## An Act

#### LEGISLATIVE ACT 26-02

AN ACT APPROPRIATING MOTOR FUELS TAX FUNDS FOR A LIHEAP PROGRAM SUBSIDY 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 LIHEAP Program Subsidy 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 \$12,000 for a total budget authority of \$277,095,388. The following items are identified as estimated funding sources in excess of appropriated uses to wit:

A. Motor Fuels Tax B. G/F special div. C. Gammon Trust D. G/F settlement	\$1,428,483 \$250,000 \$290,625 \$253,685	) (	\$664,421 Appropriated) \$0 Appropriated) \$290,625 Restricted) \$253,685 Restricted)		\$764,062 \$250,000 \$0 \$0
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## 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.

## SECTION 4. FUNDING AUTHORIZATIONS

The amount of twelve thousand dollars (\$12,000.00) from the Motor Fuels Tax Fund shall be reserved, designated and set aside for a subsidy to the LIHEAP program for the purchase of additional air conditioners to be distributed under the guidelines established under the current LIHEAP program to Tribal Members.

## SECTION 5. <u>SEVERABILITY</u>

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.

Hastings Shade, President Council of the Cherokee Nation

ATTEST:

Stephanie Shepherd, Sedretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 15TH day of AUGUST, 2002.

Chadwick Smith, Principal Chief

Cherokee Nation

ATTEST:

Jay Hanrah, Secretary Treasurer Cherokee Nation

## YEAS AND NAYS AS RECORDED:

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

CHEROKEE NATION
FY2002 Comprehensive Budget Summary of Sources and Uses
Legislation passed than - 07/15/2002

886,168	277,095,388	9,095,600	37,473,627	(1,384,283)	231,910,444	277,981,556	41,729,648	210,351,203	25,900,705			Totals after Proposed Amendments
(12,000)	12,000	ı		,	12,000	,	•		,	MFT	pending	31 LIHEAP subsidy (\$12k - A/C's)
(50,000)	50,000				50,000	1				MFT	pending	30 Graduate Scholarship Program (\$50k)
(50,000)	50,000		•		50,000					Gen Fund	pending	29 Heritage Center Donation (\$50k)
280,820	4,154,188	1,045,000	2,331,765	128,552	648,871	4,435,008	2,391,765	2,043,243		various	pending	28 Comprehensive Budget Amend. (Mod-8)
717,348	272,829,200	8,050,600	35,141,862	(1,512,835)	231,149,573	273,546,548	39,337,883	208,307,960	25,900,705			Reconciled Totals from above
717,348	272,829,200	8,050,600	35,141,862	(1,512,835)	231,149,573	273,546,548	39,337,883	208,307,960	25,900,705			Totals per AFW System (BLA99)  Difference
180,948	60,316	60,316				241,264		241,264		MFT	₹.	27 MFT FY02 Estimated Revenue Adjustment
(161,000)	161,000		•	•	161,000					MFT	22-02	
,	154,600				154,600	154,600		154,600		DOI-S/G	21-02	25 DOI S/G General Assistance Amendment
(3,354)	4,649,150		(17,393)	91,880	4,574,663	4,645,796	(17,393)	4,663,189		various	20-02	24 Comprehensive Budget Amend. (Mod-7)
117,725	3,344,971		6,421	198,365	3,140,185	3,462,696	6,421	3,006,275	450,000	various	19-02	23 Comprehensive Budget Amend. (Mod-6)
	97,666	(97,666)	97,666		97,666	97,666	97,666			MFT	E/F-5/30	22 Motor Fuels Tax - Road Program Projects
	970,981			307,443	663,538	970,981	125,000	1,034,115	(188,134)	various	14-02	21 Comprehensive Budget Amend. (Mod-5)
	220,583	(220,583)	220,583		220,583	220,583	220,583			MFT	E/F-4/25	20 Motor Fuels Tax - Road Program Projects
	255,915	(255,915)	255,915		255,915	255,915	255,915			MFT	E/F-3/28	19 Motor Fuels Tax - Road Program Projects
253,684						253,684		253,684	•	ଫୁ	15-02	18 Additional Ramah Settlement Distribution
(7,107)	(3,980,500)	•	11,231	46,713	(4,038,444)	(3,987,607)	11,231	(5,437,262)	1,438,424	various	11-02	17 Comprehensive Budget Amend. (Mod-4)
	208,027	(208,027)	208,027		208,027	208,027	208,027			MFT	6-02	16 Motor Fuels Tax - Road Program Projects
	22,127,535	4,887,308	20,210,584	139,969	(3,110,326)	22,127,535	20,210,584	34,020	1,882,931	various	5-02	15 PY Discr. Closeout/Tirs & Cash Reserve
	1,855,028	1,855,028				1,855,028			1,855,028	MFT	1/2	14 MFT Roads Program-Carryover Correction
(198,091)						(198,091)		(173,450)	(24,641)	MFT	n/a	13 MFT-Est. Interest Income Adjustment
150	91,984			5.639	86,345	92,134		92,134		various	3-02	12 Comprehensive Budget Amend. (Mod-3)
	337,533	(337,533)	337,533		337,533	337,533	337,533			MFT	2-02	11 Motor Fuels Tax - Road Program Projects
(400,000)	400,000				400,000	•				MFT	1-02	10 MFT - Graduate Scholarship Program
(732,104)	(11,848)	(11.848)				(743,952)		191,192	(935,144)	MFT	7/2	9 MFT Prior Yr Reconciliation Adjustment
•										ନ୍ମ	44-01	8 Capital Expansion - Balance Sheet Only
(15,000)	15,000				15,000					MFT	43-01	7 LIHEAP Subsidy - MFT
	2,858,910	,	48,025	280,414	2,530,471	2,858,910	24,925	2,833,985		various	42-01	6 Comprehensive Budget Amend. (Mod-2)
	112,018	(112,018)	112,018		112,018	112,018	112,018			MFT	41-01	5 Motor Fuels Tax - Road Program Projects
676,408						676,408			676,408	MFT	40-01	4 Reprogram Higher Ed. PY-Fund Balance
	3,945,850		1,135,493	666,271	2,144,086	3,945,850	1,135,493	2,780,357	30,000	various	39-01	<ol> <li>Comprehensive Budget Amend. (Mod-1)</li> </ol>
(20,000)	20,000				20,000					MFT	38-01	2. Court Appointed Special Advocate (CASA)
23,100	(23,100)		(23,100)	(5,133)	5,133					IDC & G/F	ns.	a. Direct/Indirect Realloc's & Transfer Corrections
1,001,989	234,957,581	2,491,538	12,538,859	(3,244,396)	223,171,580	235,959,570	16,609,880	198,633,857	20,715,833	À	37-01	1. Comprehensive Budget Act - Original
REVENUES AVAILABLE	TOTAL	SES Reserves	APPROPRIATED USES Transfers Out	Indirect	Dir. Exp.	TOTAL	ESTIMATED REVENUES Current Yr Transfers In	ESTIMATEI Current Yr	Prior Yr	Funding Source(s)	LA.#	Item Description





