

An Act

LEGISLATIVE ACT 31-14

AN ACT AMENDING LEGISLATIVE ACT #25-14 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2015 – Mod. 4; 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 #25-14 Authorizing the Comprehensive Operating Budget for FY 2015 – Mod. 4**”.

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 2015” or subsequent amendment. The cumulative total of the budget is increased by **\$ 7,488,033** for a total budget authority of **\$ 622,953,537**. The following items are identified as components of such change:

Grants Received & Authorized per LA-25-14 (detail attached)	\$ 201,771
Modification Request (see Section 4 below)	<u>7,286,262</u>
Cumulative change in budget authority	<u>\$ 7,488,033</u>

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #25-14 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 **\$ 7,286,262** to wit:

- A. An increase in the **General Fund** budget authority of **\$ 10,724**.
- B. An increase in the **DOI – PL 102-477** budget authority of **\$ 2,715,399**.
- C. An increase in the **DOI – Self Governance** budget authority of **\$ 45,376**.
- D. An increase in the **IHS – Self Governance Health** budget authority of **\$ 4,514,763**.

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.

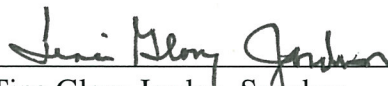
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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

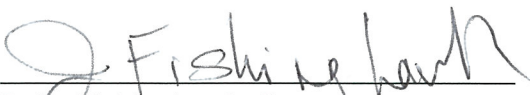
To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.

Enacted by the Council of the Cherokee Nation on the 15th day of December, 2014.




Tina Glory Jordan, Speaker
Council of the Cherokee Nation

ATTEST:



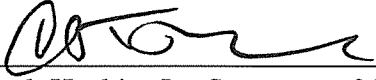
Jodie Fishinghawk, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 17th day of December, 2014



Bill John Baker, Principal Chief
Cherokee Nation

ATTEST:



Chuck Hoskin, Jr., Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Tina Glory 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>
Don Garvin	<u>Yea</u>	Cara Cowan Watts	<u>Yea</u>
David W. Thornton, Sr.	<u>Yea</u>	Lee Keener	<u>Yea</u>
Janelle Fullbright	<u>Yea</u>	Janees Taylor	<u>Yea</u>
Frankie Hargis	<u>Yea</u>	Jack Baker	<u>Yea</u>
Jodie Fishinghawk	<u>Absent</u>	Julia Coates	<u>Yea</u>
Curtis Snell	<u>Yea</u>		

CHEROKEE NATION
 PROPOSED FY 2015 AMENDMENT
 Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2015 Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
20-DOI - General	1	3200150 SHS Com Core Enhancement Funds	New	51,306	51,306	\$ -
20-DOI - General Total				\$ 51,306	\$ 51,306	\$ -
70-US Department of Labor	2	3701500 TLJC Capital Projects	New	130,465	130,465	\$ -
70-US Department of Labor Total				\$ 130,465	\$ 130,465	\$ -
85-Private	3	3854200 SHS Academic Athletic Coach Athlife	New	20,000	20,000	\$ -
85-Private Total				\$ 20,000	\$ 20,000	\$ -
Grand Total				\$ 201,771	\$ 201,771	\$ -

Operating Grants - Reporting Only

CHEROKEE NATION
PROPOSED FY 2015 AMENDMENT
Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2015 Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
01-Cherokee Nation	1	1010278 Heart of a Nation	LA 25-14	10,724	10,724	\$ -
	2	1010460 Emergency Assistance Program	LA 25-14	-	(105,750)	\$ 105,750
	3	1010461 Human Services Emergency Asst.	LA 25-14	-	105,750	\$ (105,750)
01-Cherokee Nation Total				\$ 10,724	\$ 10,724	\$ -
22-DOI - Self Governance	4	3221070 Agriculture Noxious Weed	LA 25-14	45,376	45,376	\$ -
22-DOI - Self Governance Total				\$ 45,376	\$ 45,376	\$ -
23-DOI-PL 102-477	5	3230000 PL 102 477 Child Care	LA 25-14	2,663,772	2,663,772	\$ -
	6	3231000 PL 102 477 Emp and Trng	LA 25-14	51,627	51,627	\$ -
23-DOI-PL 102-477 Total				\$ 2,715,399	\$ 2,715,399	\$ -
32-IHS - Self Governance Health	7	3322705 Bartlesville Revenue	LA 25-14	2,103,041	2,103,041	\$ -
	8	3322805 Vinita Revenue	LA 25-14	360,550	360,550	\$ -
	9	3323005 WWH Hastings Revenue	LA 25-14	841,975	841,975	\$ -
	10	3324040 Meth & Suicide Prevention	LA 25-14	64,510	64,510	\$ -
	11	3324400 Dental	LA 25-14	902,298	902,298	\$ -
	12	3324700 Clinical Support	LA 25-14	54,843	54,843	\$ -
	13	3324900 Health Facilities	LA 25-14	98,201	98,201	\$ -
	14	3325300 Finance	LA 25-14	89,345	89,345	\$ -
32-IHS - Self Governance Health Total				\$ 4,514,763	\$ 4,514,763	\$ -
Grand Total				\$ 7,286,262	\$ 7,286,262	\$ -

