

An Act

Legislative Act: 33-24

**AN ACT AUTHORIZING AND APPROVING THE FISCAL YEAR 2025 CAPITAL
APPROPRIATIONS BUDGET;
AND DECLARING AN EMERGENCY**

BE IT ENACTED BY THE COUNCIL OF THE CHEROKEE NATION:

Section 1. Title and Codification

This act shall be titled and codified as “The Comprehensive Capital Appropriations Bill for Fiscal Year 2025”.

Section 2. Purpose: To comply with the Constitution and laws of the Cherokee Nation, to authorize funding for governmental Capital-Type Expenditures and to provide full disclosure of finances, expenditures and revenues.

- A. The purpose of this enactment is intended to review, authorize, approve and ratify appropriations for Capital Expenditures in compliance with the specific laws governing appropriations (62 CNCA 31 & 32).
- B. The use of such funds shall be subject to public disclosure.

Section 3. Policy of Accountability:

- A. All funds under the care of the Cherokee Nation shall only be expended as authorized by this enactment unless amended.
- B. Any official who intentionally and willfully misuses, misapplies, diverts or embezzles the application or use of any public funds entrusted to the care of the Cherokee Nation from any sources may be prosecuted according to applicable criminal statutes.
- C. The enactment of this Act or any part thereof, does not ratify, condone or legalize any prior expenditure which may be incurred contrary to Cherokee law. Any unauthorized expenditures, misappropriations, or other illegal acts involving the finances of the Cherokee Nation or any of its subsidiaries may be prosecuted under applicable law or other appropriate administrative or legal remedies.

Section 4. Legislative History

- A. The Constitution and laws (Title 62 of the Cherokee Nation Code) provides the requirements for appropriations, review and authorization for the use of all funds.

- B. The budget estimates of revenues and expenditures for Fiscal Year 2025 to document funding availability and provide justifications for expenditures are incorporated herein.
- C. All previous resolutions, statutes and relevant Court Decisions as may be applicable are acknowledged.

Section 5. Legal Authorities Governing the Use of Funds.

- A. The Constitution of the Cherokee Nation.
- B. Applicable Cherokee Nation Statutes and the Cherokee Nation Code Annotated (CNCA).
- C. Applicable Federal law and regulations regarding contracts, compacts, grants and use of trust funds.

Section 6. Funding Allocations and Justifications

- A. The Capital Appropriations from all sources of revenues have been proposed as estimates and justified by the Principal Chief for the Executive, the Chief Justice of the Supreme Court for the Judiciary and by the Speaker of the Council for the Legislative Branch.
- B. For purposes of this authorization, Capital Expenditures are defined by inclusion on the attached list of project accounting units.
- C. These proposed allocations for funding are hereby approved and incorporated herein.
- D. Funding for the listed projects shall remain in effect until the project is completed or the project is amended by action of the Council.

Section 7. Amounts Authorized and Required Reports to the Council.

- A. The budget authority for the Fiscal Year 2025 Capital Appropriations budget is \$622,099,706. The Executive, Judicial and Legislative Branches are authorized to expend such funds as set forth in the justifications subject to the continued availability of revenues.
- B. The Executive Branch shall provide monthly and annual financial reports in compliance with the Cherokee Constitution and laws and as the Tribal Council directs.

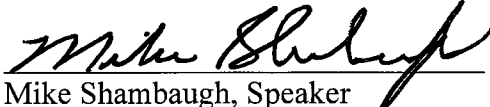
Section 8 Severability

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.

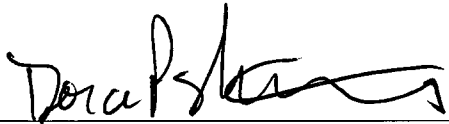
Section (code section) 8. Emergency declared

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 and be in full force after its passage and approval.

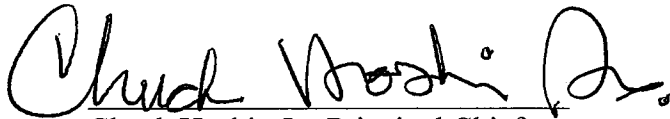
Enacted by the Council of the Cherokee Nation on the 16th day of September, 2024.


Mike Shambaugh, Speaker
Council of the Cherokee Nation

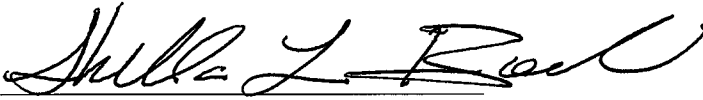
ATTEST:


Dora Patzkowski, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 18th day of September, 2024.


