

TRIBAL COUNCIL ACT 14.1

AN ACT RELATING TO

TRIBAL FINANCE

BE IT ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL

SECTION 1.0 – TITLE AND CODIFICATION

This Chapter shall be known as the Snoqualmie Tribal Finance Act of 2002 and shall be codified as Title 14, Chapter 1 of the Snoqualmie Tribal Code.

SECTION 2.0 – STATUTORY AUTHORIZATION

Reserved.

SECTION 3.0 – PURPOSE AND SCOPE

The purpose of this Chapter is to enact Tribal requirements for the management of the financial functions for the Snoqualmie Indian Tribe. There is established an Office of Finance for the Snoqualmie Indian Tribe. The Office of Finance shall be headed by a Chief Financial Officer. The principal purpose of the Office of Finance shall be to manage the accounting and finance functions of the Snoqualmie Indian Tribe and to assure that all funds are properly accounted for in accordance with generally accepted or legally required accounting principles and methods.

SECTION 4.0 – DEFINITIONS

There are no words or phrases that require statutory definition as part of this enactment.

SECTION 5.0 – POWERS AND DUTIES GENERALLY

Specifically, the Chief Financial Officer shall be responsible for:

- (a) Providing an accounting and reporting system that will accumulate and report appropriate revenues, expenses, assets, liabilities, and related quantitative information.
- (b) Assuring the integrity of financial information concerning Tribal activities and resources.
- (c) Preparing financial reports based on generally accepted accounting principles, or other appropriate bases as may be applicable to Federally recognized Indian tribes.
- (d) Quantifying and interpreting the effects of planned transactions and other economic transactions on the Snoqualmie Indian Tribe.

- (e) Assuring protection of the assets of the Tribe through internal control, internal auditing, and proper insurance coverage.
- (f) Supervising and coordinating the preparation and issuance of required reports for Tribal Officials and government agencies.
- (g) Maintaining banking arrangements, receipt and disbursing funds of the Tribe and its programs.
- (h) Recommending the appointment of independent public accountants and the extent and scope of their audit work.
- (i) Establishing and supervising a sound program of cash management involving both receipts and disbursement of funds.
- (j) Forecasting fund and cash positions at future dates as a guide to their availability and need.
- (k) Overseeing with the assistance of the Contracts and Grant Manager the budgeting functions of the Tribe and providing assistance as necessary with various program budgets.
- (l) Informing program managers and department heads of the status of program funds and budgets.
- (m) Acting as Financial Advisor to the Tribal Council.
- (n) Supervising the preparation and issuance of employee payrolls.
- (o) Establishing and implementing a sound plan of organization for assigned financial administration functions.
- (p) Determining the necessary manpower for performing assigned functions.
- (q) Selecting and maintaining qualified personnel in subordinate positions within the Office of Finance and recommending compensation for the same.
- (r) Establishing and issuing plans, policies and procedures governing the performance of assigned activities.
- (s) Performing all functions at the lowest cost, consistent with effective performance.
- (t) Performing any additional functions as delegated by the Council and the Chiefs.

SECTION 6.0 – REQUIREMENT FOR DEPOSIT OF FUNDS GENERALLY

Any funds in the custody of the Snoqualmie Indian Tribe shall be deposited in an approved depository. There shall be one principal depository, provide for by law, and as many subsidiary depositories as may be necessary for the efficient regulation and management of Tribal business. Said subsidiary depositories shall be approved in accordance with section 8.0 of this Chapter.

SECTION 7.0 – PRINCIPAL DEPOSITORY

The depositories for funds under the control of the funds of the Snoqualmie Indian Tribe shall be the _____ or such other banking institutions which the Snoqualmie Tribal Council deems appropriate.

SECTION 8.0 – SUBSIDIARY DEPOSITORIES

- (a) Subsidiary depositories used for investment of Tribal funds shall be determined by comparative analysis of candidate institutions. The bidding and selection process in investment depositories shall be conducted by the Office of Finance, subject to review by the Tribal Council, on a regular basis.
- (b) Other subsidiary depositories may be designated for the purpose of efficient regulation and management of Tribal business in a particular locale. Subsidiary depositories provided for under this subsection shall maintain a checking/general banking relationship with the Snoqualmie Indian Tribe and shall be approved, upon recommendation of the Chief Financial Officer, by resolution from the Tribal Council. The resolution shall contain the name of the financial institution, the purpose of the depository, and the names of those persons authorized to conduct transactions with the depository.

