

# An Act

LEGISLATIVE ACT 1-62

Amended 7-15-02  
See LA # 23-02

**AN ACT APPROPRIATING MOTOR FUELS TAX FUNDS FOR A GRADUATE  
SCHOLARSHIP PROGRAM AND AMENDING LEGISLATIVE ACT #37-01  
AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2002;  
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 Appropriating Motor Fuels Tax Funds for a Graduate Scholarship Program and Amending Legislative Act #37-01 Authorizing the Comprehensive Budget for Fiscal Year 2002."

**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 Budget Act for Fiscal Year 2002" or subsequent amendment. The cumulative total of the budget is increased by \$400,000 for a total budget authority of \$242,297,511. The following items are identified as estimated funding sources in excess of appropriated uses to wit:

A. Motor Fuels Tax	\$1,445,626	( \$435,000 Appropriated)	Balance:	\$1,010,626
B. G/F special div.	\$250,000	( \$0 Appropriated)	Balance:	\$250,000
C. Gammon Trust	\$290,625	( \$290,625 Restricted)	Balance:	\$0

**SECTION 3. LEGISLATIVE HISTORY**

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act 37-01 are applicable to this amendment. The provision of funds available for this act is pursuant to previously enacted Legislative Act 40-01.

**SECTION 4. FUNDING AUTHORIZATIONS**

The amount of four hundred thousand dollars (\$400,000.00) from the Motor Fuels Tax Fund shall be reserved, designated and set aside for a Higher Education Graduate Scholarship program for the to be distributed under the guidelines established by the Higher Education Sub-Committee of the Tribal Council.

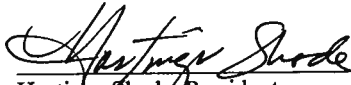
**SECTION 5. SEVERABILITY**

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.

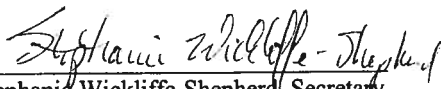
**SECTION 6. EFFECTIVE DATE: EMERGENCY DECLARED**

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.


Passed by the Cherokee Council on the 14TH day of JANUARY, 2002.

  
Hastings Shade, President  
Council of the Cherokee Nation

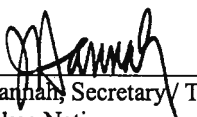
ATTEST:

  
Stephanie Wickliffe-Shepherd, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 17th day of JANUARY, 2002.

  
Chadwick Smith, Principal Chief  
Cherokee Nation

ATTEST:

  
Jay Harman, Secretary / Treasurer  
Cherokee Nation

YEAS AND NAYS AS RECORDED:

John A. Ketcher	<u>YEA</u>	Melvina Shotpouch	<u>YEA</u>
Don Crittenden	<u>YEA</u>	Stephanie Wickliffe-Shepherd	<u>YEA</u>
Harold "Jiggs" Phillips	<u>YEA</u>	John F. Keener	<u>YEA</u>
Jackie Bob Martin	<u>YEA</u>	Harold DeMoss	<u>YEA</u>
Mary Flute-Cooksey	<u>YEA</u>	Dorothy Jean McIntosh	<u>-----</u>
David W. Thornton, Sr.	<u>ABSENT</u>	Nick Lay	<u>YEA</u>
Don Garvin	<u>YEA</u>	Charles "Chuck" Hoskin	<u>ABSENT</u>
Barbara Starr-Scott	<u>YEA</u>		