



# Council of the Cherokee Nation

Cherokee Nation Tribal Council  
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## Legislation Details (With Text)

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**Title:** AN ACT AMENDING LEGISLATIVE ACT #21-09 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2010 - MOD 7; AND DECLARING AN EMERGENCY  
**Sponsors:** Jack D. Baker, Cara Cowan Watts  
**Indexes:** Budget - Comprehensive, Budget - Modification  
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Date	Ver.	Action By	Action	Result
5/14/2010	1	OFFICE OF THE CHIEF	Signed	
5/10/2010	1	TRIBAL COUNCIL	Approved	Pass
4/29/2010	1	EXECUTIVE AND FINANCE COMMITTEE	Division	Pass
4/29/2010	1	EXECUTIVE AND FINANCE COMMITTEE	Approved and Forwarded to Council	Pass

**AN ACT AMENDING LEGISLATIVE ACT #21-09 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2010 - MOD 7; 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 #21-09 Authorizing the Comprehensive Budget for Fiscal Year 2010 - Mod. 7**”.

### 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 2010” or subsequent amendment. The cumulative total of the budget is increased by **\$12,321,661** for a total budget authority of **\$618,377,877**. The following items are identified as selective General Fund sources in excess of appropriated uses to wit:

	<u>Previous Balance</u>	<u>Estimated Sources</u>	<u>Estimated &lt;Uses&gt;</u>	<u>Adjusted Balance</u>
A. Tribally Funded	\$0	<\$6,470,393>	\$6,470,393	\$0
B. Motor Fuels Tax	\$0	\$75,578	<\$75,578>	\$0

Grants Received & Authorized per LA-21-09 (detail attached)	\$2,798,531
Modification Request #7 (see Section 4 below)	<u>\$9,523,130</u>
<b>Cumulative change in budget authority</b>	<b><u>\$12,321,661</u></b>

### SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #21-09 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 modification request changes the total amount of the comprehensive budget authorization by an increase of **\$9,523,130** to wit:

- A. A net decrease in the **General Fund** budget authority of **<\$6,470,393>** related to final prior year carryover adjustments, dividend and interest incomes and certain program subsidies.
- B. An increase in the **Motor Vehicle Tax Fund** budget authority of **\$75,578** related to additional third party collections at the Vinita Clinic.
- C. A reallocation in the **Internal Leases Fund** resulting in **\$0** net budgetary impact related creating a new Sign Operations budget out of the existing Building Maintenance budget.
- D. A net decrease in the **DOI Self Governance - Roads Fund** budget authority of **<\$1,619,532>** related to funding adjustments to the current and prior year funding levels.
- E. A slight increase in the **DOI Self Governance Fund** budget authority of **\$729** related to a project carryover final adjustment.
- F. An increase in the **DOI PL 102-477 Fund** budget authority of **\$324,245** related to the Supplemental Youth Employment Program's ARRA funding level.
- G. An increase in the **IHS Self Governance - Health Fund** budget authority of **\$17,109,263** related to recent awards as well as prior year carryover availability.
- H. An increase in the **NAHASDA** budget authority of **\$30,000** for additional Modernization funding from the 2008 Indian Housing Plan.
- I. An increase in the **Permanent Funds** budget authority of **\$73,240** related to a transfer of interest income of the Gammon Trust to the Cherokee Nation Education Corporation.

#### **SECTION 5. PROVISIONS AS CUMULATIVE**

The provisions of this Act shall be cumulative to existing law.

#### **SECTION 6. 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 7. 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.

#### **SECTION 8. SELF-HELP CONTRIBUTIONS**

To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.