

# An Act

## LEGISLATIVE ACT 29-17

### AN ACT AMENDING LEGISLATIVE ACT #26-17 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2018 – Mod. 1; 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 #26-17 Authorizing the Comprehensive Operating Budget for FY 2018 – Mod. 1”.

#### 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 2018” or subsequent amendment. The cumulative total of the budget is increased by \$ 3,478,345 for a total budget authority of \$ 651,775,240. The following items are identified as components of such change:

Grants Received & Authorized per LA-26-17 (detail attached)	\$	0
Modification Request (see Section 4 below)		<u>3,478,345</u>
<b>Cumulative change in budget authority</b>	<b>\$</b>	<b><u>3,478,345</u></b>

#### SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #26-17 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 \$ 3,478,345 to wit:

A. An increase in the **IHS Self Governance Health** budget authority of \$ 3,478,345.

**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.

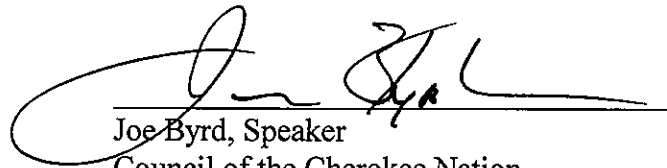
**SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED**

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.

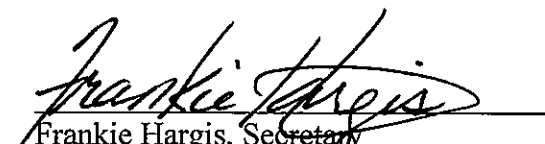
**SECTION 8. SELF-HELP CONTRIBUTIONS**

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.

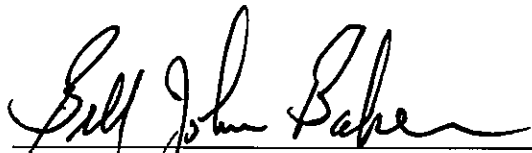
Enacted by the Council of the Cherokee Nation on the 23<sup>rd</sup> day of October, 2017

  
Joe Byrd, Speaker  
Council of the Cherokee Nation

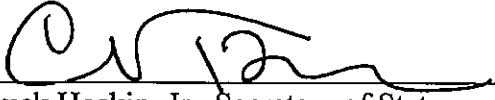
**ATTEST:**

  
Frankie Hargis, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 24 day of October, 2017

  
Bill John Baker, Principal Chief  
Cherokee Nation

**ATTEST:**



Chuck Hoskin, Jr., Secretary of State  
Cherokee Nation

**YEAS AND NAYS AS RECORDED:**

Rex 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>
Dr. Mike Dobbins	<u>Yea</u>	Buel Anglen	<u>Yea</u>
E.O. "Jr" Smith	<u>Yea</u>	Keith Austin	<u>Yea</u>
Bryan Warner	<u>Yea</u>	Janees Taylor	<u>Yea</u>
Frankie Hargis	<u>Yea</u>	Mary Baker Shaw	<u>Yea</u>
Shawn Crittenden	<u>Yea</u>	Wanda Hatfield	<u>Absent</u>
Mike Shambaugh	<u>Yea</u>		

CHEROKEE NATION  
 PROPOSED FY 2018 AMENDMENT  
 Sorted by Funding Source

Funding Source	Ref # by FS	Program/Purpose	FY 2018 Prior LA	Data		
				Amend. Change to Sources	Amend. Expenses Total Change	Net Change
32-IHS - Self Governance Health	1	3322105 Stilwell Revenue	LA 26-17	146,481	146,481	\$ -
	2	3322205 Sallisaw Revenue	LA 26-17	172,060	172,060	\$ -
	3	3322305 Jay Revenue	LA 26-17	111,055	111,055	\$ -
	4	3322405 Salina Revenue	LA 26-17	180,638	180,638	\$ -
	5	3322505 Nowata Revenue	LA 26-17	46,478	46,478	\$ -
	6	3322605 Muskogee Revenue	LA 26-17	563,247	563,247	\$ -
	7	3322705 Ochelata Revenue	LA 26-17	34,002	34,002	\$ -
	8	3322805 Vinita Revenue	LA 26-17	173,213	173,213	\$ -
	9	3322905 Ga Du Gi Revenue	LA 26-17	6,939	6,939	\$ -
	10	3323005 Hastings Revenue	LA 26-17	2,041,516	2,041,516	\$ -
	11	3324100 Ambulance Service	LA 26-17	2,716	2,716	\$ -
<b>32-IHS - Self Governance Health Total</b>				<b>\$ 3,478,345</b>	<b>\$ 3,478,345</b>	<b>\$ -</b>
<b>Grand Total</b>				<b>\$ 3,478,345</b>	<b>\$ 3,478,345</b>	<b>\$ -</b>

