



Council of the Cherokee Nation

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

Legislation Text

File #: 08-135, Version: 1

AN ACT AMENDING LEGISLATIVE ACT #19-08 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2009 - MOD 1; 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 #19-08 Authorizing the Comprehensive Budget for Fiscal Year 2009 - Mod. 1**”.

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 2009” or subsequent amendment. The cumulative total of the budget is increased by **\$5,534,221** for a total budget authority of **\$485,579,150**. 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 | \$23,147 | <\$9,000> | <\$12,000> | \$2,147 |
| 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 #19-08 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 **\$5,534,221** to wit:

- A. A net increase in the **General Fund** budget authority of **\$12,000** primarily related to the Cherokee Historical Society, Immersion Projects, Land Operations and grant cash matches.
- B. A net increase in the **IDC Fund** budget authority of **\$68,395** for an increase in the TERO budget as well as a reallocation of resources related to the Hastings Resource Team.
- C. An increase in the **Enterprise Fund** budget authority of **\$538,700** related to the Intermediary Relending Program.
- D. An increase in the **DOI Self Governance Fund** budget authority of **\$85,000** related to a new Energy and Mineral Development Grant.
- E. An increase in the **IHS Self Governance - Health Fund** budget authority of **\$3,515,116** to authorize the prior year funding for Health Equipment Replacement fund.
- F. An increase in the **NAHASDA Fund** budget authority of **\$172,510** related to the '04 Indian Housing Plan for new construction projects.

- G. An increase in the **E.P.A. Fund** budget authority of **\$124,800** related to a Brownsfield grant for the Saline Courthouse.
- H. An increase in the **Federal Other** budget authority of **\$1,017,700** pursuant to a transfer to the Intermediary Loan Fund.

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.