

An Act

LEGISLATIVE ACT 02-12

AN ACT AMENDING LEGISLATIVE ACT #21-11 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2012 – Mod. 1; 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 #21-11 Authorizing the Comprehensive Capital Budget for FY 2012 – Mod. 1”.

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 2012” or subsequent amendment. The cumulative total of the capital budget is increased by **\$1,821,539** for a total capital budget authority of **\$107,449,318**.

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #21-11 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 **\$1,821,539** to wit:

- A. An increase in the **Motor Vehicle Tax Fund** budget authority of **\$1,821,539** related to the motor vehicle revenue apportionment for roads within the jurisdictional boundary of the Cherokee Nation.

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.

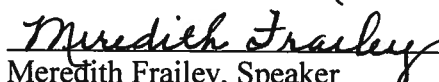
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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.

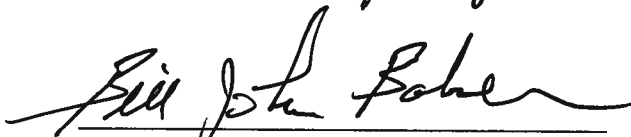
Passed by the Cherokee Council on the 16th day of January, 2012


Meredith Frailey, Speaker
Council of the Cherokee Nation


ATTEST:


Don Garvin, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 18th day of January, 2012


Bill John Baker, Principal Chief
Cherokee Nation

ATTEST:


Charles Head, Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Tina Glory Jordan	<u>Yea</u>	Lee Keener	<u>Yea</u>
David Walkingstick	<u>Yea</u>	Cara Cowan Watts	<u>Yea</u>
Jodie Fishinghawk	<u>Yea</u>	Buel Anglen	<u>Yea</u>
Curtis Snell	<u>Yea</u>	Dick Lay	<u>Yea</u>
David W. Thornton, Sr.	<u>Yea</u>	Chuck Hoskin, Jr.	<u>Yea</u>
Janelle Lattimore Fullbright	<u>Yea</u>	Meredith Frailey	<u>Yea</u>
Don Garvin	<u>Yea</u>	Jack Baker	<u>Yea</u>
Julia Coates	<u>Yea</u>	Frankie Hargis	<u>Yea</u>

CHEROKEE NATION
 PROPOSED FY 2012 AMENDMENT
 Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2012 Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
05-Vehicle Tax	1	1052000- MVT Highways Const	LA 21-11	1,821,539	1,821,539	\$ -
05-Vehicle Tax Total				\$ 1,821,539	\$ 1,821,539	\$ -
Grand Total				\$ 1,821,539	\$ 1,821,539	\$ -

Mod-1
 "Capital Budget"

09M105200-C1

Global Plus Sum of Unapproved ATBs Report

Company : 1-Cherokee Nation

Global Plan : FY2012_MOD

Accounting Unit : 1052000-MVT Highways Const

Report Data updated as of:

As of Period : Period 12-2012

11/22/2011 09:49:26 AM

Display Accounts : Posting Accounts Only

Scale : Single

Reporting Server Time zone is set to:
(GMT -6:00) Central Standard Time

	Global	ATB	TOTAL
1 - Cherokee Nation	0	0	0
MVT_HWYS - Highways	0	0	0
MVT_HWYS_SUMMAR - Highways Summary	0	0	0
1052000 - MVT Highways Const	0	0	0
490000-0 - Carryover "appropriated" PY	-2,093,407	-1,821,539	-3,914,946
650000-0 - Contract services >=\$5K	2,093,407	1,821,539	3,914,946

2011	1050000	CN Tax Comm	Tag Office	700040 Gas - Nat/LP	706.93	Tag Exp	
2011	1050000	CN Tax Comm	Tag Office	700080 Direct billed: space cost	86,118.54	Tag Exp	
2011	1050000	CN Tax Comm	Tag Office	710090 Direct billed: property insura	653.82	Tag Exp	
2011	1050000	CN Tax Comm	Tag Office	710100 Direct billed: auto insurance	969.41	Tag Exp	
2011	1050000	CN Tax Comm	Tag Office	720030 R & m vehicle	754.95	Tag Exp	
2011	1050000	CN Tax Comm	Tag Office	720040 Employee mileage reimbursement	2,722.06	Tag Exp	
2011	1050000	CN Tax Comm	Tag Office	720050 Direct billed: GSA vehicle	823.99	Tag Exp	
2011	1050000	CN Tax Comm	Tag Office	720070 Direct billed: gas cards	3,476.58	Tag Exp	
2011	1050000	CN Tax Comm	Tag Office	730000 Building maintenance	14,212.98	Tag Exp	
2011	1050000	CN Tax Comm	Tag Office	730020 Grounds maintenance	1,974.00	Tag Exp	
2011	1050000	CN Tax Comm	Tag Office	740000 Advertising	179.00	Tag Exp	
2011	1050000	CN Tax Comm	Tag Office	760010 Other operational	23,311.99	Tag Exp	
2011	1050000	CN Tax Comm	Tag Office	760012 Food	487.00	Tag Exp	
2011	1050000	CN Tax Comm	Tag Office	760020 Bank service charge	67,200.64	Tag Exp	
2011	1050000	CN Tax Comm	Tag Office	760030 Cash over & short	(6.50)	Tag Exp	
2011	1050000	CN Tax Comm	Tag Office	970000 Indirect cost(IDC): allocation	265,615.30	Tag Exp	
2011	1050000	CN Tax Comm	Tag Office	990100 Prior year income	1,404.54	Tag Exp	
					(6,197,801.76)		
				Total MVT Revenue			
				Total Other Income	(8,298,167.85)		0.980108909 % of Total Revenue
				Total Revenue	(168,409.46)		0.019891091 % of Total Revenue
				Total Tag Office Expenses	8,466,577.31		
				Allocation to Schools @ 38%	2,268,775.55		2,223,647.13 Pro-rata for MVT Revenue
				Allocation to Roads @ 20%	3,153,303.78		45,128.42 Pro-rata for Other Income
				Pro-rata Tag Office Exp for MVT Revenues	1,659,633.57		165,963.36 10%
				Balance of MVT Revenues after Allocations and Pro-rata Exp.	2,223,647.13		1,493,670.21 90%
				Allocation to Law Enforcement @ 20% of net (max)	1,261,583.37		
				Allocation to Schools @ 5% of 38% Allocation - Per LA 07-10	252,316.67		
				Residual Transfer to Genfund	157,665.19		
				Total Restricted	974,882.54		* Includes remaining MVT Revenues and Other Income
					5,222,919.22		less Pro-Rata of Exp for Other Income

