

**CHICKASAW TRIBAL LEGISLATURE
REGULAR ADDITIONAL SESSION
David Stout Building
Ada, Oklahoma
August 29, 2002**

AGENDA ITEM #1 CALL MEETING TO ORDER

Chairperson Wanda Blackwood Scott called the meeting to order at 6:00 p.m.

AGENDA ITEM #2 ROLL CALL

Members present: Beth Alexander
 Linda Briggs
 Scott Colbert
 Tim Colbert
 Mary Jo Green
 Donna Hartman
 Lisa Johnson-Billy
 Dean McManus
 Judy Goforth Parker
 Wanda Blackwood Scott
 Wilson Seawright
 Lisa Shephard

Member absent: Mooniene Ogee

Staff present: Doretta Sellers, Recording Secretary
 Harold Stick, Sergeant-At-Arms
 Monette Richardson, Administrative Assistant
 Lori Hamilton, Legislative Legal Assistant
 Robert Cheadle, Legislative Counsel

Guest present: Pat Woods, Wes Brantley, Danny Key, Tony Pippen, Bill Goforth, Bob Rubin,
 Marlene Tims, Don Tims, Janet Smith, Willeta Garrison, Pauline Rodke

AGENDA ITEM #3 INVOCATION

The invocation was given by Mrs. Green.

**A motion was made by Mrs. Green to suspend the rules and go to the abbreviated agenda.
The motion was seconded by Dr. Goforth Parker.**

AGENDA ITEM #4 REPORTS OF COMMITTEES

**(A) FINANCE COMMITTEE REPORT by Chairman Wilson Seawright
 GR19-075, Approval of Consolidated Governmental Budget for Fiscal Year 2003**

Mr. Seawright stated this resolution was presented a couple of months ago. There have been budget hearings and committee meetings to make sure Legislators are aware of the items in the budget. The committee met last week and asked if there were still questions on the budget. They asked the Executive Branch to provide answers to those questions. The answers were received today. Items that were proposed as amendments were addressed.

Mrs. Alexander asked Mr. Seawright to comment on the main issues of the responses.

Mr. Seawright stated one of the questions was is the Nation receiving money from the BIA in addition to the \$166,000 budgeted for Tribal Governmental Services, and how is it being spent. The answer was the tribe is not receiving money from the BIA for this program. That is the reason for the amount included in the budget.

One of the recommendations made was to include language in the budget stating \$30,000 is available annually for cemetery use. The response was this amount was included in the budget for cemetery use.

Mr. Scott Colbert asked if there would be a problem voting on the amendments line by line.

Mr. Seawright stated he was not opposed to the suggestion, however, there were other responses he would like to cover first.

A request was made for a more detailed explanation and justification for the increase of the Washington Office. Mr. Seawright explained last year's budget for this line item was \$85,000. It was revised to \$135,000 for next year. The proposal was to reduce it back to \$85,000. These items are the only ones that pertain to the amended budget.

Mr. Scott Colbert stated there was no explanation as to why the construction of the Connerville Community Center was struck from the resolution. He asked Mrs. Shephard to comment on this issue.

Mrs. Shephard stated she was not a member of the Finance Committee, however she was at the Finance meeting when the Committee decided to strike this item. Her understanding was that it was struck because of the lack of attendance at the site. There was an average attendance of six.

Mr. Scott Colbert asked Mrs. Shephard if she was in favor of striking the budget proposal of constructing a new community center in Connerville at this time.

Mrs. Shephard stated there were more important needs that should be met that would benefit more citizens. The money could be better utilized in other areas. A new facility could be considered at a later time for this site.

Mr. Seawright explained concerns of the Committee was the low attendance plus Connerville already has an existing facility. This proposal was to construct a new building. There are other communities across the Chickasaw Nation that want a community center and they do not have a building to use. The discussion of the Finance Committee was to address the needs from other communities that do not have a building,

before a second building is constructed for Connerville.

Mrs. Shephard referred to the Community Outreach and Special Action Department question asking if this department was still in existence and will it continue to administer the Emergency Assistance Program. The answer was the department has been eliminated, however a Special Assistant to the Governor will continue to provide emergency assistance. This year the Executive Department asked that this line item be increased from \$60,000 to \$75,000. She asked if the budget decreased when the employees were removed.

