

# An Act

## LEGISLATIVE ACT 05-07

### AN ACT AMENDING LEGISLATIVE ACT #26-06 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2007 – “Emergency Ice Storm Assistance”; 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 #26-06 Authorizing the Comprehensive Budget for Fiscal Year 2007 – Emergency Ice Storm Assistance”.

#### 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 2007” or subsequent amendment. The cumulative total of the budget is increased by **\$2,500,000** for a total budget authority of **\$370,532,018**. The following items are identified as estimated General Fund sources in excess of appropriated uses to wit:

	<u>Previous Balance</u>	<u>Estimated Sources</u>	<u>Estimated Uses</u>	<u>Adjusted Balance</u>
A. General Fund	\$6,666,305	\$0	<\$2,500,000>	\$4,166,305
B. Motor Fuels Tax	\$326,631	\$0	<\$0>	\$326,631

#### SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #26-06 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 amendment changes the total amount of the comprehensive budget authorization by an increase of **\$2,500,000**, for emergency assistance in the form of client services for relief from damages and harm caused by the recent ice storm.

#### 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.

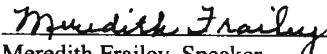
#### SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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.

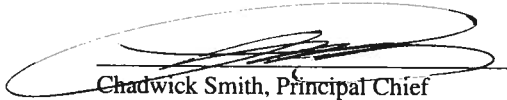
Passed by the Cherokee Council on the 9th day of February, 2007

  
Meredith Frailey, Speaker  
Council of the Cherokee Nation

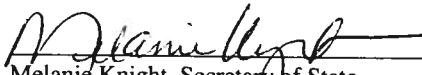
ATTEST:

  
Don Garvin, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 13th day of February, 2007

  
Chadwick Smith, Principal Chief  
Cherokee Nation

ATTEST:

  
Melanie Knight, Secretary of State  
Cherokee Nation

**YEAS AND NAYS AS RECORDED:**

Audra Smoke-Conner	<u>Yea</u>	Melvina Shotpouch	<u>Yea</u>
Bill John Baker	<u>Yea</u>	Meredith A. Frailey	<u>Absent</u>
Joe Crittenden	<u>Yea</u>	John F. Keener	<u>Yea</u>
Jackie Bob Martin	<u>Yea</u>	Cara Cowan Watts	<u>Yea</u>
Phyllis Yargee	<u>Yea</u>	Buel Anglen	<u>Yea</u>
David W. Thornton, Sr.	<u>Yea</u>	William G. Johnson	<u>Yea</u>
Don Garvin	<u>Yea</u>	Charles "Chuck" Hoskin	<u>Yea</u>
Linda Hughes-O'Leary	<u>Absent</u>	Taylor Keen	<u>Yea</u>
Jack Baker	<u>Yea</u>		

**CHEROKEE NATION - FY2007 BUDGET REQUEST FORM**

**PART-1**

Budget Period:	10/01/06 - 09/30/07	Budget Preparer	Phone: 5306
Contract Period:	10/01-06 - 09/30/07	Name:	Laura Adair
Contract Number:		Accounting Unit Director/Manager	Phone: 5644
Accounting Fund:	1 General Fund	Name:	Todd Enlow
Funding Source:	01-Cherokee Nation	Group Leader	Phone: 5644
AU Description:	Emergency Ice Storm Assistance	Name:	Todd Enlow
Accounting Unit:	1010519	1st Person Responsible	
Place IDC Rate in Part 4 Below		Employee #:	10-3030
Date/Time Printed:	12-Feb-07 01:17 PM		

Notes:

**PART-2**

**Staffing Summary:**

	FY 2007 REVISION 1	FY 2007 ORIG REQUEST	Incr \ (Decr)
# of Regular Full-Time Employee Equivalents:			-
# of Regular Part-Time Employee Equivalents:			-
# of Temp. Full-Time Employee Equivalents:			-
# of Temp. Part-Time Employee Equivalents:			-
# of Other Employee Equivalents:			-
<b>TOTAL NUMBER OF EMPLOYEE-EQUIVALENTS</b>	-	-	-

