



Council of the Cherokee Nation

Cherokee Nation Tribal Council
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Tahlequah, OK 74464

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 10; AND DECLARING AN EMERGENCY

Sponsors: Jack D. Baker, Cara Cowan Watts

Indexes: Budget - Comprehensive, Budget - Modification

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Attachments: 1. LA-24-10

Date	Ver.	Action By	Action	Result
8/23/2010	1	OFFICE OF THE CHIEF	Signed	
8/16/2010	1	TRIBAL COUNCIL	Approved	Pass
7/29/2010	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 10; 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. 10**”.

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 **\$18,455,646** for a total budget authority of **\$649,460,684**. 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 <Uses></u>	<u>Adjusted Balance</u>
A. Tribally Funded	\$0	\$0	<\$0>	\$0
B. Motor Fuels Tax	\$0	\$0	<\$0>	\$0

Grants Received & Authorized per LA-21-09 (detail attached)	<\$2,008,621>
Modification Request #10 (see Section 4 below)	<u>\$20,464,267</u>
Cumulative change in budget authority	<u>\$18,455,646</u>

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 **\$20,464,267** to wit:

- A. A reprogramming in the **Motor Fuels Tax Fund** budget resulting in **\$0** net impact related to a cash match transfer for the Vocational Rehabilitation Program.
- B. An increase in the **Housing Proceeds Fund** budget authority of **\$96,887** related to the Mutual Help Operations program.
- C. An increase in the **Federal Highway Administration Fund** budget authority of **\$3,575,368** related to additional IRR Program funding in the current year.
- D. An increase in the **DOI General Fund** budget authority of **\$679,752** related to indirect costs of Sequoyah High School.
- E. An increase in the **DOI Self Governance Fund** budget authority of **\$829,752** related to a Sequoyah High School transfer as well as a sub-grant to Cherokee Nation Businesses.
- F. An increase in the **IHS Self Governance - Health Fund** budget authority of **\$13,916,227** of prior year funds related to capital projects and debt service reserves.
- G. An increase in the **IHS Self Governance-Environmental Health Fund** budget authority of **\$213,540** related to economic stimulus funds for a wastewater lagoons project in Oaks.
- H. An increase in the **Department of Education Fund** budget authority of **\$108,813** related to prior year funding for the Vocational Rehabilitation Program.
- I. A net increase in the **NAHASDA Fund** budget authority of **\$1,043,928** primarily related to increased Mortgage Assistance funding and insurance recovery proceeds received.

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.