Mr. Wes Brantley, Director of the Division of Treasury, explained the only part of the program included in the budget was for emergency assistance. The employees were paid from another source.

Dr. Goforth Parker asked for more information regarding the amendment to increase the Aging Senior Services to include the purchase of a 24 passenger bus.

Mr. Seawright explained this request came from one of the Public Hearings. An individual from one of the smaller Senior Citizens made the comment it is rare that their site would have enough Seniors to utilize the 56 passenger bus, however, a smaller bus would be a vehicle they could use. Although there are vans available to these smaller sites, it would not meet the needs of the Seniors who are physically challenged. There was no dollar amount recommended. The Committee took into consideration the fact that Aging Senior Services for the current year was budgeted at \$1.9 million. The projected amount to be spent this year is \$1.4 million. This projection was based on the expenses through June.

Dr. Goforth Parker stated this idea leads to other questions such as would staff need to be hired to drive the bus to the sites. Duncan is a small site and it is two and half hours away. One of the problems she experienced this week was not being able to get a driver. This issue has not been researched enough to give a clear answer.

Mrs. Shephard stated each site manager is licensed to drive. So each site would have their own driver.

Mr. Scott Colbert recommended striking item #1 from GR19-075 as amended for any lack of compelling argumental research, lack of explanation for the changes, and because no director was present within the Aging Services Department came before this body to request a need for any changes.

Mr. Seawright stated as a point of procedure the questions should be divided to vote on them individually.

A motion was made by Mr. Scott Colbert to go line by line and vote on the questions. The motion was seconded by Dr. Goforth Parker.

Members voting yes:

Beth Alexander, Linda Briggs, Scott Colbert, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,

Dean McManus, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
12 yes votes

The motion carried unanimously.

A motion was made by Mr. Scott Colbert to strike item #1. The motion was seconded by Mrs. Briggs.

1. Line Item I, Aging Senior Services: This line item shall be increased to an amount that would allow for the purchase of a 24 passenger bus to be used by the smaller senior citizens sites.

Members voting yes:

Linda Briggs, Scott Colbert, Tim Colbert,
Mary Jo Green, Dean McManus, Judy Goforth Parker,
Wanda Blackwood Scott
7 yes votes

Members voting no:

Beth Alexander, Donna Hartman, Lisa Johnson-Billy,
Wilson Seawright, Lisa Shephard
5 no votes

The motion to strike item #1 carried.

A motion was made by Mr. Scott Colbert to strike amendment #3. The motion was seconded by Mrs. Johnson-Billy.

3. Line Item M, Program Support: This line item shall be reduced to zero pending clarification of the availability of Bureau of Indian Affairs funds to provide the CDIB function and the use of tribal funds in performing such function.

Members voting yes:

Beth Alexander, Scott Colbert, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Judy Goforth Parker, Wilson Seawright,
Lisa Shephard, Wanda Blackwood Scott
12 yes votes

The motion to strike amendment #3 carried unanimously.

A motion was made by Mr. Scott Colbert to strike amendment #4. The motion was seconded by Mrs. Green.

4. Line Item N, Clothing Grants: The line item is increased to a total of \$350,000.

Mrs. Shephard noted the Governor would not object to this request. His response was \$200,000 was allotted for clothing grants this year and \$100,000 more is needed to fund all the requests for this year. The increase would be used.

Mr. Scott Colbert withdrew his motion to strike amendment #4. Mrs. Green withdrew her second to the motion.

Mr. Scott Colbert asked for clarification on amendment #5.

5. Line Item P, Cultural Services: This line item must earmark thirty thousand dollars (\$30,000) for use in maintaining Chickasaw cemeteries. The Legislature recommends that this amendment be adopted as an annual budget item.

Mr. Seawright explained a tribal law specifies \$30,000 should be provided annually for cemetery clean up. This language was not found in the budget. Based on the answer received today there is no problem adding this language.

Mr. Scott Colbert stated the funds are in the budget and a resolution has been passed to establish funds to go toward cemetery clean up. He did not understand why this amendment was necessary.

Mr. Seawright stated the budget submitted to the Legislature did not include this language, however, it had in previous years.

