

An Act

LEGISLATIVE ACT 24-24

AN ACT AMENDING LEGISLATIVE ACT #21-23 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2024 – 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 #21-23 Authorizing the Comprehensive Capital Budget for fiscal year 2024 – 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 Capital Budget Act for Fiscal Year 2024” or subsequent amendment. The cumulative total of the capital budget is increased by **\$ 62,000,000** for a total capital budget authority of **\$ 879,705,871**. The following items are identified as the components of such change:

Grants Received & Authorized per L.A. 21-23 (detail attached)	\$	0
Modification Request (per Section 4 below)		<u>62,000,000</u>
Cumulative change in budget authority	\$	<u>62,000,000</u>

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #21-23 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 capital budget authorization by a decrease of **\$ 62,000,000** to wit:

- A. An increase in the **IHS Self Governance Health** budget authority of **\$ 31,000,000**.
- B. An increase in the **Capital Projects** budget authority of **\$ 31,000,000**.

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.

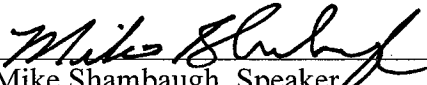
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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.

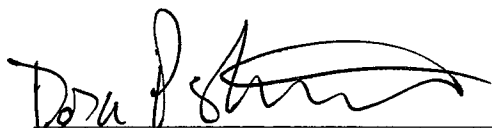
SECTION 8. SELF-HELP CONTRIBUTIONS

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.

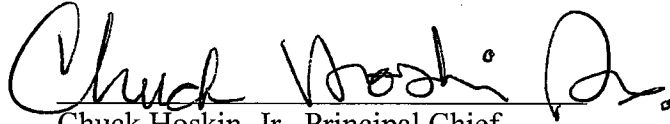
Passed by the Cherokee Council on the 15th day of July, 2024


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 17 day of July, 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>	Victoria Vazquez	<u>Yea</u>
Lisa Hall	<u>Yea</u>	Dora Patzkowski	<u>Yea</u>
Dr. Mike Dobbins	<u>Absent</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>
Josh Sam	<u>Yea</u>	Johnny Kidwell	<u>Yea</u>
Codey Poindexter	<u>Yea</u>	Julia Coates	<u>Yea</u>
Mike Shambaugh	<u>Yea</u>		

CHEROKEE NATION
PROPOSED FY 2024 AMENDMENT
Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2024- Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
32-IHS HEALTH	1	33290300 Health Equipment Replacement	LA 11-24	31,000,000	31,000,000	\$ -
32-IHS HEALTH Total				\$ 31,000,000	\$ 31,000,000	\$ -
96-CAPITAL PROJ	2	79690100 WW Hastings Hospital Const	LA 11-24	31,000,000	31,000,000	\$ -
96-CAPITAL PROJ Total				\$ 31,000,000	\$ 31,000,000	\$ -
Grand Total				\$ 62,000,000	\$ 62,000,000	\$ -

