



## NCA 10-155

**CLASSIFICATION: #37. TRIBAL GOVERNMENT**

**A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 37, §2-203 TO ALTER THE DISTRIBUTION OF FUNDS FOR A LIMITED PERIOD OF TIME FOR THE PURPOSE OF FUNDING THE BUDGET FOR FY 2011**

**Be it Enacted by the National Council of the Muscogee (Creek) Nation:**

**SECTION ONE. FINDINGS.** The National Council finds that:

A. There are insufficient funds in available accounts to fund the FY2011 Comprehensive Budget of the Nation. Therefore, it is necessary to authorize certain current available funds to be used towards funding the FY2011 budget and temporarily authorize certain funds that have not been deposited to be used towards the budget.

B. Currently, Capital Improvement and Economic Development and Land Acquisition funds are available that are restricted in use for purchase of property, construction of new buildings, and maintenance that could be utilized for funding the FY2011 budget

C. It is necessary to use the Capital Improvement and Economic Development and Land Acquisition Funds, in addition to Gaming Funds that are not currently encumbered, to fund the FY2011 budget.

D. With the above changes implemented, funding will still be insufficient; therefore, it is also necessary to utilize funds for the last quarter of FY2010 that would normally be deposited into the Permanent Fund, Economic Development and Land Acquisition Fund, and the Capital Improvement Fund.

E. The Interest on Permanent Fund, Health Services Fund, Security for Debt Fund, and Debt Retirement Fund will remain unchanged.

**SECTION TWO. AMENDMENT.** MCNCA Title 37, §2-203 is hereby amended to add a subsection K. to read as follows:

**K. All funds in the Capital Improvement, Economic Development and Land Acquisition Fund, and Gaming Fund accounts that have not been appropriated as of August 15, 2010 shall be used in their entirety to fund the FY 2011 budget, regardless of limitation set forth in Section 2-203.**


**All funds that normally would be deposited into the Permanent Fund, Capital Improvement Fund, and Economic Development and Land Acquisition Fund accounts for the fourth quarter of FY 2010 (July through September) distributions, pursuant to this Section 2-203 shall be deposited in the Gaming Fund Account and shall be used in their entirety to fund the FY 2011 budget, regardless of limitations set forth in Section 2-203.**

**Subsection K. shall only apply to the time limits mentioned in this Section unless extended by legislative act.**

**SECTION THREE. EFFECTIVE DATE.** This Act shall become effective immediately upon proper approval and execution in accordance with the requirements of the Muscogee (Creek) Nation Constitution.

**ENACTED** by the Muscogee (Creek) National Council on this **28th** day of **August 2010.**

**IN WITNESS WHEREOF**, the Speaker of the Muscogee (Creek) National Council has hereto attached his signature.

  
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Roger Barnett, Speaker  
National Council  
Muscogee (Creek) Nation

**CERTIFICATION**

I, the undersigned, certify that the foregoing is a true extract from the minutes of the Muscogee (Creek) National Council comprised of twenty-six members with **Twenty-Three** members attending this meeting on the **28th day of August 2010**, and that the above is in conformity with the provisions therein adopted by a vote of **22** in favor, **0** against, **0** abstention, and that said Law has not been rescinded or amended in any way and the above is the signature of the Speaker of the National Council.

  
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Terry A. Fish, Recording Secretary  
Muscogee (Creek) National Council

**Page 3 of 3**  
**NCA 10-155**

**APPROVAL**

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature this 8 day of Sept, 2010, to the above Law, **NCA 10-155** authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.

*A. D. Ellis*

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A. D. Ellis, Principal Chief  
Muscogee (Creek) Nation

