

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0122-19_____

SPONSOR: Raymond Smith, Jr.

TITLE: An Act Relating to Budget and Finance Committee, Resources and Development Committee, Naabik'iyáti' Committee, and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of One Million Three Hundred Seventy-Four Thousand, Two Hundred and Seventy-Eight Dollars (\$1,374,278) for the 110 Navajo Nation Chapter Official Stipends and Worker's Compensation, Business Unit Numbers 108014-108123; Waiving 12 N.N.C. §§820(F) and (L) Regarding the Restriction of Appropriations of Non-Recurring Revenues to Recurring Costs; Waiving 12 N.N.C § 820(O) Regarding the "Distribution to Chapter" Formula

Date posted: May 15, 2019 at 3:12pm

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Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0122-19

DATE: May 15, 2019

TITLE OF RESOLUTION: AN ACT RELATING TO BUDGET AND FINANCE COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF ONE MILLION THREE HUNDRED SEVENTY-FOUR THOUSAND, TWO HUNDRED AND SEVENTY-EIGHT DOLLARS (\$1,374,278) FOR THE 110 NAVAJO NATION CHAPTER OFFICIAL STIPENDS AND WORKER'S COMPENSATION, BUSINESS UNIT NUMBERS 108014-108123; WAIVING 12 N.N.C. §§ 820(F) AND (L) REGARDING THE RESTRICTION OF APPROPRIATIONS OF NON-RECURRING REVENUES TO RECURRING COSTS; WAIVING 12 N.N.C. § 820(O) REGARDING THE "DISTRIBUTION TO CHAPTERS" FORMULA

PURPOSE: If approved, this resolution will approve this supplemental appropriation request in the amount of 1,374,278 to the 110 chapters and will waive the restriction of appropriations of non-recurring revenues to recurring costs as stated 12 N.N.C. §§ 820(F) and (L) and waive the requirement regarding the "Distribution to Chapters" formula as stated in 12 N.N.C. § 820(O).

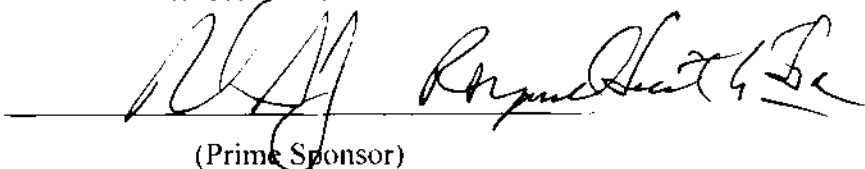
This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: 5.20.19
Website Posting Time/Date: _____
Posting End Date: 5.20.19
Eligible for Action: 5.21.19

Budget & Finance Committee
Thence
Resources & Development Committee
Thence
Naa'biik'iyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL – First Year, 2019

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0122-19

AN ACT

RELATING TO BUDGET AND FINANCE COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF ONE MILLION THREE HUNDRED SEVENTY-FOUR THOUSAND, TWO HUNDRED AND SEVENTY-EIGHT DOLLARS (\$1,374,278) FOR THE 110 NAVAJO NATION CHAPTER OFFICIAL STIPENDS AND WORKER'S COMPENSATION, BUSINESS UNIT NUMBERS 108014-108123; WAIVING 12 N.N.C. §§ 820(F) AND (L) REGARDING THE RESTRICTION OF APPROPRIATIONS OF NON-RECURRING REVENUES TO RECURRING COSTS; WAIVING 12 N.N.C. § 820(O) REGARDING THE "DISTRIBUTION TO CHAPTERS" FORMULA

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 review and recommend to the Navajo Nation Council the management of all funds. 2 N.N.C. §§ 164 (A)(9), 300 (A), 301 (B)(2).

1 B. The Navajo Nation established the Resources and Development Committee ("RDC")
2 as a Navajo Nation Council standing committee and as such gave RDC oversight over
3 Navajo Nation Chapters. 2 N.N.C. §§ 164 (A)(9), 500 (A), 501 (C)(1).

