

# An Act

## LEGISLATIVE ACT 27-22

### AN ACT AMENDING LEGISLATIVE ACT #43-21 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2022 – Mod. 6; 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 #43-21 Authorizing the Comprehensive Capital Budget for FY 2022 – Mod. 6**”.

#### 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 2022” or subsequent amendment. The cumulative total of the capital budget is increased by **\$ 184,853** for a total capital budget authority of **\$ 630,573,940**. The following items are identified as the components of such change:

Grants Received & Authorized per L.A. 43-21 (detail attached)	\$	0
Modification Request (per Section 4 below)		<u>184,853</u>
<b>Cumulative change in budget authority</b>	<b>\$</b>	<b><u>184,853</u></b>

#### SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #43-21 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 an increase of **\$ 184,853** to wit:

- A. An increase in the **Tribally Funded** budget authority of **\$ 184,853**.

**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.

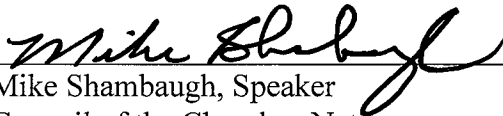
**SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED**

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.

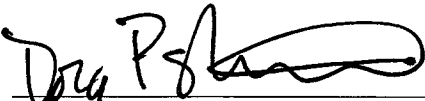
**SECTION 8. SELF-HELP CONTRIBUTIONS**

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 12<sup>th</sup> day of September, 2022

  
\_\_\_\_\_  
Mike Shambaugh, Speaker  
Council of the Cherokee Nation

ATTEST:

  
\_\_\_\_\_  
Dora Hatzkowski, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 19th day of September, 2022



Chuck Hoskin, Jr., Principal Chief  
Cherokee Nation

ATTEST:



Tina Glory Jordan, Secretary of State  
Cherokee Nation

**YEAS AND NAYS AS RECORDED:**

Rex Jordan	<u>Yea</u>	Melvina Shotpouch	<u>Yea</u>
Candessa Tehee	<u>Yea</u>	Dora Smith-Patzkowski	<u>Yea</u>
Mike Dobbins	<u>Yea</u>	Joe Deere	<u>Yea</u>
E. O. "Jr." Smith	<u>Yea</u>	Keith Austin	<u>Yea</u>
Daryl Legg	<u>Yea</u>	Danny Callison	<u>Yea</u>
Joshua Sam	<u>Yea</u>	Julia Coates	<u>Absent</u>
Shawn Crittenden	<u>Yea</u>	Johnny Jack Kidwell	<u>Yea</u>
Mike Shambaugh	<u>Yea</u>	Victoria Vazquez	<u>Yea</u>
Wes NoFire	<u>Yea</u>		

CHEROKEE NATION  
 PROPOSED FY 2022 AMENDMENT  
 Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2022- Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
01-Cherokee Nation	1	1010306 Facilities Improvement	LA 18-22	-	184,853	\$ (184,853)
<b>01-Cherokee Nation Total</b>				<b>\$ -</b>	<b>\$ 184,853</b>	<b>\$ (184,853)</b>
<b>Grand Total</b>				<b>\$ -</b>	<b>\$ 184,853</b>	<b>\$ (184,853)</b>

