$20,000.
- (xvii) Tribal In-Kind: \$296,000 to establish a threshold for future shortfalls to programs.
- (xviii) Kiowa Language Supplement: \$16,400.
- (xix) Social Services Supplement: \$68,660.
- (xx) Social Services –Burial: \$30,000 for supplementing additional funds for the increase from (\$5,000 to \$6,000) of up to (130 Tribal members).
- (xxi) Finance Department: \$ 399,403 for additional staff.
- (xxii) Human Resources: \$59,460 for additional staff.
- (xxiii) Procurement: \$134,290 for additional staff and equipment.

- (xxiv) Maintenance: \$408,457 for additional staff and equipment.
- (xxv) Communication Office: \$7,130.
- (xxvi) Kiowa Gift Shop: \$24,684.
- (xxvii) Indian City: \$25,000 For additional improvements of the grounds.
- (xxviii) Forensic Audit: \$75,000.

(xxix) **Modified Amount for Tribal Programs:** Subtotal: \$4,597,595.00

Proposed Projects:

Renovation of Tribal Court	\$80,000.00
Renovation of Red Buffalo Hall	\$192,405.00
Upgrade of Internet System	\$30,000.00
Renovation of Kettle	\$30,000.00
Complex Parking Lot	\$20,000.00
Economic Development/Kiowa	
Enterprise Development	\$1,050,000.00

- (c) **Judicial Branch:** Under the General Budget in the Annual Budget, the Judicial Branch shall include an increased appropriation of \$500,000 to be used for salaries, office space/construction, equipment, supplies, consultants, legal counsel, and employees and/or contract services for clerks, bailiffs, prosecutors, public defenders, jail bed spaces, pro tempore judges, and related expenditure as necessary for the operation of the courts and Judicial Branch of government.
- (d) **Legislative Branch:** Under the General Budget in the Annual Budget, the Legislative Branch shall include an increased appropriation of \$339,885 for additional staff, Salaries, additional equipment, for each district to maintain a physical presence for each district due to the increased of Legislative duties to new roles of each legislator within the Tribal operations to assist with day to day operation and to assist each constituent needs for Tribal affairs processing.

Section 1.5 Final Approval by the Voters

Within Thirty Days of approval of this Budget Modification #1 by the Legislature and Chairman pursuant to the Legislative Process in Article VI, Section 8 of the Constitution, the Election Commission shall call and conduct a special Election for the voters to decide whether to approve Budget Modification #1.

LEGISLATURE – RESOLUTION NUMBER: KL-CY-2020-0003


SPONSOR: Modina Waters, District #7 of the Kiowa Tribe Legislature.

CO-SPONSOR(S):

LEGISLATORS	YES	NO	ABSTAIN	ABSENT
Angela McCarthy District #1	X			
Michael Primus District #2	X			
Marilyn Bread District #3	X			
Jesse Svitak District #4	X			
Anita Johnson District #5		X		
Ben Wolf District #6		X		
Modina Waters District #7		X		

DELIVERY OF THE RESOLUTION AND LAW TO THE CHAIRMAN

Resolution No. KL-CY-2020-0003, was presented to the Chairman of the Kiowa Tribe on the **22th day of February 2020**, pursuant to the Article VI, Section 8(a)(iv) of the Constitution of the Kiowa Tribe, and will become effective after signature by the Chairman or veto override by the Legislature, and as otherwise required by the Constitution.



Anita Johnson/District #5
Secretary of the Legislature

CHAIRMAN'S ACTION:

APPROVED

VETO – RETURNED TO LEGISLATURE WITH EXPLANATION:

On this 22 day of February, 2020.


Matthew M. Komalty
Chairman of the Kiowa Tribe

Presented by the Chairman to the Legislature on the _____ day of _____, 2020.

