TITLE: An Action Relating to Budget And Finance Committee; Adopting And Approving The Amended And Restated Deferred Compensation Plan For Political Appointees And Council Delegates Of The Navajo Nation Effective April 1, 2019

Date posted: June 17, 2019 at 5:00pm

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Executive Director
Office of Legislative Services
P.O. Box 3390
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LEGISLATIVE SUMMARY SHEET

Tracking No. 0153-19

DATE: June 13, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO BUDGET AND FINANCE COMMITTEE; ADOPTING AND APPROVING THE AMENDED AND RESTATED DEFERRED COMPENSATION PLAN FOR POLITICAL APPOINTEES AND COUNCIL DELEGATES OF THE NAVAJO NATION EFFECTIVE APRIL 1, 2019

PURPOSE: The purpose of this legislation is to amend the Deferred Compensation Plan for Political Appointees and Council Delegates.

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 to review each proposed resolution in detail.
PROPOSED NAVAJO NATION STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL – First Year, 2019

INTRODUCED BY

[Signature]

(Prime Sponsor)

TRACKING NO. 0153-19

AN ACTION

RELATING TO BUDGET AND FINANCE COMMITTEE; ADOPTING AND
APPROVING THE AMENDED AND RESTATED DEFERRED COMPENSATION
PLAN FOR POLITICAL APPOINTEES AND COUNCIL DELEGATES OF THE
NAVAJO NATION EFFECTIVE APRIL 1, 2019

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Navajo Nation established the Budget and Finance Committee ("BFC") as a
Navajo Nation Council standing committee and as such empowered BFC to
promulgate policies and regulations concerning wages, expenditure reimbursement,
and fringe benefits for Navajo Nation officials and employees. 2 N.N.C. §§ 164
(A)(9), 300 (A), 301(B)(8).

B. The Navajo Nation Council ("Council") created and implemented a comprehensive
deferred compensation plan for elected and appointed Tribal officials and authorized
the Chairman of the Navajo Tribal Council with the approval of the Budget and
Finance Committee of the Navajo Nation Council to develop, implement and
administer the plan, pursuant to Navajo Tribal Council Resolution CF-21-73.
C. The Navajo Nation may, in its sole discretion, amend the Deferred Compensation Plan, defined below, at any time or from time to time, in whole or in part, pursuant to Section 5.1 of the Deferred Compensation Plan.

SECTION TWO. FINDINGS

A. The Budget and Finance Committee, under the authority delegated in CF-21-73, initially adopted the Deferred Compensation Plan for Certain Employees of the Navajo Tribe effective January 1, 1973, pursuant to BFMY-41-73.

B. The Council and the Budget and Finance Committee then adopted the Deferred Retirement Plan for the Council Members of the Navajo Tribe effective October 1, 1982 (separating the deferred retirement plan from the deferred compensation plan), pursuant to BFAU-160-82 and CD-87-82.

C. The Budget and Finance Committee then adopted the Deferred Compensation Plan for Political Appointees and Council Delegates of the Navajo Nation, Amended and Restated as of January 1, 2006 (the “Deferred Compensation Plan”) (merging the Deferred Compensation Plan for Certain Employees of the Navajo Tribe effective January 1, 1973 with the Deferred Retirement Plan for the Council Members of the Navajo Tribe effective October 1, 1982), pursuant to BFMA-09-08.

D. The Deferred Compensation Plan Administration Committee has now approved and recommended to the Budget and Finance Committee the adoption and approval of the Restated Deferred Compensation Plan for Political Appointees and Council Delegates of the Navajo Nation, which amends Sections 1.1, 1.5, 1.8, 1.9, 2.1, 2.2, 5.5, and A1, pursuant to DCP-04-18, attached as Exhibit A. However, Section 1.1 was previously amended in BFMA-10-18, and currently reflects the requested changes in DCP-03-18 and DCP-04-18.

E. The Budget and Finance Committee, pursuant to its authorities under 2 N.N.C. § 301(B)(8) and (13), its delegated authority under CF-21-73, and the authority of the Navajo Nation pursuant to Section 5.1 of the Deferred Compensation Plan, finds it is in the best interest of the Nation to approve and adopt the Amended and Restated
Deferred Compensation Plan for Political Appointees and Council Delegates of the Navajo Nation, effective as of April 1, 2019, attached as Exhibit B.

SECTION THREE. APPROVAL

The Budget and Finance Committee hereby approves and adopts the Amended and Restated Deferred Compensation Plan for Political Appointees and Council Delegates of the Navajo Nation, effective as of April 1, 2019, attached as Exhibit B.