SECTION 9.0 – CONTROL OF DEPOSITED FUNDS

No funds under the control of the Tribe shall be deposited in any financial institution unless said institution is insured by either the Federal Deposit Insurance Corporation (“FDIC”), the Federal Savings and Loan Insurance Corporation (“FSLIC”) or Canadian Deposit Insurance.

SECTION 10.0 – REQUIREMENTS FOR APPROPRIATIONS OF FUNDS GENERALLY

- (a) All appropriations of funds shall be provided for by law. The appropriation bill shall include the source of funds, the amount of funds, and the purpose for which the funds are being appropriated.
- (b) Any restricted grants, contracts or donated funds received by the Snoqualmie Indian Tribe shall be used only for those purposes and under the conditions for which the funds are made available. These funds shall not be appropriated by the Council, but shall be subject to review by the Council.

SECTION 11.0 – ANNUAL APPROPRIATIONS

- (a) In September of each year, the Funds Services Committee of the Tribal Council, upon direction of the Tribal Administrator and with advisement for the Chief Financial Officer, shall formulate an annual appropriations bill. The bill shall contain the budgeted annual revenue and expenditures from the general fund, enterprise fund, and trust fund for the executive, legislative, and judicial branches of government. The bill shall identify the individual sources of revenue for each branch of government. The sources of revenue may be based upon estimates. The budgeted expenditures formulated as provided for in this subsection shall not exceed total estimated revenues.
- (b) Upon completion of the annual appropriations bill, the Chairman of the Funds Services Committee, or their designee, shall present the bill to the full Council for consideration and passage.
- (c) The Tribal Administrator, with advisement from the Chief Financial Officer, shall be responsible for proposing amendments to the annual appropriations law based upon material changes in real or estimated revenues and expenditures that affect the total amounts budgeted. Any amendments shall be presented to the full Council for consideration and passage.

SECTION 12.0 – INVESTMENTS OF JUDGMENT FUNDS; GENERALLY

Any investment of judgment funds shall be pursuant to 25 U.S.C. § 162a. The use or distribution of said funds shall be in accordance with 25 C.F.R. § 87.1, *et seq.*

SECTION 13.0 – RESERVATION OF RIGHTS; INVESTMENT OF JUDGMENT FUNDS

The Snoqualmie Tribal Council reserves the right, within statutory authority and limitations, to recommend to the Secretary of the Interior preferred financial institutions for the investment of judgment funds.

SECTION 14.0 – INVESTMENT OF SURPLUS FUNDS

Surplus funds from Tribal operations may be invested by the Chief Financial Officer, upon direction of the Tribal Administrator and with the consent of the Chiefs in accordance with section 16.0 of this Chapter.

SECTION 15.0 – TERM OF INVESTMENTS

Tribal funds invested pursuant to section 14.0 of this Chapter shall be for a period not to exceed 120 days; provided that funds may be invested for a longer term upon approval of the Funds Services Committee of the Snoqualmie Tribal Council.

SECTION 16.0 – SELECTION OF INVESTMENT INSTITUTION

- (a) The Chief Financial Officer shall, upon determination of the amount of surplus funds, solicit bids from financial institutions for the purpose of investing said funds.
- (b) The Chief Financial Officer shall use the following criteria in the determination of the successful bidding institution:
 - (1) The institution offering the highest interest rate on the funds; and
 - (2) In the event that one or more institutions offer the same highest rate of interest, the funds shall be equally distributed among those institutions; provided that if the amount of funds are not sufficient to distribute among several institutions, those institutions offering the highest rate of interest shall be selected by the earlier postmark.