LEGISLATURE'S ACTION:

Override of Chairman's veto:

YES

NO

LEGISLATORS	YES	NO	ABSTAIN	ABSENT
Angela McCarthy District #1				
Michael Primus District #2				
Marilyn Bread District #3				
Jesse Svitak District #4				
Anita Johnson District #5				
Ben Wolf District #6				
Modina Waters District #7				

CERTIFICATION

The foregoing **Resolution KL-CY-2020-0003**, was duly voted upon by the **Kiowa Tribe Legislature** at a duly called **Working Session _____, 2020**, with a vote of () in favor and () opposed, () abstaining, and () absent, pursuant Tribe Legislature at a to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

Anita Johnson, District #5 Legislator
Secretary of the Legislature



KIOWA TRIBE
P.O. Box 369 • Carnegie, Oklahoma • 73015
Phone: (580) 654-6338 • Fax: (580) 654-1788
OFFICE OF THE LEGISLATURE

INTER-OFFICE MEMORANDUM:

TO: Burnett Pwenofkit, Chairman of Election Commission

FROM: Angela McCarthy, Speaker/District #1 Legislature

DATE: Saturday, February 22, 2020

SUBJECT: Presentation to the Kiowa Tribe Election Commission of enacted Law for Legislative Resolutions KL-CY-2020-0003; Kiowa Tribe Budget for Fiscal Year 2019-2020.

Enactment of Laws

On February 22, 2020, a Legislative Special Session was held to approve one (1) Law/Bills as follows:

1. **KL-CY-2020-0003; KIOWA TRIBE BUDGET FISCAL YEAR 2019-2020.** (Approved 4-3)
Purpose: Kiowa Tribe Budget for FY-2019-2020, to be voted on by the Kiowa People in a duly called election.

Approval by the Legislature

On, February 22, 2020, the Legislature approved and presented the Law/Bills (listed above) to Matthew M. Komalty, Chairman of the Kiowa Tribe for signature or veto as required by the Constitution. [Art. VI, Sec. 8(a)(iv)]. Chairman Komalty has approved Resolution KL-CY-2020-0003 to be forwarded to the Kiowa Tribe Election Commission to hold a duly called election for approval by the Kiowa Tribe people.

Should you have any other questions, please feel free to contact me as soon as possible.

Sincerely,

Angela McCarthy, District 1/Speaker
Kiowa Tribe Legislature

PLEASE SIGN AND PRINT RECEIVED:

Burnett Sewerick Date 2-22-2020
Print Signature

Burnett Sewerick Date 2-22-2020
Signature



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OFFICE OF THE LEGISLATURE

INTER-OFFICE MEMORANDUM:

TO: Matthew M. Komalty, Chairman

FROM: Angela McCarthy, Speaker/District #1 Legislature

DATE: Saturday, February 22, 2020

SUBJECT: Enactment of New Law for Legislative Resolutions KL-CY-2020-0003; Kiowa Tribe Budget for Fiscal Year 2019-2020.

Enactment of Laws

On February 22, 2020, a Legislative Special Session was held to approve one (1) Law/Bills as follows:

1. **KL-CY-2020-0003; KIOWA TRIBE BUDGET FISCAL YEAR 2019-2020.** (Approved 4-3)
Purpose: Kiowa Tribe Budget for FY-2019-2020, to be voted on by the Kiowa People in a duly called election.

Approval by the Legislature

On, February 22, 2020, the Legislature approved and presented the Law/Bills (listed above) to your office for your signature or veto as required by the Constitution. [Art. VI, Sec. 8(a)(iv)].

Signature or Veto by the Chairman

The Constitution provides the Chairman with ten (10) days in which to sign or veto Bills approved by the Legislature. Specifically, the Constitution says:

“The Chairman shall have the power to sign any enactment passed by the Legislature into law or to veto with written explanations any enactment passed by the Legislature within ten days of passage and presentment of a certified enactment from the Legislature to the Chairman; provided, that if the Chairman takes no action within ten days, the enactment shall become law in accordance with this Constitution.” (Emphasis added). [Art. VII, Sec. 4(f)].

Should you have any other questions, please feel free to contact me as soon as possible.

Sincerely,



Angela McCarthy, District 1/Speaker
Kiowa Tribe Legislature

PLEASE SIGN AND PRINT RECEIVED:

Matthew M. Kowalky Date 7.22.20
Print Signature

Matthew M. Kowalky Date 7.22.20
Signature