



Council of the Cherokee Nation

Cherokee Nation Tribal
Council
17763 S. Muskogee Ave.
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 1; AND DECLARING AN EMERGENCY

Sponsors: Jack D. Baker, Cara Cowan Watts

Indexes: Budget - Comprehensive, Budget - Modification

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Attachments: 1. LA-23-09, 2. LA-23-09-BACKUP

Date	Ver.	Action By	Action	Result
11/24/2009	1	OFFICE OF THE CHIEF	Signed	
11/16/2009	1	TRIBAL COUNCIL	Approved	Pass
10/29/2009	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 1; 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. 1**”.

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 decreased by ~~<\$10,233,934>~~ for a total budget authority of **\$537,152,126**. 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	\$12,015	\$0	<\$0>	\$12,015
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 #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 amendment changes the total amount of the comprehensive budget authorization by a net decrease of **<\$10,233,934>** to wit:

- A. A reallocation in the **General Fund** budget authority resulting in **\$0** net impact to provide for cash matching requirements on two community development block grant projects.
- B. A decrease in the **DOI Self Governance Roads Fund** budget authority of **<12,171,497>** related to transferring the roads funding to the Federal-Other funding source.
- C. Reallocations in the **IHS Self Governance - Health Fund** budget authority resulting in **\$0** net impact to provide equipment for the Salina Dental operation as well as provide funding to begin the design phase on the Vinita Clinic Construction.
- D. An increase in the **HUD Fund** budget authority of **\$1,937,563** primarily related to a Leach Waterline Project and a Public Service Youth program.

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 _____ day of _____, 2009