



Council of the Cherokee Nation

Cherokee Nation Tribal
Council
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Legislation Details (With Text)

File #: 08-100 **Version:** 1 **Name:** FY 2008 Budget Mod 10
Type: Legislative Act **Status:** Passed
File created: 7/21/2008 **In control:** Executive and Finance Committee
On agenda: 7/31/2008 **Final action:** 8/11/2008
Enactment date: 8/11/2008 **Enactment #:** LA-16-08
Title: AN ACT AMENDING LEGISLATIVE ACT #37-07 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2008 - MOD 10: AND DECLARING AN EMERGENCY
Sponsors: Jack D. Baker, Cara Cowan Watts
Indexes: Budget - Comprehensive, Budget - Modification
Code sections: N/A - Not Applicable
Attachments: 1. LA-16-08, 2. LA-16-08-BACKUP

Date	Ver.	Action By	Action	Result
8/20/2008	1	OFFICE OF THE CHIEF	Signed	
8/11/2008	1	TRIBAL COUNCIL	Approved	Pass
7/31/2008	1	EXECUTIVE AND FINANCE COMMITTEE	Approved and Forwarded to Council	Pass

**AN ACT AMENDING LEGISLATIVE ACT #37-07 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2008 - 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 #37-07 Authorizing the Comprehensive Budget for Fiscal Year 2008 - 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 2008” or subsequent amendment. The cumulative total of the budget is increased by **\$1,554,085** for a total budget authority of **\$481,175,375**. The following items are identified as estimated General Fund sources in excess of appropriated uses to wit:

	Previous Balance	Estimated Sources	Estimated <Uses>	Adjusted Balance
A. General Fund	\$1,252,295	\$50,000	<\$155,000>	\$1,147,295
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 #37-07 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 **\$1,554,085** to wit:

- A. An increase in the **General Fund** budget authority of **\$155,000** related to renovation efforts at the Markoma Gymnasium and special air conditioner funding.
- B. An increase in the **Indirect Cost Pool** budget authority of \$13,983 related to the TERO office; offset by an increase in the IDC recovery resulting in **\$0** net impact to available funds.
- C. An increase in the **Enterprise Fund** budget authority of **\$202,216** to authorize the reserve for bad debts on several tribal loan funds.
- D. An increase in the **IHS-Self Governance T.E.H. Fund** budget authority of **\$1,422,000** related to several environmental health water and sanitation projects.
- E. A net decrease in the **NAHASDA Fund** budget authority of **<\$225,131>** with the decrease primarily related to the Modernization funds from the 2007 Indian Housing Plan, slightly offset by an increase in the Coordination funds out of the 2008 Indian Housing Plan.

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.