



Council of the Cherokee Nation

Cherokee Nation Tribal
Council
17763 S. Muskogee Ave.
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Legislation Details (With Text)

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File created: 1/11/2012 **In control:** TRIBAL COUNCIL
On agenda: 2/13/2012 **Final action:** 2/23/2012
Enactment date: 2/23/2012 **Enactment #:** LA-06-12
Title: AN ACT AMENDING LEGISLATIVE ACT #20-11 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2012 - MOD 5; AND DECLARING AN EMERGENCY
Sponsors: Jack D. Baker, Cara Cowan Watts
Indexes: Budget - Comprehensive, Budget - Modification
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Attachments: 1. LA-06-12, 2. LA-06-12-BACKUP

Date	Ver.	Action By	Action	Result
2/28/2012	1	OFFICE OF THE CHIEF	Signed	
2/23/2012	1	TRIBAL COUNCIL	Approved	Pass
1/26/2012	1	EXECUTIVE AND FINANCE COMMITTEE	Approved and Forwarded to Council	Pass

AN ACT AMENDING LEGISLATIVE ACT #20-11 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2012 - 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 #20-11 Authorizing the Comprehensive Operating Budget for FY 2012 - 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 Operating Budget Act for Fiscal Year 2012” or subsequent amendment. The cumulative total of the budget is increased by **\$9,998,182** for a total budget authority of **\$493,862,955**. The following items are identified as selective General Fund sources in excess of appropriated uses to wit:

	Previous Balance	Estimated Sources	Estimated <Uses>	Adjusted Balance
A. Tribally Funded	\$0	\$4,475,644	<\$4,475,644>	\$0
B. Motor Fuels Tax	\$0	\$0	<\$0>	\$0

Grants Received & Authorized per LA-20-11 (detail attached)	\$2,792,029
Modification Request #5 (see Section 4 below)	\$7,206,153
Cumulative change in budget authority	\$9,998,182

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #20-11 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 **\$7,206,153** to wit:

- A. An increase in the **General Fund** budget authority of **\$4,475,644** related to a Cancer Survivor Fund, Contract Health, Community Assistance and the Veterans Center budgets.
- B. An increase in the **Indirect Cost Pool** budget authority of **\$56,305** related to the Employee Appeals Board budget.
- C. An increase in the **Motor Vehicle Tax Fund** budget authority of **\$49,156** related to the apportionment of prior year vehicle tax revenues for local law enforcement.
- D. An increase in the **Housing Proceeds Fund** budget authority of **\$295,619** related to the Proceeds of Sale budget.
- E. An increase in the **Enterprise Fund** budget authority of **\$72,500** related to the Commercial Loan Program.
- F. An increase in the **DOI Self Governance - Roads Fund** budget authority of **\$123,579** related to the IRR Roads Administration budget.
- G. An increase in the **DOI Self Governance Fund** budget authority of **\$550,000** related to the Energy and Mineral Development program.
- H. An increase in the **IHS Self Governance - T.E.H. Fund** budget authority of **\$812,608** related to the Environmental Health Projects budget.
- I. An increase in the **NAHASDA Fund** budget authority of **\$45,742** related to the remaining economic stimulus funds in the Modernization Program.
- J. An increase in the **Federal-Other Fund** budget authority of **\$725,000** related to a transfer of CDFI funds to the Commercial 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.