A motion was made by Mr. Scott Colbert to strike amendment #5. The motion was seconded by Dr. Goforth Parker.

Members voting yes:

Linda Briggs, Scott Colbert, Tim Colbert,
Mary Jo Green, Dean McManus, Judy Goforth Parker,
Wanda Blackwood Scott
7 yes votes

Members voting no:

Beth Alexander, Donna Hartman, Lisa Johnson-Billy,
Wilson Seawright, Lisa Shephard
5 yes votes

The motion to strike amendment #5 carried.

Mr. Scott Colbert recommended to strike amendment #6 for lack of compelling argument, no research

was conducted, there was no explanation for any changes, and because no director appeared before the body to make these types of changes to the budget.

6. Line Item T, Health Programs: This line item shall be increased to include seven million five hundred thousand dollars (\$7,500,000) for direct health care such as medical, dental, eye care and other needs as determined by the Chickasaw Nation Health System, and two million dollars (\$2,000,000) for the purpose of providing health care on Saturdays in the various Chickasaw Nation health clinics, such amount pending a feasibility study by the Chickasaw Nation Health System regarding the need for health services on Saturdays.

A motion was made by Mr. Scott Colbert to strike amendment #6. The motion was seconded by Mrs. McManus.

Mr. Seawright stated this item came from one of the public hearings. Five million dollars was for direct health care as well as \$2,000,000 to keep the clinics open on Saturdays. After submitting this request to the Governor the response came back asking for more specific information on how the \$5,000,000 would be spent. The committee intended to leave this decision to the health systems on how these dollar could best be utilized. Increasing this line item is an attempt to get better health care to the citizens of the Nation.

Mr. Seawright explained the issue of keeping the clinics open on Saturday was discussed with Mr. Bill Lance, Director of the Health Systems. He seemed receptive to this recommendation and offered to do a study. The committee was willing to make an amendment stating the \$2,000,000 would not be spent until the feasibility study was completed to see if it would be worth opening the clinics on Saturday.

Mrs. Briggs stated it was her understanding when tribal funds are added to health care, the Tribe is co-mingling with federal funds and they can not discriminate against other Native Americans. She was in agreement there should be additional care for the citizens, however, she was not sure this was the way to provide for that need.

Mr. Seawright stated Mrs. Briggs' question was proposed to Mr. Lance. He said if the clinics were opened on Saturday, they could restrict the patients to only Chickasaws.

Mrs. Shephard asked Mr. Brantley how the \$7.5 million would effect the budget.

Mr. Brantley stated if \$7 million dollars were spent each year it will have a negative impact at some point. If it is approved this year, the Tribe may not be able to fund this amount for next year. He suggested a study be conducted to see the impact it will have on the Tribe. The Health Systems should conduct a bonafide study to see if it is feasible and know what the cost will be, if there is adequate staff, and where the money will be appropriated. If the study is favorable, the Legislature could appropriate the funds at that time.

Mrs. Briggs asked at the current rate the health system is treating patients, how far into the year could they go with this amount of money. This Legislature has the authority at any point in time to

amend the budget.

Mrs. Alexander stated there are other tribes that use their own money to support their health programs. The citizens she visited with at the community councils expressed their desire for better health care.

Dr. Goforth Parker stated it was confusing how the amendment reads. It appeared the line item is being increased to include \$7,500,000 for direct health care and \$2,000,000 for the purpose of providing health care on Saturdays.

Mr. Seawright stated the current budget proposed by the Administration includes \$2,500,000 for direct health care. The proposal shown in GR19-075 adds \$5,000,000 to that budget for a total of \$7,500,000 plus \$2,000,000 for the purpose of opening the clinics on Saturday.

Mr. Scott Colbert called for the question.

A roll call vote was taken.

Members voting yes:

Linda Briggs, Scott Colbert, Tim Colbert,
Mary Jo Green, Dean McManus, Judy Goforth Parker,
Wanda Blackwood Scott
7 yes votes

Members voting no:

Beth Alexander, Donna Hartman, Lisa Johnson-Billy,
Wilson Seawright, Lisa Shephard
5 no votes

The motion to strike amendment #6 carried.

A motion was made by Mr. Scott Colbert to strike amendment #7. The motion was seconded by Dr. Goforth Parker.

