



Legislation Text

File #: 07-108, Version: 1

AN ACT AMENDING LEGISLATIVE ACT #26-06 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2007 - 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 #26-06 Authorizing the Comprehensive Budget for Fiscal Year 2007 - 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 2007” or subsequent amendment. The cumulative total of the budget is increased by **\$21,512,247** for a total budget authority of **\$471,951,739**. 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	\$13,489,362	\$7,240,122	<\$180,250>	\$20,549,234
B. Motor Fuels Tax	\$301,346	\$60,222	<\$60,222>	\$301,346

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #26-06 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 an increase of **\$21,512,247** to wit:

- A. An increase in the **General Fund** budget authority of **\$180,250** related to the land acquisition fund as well as recognizing the transfer in of the Tribal Trusts and Tribal Judgment funds from the Department of Interior.
- B. An increase in the **Motor Fuels Tax Fund** budget authority of **\$60,222** related to the Vinita Health Clinic offset by an increase in third party revenue.
- C. An increase in the **Title VI Loan Fund** budget authority of **\$3,700,000** related to the pass-through debt servicing from the Housing Authority.
- D. An increase in the **Enterprise Fund** budget authority of **\$410,189** to authorize the operational expenses and related revenue of Tsa La Gi Apartments for the current fiscal year.
- E. An increase in the **IHS Self Governance - Health** budget authority of **\$3,372,082** to authorize the expenditure of increased revenues related to health service income.
- F. An increase in the **Other Funding** budget authority of **\$7,241,122** to authorize the draw down of the remaining settlement funds

and transfer such funds to the General Fund.

G.

An increase in the **Debt Service Pool** budget authority of **\$6,548,382** to authorize payment of the construction loan balance incurred during the issuance stage of the bond financing.

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.