## Capital Mod #6 Request

# COMPREHENSIVE BUDGET FOR FISCAL YEAR 2022

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	288,028,025	10,723,873	298,751,898	269,580,869	6,221,511	22,949,518	298,751,898	-
Motor Fuels Tax Funding Srce	11,309,014	20,856,346	32,165,360	22,589,895	72,465	9,503,000	32,165,360	-
Motor Vehicle Tax Funding Srce	39,646,061	1,499,449	41,145,510	39,195,560	719,423	1,230,527	41,145,510	-
Permanent Fund Funding Source	9,100	0	9,100	9,100	0	0	9,100	-
DOI General Funding Source	22,793,977	0	22,793,977	21,174,284	1,619,693	0	22,793,977	-
DOI Self Gov Funding Source	37,407,759	79,600	37,487,359	35,709,857	1,767,502	10,000	37,487,359	-
DOI Self Gov Roads Funding Src	3,357,804	0	3,357,804	3,322,499	32,305	3,000	3,357,804	-
Dept of Transportation Fnd Src	97,616,429	0	97,616,429	97,275,481	240,948	100,000	97,616,429	-
DOI PL102-477 Funding Source	212,363,929	0	212,363,929	173,234,922	2,628,827	36,500,180	212,363,929	-
IHS Self Gov Health Funding Sr	1,211,671,798	0	1,211,671,798	955,601,931	45,406,126	210,663,741	1,211,671,798	-
IHS Self Gov TEH Funding Src	21,187,582	0	21,187,582	20,904,854	282,728	0	21,187,582	-
IHS Self Gov Offic Funding Src	386,587	0	386,587	350,877	35,710	0	386,587	-
IHS Discretionary Funding Srce	100,500	0	100,500	75,000	0	25,500	100,500	-
DHHS General Funding Source	96,649,731	678,560	97,328,291	91,542,942	5,785,349	0	97,328,291	-
USDA Funding Source	26,901,753	1,160,423	28,062,176	27,179,754	882,422	0	28,062,176	-
Dept of Education Funding Srce	1,219,455	82,222	1,301,677	1,199,441	87,236	15,000	1,301,677	-
HUD Funding Source	65,568,643	575,000	66,143,643	64,133,000	235,643	1,775,000	66,143,643	-
Housing Proceeds Funding Src	0	0	0	0	0	0	0	-
EPA Funding Source	2,425,380	0	2,425,380	2,210,602	214,778	0	2,425,380	-
Dept of Labor Funding Source	16,815,340	0	16,815,340	15,761,798	1,053,542	0	16,815,340	-
Dept of Treasury Funding Source	1,380,072,057	0	1,380,072,057	1,198,678,515	6,143,542	175,250,000	1,380,072,057	-
Federal Other Funding Source	18,959,762	198,360	19,158,122	18,330,590	696,382	131,150	19,158,122	-
State of Oklahoma Funding Srce	775,563	0	775,563	738,954	36,609	0	775,563	-
Private Funding Source	6,346,529	0	6,346,529	6,334,034	12,495	0	6,346,529	-
Indirect Cost Pool Funding Src	65,039,314	11,390	65,050,704	65,050,704	0	0	65,050,704	-
Fringe Pool Funding Source	0	0	0	0	0	0	0	-
Internal Lease Pool Funding Sr	5,571,702	0	5,571,702	5,571,702	0	0	5,571,702	-
Enterprise Funding Source	2,436,773	1,531,150	3,967,923	3,836,814	131,109	0	3,967,923	-
Other Funding Source	268,000	17,000	285,000	280,134	4,866	0	285,000	-
Debt Service Funding Source	0	0	0	0	0	0	0	-
Capital Projects Funding Source	252,057,568	245,743,243	497,800,811	497,755,920	44,891	0	497,800,811	-
<b>Total</b>	<b>\$ 3,886,986,135</b>	<b>\$ 283,156,616</b>	<b>\$ 4,170,142,751</b>	<b>\$ 3,637,630,033</b>	<b>\$ 74,356,102</b>	<b>\$ 458,156,616</b>	<b>\$ 4,170,142,751</b>	<b>\$ -</b>

### Non Grant Requests

CAPITAL RECONCILIATION	
LA 43-21	\$ 418,527,411
Cap Mod #1	1,181,059
Cap Mod #2	5,021,217
Cap Mod #3	(7,347,121)
Cap Mod #4	430,690
Cap Mod #5	212,575,831
Cap Mod #6	184,853
<b>Total Capital</b>	<b>\$ 630,573,940</b>

Oper Mod #11	6,992,164	07/11 Council
Cap Mod #6	184,853	07/11 Council

### Total after pending Mod's

<b>Total after pending Mod's</b>	<b>\$ 4,177,319,768</b>	
Operating (LA 44-21)	\$ 3,546,745,828	Cumulative Oper
Capital (LA 43-21)	630,573,940	Cumulative Cap
<b>Grand Total</b>	<b>\$ 4,177,319,768</b>	





# CHEROKEE NATION TRIBAL COUNCIL

Jody S. Reece, CPA, CIA, CMA

Executive Director of Financial Oversight

## Mem o

**To:** Keith Austin, Chairman, Executive & Finance Committee  
**From:** Jody S. Reece  
**CC:** Executive & Finance Committee  
**Date:** 08/09/2022  
**Re:** Review of Capital Budget Modification #6 – **Total \$ 184,853**

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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:

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### A. Grant Reporting:

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

### B. MOD #6 Request - Increase in budget authority - \$ 184,853

1. Facilities Improvement – 1010306 – Tribally Funded: Modification requesting an increase in expenditure authorization of \$184,853. Several accounts are increased but the main one for utility costs for newly constructed/renovated buildings that have not been occupied. The new budget expenditure total is \$645,011.

#### Summary:

After reviewing the submission of the Capital Mod by 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,

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