Operating Mod #4 Request

COMPREHENSIVE BUDGET FOR FISCAL YEAR 2015

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	106,920,044	1,793,051	108,713,095	90,405,575	5,146,004	13,161,516	108,713,095	0
Motor Fuels Tax Funding Src	8,565,704	15,731,843	24,297,547	16,212,364	143,672	7,941,511	24,297,547	0
Motor Vehicle Tax Funding Src	19,520,221	350,000	19,870,221	18,018,161	503,635	1,348,425	19,870,221	0
Permanent Fund Funding Source	10,300	0	10,300	10,300	0	0	10,300	0
DOI General Funding Source	12,091,338	0	12,091,338	11,268,723	822,615	0	12,091,338	0
DOI Self Gov Funding Source	14,012,734	79,600	14,092,334	12,723,284	1,365,550	3,500	14,092,334	0
DOI Self Gov Roads Funding Src	14,608,615	0	14,608,615	14,388,311	182,498	37,806	14,608,615	0
Dept of Transportation Fnd Src	64,604,642	0	64,604,642	64,349,416	155,383	99,843	64,604,642	0
DOI PL102-477 Funding Source	17,062,009	0	17,062,009	15,873,894	1,188,115	0	17,062,009	0
IHS Self Gov Health Funding Sr	270,307,709	0	270,307,709	247,114,483	20,543,226	2,650,000	270,307,709	0
IHS Self Gov TEH Funding Src	7,569,145	65,000	7,634,145	7,259,357	374,788	0	7,634,145	0
IHS Self Gov Office Funding Src	322,788	0	322,788	282,355	40,433	0	322,788	0
IHS Discretionary Funding Src	40,000	0	40,000	35,000	0	5,000	40,000	0
DHHS General Funding Source	35,726,869	519,647	36,246,516	32,894,420	3,352,096	0	36,246,516	0
USDA Funding Source	17,171,078	775,440	17,946,518	16,766,051	780,467	400,000	17,946,518	0
Dept of Education Funding Src	1,139,817	67,154	1,206,971	1,097,358	109,613	0	1,206,971	0
HUD Funding Source	41,252,212	1,005,997	42,258,209	39,242,505	1,800,704	1,215,000	42,258,209	0
Housing Proceeds Funding Src	0	0	0	0	0	0	0	0
EPA Funding Source	1,882,870	0	1,882,870	1,640,082	242,788	0	1,882,870	0
Dept of Labor Funding Source	8,730,019	0	8,730,019	7,899,987	830,032	0	8,730,019	0
Federal Other Funding Source	2,217,705	0	2,217,705	2,029,874	187,831	0	2,217,705	0
State of Oklahoma Funding Src	1,156,246	0	1,156,246	1,040,223	116,023	0	1,156,246	0
Private Funding Source	432,327	196,969	629,296	565,668	63,628	0	629,296	0
Indirect Cost Pool Funding Src	44,854,978	360,900	45,215,878	44,999,090	0	0	44,999,090	216,788
Fringe Pool Funding Source	0	0	0	0	0	0	0	0
Internal Lease Pool Funding Sr	4,552,592	0	4,552,592	4,552,592	0	0	4,552,592	0
Enterprise Funding Source	1,369,960	850,000	2,219,960	2,181,272	38,688	0	2,219,960	0
Other Funding Source	197,942	17,000	214,942	203,582	11,360	0	214,942	0
Debt Service Funding Source	0	2,650,000	2,650,000	2,650,000	0	0	2,650,000	0
Capital Projects Funding Sourc	12,391,029	2,400,000	14,791,029	14,791,029	0	0	14,791,029	0
Total	\$ 708,710,893	\$ 26,862,601	\$ 735,573,494	\$ 670,494,956	\$ 37,999,149	\$ 26,862,601	\$ 735,356,706	\$ 216,788

