



Council of the Cherokee Nation

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

Legislation Text

File #: 08-005, Version: 1

AN ACT AMENDING LEGISLATIVE ACT #37-07 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2008 - MOD 4; 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. 4**”.

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 increased by **\$10,020,850** for a total budget authority of **\$439,680,945**. 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	\$1,262,104	\$6,499,944	<\$6,351,902>	\$1,410,146
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 increase of **\$10,020,850** to wit:

- A. An increase in the **General Fund** budget authority of **\$6,351,902** primarily related to carryover of Cancer/Diabetes Treatment funding and a discretionary transfer to the Landfill.
- B. A net increase in the **Motor Vehicle Tax Fund** budget authority of **\$2,176,539** related to the apportionment of the previous year's vehicle taxes for schools, roads and law enforcement.
- C. A decrease in the **Enterprise Fund** budget authority of **<\$1,338,775>** related to the removal of current year estimated revenues of the Landfill operation in Adair County and spending authority of a related transfer from the General Fund.
- D. A net increase in the **DOI-Self Governance Fund** budget authority of **\$28,452** related to Real Estate Services and Indian Child Welfare.
- E. A net increase in the **NAHASDA Fund** budget authority of **\$2,790,732** related to the remaining funds from the 2004, 2005, 2006 and 2007 Indian Housing Plans.

F. An increase in the **Other Funding** budget authority of **\$12,000** related to the Angels of the Cherokees 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.