

An Act

LEGISLATIVE ACT 7-02

AN ACT AMENDING LA#33-01 AUTHORIZING THE DESIGNATION OF MOTOR FUELS CONTRACT FUNDS FOR THE PURPOSE OF ROAD CONSTRUCTION PROJECTS WITHIN THE CHEROKEE NATION; ADDING NEW LANGUAGE; AND DECLARING AN EMERGENCY

Section 1. TITLE AND CODIFICATION

This Act shall be titled: The FY 2001 Motor Fuels Tax Road Act II

Section 1. PURPOSE

The purpose of this Act is to designate and reserve motor fuels contract monies to accomplish or assist in accomplishing road projects with the Cherokee Nation for the benefit of the Cherokee Nation. The funds are to be provided from the Motor Fuels Tax Funds FY2000 carry forward balance.

Section 2. AUTHORITIES GOVERNING THE USE OF FUNDS

- A. The Constitution of the Cherokee Nation.
- B. Cherokee Nation Statutes. *See* Cherokee Nation Code Annotated.
- C. Motor Fuels Contract between the State of Oklahoma and the Cherokee Nation.

Section 3. FUNDING AUTHORIZATIONS

- A. \$1,000,000 of Motor Fuels Contract Funds to be reserved, designated and set aside for road construction projects within the Cherokee Nation.
 - 1. Policy and guidelines shall be developed for the expenditure of these funds. Said policy and guidelines shall be in accordance with the Constitution of the Cherokee Nation and the Cherokee Nation Statutes and Codes.
 - 2. Said monies are to be designated equally between the members of the Tribal Council for projects throughout the Cherokee Nation which are deemed necessary and beneficial to the Cherokee people.
 - 3. Up to ten percent (10%) of the funds for each approved project is hereby set aside for administration oversight by the Cherokee Nation Roads Department.
 - 4. No funds shall be expended from these reserves without authorization from the ~~Tribal Council~~ Executive and Finance Committee.

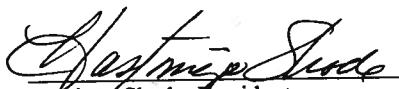
Section 4. EFFECTIVE DATE: EMERGENCY

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 5. SEVERABILITY

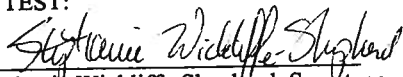
The provisions of this Act are severable and if any part of the provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this Act.

Passed by the Cherokee Nation Tribal Council on the 11th day of MARCH, 2002.



Hastings Shade, President
Council of the Cherokee Nation

ATTEST:



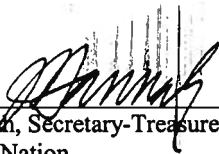
Stephanie Wickliffe-Shepherd, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 15th day of March, 2002.



Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:



Jay Hannah, Secretary-Treasurer
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Don Crittenden	<u>YEA</u>
John A. Ketcher	<u>YEA</u>
Don Garvin	<u>YEA</u>
David W. Thornton, Sr.	<u>YEA</u>
Mary Flute-Cooksey	<u>YEA</u>
John F. Keener	<u>YEA</u>
Harold DeMoss	<u>YEA</u>
Charles "Chuck" Hoskin	<u>ABSENT</u>

Barbara Starr-Scott	<u>ABSENT</u>
Harold "Jiggs" Phillips	<u>YEA</u>
Jackie Bob Martin	<u>YEA</u>
Melvina Shotpouch	<u>YEA</u>
Nick Lay	<u>YEA</u>
Stephanie Wickliffe-Shepherd	<u>YEA</u>
Dorothy J. McIntosh	-----