

# An Act

## LEGISLATIVE ACT 44-01

### **AN ACT APPROPRIATING GENERAL FUNDS FOR BUILDING RENOVATION CAPITAL PROJECTS 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 General Funds for Building Renovation Capital Projects 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, including this capital budget, is increased by \$1,700,000 for a total budget authority of \$243,609,359. The following items are identified as estimated funding sources in excess of appropriated uses to wit:

A. G/F carryover	\$1,700,000	(\$1,700,000 Appropriated)	Balance:	\$0
B. Motor Fuels Tax	\$2,236,322	( \$35,000 Appropriated)	Balance:	\$2,201,322
C. G/F special div.	\$250,000	( \$0 Appropriated)	Balance:	\$250,000
D. 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. Resolution 65-01 is hereby rescinded and effectively replaced with this act.

#### **SECTION 4. FUNDING AUTHORIZATIONS**

The amount of one million seven hundred thousand dollars (\$1,700,000.00) from the General Fund prior year carryover balance, shall be reserved, designated and set aside for certain building renovation projects identified in the comprehensive budget in the form of capitalized additions to building fixed asset cost bases.

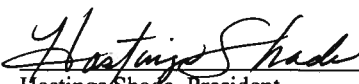
#### **SECTION 5. SEVERABILITY**

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.

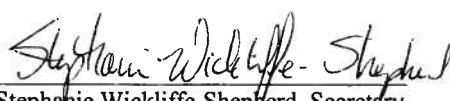
#### **SECTION 6. EFFECTIVE DATE: EMERGENCY DECLARED**

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.

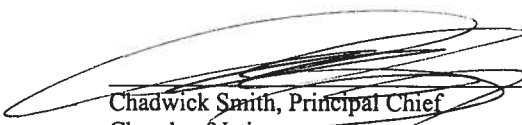
Passed by the Cherokee Council on the 10TH day of DECEMBER, 2001.

  
Hastings Shade, President  
Council of the Cherokee Nation

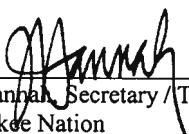
ATTEST:

  
Stephanie Wickliffe-Shepherd, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 13th day of December, 2001.

  
Chadwick Smith, Principal Chief  
Cherokee Nation

ATTEST:

  
Jay Hannah, Secretary / Treasurer  
Cherokee Nation

YEAS AND NAYS AS RECORDED:

John A. Ketcher	<u>ABSENT</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>YEA</u>	Nick Lay	<u>ABSENT</u>
Don Garvin	<u>YEA</u>	Charles "Chuck" Hoskin	<u>YEA</u>
Barbara Starr-Scott	<u>ABSENT</u>		