



# Council of the Cherokee Nation

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

## Legislation Details (With Text)

**File #:** 12-066      **Version:** 2      **Name:** FY12 OPERATING BUDGET MOD 8  
**Type:** Legislative Act      **Status:** Passed  
**File created:** 4/11/2012      **In control:** TRIBAL COUNCIL  
**On agenda:** 5/14/2012      **Final action:** 5/14/2012  
**Enactment date:** 5/14/2012      **Enactment #:** LA-20-12  
**Title:** AN ACT AMENDING LEGISLATIVE ACT #20-11 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2012 - MOD 8; AND DECLARING AN EMERGENCY  
**Sponsors:** Jodie Fishinghawk, Chuck Hoskin Jr.  
**Indexes:** Budget - Comprehensive, Budget - Modification  
**Code sections:** N/A - Not Applicable  
**Attachments:** 1. LA-20-12, 2. LA-20-12-BACKUP

Date	Ver.	Action By	Action	Result
5/17/2012	2	OFFICE OF THE CHIEF	Signed	
5/14/2012	2	TRIBAL COUNCIL	Approved	Pass
4/26/2012	1	EXECUTIVE AND FINANCE COMMITTEE	Approved and Forwarded to Council	Pass

**AN ACT AMENDING LEGISLATIVE ACT #20-11 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2012 - MOD 8; 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 #20-11 Authorizing the Comprehensive Operating Budget for FY 2012 - Mod. 8**”.

### 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 Operating Budget Act for Fiscal Year 2012” or subsequent amendment. The cumulative total of the budget is increased by **\$13,586,807** for a total budget authority of **\$520,473,049**. The following items are identified as selective General Fund sources in excess of appropriated uses to wit:

	Previous Balance	Estimated Sources	Estimated <Uses>	Adjusted Balance
A. Tribally Funded	\$788,772	\$4,974,000	<\$686,833>	\$5,075,939
B. Motor Fuels Tax	\$0	\$0	<\$0>	\$0

Grants Received & Authorized per LA-20-11 (detail attached)	\$174,450
Modification Request #8 (see Section 4 below)	\$13,412,357
<b>Cumulative change in budget authority</b>	<b>\$13,586,807</b>

### SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #20-11

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 **\$13,412,357** to wit:

- A. An increase in the **Tribal General Fund** budget authority of **\$686,833** related to several programs and a new elder assistance initiative. This fund is also bringing forward the remaining carryover funds available from the previous fiscal year.
- B. An increase in the **Indirect Cost Pool** budget authority of **\$152,424** related to the Attorney General budget.
- C. An increase in the **Housing Proceeds Fund** budget authority of **\$203,445** related to the Proceeds of Sale budget.
- D. An increase in the **Enterprise Fund** budget authority of **\$723,385** related to the consolidation of the Commercial and Adult Micro Loan Programs.
- E. An increase in the **DOI - Self Governance Fund** budget authority of **\$80,000** related to the Water Planning Program.
- F. An increase in the **IHS - Self Governance Fund** budget authority of **\$276,040** related to the SANE and the Maintenance & Improvement budgets.
- G. An increase in the **NAHASDA Fund** budget authority of **\$11,290,230** related to several new housing program initiatives outlined in the 2012 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.