

An Act

LEGISLATIVE ACT 40-01

**AN ACT 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 Transferring Fiscal Year 2001 Unexpended Funds and Amending Legislative Act #37-01 Authorizing the Comprehensive Budget for Fiscal Year 2002."

SECTION 2. PURPOSE

The purpose of this amendment is to approve the availability of 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 following items are identified as estimated funding sources in excess of appropriated uses to wit:

A. Motor Fuels Tax	\$2,216,322	(\$0 Appropriated)	Balance:	\$2,216,322
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.

SECTION 4. FUNDING AUTHORIZATIONS

The amount of seven hundred thirty five thousand dollars (\$735,000.00) from the Cherokee Nation Scholarship Program unexpended fund balance of Fiscal Year 2001 shall be transferred into the Motor Fuel Tax Unappropriated Fund Balance to be available for future appropriation as deemed necessary by the Tribal Council.

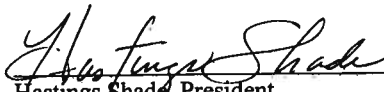
SECTION 5. SEVERABILITY

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.

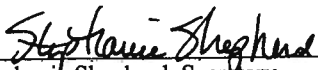
SECTION 6. EFFECTIVE DATE: EMERGENCY DECLARED

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 13TH day of NOVEMBER, 2001.


Hastings Shade, President
Council of the Cherokee Nation

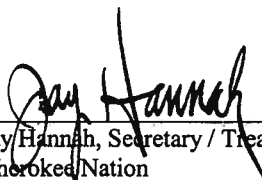
ATTEST:


Stephanie Shepherd, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 19th day of November, 2001.


Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:


Jay Hannah, Secretary / Treasurer
Cherokee Nation

YEAS AND NAYS AS RECORDED:

John A. Ketcher	<u>YEA</u>	Melvina Shotpouch	<u>ABSENT</u>
Don Crittenden	<u>YEA</u>	Stephanie 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>YEA</u>
Don Garvin	<u>YEA</u>	Charles "Chuck" Hoskin	<u>YEA</u>
Barbara Starr-Scott	<u>YEA</u>		