## Operating Mod #1 Request

**COMPREHENSIVE BUDGET  
FOR FISCAL YEAR 2018**

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	97,000,563	661,398	97,661,961	80,319,041	4,933,723	12,409,197	97,661,961	0
Motor Fuels Tax Funding Srce	9,288,770	17,324,706	26,613,476	18,538,315	104,469	7,970,692	26,613,476	0
Motor Vehicle Tax Funding Srce	25,351,689	1,126,604	26,478,293	24,674,532	513,403	1,290,358	26,478,293	0
Permanent Fund Funding Source	10,100	-	10,100	10,100	-	-	10,100	0
DOI General Funding Source	10,526,657	-	10,526,657	9,603,640	923,017	-	10,526,657	0
DOI Self Gov Funding Source	13,363,665	79,600	13,443,265	12,301,800	1,133,965	7,500	13,443,265	0
DOI Self Gov Roads Funding Srce	8,312,217	-	8,312,217	8,162,149	129,867	20,201	8,312,217	0
Dept of Transportation Fnd Srce	72,048,214	-	72,048,214	71,786,009	162,362	99,843	72,048,214	0
DOI PL102-477 Funding Source	26,756,697	-	26,756,697	25,711,458	1,045,239	-	26,756,697	0
IHS Self Gov Health Funding Sr	286,180,066	206,647	286,386,713	265,999,613	20,387,100	-	286,386,713	0
IHS Self Gov TEH Funding Srce	8,972,850	-	8,972,850	8,677,485	295,365	-	8,972,850	0
IHS Self Gov Offic Funding Srce	322,788	-	322,788	288,476	34,312	-	322,788	0
IHS Discretionary Funding Srce	75,000	-	75,000	35,000	-	40,000	75,000	0
DHHS General Funding Source	37,402,452	557,804	37,960,256	34,874,689	3,085,567	-	37,960,256	0
USDA Funding Source	19,244,537	851,419	20,095,956	19,349,897	746,059	-	20,095,956	0
Dept of Education Funding Srce	1,130,919	67,222	1,198,141	1,140,593	57,548	-	1,198,141	0
HUD Funding Source	32,078,682	312,422	32,391,104	31,847,310	507,794	36,000	32,391,104	0
Housing Proceeds Funding Srce	-	-	-	-	-	-	-	0
EPA Funding Source	1,653,607	-	1,653,607	1,472,893	180,714	-	1,653,607	0
Dept of Labor Funding Source	10,420,024	-	10,420,024	9,506,751	913,273	-	10,420,024	0
Federal Other Funding Source	5,126,706	35,729	5,162,435	4,813,908	148,527	200,000	5,162,435	0
State of Oklahoma Funding Srce	1,274,965	-	1,274,965	1,176,942	98,023	-	1,274,965	0
Private Funding Source	303,285	152,987	456,272	410,951	45,321	-	456,272	0
Indirect Cost Pool Funding Srce	47,229,321	900	47,230,221	47,230,221	-	-	47,230,221	0
Fringe Pool Funding Source	-	-	-	-	-	-	-	0
Internal Lease Pool Funding Sr	5,427,293	-	5,427,293	5,427,293	-	-	5,427,293	0
Enterprise Funding Source	3,376,189	886,000	4,262,189	4,060,725	201,464	-	4,262,189	0
Other Funding Source	225,000	17,000	242,000	234,124	7,876	-	242,000	0
Debt Service Funding Source	-	-	-	-	-	-	-	0
Capital Projects Funding Source	149,627,298	-	149,627,298	149,420,651	-	206,647	149,627,298	0
<b>Total</b>	<b>\$ 872,729,554</b>	<b>\$ 22,280,438</b>	<b>\$ 895,009,992</b>	<b>\$ 837,074,566</b>	<b>\$ 35,654,988</b>	<b>\$ 22,280,438</b>	<b>\$ 895,009,992</b>	<b>\$ -</b>