Chuck Hoskin Jr., Principal Chief
Cherokee Nation

ATTEST:


Shella Bowlin, Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Sasha Blackfox-Qualls	<u>Yea</u>	Melvina Shotpouch	<u>Yea</u>
Candessa Tehee	<u>Yea</u>	Kendra McGeady	<u>Yea</u>
Lisa Hall	<u>Yea</u>	Dora Smith Patzkowski	<u>Yea</u>
Dr. Mike Dobbins	<u>Yea</u>	Joe Deere	<u>Yea</u>
E.O. "Jr." Smith	<u>Yea</u>	Kevin Easley, Jr.	<u>Yea</u>
Daryl Legg	<u>Yea</u>	Danny Callison	<u>Yea</u>
Joshua Sam	<u>Yea</u>	Johnny Kidwell	<u>Yea</u>
Codey Poindexter	<u>Yea</u>	Julia Coates	<u>Yea</u>
Mike Shambaugh	<u>Yea</u>		

BUDGET TYPE	CAPITAL BUDG
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Row Labels	Sum of FY25 Budget	Sum of FY24 Budget	Sum of INCREASE/ (DECREASE)
01-Tribe Funded	9,915,007	9,878,305	36,702
09 TRANS INFRAS	679,952	679,952	-
10104640 Tribal Bridge Program	679,952	679,952	-
11 MANAGEMT RES	5,334,363	5,000,000	334,363
10103060 Facilities Improvement	5,334,363	5,000,000	334,363
13 HUMAN SERV	16,551	16,551	-
10120100 Ketcher Youth Shelter Repair	16,551	16,551	-
14 GOVERNMTRES	3,884,141	4,181,802	(297,661)
10125000 Land Acquisitions	1,904,549	1,904,549	-
10125010 Real Property Acquisitions	1,656,982	1,954,643	(297,661)
10125050 Land Acquisition & Improvement	165,100	165,100	-
10125060 Land Acquisitions Trust	157,510	157,510	-
02-Motor Fuel Tax	2,239,474	2,239,474	-
09 TRANS INFRAS	2,239,474	2,239,474	-
10220200 MFT Reserves Roads	2,239,474	2,239,474	-
05-Motor Vehicle Tax	10,329,820	10,329,820	-
09 TRANS INFRAS	10,329,820	10,329,820	-
10520000 MVT Highways Const	10,329,820	10,329,820	-
19-Department of Transportation Compact	94,803,150	104,572,358	(9,769,208)
09 TRANS INFRAS	94,727,150	104,496,358	(9,769,208)
31900000 DOT FHWA Roads	94,727,150	104,496,358	(9,769,208)
27 SECNATRLRES	76,000	76,000	-
31900100 Roads Environmental Review	76,000	76,000	-
23-DOI PL 102-477	3,259,877	3,296,600	(36,723)
11 MANAGEMT RES	3,259,877	3,296,600	(36,723)
32323300 Pryor CDC Road Project	3,259,877	3,296,600	(36,723)
32-IHS Self Governance Health	12,000,000	148,525,993	(136,525,993)
07 HEALTH SERV	12,000,000	148,525,993	(136,525,993)
33290300 Health Equipment Replacement	12,000,000	148,525,993	(136,525,993)
96-Capital Projects	489,552,378	597,401,800	(107,849,422)
07 HEALTH SERV	56,911,973	57,953,500	(1,041,527)
79683000 Health Facilities Equipment	6,911,973	7,000,000	(88,027)
79684000 Stilwell Clinic Equipment		953,500	(953,500)
79690110 New Hospital Equipment	50,000,000	50,000,000	-
11 MANAGEMT RES	432,640,405	539,448,300	(106,807,895)
79615000 Pryor EHS Construction	1,200,000	1,200,000	-
79615200 Stilwell Headstart Construction	10,100,000		10,100,000
79646000 Pryor CDC Construction	16,750,000	23,781,016	(7,031,016)
79647000 Tahlequah CDC Expansion	220,000	687,878	(467,878)
79648000 Sallisaw CDC Construction	23,425,000	23,809,917	(384,917)
79649000 Stilwell CDC Expansion	350,000	883,742	(533,742)
79649100 Catoosa Child Development Cntr	7,780,746	7,780,746	-
79655000 Tribal Complex Construction	16,233	16,233	-
79655100 Storm Shelter Vault Realty Dpt		123,452	(123,452)
79657000 Registration Dept Vault Expans	981,500	981,500	-
79671000 Salina Clinic Construction	34,000,000	59,370,696	(25,370,696)
79685000 Stilwell Clinic Const		3,826,245	(3,826,245)
79686000 Stilwell Wellness Center		20,059,943	(20,059,943)
79686150 Salina Wellness Center	8,000,000	8,000,000	-
79690100 WW Hastings Hospital Const	290,961,741	370,989,432	(80,027,691)
79690200 Behavioral Hlth Resid Tx Ctr	38,855,185	17,937,500	20,917,685
Grand Total	622,099,706	876,244,350	(254,144,644)