

# An Act

## LEGISLATIVE ACT 42-01

### AN ACT AMENDING LEGISLATIVE ACT #37-01 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2002 – Mod. 2; 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 #37-01 Authorizing the Comprehensive Budget for Fiscal Year 2002 – Mod. 2”.

#### 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 \$2,858,910 for a total budget authority of \$241,894,359. The following items are identified as estimated funding sources in excess of appropriated uses to wit:

A. Motor Fuels Tax	\$2,236,322	( \$20,000 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 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 \$2,858,910, to wit:

- A. A reprogram of the **Motor Fuels Tax** budget authority resulting in \$0 impact to provide for a matching requirement on a new Drug Elimination Program.
- B. A reprogram of the **Indirect Cost Pool** budget authority resulting in \$0 impact for the Information Systems and Network activities as well as creating a new Vocational Technology department.
- C. An increase to the **DOI-Self Governance** budget authority of \$118,538 primarily for Indian Child Welfare carryover funds.
- D. An increase to the **IHS-Self Governance – Office** budget authority of \$33,410 for computer network expansion costs that service IHS funded activities.
- E. A net increase to the **DHHS General** budget authority of \$86,824 for the Diabetes Initiative Grant, NARCH program and several new grant awards.
- F. A decrease to the **U.S.D.A.** budget authority of <\$92,400> pursuant to receipt of the final award notification for the Food Distribution Program.
- G. An increase to the **H.U.D.** budget authority of \$2,102,682 for the I.C.D.B.G. grant, Drug Elimination grant and a Resident Opportunities and Self Sufficiency (ROSS) grant.

- H. An increase to the **E.P.A.** budget authority of **\$75,000** for a UST certification program and a Hazardous Waste Management Project.
- I. An increase to the **Other Federal Funds** budget authority of **\$530,728** for a Technical Opportunities Program
- J. An increase to the **Private Funding** budget authority of **\$4,128** for the Microsoft Library Project carryover funds from prior years.

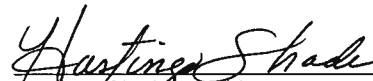
#### **SECTION 5. SEVERABILITY**

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.

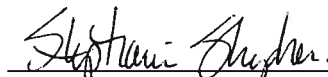
#### **SECTION 6. EFFECTIVE DATE: EMERGENCY DECLARED**

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 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 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>ABSENT</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>ABSENT</u>		