



Council of the Cherokee Nation

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

Legislation Text

File #: 08-024, Version: 1

AN ACT AMENDING LEGISLATIVE ACT #37-07 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2008 - 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 #37-07 Authorizing the Comprehensive Budget for Fiscal Year 2008 - 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 2008” or subsequent amendment. The cumulative total of the budget is decreased by ~~≤\$1,999,205>~~ for a total budget authority of \$437,701,124. The following items are identified as estimated General Fund sources in excess of appropriated uses to wit:

	<u>Previous Balance</u>	<u>Estimated Sources</u>	<u>Estimated <Uses></u>	<u>Adjusted Balance</u>
A. General Fund	\$1,410,146	<\$2,027,830>	\$1,191,836	\$574,152
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 #37-07 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 ~~≤\$1,999,205>~~ to wit:

- A. A net decrease in the **General Fund** budget authority of ~~≤\$1,191,836>~~ primarily related to Cancer/Diabetes Treatment, the Tribal Bridge Program and various other new initiatives.
- B. A net decrease in the **Indirect Cost Pool** budget authority of ~~≤\$45,099>~~ related to the transfer of the support staff from the Housing Authority.
- C. A reallocation in the **DOI-Self Governance Fund** budget authority resulting in **\$0** net change related to the General Assistance and Indian Child Welfare programs.
- D. A reallocation in the **IHS-Self Governance Fund** budget authority resulting in **\$0** net change related to a \$100,000 subsidy to the Jay Clinic Roof capital expenditure project.
- E. A net increase in the **HUD Fund** budget authority of \$1,375,837 related to the transfer of the HUD funded activities from the Housing Authority to the Cherokee Nation.

F. A net decrease in the **NAHASDA Fund** budget authority of ~~≤\$2,140,107>~~ related to reallocations of the 2006 Indian Housing Plan as well as several significant changes pursuant to the recently modified 2007 Indian Housing Plan.

G. An increase in the **Other Funding** budget authority of \$2,000 related to the Tribal Trusts.

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.