CHEROKEE NATION

FY2002 Comprehensive Budget Summary of Sources and Uses
Legitheion persed then - 07/15/2002

886,168	(626,822)	375,706	.		[-	2 764,062	373,222	277,095,388	218,902,043	177,495	15,769,705 100,000 4,421,961 161,157 4,277,495 218,902,043	00 4,421,961	05 100,0		33,463,027	277,981,556	218,275,221	7 4,653,201	961 161,1	0,000 4,421	533,767 1	33,836,249 16,533,767 100,000 4,421,961 161,157 4,653,281 219,275,221	Į.	Totals after Proposed Amendments
(12,000)	,				9	(12,000)		12,000					3	12,000		,							pending	31 LIHEAP subsidy (\$12k - A/Cs)
(50,000)					3	(50,000)		50,000					8	50,000									pending	30 Graduate Scholarship Fregram (SSOk)
(\$0,000)						3	(50,000)	50,000						ō	50,000								pending	29 Heritage Center Denation (\$50k)
280,820	·					,	280,820	4,154,188	479,883			NN 4,421,961	60,000	56)	13 (307,656)	4,435,008	479,883		,961	60,000 4,421,961		(526,836)	pending	28 Comprehensive Budget Amend. (Mod-1)
717,348	(626,822)	375,706	-			2 826,062	142,402	271,829,200	218,422,160	4,277,495	161,157 4,		05 40,000	83 15,707,705	34,220,683	273,546,548	217,795,338	57 4,653,201	. 161,157	40,000	16,533,767	34,363,085 16		Recordled Totals from above
717,348	(626,822) (626,822)	375,706 375,706				2 826,862 2 826,062	142,492	272,829,200	218,422,160 218,422,160	4,277,495	161,157 4,	8	05 40,000	18,707,705 583 15,707,705	18 34,220,683 18 34,220,683	273,546,548	217,795,338	57 4,653,201 57 4,653,201	161,157	40,000	16,533,767	34,363,085 16	[	Totals per AFW System (BLA99) Difference
180,948								60,316			1			1	T	1				}		1		27 MFT FY02 Estimated Revenue Adjustment
(161,000)					ğ ,	(161,000)		161,000					8	161,000									22-02	
								154,600	154,600						<u> </u>	154,600	154,600						21-02	25 DOI S/G General Assistance Amendment
(3,354)	(7,558)						4,204	4,649,150	4,624,847	22,607				1,696	•	4,645,796	4,617,289	22,607				5,900	20-02	24 Comprehensive Budget Amend. (Mod-7)
117,725		124,146			÷	(6,421)	,	3,344,971	2,709,061	625,854			21	3,635 6,421		3,462,696	2,709,061	750,000				1,635	19-02	23 Comprehensive Budget Amend. (Mod-6)
								97,666					8	97,666		97,666					97,666		B/F-5/30	22 Motor Fuels Tax - Road Program Projects
						E1	,	970,981	854,539				42	116,442	=	970,981	R54,539				116,442		14-02	21 Comprehensive Budget Amend. (Mod-5)
							,	220,583					83	220,583	- G	220,583					220,583		E/F-4/25	20 Motor Fuels Tax - Road Program Projects
						,		255,915					Š	255,915		255,915					255,915		E/F-3/28	19 Motor Fuels Tax - Road Program Projects
253,684							253,684	,								253,684						253,684	15-02	18 Additional Ramah Settlement Distribution
(7,107)						7)	(7,107)	(3,980,500	(5,325,808)				5	268 1,321,040	07) 24,268	R) (3,987,607)	(5,325,808)				1,321,040	17,161 1	11-02	17 Comprehensive Budget Amend. (Mod-4)