7. Line Item U, Washington Office: The line item shall be reduced to eighty-five thousand dollars (\$85,000), pending explanation and justification of the need for increased funding over and above the amount appropriated for Fiscal Year 2002.

Mrs. Alexander stated the question that was asked was why this line item went over budget. The answer received does not address the question. It explains the duties of the ambassador.

Mrs. Hartman noted there was no dollar amount listed. This budget has doubled from last year, and is also over budget this year.

Mrs. Briggs stated it is critical what goes on in Washington. Anyone who is aware of what our Ambassador does for us could not dispute his effectiveness of being there for us.

Mr. Scott Colbert called for the question.

A roll call vote was taken.

Members voting yes:

Linda Briggs, Scott Colbert, Tim Colbert,
Mary Jo Green, Dean McManus, Judy Goforth Parker,
Wanda Blackwood Scott
7 yes votes

Members voting no:

Beth Alexander, Donna Hartman, Lisa Johnson-Billy,
Wilson Seawright, Lisa Shephard
5 no votes

The motion to strike amendment #7 carried.

Mr. Scott Colbert asked why amendment #8 was increased.

8. Line Item AA, Education Programs: the line item shall be increased to two million dollars (\$2,000,000).

Mr. Seawright stated for the past two years the Education Programs has been \$1,000,000. The proposed increase was to increase it to \$1,787,000. There are issues to be addressed to improve the scholarship programs, improve tutoring through the J.O.M. Program, and offer assistance to the J.O.M. Program for the awards banquet.

Mr. Scott Colbert asked if the increase to this budget was suggested by the director of the Education Department.

Mr. Seawright stated the \$1,787,000 was presented in the budget. The recommendation to amend it came from the Finance Committee.

Mrs. Hartman stated, as Legislators, they are aware of some of the needs of the citizens. If they feel there is a need to supply more dollars in education, they can do so without a request from the director.

Mrs. Johnson-Billy stated she visits with citizens on a weekly basis, and there is a strong need to increase the amount of funding is available within each of the scholarships offered through the Tribe. She also visited with employees who have suggested more funding is needed in this area.

Mr. Seawright stated the Governor's response to increasing this budget was that the opportunity to expand this program would be welcomed.

A motion was made by Mr. Scott Colbert to approve GR19-075 as amended. The motion

was seconded by Mrs. Briggs.

Members voting yes:

Linda Briggs, Scott Colbert, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
11 yes votes

Member voting no:

Beth Alexander
1 no vote

The motion to approve GR19-075 as amended carried.

Mr. Seawright concluded his report.

(B) LAND DEVELOPMENT COMMITTEE REPORT by Chairman Judy Goforth Parker
GR19-068, Authorization for Acquisition of Property in Garvin County

This resolution approves the Chickasaw Nation's request to acquire a tract of land located in Garvin County Oklahoma, containing 6.866 acres, more or less. Said property shall be placed U.S.A. in Trust for the Chickasaw Nation after property is acquired.

Dr. Parker explained this resolution was tabled in July and was brought up again in August. There were additional questions that needed to be answered. Those questions were submitted and a responses were given.

A motion was made by Dr. Goforth Parker to bring GR19-068 from the table. The motion was seconded by Mrs. McManus

Members voting yes:

Beth Alexander, Linda Briggs, Scott Colbert,
Tim Colbert, Mary Jo Green, Donna Hartman,
Lisa Johnson-Billy, Dean McManus, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
12 yes votes

The motion to bring GR19-068 from the table carried unanimously.
A motion was made by Dr. Goforth Parker to approve GR19-068. The motion was seconded by Mr. Scott Colbert.

Members voting yes:

Beth Alexander, Linda Briggs, Scott Colbert,
Tim Colbert, Mary Jo Green, Donna Hartman,
Lisa Johnson-Billy, Dean McManus, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
12 yes votes

The motion to approve GR19-068 carried unanimously.

AGENDA ITEM #5 ADJOURNMENT

The Chickasaw Tribal Legislature adjourned at 6:58 p.m.

Respectfully submitted,

Dean McManus, Secretary
Chickasaw Tribal Legislature

Prepared by:

Doretta Sellers, Recording Secretary
Chickasaw Tribal Legislature