**PART-3**

**Revenues:**

(Show as positive #)

Account #	Incr \ (Decr)
Please enter a valid account number - >>>	\$ -
Please enter a valid account number - >>>	\$ -
Please enter a valid account number - >>>	\$ -
DO NOT COPY TO, COPY BELOW, OR REMOVE THIS LINE!	
<b>Total Revenues</b>	\$ -

**PART-4**

**Expenditures:**

Account #	Subject to IDC ?		Subject to IDC ?		Incr \ (Decr)
	YES	NO	YES	NO	
Client services - Human Services		\$2,700,000		\$200,000	\$ 2,500,000
Please enter a valid account number - >>>					\$ -
DO NOT COPY TO, COPY BELOW, OR REMOVE THIS LINE!					
<b>Expenditures NOT Subject to IDC</b>		\$ 2,700,000		\$ 200,000	\$ 2,500,000
<b>Expenditures SUBJECT to IDC</b>	\$ -		\$ -		\$ -
Indirect Cost Rate (If blank or zero, must explain in Notes above)	16.97%		16.97%		
Indirect Cost Allocation 970000	\$ -		\$ -		\$ -
<b>Total Expenditures</b>		\$ 2,700,000		\$ 200,000	\$ 2,500,000

<b>Revenues OVER \ (UNDER) Expenditures</b>	\$ (2,700,000)	\$ (200,000)	\$ (2,500,000)
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**Transfers In\Out - (Show ALL as Positive Numbers)**

**Operating Transfers IN**

Other financing sources	900000				\$ -
Cash in: tribally required	900010				\$ -
Cash in: grant required	900020				\$ -
Cash in: motor fuel tax	900040				\$ -
Cash in: vehicle tax	900050				\$ -
Cash in: interprogram contract	900060				\$ -

**Operating Transfers OUT**

Other financing uses	900001				\$ -
Cash out: tribally required	900011				\$ -
Cash out: grant required	900021				\$ -
Cash out: motor fuel tax	900041				\$ -
Cash out: vehicle tax	900051				\$ -
Cash out: interprogram contract	900061				\$ -

**Transfers In\Out - Net**

	\$ -	\$ -	\$ -
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**Take to Narrative ==>**

	\$ 2,700,000	\$ 200,000	
<b>Excess\ (Deficit) of Revenues, Expenditures and Net Transfers</b>	\$ (2,700,000)	\$ (200,000)	\$ (2,500,000)

