

An Act

LEGISLATIVE ACT 43-01

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 \$15,000 for a total budget authority of \$241,909,359. The following items are identified as estimated funding sources in excess of appropriated uses to wit:

A. Motor Fuels Tax	\$2,236,322	(\$35,000 Appropriated)	Balance:	\$2,201,322
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 fifteen thousand dollars (\$15,000.00) 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 gas or wood stoves to be distributed under the guidelines established under the current LIHEAP program to Tribal Members.

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.

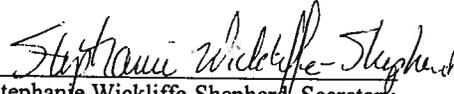
SECTION 6. EFFECTIVE DATE: EMERGENCY DECLARED

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 Harman, 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>		