



# Council of the Cherokee Nation

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

## Legislation Details (With Text)

**File #:** 10-011 **Version:** 1 **Name:** FY10 Budget Mod 4  
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**On agenda:** 1/28/2010 **Final action:** 2/16/2010  
**Enactment date:** 2/16/2010 **Enactment #:** LA-09-10  
**Title:** AN ACT AMENDING LEGISLATIVE ACT #21-09 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2010 - MOD. 4; AND DECLARING AN EMERGENCY  
**Sponsors:** Jack D. Baker, Cara Cowan Watts  
**Indexes:** Budget - Comprehensive, Budget - Modification  
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Date	Ver.	Action By	Action	Result
2/23/2010	1	OFFICE OF THE CHIEF	Returned Unsigned	
2/16/2010	1	TRIBAL COUNCIL	Approved	Pass
2/16/2010	1	TRIBAL COUNCIL	Special Action	Pass
2/16/2010	1	TRIBAL COUNCIL	Division	Pass
2/16/2010	1	TRIBAL COUNCIL	Special Action	Fail
2/9/2010	1	EXECUTIVE AND FINANCE COMMITTEE	Approved and Forwarded to Council	Pass

AN ACT AMENDING LEGISLATIVE ACT #21-09 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2010 - 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 #21-09 Authorizing the Comprehensive Budget for Fiscal Year 2010 - 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 2010” or subsequent amendment. The cumulative total of the budget is increased by **\$45,480,911** for a total budget authority of **\$593,207,800**. The following items are identified as estimated General Fund sources in excess of appropriated uses to wit:

	Previous Balance	Estimated Sources	Estimated <Uses>	Adjusted Balance
A. General Fund	\$0	\$2,326	<\$2,626>	\$0
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 #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 amendment changes the total amount of the comprehensive budget authorization by an increase of **\$45,480,911** to wit:

- A. An increase in the **General Fund** budget authority of **\$2,326** related to prior year royalty income to be transferred to the Cherokee Nation Education Corporation.
- B. A net increase in the **Motor Vehicle Tax Fund** budget authority of **\$3,302,485** pursuant to revenue apportionments outlined in LA#01-01 and subsequent amendments.
- C. An increase in the **Housing Proceeds Fund** budget authority of **\$1,387,388** provided to the Proceeds of Sale account through prior year carryover and other income received to date.
- D. An increase in the **Department of Transportation Fund** budget authority of **\$3,027,641** related to additional funding received pursuant to the 2010 IRR Program's funding agreement.
- E. A decrease in the **DOI Self Governance Fund** budget authority of **<\$170,091>** related to a prior year carryover adjustment on the Housing Improvement Program.
- F. An increase in the **IHS Self Governance - Health Fund** budget authority of **\$15,044,770** of prior year carryover funds. The use of these funds are related to the Health Information Systems, Muskogee Clinic maintenance, general equipment replacement as well as the construction and equipment costs of the Salina Dental Clinic.
- G. A decrease in the **IHS Self Governance - Environmental Health (TEH) Fund** budget authority of **<\$6,698,937>** related to adjusting the budget to the actual economic stimulus award level for Water and Sewer Program.
- H. A decrease in the **NAHASDA Fund** budget authority of **<\$449,208>** primarily related to the economic stimulus funding carryover on the Housing Rehabilitation budget as well as minor adjustments to carryover estimates on Modernization and Land Acquisition budgets from prior year Indian Housing Plans.
- I. An increase in the **Special Revenue - Other Fund** budget authority of **\$34,537** of prior year carryover funds on the JOM Conference budget.
- J. An increase in the **Capital Projects Fund** budget authority of **\$30,000,000** related to an IHS joint venture for a new health care clinic in Vinita.

#### **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.