SECTION 17.0 – PROTECTION OF INVESTED FUNDS

In the event that the invested funds in a single institution amount to more than \$100,000.00, the funds shall be collateralized as provided for in subsection 9.0(b) of this Chapter, and provided further that the institution where said funds are invested shall secure and pledge to the Snoqualmie Indian Tribe joint custody receipts for the full amount of said funds.

SECTION 18.0 – REQUIREMENTS FOR PLEDGES OF CREDIT OF THE SNOQUALMIE INDIAN TRIBE; GENERALLY

The credit of the Snoqualmie Indian Tribe may be extended to any individual, company, corporation, or association by resolution of the Snoqualmie Tribal Council. The resolution shall contain the name of the entity Tribal credit is being pledged to, the purpose of the credit, the amount of credit being pledged, and the length of time the pledge of credit is to be in effect.

SECTION 19.0 – PLEDGES OF CREDIT REQUIRING WAIVER OF SOVEREIGN IMMUNITY

Any pledge of credit that requires the waiving of sovereignty of the Snoqualmie Indian Tribe shall be effected by resolution of the Tribal Council. The resolution shall state the time the waiver is to be in effect, and such effective time shall rule past any change in the elected Tribal Council. The resolution must contain the information required in section 21.0 of this Chapter.

SECTION 20.0 – GOVERNING ACCOUNTING STANDARDS

Generally accepted accounting principles (GAAP), established by the National Council on Governmental Accounting, the American Institute of CPAs, and the Financial Accounting Standards Board, shall be used in accounting and reporting for the financial activities of the various entities of the Snoqualmie Indian Tribe, unless they conflict with applicable legal requirements.

SECTION 21.0 – COMBINED FINANCIAL STATEMENT REPORTS

At each regular session of the Tribal Council, the Chief Financial Officer shall submit a combined financial statement. The statement shall contain a combined balance sheet showing all fund and account groups, their assets, liabilities, and equity; a general fund statement of revenues and expenditures; a Tribal enterprise statement of revenues and expenditures; a non-Tribal grant expenditure statement; a statement of the Tribal loan fund, showing changes in the fund balance; and a statement of the Tribal judgment fund, showing changes in the fund balance.

SECTION 22.0 – ANNUAL AUDIT STATEMENTS AND REPORTS

Within 120 days, or no more than 150 days, after the end of the Tribal fiscal year, the Chief Financial Officer shall submit audited financial statements and related reports developed in accordance with generally accepted auditing standards and applicable legal requirements to the Tribal Council.

SECTION 23.0 – RETENTION OF RECORDS

The Chief Financial Officer, under the direction of the Tribal Administrator, shall develop and maintain a fiscal records retention program. The records retention program shall identify the records to be retained, the length of time the records are to be retained, and the method of record destruction for those records not retained.

SECTION 24.0 – VERIFICATION AND APPROVAL OF CLAIMS

All appropriate claims against the Snoqualmie Indian Tribe and against its funds shall be verified by the claimant and shall be approved by a Tribal representative who has personal knowledge of receipt of the goods or services before the same are paid.

SECTION 25.0 – DEVELOPMENT AND MAINTENANCE OF POLICIES AND PROCEDURES GOVERNING PROCESSING OF CLAIMS

The policies and procedures covering the processing of claims against the Snoqualmie Indian Tribe shall be developed and maintained by the Chief Financial Officer and Tribal Administrator.

SECTION 26.0 – PROVISIONS AS CUMULATIVE

The provisions of this Chapter shall be cumulative as to existing law.

SECTION 27.0 – REPEAL PROVISIONS AND CONFORMING AMENDMENTS

No provisions of law are expressly repealed by this enactment.

SECTION 28.0 – SEVERABILITY

The provisions of this Chapter are severable and if any part or provision shall be held void by any court of competent jurisdiction, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this Chapter.

ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 13TH DAY OF JUNE, 2002 IN SESSION DULY MET, WITH 9 FOR, 0 AGAINST, AND 1 ABSTAINING. TRIBAL COUNCIL ACT 07-02.

CODIFIED BY THE SNOQUALMIE TRIBAL SECRETARY ON THE 21 DAY OF October 2008.



TRIBAL SECRETARY 10-21-08