								208,027					27	208,027	27	208,027					208,027		6-02	16 Motor Fuels Tax - Road Program Projects
							,	22,127,535	(1.731,151)	130,380			)R3)	389 (28,083)	35 23,736,389	1) 22,127,535	(1,731,151)	150,380			(28,083)	23,736,389	5-02	15 PY Discr. Closeout/Tfrs & Cash Reserve
								1,855,028					28	1,855,028	28	1,855,028					1,855,02R	_	3	14 MFT Roads Program-Carryover Correction
(198 861)	•				ë ·	(198,091)									CIE	(198,091)					(198,091)		7/4	13 MFT-Est. Interest Income Adjustment
150	3							91,984	180,10							4 92,134	92,134						3-02	12 Commehensive Budget Amend. (Mod-3)
(407),(1004)						. ;		337,533					33	337,533	33	337,533					337,533		2-02	11 Motor Fuels Tax - Road Program Projects
(401,104)					5 3	(400,000)		400,000					9	400,000									1-02	10 MFT - Graduate Scholarship Program
,						(401 087)		(11,849)					8	(11,848)	52)	(743,952)					(743,952)		3	9 MFT Prior Yr Reconciliation Adjustment
(15,000)						, man,cii)		. montes															44-01	8 Capital Expansion - Balance Sheet Only
						ì.,	. ,	15,000	***************************************				ž	15,000									43-01	7 LIHEAP Subsidy - MFT
									3 6 9 9 9						3		2,858,910						42-01	6 Comprehensive Budget Amend. (Mod-2)
T T T T T T T T T T T T T T T T T T T						. :		112.018					ä	112,018	=	112,018					112,018		41-01	5 Motor Fuels Tax - Road Program Projects
	, ,				•	676 408									38						676,408		40-01	4 Reprogram Higher Ed. PY-Fund Balance
(angles)							,	3.945.850	3,240,770						50 705,080	n 3,945,850	3,240,770					705,080	39-01	3. Comprehensive Budget Amend. (Mnd-1)
(20,000)						(20,000)		20,000					35	20,000	-								38-01	<ol> <li>Court Appointed Special Advocate (CASA)</li> </ol>
1 10			•					(23,100)							(23,100)								_	<ul> <li>Direct/Indirect Realloc's &amp; Transfer Corrections</li> </ul>
1 001 gag	(619.414)	251.560	- 1			1.50		234	210,944,408		161.157		\$47 40,000	715 10,560,647	9,772,715	4 235,959,570	1 210,324,994	57 3,730,214	- 161,157	40,000	12,061,969	9,641,236 13	37-01	<ol> <li>Comprehensive Budget Act - Original</li> </ol>
TOTAL		ING SOURC	REVENUES AVAILABLE - RY PUNDING SOURCES  Vehicle Force Fiduciny &  MFT IDC Tax Acet. Entern. Soci Rev.	AVAILABLE Vehicle	EVENUES AN		Gen Fund	TOTAL	Fiduciary & Spec.Rev.	OURCES Enterp.	APPROPRIATED USES - BY FUNDING SOURCES  Vehicle Farce  IDC Tax Accts. Enterp.	PRIATED USES - I Vehtele IDC Tax	APPROI		AI. Gen Fund	& TOTAL	F.S. Piduelary & Programme	Farce Accts. Enterp.	TES - RY PUT chicle Fe Tes As	REVENUE ESTIMATES - HY PUNDING SOURCES  Vehile Farre  IDC Tax Accts. Enterp.	MFT	Gen Fund	<u> </u>	Item Description



