



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-2020-0011

FIRST MODIFICATION TO THE ANNUAL BUDGET APPROPRIATION FOR FISCAL YEAR 2020-2021

At a duly called Session of the Legislature of the Kiowa Tribe held this 14th day of November, 2020, the following Resolution and Law were adopted.

WHEREAS; the Legislature is vested with the Authority to pass the Annual Budget, and budget modifications [Article VI, Section 6. (iii)], for the Tribe pursuant to the Legislative Process, and subject to approval of 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 voters; and,

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

WHEREAS; the Kiowa Indian Council believes that the COVID-19 Pandemic is continuing to cause harm to our tribal people and is having a particularly harsh economic impact on our elder Kiowa tribal members who are having difficulty obtaining sufficient food, shelter, and medication; and,

WHEREAS; the Kiowa Indian Council is aware that proceeds from a second dispersal of CARES Act Relief Funds was received and was not appropriated in the 2020-2021 approved annual budget and remains in the tribal account awaiting appropriation by the Kiowa Legislature pursuant to final approval of the KIC; and,

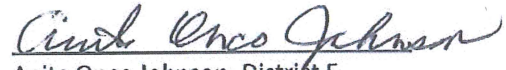
WHEREAS; that by a vote of the Kiowa people hereby considers a modification of the 2020-2021 Kiowa Tribal Annual Budget that provides in part or all of the CARES Act Relief funds received by the Kiowa Tribe in the second dispersal appropriated by the United States Treasury under an Act of Congress shall be distributed before the December 31, 2020 as Emergency General Welfare Assistance to all elder members of the Kiowa Tribe who are over the age of 62 years; and,

NOW THEREFORE BE IT RESOLVED; that such disbursements shall be made equally to all elder tribal members on a pro rata basis in the amount of \$500.00 per individual request for assistance.

BE IT FURTHER RESOLVED; that the Legislature hereby enacts the attached "FIRST MODIFICATION TO THE ANNUAL BUDGET FOR FISCAL YEAR 2020-2021", subject to final approval by the voters.

CERTIFICATION

The foregoing *Resolution No. KL-CY-2020-0011* was duly voted upon by the Legislature on *November 14th, 2020*, at a Regular Session with a vote of *(5) in favor and (1) 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 "FIRST MODIFICATION TO THE ANNUAL BUDGET FOR FISCAL YEAR 2020-2021", ("First Budget Modification").

Section 1.2 Purpose

The purpose of the Act is to approve the first modification to the Annual Budget for Fiscal Year 2020-2021, 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 2020-2021, 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 First Budget 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 2020-2021

The legislature hereby approves the First Modification to the Annual Budget for the Fiscal Year 2020-2021, subject to final approval by the voters, as listed below under Revenue in subsection (a), and Expenses in subsection (b):

- (a) Revenue: Under Revenue in the Annual Budget, the following First Modification shall be approved: (1) revenue granted from The CARES ACT – \$3.08 million.
- (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:
 1. Executive Branch: \$2.9 million. Said amount to be distributed to eligible Elder citizens in the amount of \$500.00 upon application for assistance with remaining amount to be distributed for emergency assistance to those eligible applicants through Social Services up to an amount of \$1,000.00.

Section 1.5 Final Approval by the Voters

Within Thirty Days of approval of this First Budget Modification 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 First Budget Modification.

LEGISLATURE -- RESOLUTION NUMBER: KL-CY-2020-0011


SPONSOR: Anita Johnson, District V of the Kiowa Tribe Legislature.

CO-SPONSOR(S): Ben Wolf, District VI of the Kiowa Tribe Legislature

LEGISLATORS	YES	NO	ABSTAIN	ABSENT
VACANT District I				
Michael Primus District II	X			
Marilyn Bread District III	X			
Jessie Svitak District IV		X		
Anita Johnson District V	X			
Ben Wolf District VI	X			
Jacob Tsotigh District VII	X			

DELIVERY OF THE RESOLUTION AND LAW TO THE CHAIRMAN

Resolution No. KL-CY-2020-0011, was presented to the Chairman of the Kiowa Tribe on the 30th day of November, 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 V
Secretary of the Legislature

CHAIRMAN'S ACTION:

APPROVED

VETO – RETURNED TO LEGISLATURE WITH EXPLANATION:

On this ____ day of _____, 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

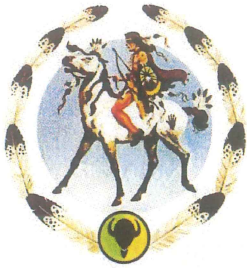
NO

LEGISLATORS	YES	NO	ABSTAIN	ABSENT
VACANT District I				
Michael Primus District II				
Marilyn Bread District III				
Jessie Svitak District IV				
Anita Johnson District V				
Ben Wolf District VI				
Jacob Tsotigh District VII				

CERTIFICATION

The foregoing *Resolution KL-CY-2020-0011*, was duly voted upon by the *Kiowa Tribe Legislature* at a duly called _____ *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 V 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: Matthew M. Komalty, Chairman

FROM: Anita Onco-Johnson, District 5/Secretary of the Legislature

DATE: Tuesday, December 01, 2020

SUBJECT: **CERTIFIED LETTER REGARDING:** Legislative Resolutions KL-CY-2020-0011; First Modification to the Annual Budget Appropriation for Fiscal Year 2020-2021.

The Kiowa Legislature held Regular Session XLIII on November 14th, 2020 as specified in the Kiowa Tribe Constitution. The Legislature approved Bill/Resolution:

- 1. KL-CY-2020-0011; First Modification to the Annual Budget Appropriation for Fiscal Year 2020-2021.**

The Kiowa Tribe Legislature is required to request and receive back the resolution/laws within ten (10) days of deliver to the “Chairman”, in accordance with the Kiowa Tribe Constitution, Article VII – Executive Branch: (f) The Chairman shall have the power to sign any enactment passed by the Legislature into law or to veto with written explanation any enactment passed by the Legislature within ten (10) 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 (10) ten days, the enactment shall become law in accordance with the Constitution.

The ten (10) days allowed by the constitution begins on the date this document is received by Chairman and/or Executive Branch on behalf of the Chairman.

Should you have any questions regarding this matter, please feel free to contact me at ajohnson@kiowatribe.org.



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OFFICE OF THE LEGISLATURE

INTER-OFFICE MEMORANDUM:

TO: Matthew M. Komalty, Chairman

FROM: Anita Onco-Johnson, Secretary/District #5 Legislature *Anita Onco Johnson*

DATE: Tuesday, December 15, 2020

SUBJECT: Enactment of New Law for Legislative Resolutions KL-CY-2020-0011; First Modification to the Annual Budget Appropriation for Fiscal Year 2020-2021.

Enactment of Laws

On December 01, 2020, Legislature Resolution KL-CY-2020-0011; First Modification to the Annual Budget Appropriation for Fiscal Year 2020-2021, was delivered by certified express mail and received and signed for on December 02, 2020, by the Chairman's Office to review for approval or veto.

Approval by the Legislature

On, December 12, 2020, the Legislature Resolution KL-CY-2020-0011; First Modification to the Annual Budget Appropriation for Fiscal Year 2020-2021 was enacted in accordance with the Kiowa Tribe Constitution.

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.