**COMPREHENSIVE BUDGET
FOR FISCAL YEAR 2012
Including Mod-4 Operating & Mod-1 Capital Requests**

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	58,133,613	2,036,431	60,170,044	48,406,734	3,809,468	7,953,842	60,170,044	0
Motor Fuels Tax Funding Srce	8,270,520	16,337,036	24,607,556	13,843,816	193,485	10,570,255	24,607,556	0
Motor Vehicle Tax Funding Srce	10,435,005	0	10,435,005	9,533,971	359,510	541,524	10,435,005	0
Permanent Fund Funding Source	10,000	0	10,000	10,000	0	0	10,000	0
DOI General Funding Source	11,238,979	0	11,238,979	10,410,029	828,950	0	11,238,979	0
DOI Self Gov Funding Source	13,974,891	79,600	14,054,491	12,863,896	1,175,595	15,000	14,054,491	0
DOI Self Gov Roads Funding Src	37,653,994	0	37,653,994	37,385,163	131,463	137,368	37,653,994	0
Dept of Transportation Fnd Src	31,953,350	0	31,953,350	31,722,245	131,262	99,843	31,953,350	0
DOI PL102-477 Funding Source	18,479,904	0	18,479,904	17,839,777	640,127	0	18,479,904	0
IHS Self Gov Health Funding Sr	216,337,611	0	216,337,611	199,052,476	14,435,135	2,850,000	216,337,611	0
IHS Self Gov TEH Funding Src	5,841,589	0	5,841,589	5,444,797	396,792	0	5,841,589	0
IHS Self Gov Offc Funding Src	411,031	0	411,031	363,944	47,087	0	411,031	0
IHS Discretionary Funding Src	800,000	0	800,000	30,000	0	770,000	800,000	0
DHHS General Funding Source	35,468,082	530,977	35,999,059	33,113,697	2,885,362	0	35,999,059	0
USDA Funding Source	16,253,847	743,192	16,997,039	16,431,250	565,789	0	16,997,039	0
Dept of Education Funding Src	1,255,708	65,875	1,321,583	1,212,032	109,551	0	1,321,583	0
HUD Funding Source	39,441,527	323,185	39,764,712	36,232,580	2,487,132	1,045,000	39,764,712	0
Housing Proceeds Funding Src	4,150,000	0	4,150,000	3,867,582	282,418	0	4,150,000	0
EPA Funding Source	2,567,974	0	2,567,974	2,337,272	230,702	0	2,567,974	0
Dept of Labor Funding Source	7,801,169	0	7,801,169	7,025,330	775,839	0	7,801,169	0
Federal Other Funding Source	3,499,230	0	3,499,230	3,406,216	93,014	0	3,499,230	0
State of Oklahoma Funding Src	1,192,429	0	1,192,429	1,058,752	133,677	0	1,192,429	0
Private Funding Source	488,141	159,536	647,677	595,363	52,314	0	647,677	0
Indirect Cost Pool Funding Src	146,975	0	146,975	32,539,062	(29,532,042)	0	3,007,020	(2,860,045)
Fringe Pool Funding Source	0	0	0	0	0	0	0	0
Internal Lease Pool Funding Sr	86,000	0	86,000	86,000	0	0	86,000	0
Enterprise Funding Source	1,019,202	1,045,000	2,064,202	1,238,871	0	0	1,238,871	825,331
Other Funding Source	172,532	12,000	184,532	175,413	9,119	0	184,532	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	32,122,937	0	32,122,937	32,122,937	0	0	32,122,937	0
Total	\$ 559,206,240	\$ 23,982,832	\$ 583,189,072	\$ 560,999,205	\$ 241,749	\$ 23,982,832	\$ 585,223,786	\$ (2,034,714)

Mod-3 Request	\$ 785,771	12/12 - TCM
Mod-4 Request	\$ 3,282,995	12/13 - E/F Cmle
Mod-1 Capital Req.	\$ 1,821,539	12/13 - E/F Cmle
Total after pending Mod's	\$ 591,114,091	
Operating (LA20-11)	\$ 483,664,773	
Capital (LA-21-11)	\$ 107,449,318	*
Recap	\$ 591,114,091	