**COMPREHENSIVE BUDGET  
FOR FISCAL YEAR 2007  
Incl. Ice Storm Assistance**

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	\$ 57,016,014	\$ 6,945,106	\$ 63,961,120	\$ 49,274,291	\$ 4,241,226	\$ 3,779,298	\$ 57,294,815	\$ 6,666,305
Motor Fuels Tax Funding Srce	\$ 9,533,562	\$ 9,526,854	\$ 19,060,416	\$ 10,597,846	\$ 281,352	\$ 7,854,587	\$ 18,733,785	\$ 326,631
Motor Vehicle Tax Funding Srce	\$ 12,657,453	-	\$ 12,657,453	\$ 11,294,726	\$ 273,621	\$ 1,089,106	\$ 12,657,453	-
Permanent Fund Funding Source	\$ 15,000	-	\$ 15,000	\$ 10,000	-	-	\$ 10,000	\$ 5,000
DOI General Funding Source	\$ 9,145,470	-	\$ 9,145,470	\$ 8,644,624	\$ 500,846	-	\$ 9,145,470	-
DOI Self Gov Funding Source	\$ 13,038,345	\$ 90,000	\$ 13,128,345	\$ 11,747,351	\$ 1,310,994	\$ 70,000	\$ 13,128,345	-
DOI Self Gov Roads Funding Src	\$ 33,146,829	-	\$ 33,146,829	\$ 32,267,394	\$ 379,435	\$ 500,000	\$ 33,146,829	-
DOI PL102-477 Funding Source	\$ 14,982,244	-	\$ 14,982,244	\$ 14,046,093	\$ 900,151	\$ 36,000	\$ 14,982,244	-
IHS Self Gov Health Funding Sr	\$ 71,604,792	-	\$ 71,604,792	\$ 62,664,192	\$ 6,440,600	\$ 2,500,000	\$ 71,604,792	-
IHS Self Gov TEH Funding Src	\$ 6,328,446	\$ 142,676	\$ 6,471,122	\$ 5,721,385	\$ 607,061	\$ 142,676	\$ 6,471,122	-
IHS Self Gov Offic Funding Src	\$ 469,833	-	\$ 469,833	\$ 405,949	\$ 63,884	-	\$ 469,833	-
IHS Discretionary Funding Src	\$ 540,000	-	\$ 540,000	-	-	\$ 540,000	\$ 540,000	-
DHHS General Funding Source	\$ 27,546,986	\$ 112,000	\$ 27,658,986	\$ 24,924,197	\$ 2,734,789	-	\$ 27,658,986	-
USDA Funding Source	\$ 13,132,018	\$ 493,560	\$ 13,625,578	\$ 13,025,250	\$ 600,328	-	\$ 13,625,578	-
Dept of Education Funding Srce	\$ 1,022,834	\$ 57,548	\$ 1,080,382	\$ 965,733	\$ 114,649	-	\$ 1,080,382	-
HUD Funding Source	\$ 36,957,807	\$ 504,000	\$ 37,461,807	\$ 21,800,715	\$ 1,409,534	\$ 14,251,558	\$ 37,461,807	-
EPA Funding Source	\$ 2,930,108	-	\$ 2,930,108	\$ 2,572,715	\$ 357,393	-	\$ 2,930,108	-
Dept of Labor Funding Source	\$ 6,979,714	-	\$ 6,979,714	\$ 6,227,174	\$ 692,277	\$ 60,263	\$ 6,979,714	-
Federal Other Funding Source	\$ 2,179,846	-	\$ 2,179,846	\$ 2,107,842	\$ 72,004	-	\$ 2,179,846	-
State of Oklahoma Funding Srce	\$ 560,869	-	\$ 560,869	\$ 489,395	\$ 71,474	-	\$ 560,869	-
Private Funding Source	\$ 334,604	\$ 100,000	\$ 434,604	\$ 136,734	\$ 12,991	-	\$ 434,604	\$ 284,879
Indirect Cost Pool Funding Src	\$ 34,900	\$ 60,263	\$ 95,163	\$ 19,855,167	\$ (19,760,004)	-	\$ 149,725	-
Tribal Force Acct Funding Srce	\$ 96,207	-	\$ 96,207	\$ 174,350	\$ 17,767	-	\$ 95,163	-
Enterprise Funding Source	\$ 2,699,261	\$ 529,923	\$ 3,229,184	\$ 2,752,212	\$ 10,522	-	\$ 192,117	\$ (95,910)
Other Funding Source	\$ 5,215,301	-	\$ 5,215,301	\$ 557,262	\$ 18,039	\$ 4,640,000	\$ 2,762,734	\$ 466,450
Debt Service Funding Source	\$ -	\$ 2,500,000	\$ 2,500,000	\$ 2,500,000	-	-	\$ 5,215,301	-
Capital Projects Funding Sourc	\$ 26,205,000	\$ 250,000	\$ 26,455,000	\$ 26,420,512	\$ 34,488	-	\$ 26,455,000	-
<b>Total incl. Oct thru Jan Grants</b>	<b>\$ 354,373,443</b>	<b>\$ 21,311,930</b>	<b>\$ 375,685,373</b>	<b>\$ 331,183,109</b>	<b>\$ 1,385,421</b>	<b>\$ 35,463,488</b>	<b>\$ 368,032,018</b>	<b>\$ 7,653,355</b>
						Ice Storm Assist.	\$ 2,500,000	
						<b>Total w/Ice Storm Appropriation</b>	<b>\$ 370,532,018</b>	