Capital Mod #4 Request

COMPREHENSIVE BUDGET
 FOR FISCAL YEAR 2024

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Capital Projects	378,532,508	187,869,292	566,401,800	566,280,225	121,575	0	566,401,800	-
Department of Education	2,132,517	87,222	2,219,739	2,068,392	131,347	20,000	2,219,739	-
Department of Labor	21,499,676	0	21,499,676	20,340,846	1,158,830	0	21,499,676	-
Dept of Transportation Compact	104,572,358	0	104,572,358	104,180,666	291,692	100,000	104,572,358	-
DHHS General	98,137,383	692,099	98,829,482	92,248,602	6,580,880	0	98,829,482	-
DOI General	22,119,195	0	22,119,195	20,472,297	1,646,898	0	22,119,195	-
DOI PL 102-477	454,643,046	0	454,643,046	393,745,170	3,954,577	56,943,299	454,643,046	-
DOI Self Governance	60,887,247	79,600	60,966,847	57,232,823	3,709,024	25,000	60,966,847	-
Enterprise	1,813,061	6,840,071	8,653,132	8,522,381	130,751	0	8,653,132	-
EPA	3,334,720	0	3,334,720	3,098,989	235,731	0	3,334,720	-
Federal Other	883,888,693	0	883,888,693	879,091,011	2,153,211	2,644,471	883,888,693	-
HUD	67,566,167	1,877,501	69,443,668	66,062,479	303,688	3,077,501	69,443,668	-
Indirect Cost	87,568,049	11,250	87,579,299	87,579,299	0	0	87,579,299	-
IHS Discretionary	2,500,000	0	2,500,000	150,000	0	2,350,000	2,500,000	-
IHS Self Governance Health	981,655,721	0	981,655,721	800,615,227	51,338,548	129,701,946	981,655,721	-
IHS Self Governance Office	386,587	0	386,587	349,472	37,115	0	386,587	-
IHS Self Governance TEH	30,009,029	0	30,009,029	29,603,855	405,174	0	30,009,029	-
Internal Lease Pool	7,415,228	0	7,415,228	7,415,228	0	0	7,415,228	-
Motor Fuel Tax	11,605,384	23,516,884	35,122,268	24,897,702	99,566	10,125,000	35,122,268	-
Motor Vehicle Tax	41,559,994	779,342	42,339,336	40,892,188	924,017	523,131	42,339,336	-
Other	268,000	17,000	285,000	279,945	5,055	0	285,000	-
Permanent Funds	9,100	0	9,100	9,100	0	0	9,100	-
Private	3,983,413	0	3,983,413	3,929,013	54,400	0	3,983,413	-
State of Oklahoma	1,062,082	0	1,062,082	980,224	81,858	0	1,062,082	-
Tribe Funded	361,723,163	31,718,104	393,441,267	337,025,231	7,312,063	49,103,973	393,441,267	-
USDA	59,213,356	1,125,956	60,339,312	57,677,294	2,662,018	0	60,339,312	-
Total	\$ 3,688,085,677	\$ 254,614,321	\$ 3,942,699,998	\$ 3,604,747,659	\$ 83,338,018	\$ 254,614,321	\$ 3,942,699,998	\$ -

Non Grant Requests

Oper Mod #8	874,062	06/10 Council
Cap Mod #4	62,000,000	06/27 E&F
Oper Mod #9	2,975,437	06/27 E&F

Total after pending Mod's	\$ 4,008,549,497
Operating - cumulative total	\$ 3,128,843,626
Capital - cumulative total	879,705,871
Grand Total	\$ 4,008,549,497

CAPITAL RECONCILIATION

LA 21-23	\$ 753,582,109
Cap Mod #1	120,038
Cap Mod #2	8,282,980
Cap Mod #3	55,720,744
Cap Mod #4	62,000,000

Total Capital	\$ 879,705,871
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CHEROKEE NATION TRIBAL COUNCIL

Jody S. Reece, CPA, CIA, CMA

Executive Director of Financial Oversight

M e m o

To: Josh Sam, Chairman, Executive & Finance Committee
From: Jody S. Reece
CC: Executive & Finance Committee
Date: 06/11/2024
Re: Review of Capital Budget Modification #4 – **Total \$ 62,000,000**

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>Reason(s)</u>	<u>Amount</u>
None	-	\$ 0
TOTAL GRANTS		\$ 0

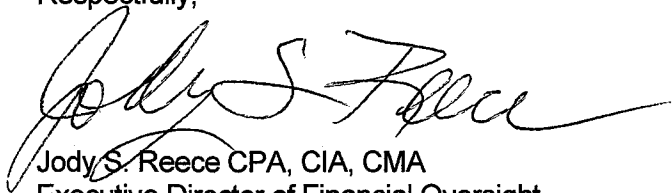
B. MOD #4 Request - Increase in budget authority - \$ 62,000,000

1. Health Equipment Replacement – 33290300 – IHS Self Governance Health: Modification requesting an increase in transfer authorization of \$31,000,000. Funding provided by Health carryover. The increase in transfer out is to WW Hasting Hospital Construction. The new budgeted expenditure and transfer out total is \$148,525,993.
2. WW Hasting Hospital Construction – 79690100 – Capital Projects: Modification requesting an increase in expenditure authorization of \$31,000,000. Funding from a transfer in from the Health Equipment Replacement budget. The new budgeted expenditure total is \$370,989,432. With the current budget and actual expenditures from fiscal years 2022 and 2023, the total projected cost for the hospital is \$470 million.

Summary:

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

Respectfully,

A handwritten signature in black ink, appearing to read "Jody S. Reece". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jody S. Reece CPA, CIA, CMA
Executive Director of Financial Oversight

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