



# Council of the Cherokee Nation

Cherokee Nation Tribal Council  
17763 S. Muskogee Ave.  
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## Legislation Details (With Text)

**File #:** 10-017      **Version:** 1      **Name:** FY 2010 BUDGET MOD 5  
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**File created:** 2/9/2010      **In control:** TRIBAL COUNCIL  
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**Enactment date:** 3/14/2010      **Enactment #:** LA-12-10  
**Title:** AN ACT AMENDING LEGISLATIVE ACT #21-09 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2010 - MOD 5; 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-12-10, 2. LA-12-10\_ATTACH

Date	Ver.	Action By	Action	Result
3/23/2010	1	OFFICE OF THE CHIEF	Signed	
3/15/2010	1	TRIBAL COUNCIL	Approved	Pass
2/25/2010	1	EXECUTIVE AND FINANCE COMMITTEE	Approved and Forwarded to Council	Pass
2/25/2010	1	EXECUTIVE AND FINANCE COMMITTEE	Tabled	Pass

**AN ACT AMENDING LEGISLATIVE ACT #21-09 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2010 - MOD 5; 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. 5**”.

### 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 **\$7,668,636** for a total budget authority of **\$600,876,436**. 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	\$0	<\$9,000>	\$9,000	\$0
B. Motor Fuels Tax	\$0	\$0	<\$0>	\$0

Grants Received & Authorized per LA-21-09 (detail attached)	\$5,787,773
Modification Request #5 (see Section 4 below)	<u>\$1,880,863</u>
<b>Cumulative change in budget authority</b>	<b><u>\$7,668,636</u></b>

### 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 **\$1,880,863** to wit:

- A. A net decrease in the **General Fund** budget authority of **<\$9,000>** related to a transfer of the Youth and Children's Choir to a standalone budget within the Leadership Group.
- B. A reallocation in the **Indirect Cost Pool** budget authority resulting in **\$0** net impact pursuant to a transfer of the Employee Development functions and related personnel from the Human Resources Group into the Leadership Group.
- C. An increase in the **DOI Self Governance Fund** budget authority of **\$15,000** related to a Realty Service grant.
- D. A net increase in the **NAHASDA Fund** budget authority of **\$1,733,196** primarily related to the economic stimulus funding on Modernization activities as well as Housing Rehabilitation program income.
- E. An increase in the **Federal - Other Fund** budget authority of **\$141,667** related to a new Juvenile Drug Court grant.

#### **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.