



# Council of the Cherokee Nation

Cherokee Nation Tribal  
Council  
17763 S. Muskogee Ave.  
Tahlequah, OK 74464

## Legislation Details (With Text)

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**On agenda:** 2/26/2009      **Final action:** 3/23/2009  
**Enactment date:** 3/16/2009      **Enactment #:** LA-08-09  
**Title:** AN ACT AMENDING LEGISLATIVE ACT #19-08 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2009 - MOD 5; 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 |
|-----------|------|---------------------------------|-----------------------------------|--------|
| 3/23/2009 | 1    | OFFICE OF THE CHIEF             | Signed                            |        |
| 3/16/2009 | 1    | TRIBAL COUNCIL                  | Approved                          | Pass   |
| 2/26/2009 | 1    | EXECUTIVE AND FINANCE COMMITTEE | Approved and Forwarded to Council | Pass   |

**AN ACT AMENDING LEGISLATIVE ACT #19-08 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2009 - MOD 5; 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 #19-08 Authorizing the Comprehensive Budget for Fiscal Year 2009 - Mod. 5**”.

### 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 2009” or subsequent amendment. The cumulative total of the budget is increased by **\$1,529,990** for a total budget authority of **\$505,685,080**. The following items are identified as estimated General Fund sources in excess of appropriated uses to wit:

|                    | Previous<br>Balance | Estimated<br>Sources | Estimated<br><Uses> | Adjusted<br>Balance |
|--------------------|---------------------|----------------------|---------------------|---------------------|
| A. General Fund    | \$4,936,280         | \$0                  | <\$276,863>         | \$4,659,417         |
| B. Motor Fuels Tax | \$0                 | \$0                  | <\$0>               | \$0                 |

### SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #19-08 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 a net increase of **\$1,529,990** to wit:

- A. An increase in the **General Fund** budget authority of **\$276,863** primarily related to an increase in the Cash Match for Gants budget.
- B. An increase in the **Housing Proceeds** budget authority of **\$616,000** in the Proceeds of Sale budget for prior year unexpended funds.
- C. A decrease in the **D.O.I. - Self Governance Fund** budget authority of **<\$1,596>** to adjust the prior year carryover balance.
- D. A decrease in the **D.H.H.S. - General Fund** in the amount of **<\$134,788>** related to the Child Support Enforcement program prior year carryover balance.
- E. A net increase in the **NAHASDA Fund** budget authority of **\$773,511** primarily related to carryover funds from the 2004, 2005, 2006, 2007 and 2008 Indian Housing Plans.

**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.