Non Grant Requests

CAPITAL RECONCILIATION

LA-24-14 CCAB	\$	119,689,431		7,286,262	12/15 E&F
Capital Mod #1		4,789,600		4,789,600	12/15 E&F
		-		-	
		-		-	
Total Capital	\$	124,479,031		747,432,568	

Total after pending Mod's

Operating (LA25-14)	\$	622,953,537		Cumulative Oper
Capital (LA-24-14)		124,479,031		Cumulative Cap
Grand Total	\$	747,432,568		



CHEROKEE NATION TRIBAL COUNCIL

Jody S. Reece, CPA, CIA, CMA

Executive Director of Financial Oversight

M e m o

To: Jodie Fishinghawk, Chair, Executive & Finance Committee &
Janees Taylor, Co-Chair, Executive & Finance Committee

From: Jody S. Reece

CC: Executive & Finance Committee

Date: 12/04/2014

Re: Review of Operating Budget Modification #4 – **Total \$ 7,488,033**

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>
20-DOI General	1-Carryover reconciliation	\$ 51,306
70-US Dept of Labor	1-Revised award	130,465
85-Private	1-New award and CNB match	20,000
TOTAL GRANTS		\$ 201,771

General Fund Cash Match for Grants (1010315) – The original budget of \$2,700,072 included \$1,851,460 in Cash Out: Grant Required and \$848,612 in Appropriated for Cash Match for future grants.

Original Appropriated for Cash Match (future grants)	\$ 848,612
Used: 3852500-Community Action Project	(13,747)
Balance Available	<u>\$ 834,865</u>

B. MOD #4 Request - (14 budgets) Increase in budget authority - \$ 7,286,262

1. Heart of a Nation – 1010278 – General Fund: Modification requesting an increase in expenditure authorization of \$10,724. The new total budget of \$21,739 includes \$14,513 carryover and \$7,226 from current year Other Income.
2. Emergency Assistance Program – 1010460 – General Fund: Modification requesting a decrease in expenditure authorization of \$105,750 to be reprogrammed to AU 1010461 in item 3. The \$52,000 remaining balance in this budget will be used by the Health Department only.
3. Human Services Emergency Assistance – 1010461 – General Fund: Modification requesting an increase in expenditure authorization of \$105,750 coming from the budget in item 2. The new total for this budget is \$255,750.

4. Agriculture Noxious Weed – 3221070 – DOI Self Governance: Modification requesting an increase in expenditure authorization of \$45,376 from FY 2014 carryover funds. The new total for this budget is \$75,376.
5. PL 102-477 Child Care – 3230000 – DOI PL 102-477: Modification requesting an increase in expenditure authorization of \$2,663,772 for revised award and carryover reconciliation. The new total for this budget is \$16,928,220.
6. PL 102-477 Employment & Training – 3231000 – DOI PL 102-477: Modification requesting an increase in expenditure authorization of \$51,627 for increased award. The new total for this budget is \$1,701,983.
7. Bartlesville Revenue – 3322705 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$2,103,041 related to the new Ochelata Clinic including new positions and associated operational costs. This is funded by \$1,758,233 increased usage of self-governance revenue and \$304,808 increased third party revenue. The new total for this budget is \$3,595,090.
8. Vinita Revenue – 3322805 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$360,550 related to increased staffing of 4.25 FTE. This is funded by \$49,065 increased usage of self-governance revenue and \$311,485 increased third party revenue. The new total for this budget is \$9,446,220.
9. Hastings Revenue – 3323005 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$841,975 related to increased staffing of 3.76 FTE. This is funded by increased usage of self-governance revenue. The new total for this budget is \$91,536,620.
10. Meth & Suicide Prevention – 3324040 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$64,510 for carryover reconciliation. The new total for this budget is \$202,680.
11. Dental – 3324400 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$902,298 related to increased staffing of 4.5 FTE. This is funded by \$485,758 increased usage of self-governance revenue and \$416,540 increased third party revenue. The new total for this budget is \$16,630,900.
12. Clinical Support – 3324700 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$54,843 related to increased contract services and is funded by increased usage of self-governance revenue. The new total for this budget is \$1,882,280.
13. Health Facilities – 3324900 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$98,201 related to increased staffing of 4 FTE (custodians) and is funded by increased usage of self-governance revenue. The new total for this budget is \$3,996,445.
14. Finance – 3325300 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$89,345 related to increased staffing of 2 FTE (dental billing) and is funded by increased usage of self-governance revenue. The new total for this budget is \$1,133,452.

Summary:

After reviewing the submission of Mod #4 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 further information, please do not hesitate to contact me.

Respectfully,