**Non Grant Requests**

Oper Mod #1 Req 3,478,345 08/31 E&F

**CAPITAL RECONCILIATION**

LA 25-17 \$ 246,713,097

**Total after pending Mod's \$ 898,488,337**

**Total Capital \$ 246,713,097**

Operating (LA 26-17) 651,775,240 Cumulative Oper  
Capital (LA 25-17) 246,713,097 Cumulative Cap  
**Grand Total \$ 898,488,337**



# CHEROKEE NATION TRIBAL COUNCIL

Jody S. Reece, CPA, CIA, CMA

Executive Director of Financial Oversight

## Mem o

**To:** Janees Taylor, Chairman, Executive & Finance Committee  
**From:** Jody S. Reece  
**CC:** Executive & Finance Committee  
**Date:** 09/19/2017  
**Re:** Review of Operating Budget Modification #1 – **Total \$ 3,478,345**

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. Grant Reporting:

<u>Funding Source</u>	<u># of Budgets - Reason</u>	<u>Amount</u>
None	none	\$ 0
<b>TOTAL GRANTS</b>		<b>\$ 0</b>
General Fund Cash Match for Grants (1010315)		
Cash Out: Grant Required	\$ 1,977,583	
Appropriated for Cash Match (future grants)	708,489	
Original Total Budget	<u>\$ 2,686,072</u>	
Original Appropriated for Cash Match (future grants)	\$ 708,489	
Used: None	0	
Balance Available For Future Grant Matching	<u>\$ 708,489</u>	

### B. MOD #1 Request - (11 budgets) Increase in budget authority - \$ 3,478,345

**Overview of changes:** Provider pay base increases and estimated RVU (relative value unit) bonuses based on bonuses over the 25<sup>th</sup> percentile. There is also a contract cardiologist budgeted in Muskogee for \$350,000.

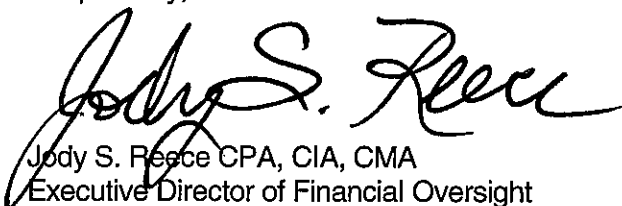
1. Stilwell Revenue – 3322105 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$146,481 for provider pay increases. The new expenditure total is \$12,285,450.
2. Sallisaw Revenue – 3322205 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$172,060 for provider pay increases. The new expenditure total is \$10,701,398.

3. Jay Revenue – 3322305 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$111,055 for provider pay increases. The new expenditure total is \$9,524,299.
4. Salina Revenue – 3322405 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$180,638 for provider pay increases. The new expenditure total is \$9,547,642.
5. Nowata Revenue – 3322505 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$46,478 for provider pay increases. The new expenditure total is \$6,073,174.
6. Muskogee Revenue – 3322605 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$563,247 for provider pay increases and one new contract position for \$350,000. The new expenditure total is \$16,172,185.
7. Ochelata Revenue – 3322705 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$34,002 for provider pay increases. The new expenditure total is \$4,385,166.
8. Vinita Revenue – 3322805 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$173,213 for provider pay increases. The new expenditure total is \$10,113,458.
9. Ga Du Gi Revenue – 3322905 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$6,939 for provider pay increases. The new expenditure total is \$472,674.
10. Hastings Revenue – 3323005 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$2,041,516 for provider pay increases. The new expenditure total is \$99,356,425.
11. Ambulance Service – 3324100 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$2,716 for provider pay increases. The new expenditure total is \$4,374,417.

**Summary:**

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

Respectfully,



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