



Legislation Text

File #: 11-071, Version: 1

AN ACT AMENDING LEGISLATIVE ACT #29-10 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2011 - 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 #29-10 Authorizing the Comprehensive Budget for Fiscal Year 2011 - 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 Budget Act for Fiscal Year 2011" or subsequent amendment. The cumulative total of the budget is increased by \$24,841,987 for a total budget authority of \$654,050,423. The following items are identified as selective General Fund sources in excess of appropriated uses to wit:

Table with 5 columns: Item, Previous Balance, Estimated Sources, Estimated <Uses>, Adjusted Balance. Includes rows for Tribally Funded, Motor Fuels Tax, and a summary for Grants Received & Authorized per LA-29-10.

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 \$24,761,014 to wit:

- A. A reallocation in the General Fund budget authority resulting in a \$0 net impact related to the Tribal Burial Program as well as a grant cash match requirement.
B. A decrease in the Indirect Cost Pool budget authority of \$64,333 related to the Career Services Group.
C. An increase in the Enterprise Fund budget authority of \$1,009,072 related to the consolidation of loan funds for the creation of a new Commercial Loan Fund.
D. An increase in the IHS Self Governance - Health Fund budget authority of \$23,263,389 related to prior year carryover funding.

- E. An increase in the **HUD Fund** budget authority of **\$101,555** related to an ICDBG award for a new Cherokee Creativity Center.
- F. An increase in the **NAHASDA Fund** budget authority of **\$4,331** related to the Day Work Training program.
- G. An increase in the **Capital Projects Funds** budget authority of **\$447,000** related to the Hastings Warehouse and Physical Therapy Building Expansion projects.

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.