TITLE: An Act Relating To The Naabik’íyáti’ Committee And The Budget And Finance Committee: A Recommendation By The Oversight Committee To The Budget And Finance Committee to Vacate Certain Conditions Of Appropriate (COA’S) As They Pertain To Updates Of Certain Plans Of Operation For Programs Within The Legislative Branch AS Required In CS-68-18, Navajo Nation Comprehensive Budget For Fiscal Year 2019 And Acceptance By The Budget And Finance Committee Of The Oversight Committee Recommendation

Date posted: August 19, 2019 at 5:31pm

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DATE: August 16, 2019

AN ACT RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND THE BUDGET AND FINANCE COMMITTEE; A RECOMMENDATION BY THE OVERSIGHT COMMITTEE TO THE BUDGET AND FINANCE COMMITTEE TO VACATE CERTAIN CONDITIONS OF APPROPRIATION (COA'S) AS THEY PERTAIN TO UPDATES OF CERTAIN PLANS OF OPERATION FOR PROGRAMS WITHIN THE LEGISLATIVE BRANCH AS REQUIRED IN CS-68-18, NAVAJO NATION COMPREHENSIVE BUDGET FOR FISCAL YEAR 2019 AND ACCEPTANCE BY THE BUDGET AND FINANCE COMMITTEE OF THE OVERSIGHT COMMITTEE RECOMMENDATION

PURPOSE: Vacating COA No. 1.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate review the proposed resolution in detail.
PROPOSED NAVAJO NATION COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL—First Year, 2019

INTRODUCED BY

[Signature]
Primary Sponsor

TRACKING NO. 0253-19

AN ACT

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND THE BUDGET AND FINANCE COMMITTEE; A RECOMMENDATION BY THE OVERSIGHT COMMITTEE TO THE BUDGET AND FINANCE COMMITTEE TO VACATE CERTAIN CONDITIONS OF APPROPRIATION (COA'S) AS THEY PERTAIN TO UPDATES OF CERTAIN PLANS OF OPERATION FOR PROGRAMS WITHIN THE LEGISLATIVE BRANCH AS REQUIRED IN

CS-68-18. NAVAJO NATION COMPREHENSIVE BUDGET FOR FISCAL YEAR 2019 AND ACCEPTANCE BY THE BUDGET AND FINANCE COMMITTEE OF THE OVERSIGHT COMMITTEE RECOMMENDATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council and exercises oversight over the offices, programs, commissions, boards or task forces under the Legislative Branch of the Navajo Nation Government. 2 N.N.C. § 701 (A)(5).

B. The Budget and Finance Committee has the authority to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds. 2 N.N.C. § 301(B)(2)
SECTION TWO. FINDINGS

A. The Navajo Nation Comprehensive Budget for Fiscal Year 2019, CS-68-18, established a Condition of Appropriation, COA-No. 1, requiring all Departments and Programs whose plan of operations which have been identified, to present to their respective oversight committees amendments to their respective plans of operation and to bring the plans of operation up-to-date by the end of the 2nd quarter. See Exhibit No. 1.

B. The programs within the Legislative Branch affected by this COA-No.1 include the following: Office of the Speaker, Office of Legislative Counsel, Office of Navajo Government Development, election Administration Office, Navajo Board of Supervisors, Black Mesa Review Board, Office of Auditor General, Navajo-Hopi Land Commission, Commission on Emergency Management, Eastern Navajo Land Commission and the Navajo Nation Human Rights Commission. See Exhibit No. 1.

C. The statutory authorities that represent the plans of operation for many of these programs continue to be legally sufficient for continued operation of the programs and do not need to be change for the sake of change.

D. In those cases where the statutory authorities representing plans of operation for programs needing revision, such change in many cases requires action by the Navajo Nation Council in regular session which occurs only four times a year. 2 N.N.C. § 162

E. The legal requirements make timely compliance by many of the programs listed both impractical and infeasible to fulfill at this point in time.

F. In the matter of noncompliance with a Condition of Appropriation the following procedure applies (per CS-68-18 Exhibit 1, See Exhibit No. 1):

The OMB will notify the Budget and Finance Committee of any non-compliance. After consultation with the program director, the Office of Controller, the OMB, and on recommendation of the appropriate oversight Committee, the Budget and Finance Committee may, by resolution, vote to:

a) Implement a freeze on the program’s expenditure of travel funds, or withhold up to 10 percent of the program director’s gross salary,

b) Extend the time period for the program to fulfill the condition, or
c) Vacate the condition if it is infeasible for the program to fulfill.

G. The Naabik'íyáti' Committee as oversight of the Legislative Branch programs so affected finds it to be in the best interest of the Navajo Nation to recommend to the Budget and Finance Committee that the Condition of Appropriation No. 1 (COA-1) be vacated as infeasible for those programs whose plans of operation are statutorily established.

H. The Budget and Finance Committee finds it to be in the best interest of the Navajo Nation to accept the recommendation of the Naabik'íyáti' Committee as oversight of the Legislative Branch programs whose plans of operation are statutorily established and so affected and vacate COA-1.

SECTION THREE. APPROVAL

The Budget and Finance Committee of the Navajo Nation Council accepts the recommendation of the Naabik'íyáti' Committee as oversight of the Legislative Branch programs so affected and hereby vacates COA-1 as infeasible for those programs within the Legislative Branch whose plans of operation are statutorily established.