

# An Act

## Legislative Act 12-19

### THE HOUSING, JOBS, AND SUSTAINABLE COMMUNITIES ACT OF 2019

#### BE IT ENACTED BY THE CHEROKEE NATION:

#### Section 1. Title and Codification

This legislative act shall be titled and codified as the “**Housing, Jobs, and Sustainable Communities Act of 2019**”.

#### Section 2. Purpose

The purpose of this Act is to authorize funding in an amount of \$30 million dollars to fund housing rehabilitation, create additional jobs in construction and related fields, improve the long-term financial and environmental sustainability of Cherokee Community Buildings, and to otherwise provide for the welfare of Cherokee citizens.

- A. The funding source is dividends received from those for-profit corporations in which Cherokee Nation is the sole or majority shareholder, and that are incorporated under Cherokee Nation law. Other sources of funding, such as grants, miscellaneous sources and contributions, revenues of enterprises, taxes, and special and general fund sources, may be used to supplement this funding in order to maximize the beneficial impact through a cohesive strategy to achieve the Purpose as identified herein.

#### Section 3. Policy of Accountability

- A. All funds pursuant to this Act under the care of the Cherokee Nation shall 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.

#### Section 4. Substantive Provisions

##### § 1. Amounts Authorized.

- A. A total amount of \$30 million dollars is authorized under this enactment as follows:

1. An amount of \$20 million dollars is authorized during fiscal year 2020.

2. An amount of \$5 million dollars is authorized during fiscal year 2021.
3. An amount of \$5 million dollars is authorized issued during fiscal year 2022.

B. The funds authorized shall be allocated as follows:

1. \$22,500,000 of such funding allocated shall address pending Housing Rehabilitation program applications on file with the Housing Authority of the Cherokee Nation (“HACN”) as of August 1, 2019, with such funds being used to supplement the HACN’s federal funding. The Executive Director of HACN is authorized to waive such federal and tribal policies, rules and regulations necessary to effectuate the purposes and policies of this Act.

2. \$7,500,000 of such funding allocated shall be administered primarily by Cherokee Community Outreach (“CCO”) with guidance from the Secretary of Natural Resources for installation of high speed internet in Cherokee Community Buildings and other improvements to Cherokee Community Buildings, such as energy efficiency rehabilitation projects, renewable energy and sustainable grants for the installation of projects which include but are not limited to: HVAC systems, solar panels, and community gardens adjacent to the Cherokee Community Buildings.

C. Any unspent funds authorized in one fiscal year may be rolled over from year to year until such funds are fully depleted.

## **§ 2. Reporting Requirements.**

Prior to the expiration of each fiscal year, the Secretary of State shall compile a report concerning such allocation which shall include the number of jobs created, the number of projects completed, and an assessment of energy savings.

## **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 of 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.

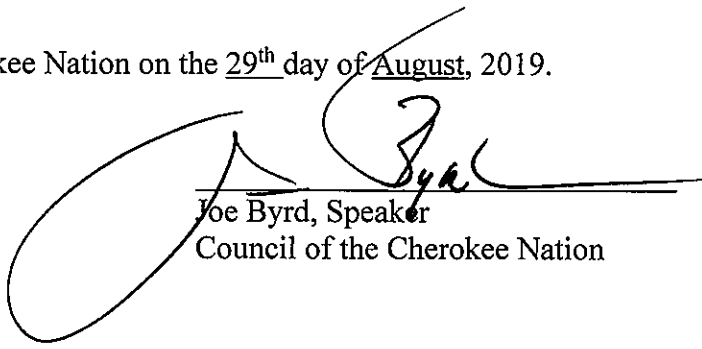
## **Section 7. Effective Date: Emergency Declared**

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.

Enacted by the Council of the Cherokee Nation on the 29<sup>th</sup> day of August, 2019.

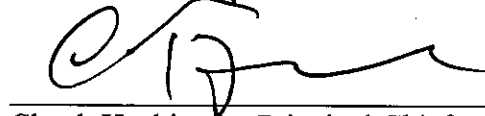


Joe Byrd, Speaker  
Council of the Cherokee Nation

**ATTEST:**

  
James Taylor, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 6<sup>th</sup> day of September, 2019.



Chuck Hoskin, Jr., Principal Chief  
Cherokee Nation

**ATTEST:**

  
Bryan Warner, Deputy Principal Chief  
Cherokee Nation

**YEAS AND NAYS AS RECORDED:**

Rex Jordan	<u>Yea</u>	Harley Buzzard	<u>Yea</u>
Joe Byrd	<u>Yea</u>	Victoria Vazquez	<u>Yea</u>
Wes Nofire	<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>
Darryl Legg	<u>Yea</u>	Janees Taylor	<u>Yea</u>
Canaan Duncan	<u>Yea</u>	Julia Coates	<u>Yea</u>
Shawn Crittenden	<u>Yea</u>	Mary Baker Shaw	<u>Yea</u>
Mike Shambaugh	<u>Yea</u>		

# Cherokee Nation Act/Resolution Proposal Form

Act       Resolution

<u>ADMINISTRATIVE CLEARANCE</u>	
Dept/Program:	
Signature/Initial	Date
<b>Executive Director:</b>	
Signature/Initial	Date
<b>Treasurer (Required: Grants/Contracts/Budgets):</b>	
Signature/Initial	Date
<b>Government Relations:</b>	
Signature/Initial	Date
<b>Administration Approval:</b>	
Signature/Initial	Date

**TITLE:**

**A LEGISLATIVE ACT ESTABLISHING THE HOUSING, JOBS, AND SUSTAINABLE COMMUNITIES ACT OF 2019**

DEPARTMENT CONTACT: Chuck Hoskin Jr.

RESOLUTION PRESENTER: Todd Enlow

COUNCIL SPONSOR: Canaan Duncan, Mike Shambaugh, Rex Jordan, Shawn Crittenden, Keith Austin, Joe Deere, Joe Byrd, Daryl Legg, Victoria Vazquez, Wes Nofire, Mike Dobbins, EO Smith, *Harley Buzzard*, *Dora Patzkowski*

**NARRATIVE:**

An act establishing the Housing, Jobs and Sustainable Communities Act of 2019.

<u>LEGISLATIVE CLEARANCE:</u>	
<b>Legal &amp; Legislative Coordinator:</b>	
Signature/Initial	Date
<b>Standing Committee &amp; Date:</b>	
Chairperson:	

AUG 15 '19 PM 5:03

*Stoke* 8/15/19

*Rules* 8/29/19

*Byrd*