



# Council of the Cherokee Nation

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

## Legislation Details (With Text)

**File #:** 09-060      **Version:** 1      **Name:** FY09 Budget Mod 7  
**Type:** Legislative Act      **Status:** Passed  
**File created:** 4/20/2009      **In control:** Executive and Finance Committee  
**On agenda:** 4/30/2009      **Final action:** 5/11/2009  
**Enactment date:** 5/11/2009      **Enactment #:** LA-12-09  
**Title:** AN ACT AMENDING LEGISLATIVE ACT #19-08 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2009 - MOD 7; 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-12-09.pdf, 2. LA-12-09-BACKUP.pdf

Date	Ver.	Action By	Action	Result
5/18/2009	1	OFFICE OF THE CHIEF	Signed	
5/11/2009	1	TRIBAL COUNCIL	Approved	Pass
4/30/2009	1	EXECUTIVE AND FINANCE COMMITTEE	Approved with Amendments	Pass
4/30/2009	1	EXECUTIVE AND FINANCE COMMITTEE	Bring legislation off of the table	Pass
4/30/2009	1	EXECUTIVE AND FINANCE COMMITTEE	Tabled	Pass

**AN ACT AMENDING LEGISLATIVE ACT #19-08 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2009 - 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 #19-08 Authorizing the Comprehensive Budget for Fiscal Year 2009 - 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 2009” or subsequent amendment. The cumulative total of the budget is increased by **\$5,286,416** for a total budget authority of **\$556,384,491**. 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	\$4,597,549	\$156,966	<\$886,330>	\$3,868,185
B. Motor Fuels Tax		\$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 \$5,286,416 to wit:

- A. An increase in the **General Fund** budget authority of \$886,330 related to carryover funding on the Tribal Bridge Program as well as increased funding on the Community Investment Project and Charitable Donation budgets.
- B. A reallocation on the **Motor Vehicle Tax Fund** resulting in \$0 impact related to a slight change in the total number of qualifying students.
- C. An increase in the **I.H.S. - Self Governance Health Fund** budget authority of \$3,500,000 related to carryover funds on the Health Equipment Replacement budget and additional funds to transfer for debt retirement.
- D. An increase in the **I.H.S. - Self Governance T.E.H. Fund** budget authority of \$33,456 related to carryover funds on the Tribal Solid Waste Management program.
- E. An increase in the **NAHASDA** budget authority of \$366,630 related to increased property rental income on the Housing Management budget in the 2008 Indian Housing Plan.
- F. An increase in the **Debt Service Pool** budget authority of \$500,000 related to debt retirement of a portion of the 2006 Health Series bonds.

#### 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.

Passed by the Cherokee Council on the 11<sup>th</sup> day of May, 2009

\_\_\_\_\_  
Meredith Frailey, Speaker  
Council of the Cherokee Nation

ATTEST:

\_\_\_\_\_  
Don Garvin, Secretary

Council of the Cherokee Nation

Approved and signed by the Principal Chief this \_\_\_\_\_ day of \_\_\_\_\_, 2009

\_\_\_\_\_  
Chadwick Smith, Principal Chief  
Cherokee Nation

ATTEST:

\_\_\_\_\_  
Melanie Knight, Secretary of State  
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Bill John Baker	<u>Yea</u>	Chris Soap	<u>Yea</u>
Tina Glory Jordan	<u>Yea</u>	Meredith A. Frailey	<u>Yea</u>
Joe Crittenden	<u>Yea</u>	Cara Cowan Watts	<u>Yea</u>
Jodie Fishinghawk	<u>Yea</u>	Buel Anglen	<u>Yea</u>
David W. Thornton, Sr.	<u>Yea</u>	Bradley Cobb	<u>Yea</u>
Janelle Lattimore Fullbright	<u>Yea</u>	Chuck Hoskin, Jr.	<u>Yea</u>
Don Garvin	<u>Yea</u>	Julia Coates	<u>Yea</u>
Harley Buzzard	<u>Yea</u>	Jack D. Baker	<u>Yea</u>
Curtis Snell	<u>Yea</u>		