4 C. The Navajo Nation Council established the Naabik'iyáti' Committee as a Navajo
5 Nation standing committee and as such proposed legislation that requires final action
6 by the Navajo Nation Council shall be assigned to the Naabik'iyáti' Committee. 2
7 N.N.C. §§ 164 (A)(9), 700 (A).

8
9 **SECTION TWO. TITLE 12 FINANCE ACT SUPPLEMENTAL**
10 **APPROPRIATION PROCESS**

11 A. The Title 12 Finance Act Supplemental Appropriation requirements include:

- 12 1. Pursuant to 12 N.N.C. § 820(L), when the Controller identifies additional sources
13 of revenues above and beyond the initial or current revenue projections,
14 supplemental appropriations may be allocated by the Navajo Nation Council.
- 15 2. Pursuant to 12 N.N.C. § 820 (L), "Supplemental appropriations made from non-
16 recurring revenues shall only be made for non-recurring operations or purposes,
17 as set forth at § 820 (F). The Controller of the Navajo Nation shall be responsible
18 for designating recurring and non-recurring revenues and purposes."
- 19 3. Pursuant to 12 N.N.C. § 820(M), all requests for annual operating funds and
20 supplemental funds shall be submitted to the Office of Management and Budget
21 ("OMB") for budget impact analysis.
- 22 4. Pursuant to 12 N.N.C. § 820(O), "fifty percent (50%) of the appropriation shall be
23 divided equally among all chapters and the remaining fifty percent (50%) shall be
24 divided proportionately among the chapters using a percentage equal to that figure
25 which the number of registered voters in each chapter bears to the whole of
26 registered Navajo Nation votes as determined by the most current voter
27 registration figures available as of the date of the appropriation."

28
29 **SECTION THREE. FINDINGS**
30

- 1 A. The Navajo Division of Community Development requests a supplemental
2 appropriation on behalf of 110 Navajo Nation Chapters from the Unreserved,
3 Undesignated Fund Balance in the amount of \$1,374,278 for chapter official stipend
4 and worker's compensation. See "Supplemental Funding Proposal Summary"
5 attached hereto within **Exhibit A**.
- 6 B. Pursuant to the 2019 Budget Instructions Manual Section XIV. B. and C., the
7 requisite supplemental funding request budget forms are attached hereto as **Exhibit**
8 **A**.
- 9 C. The Office of Management and Budget will provide a Budget Impact Analysis for the
10 supplemental funding request pursuant to 12 N.N.C. § 820(M).
- 11 D. The Office of the Controller has provided a memorandum dated May 6, 2019,
12 indicating the balance in the Unreserved, Undesignated Fund Balance as of April 10,
13 2019 is \$42,334,700. This memorandum is provided to meet the requirements of 12
14 N.N.C. 820 (L). The Controller of the Navajo Nation designated the funds for the
15 chapter official stipends and worker's compensation as a recurring cost. This
16 memorandum is attached hereto as **Exhibit B**.
- 17 E. The Navajo Nation finds it in the best interest of the Navajo people to approve this
18 supplemental appropriation request. It is also in the best interest to waive the
19 restriction of appropriations of non-recurring revenues to recurring costs as stated 12
20 N.N.C. §§ 820(F) and (I.) and to waive the requirement regarding the "Distribution to
21 Chapters" formula as stated in 12 N.N.C. § 820(O).

22
23 **SECTION FOUR. APPROVING SUPPLEMENTAL FUNDING FROM THE**
24 **UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF**
25 **\$1,374,278 FOR 110 NAVAJO NATION CHAPTERS, BUSINESS UNIT**
26 **NUMBERS 108014-108123**

- 27 A. This supplemental appropriation of \$1,374,278 shall be from that amount of funds
28 that exceeds the minimum fund balance of the Unreserved, Undesignated Fund
29 Balance as determined by the Office of the Controller and to the 110 Navajo Nation
30 Chapters, Business Unit Numbers 108014-108123.

1 B. The Navajo Nation hereby approves supplemental funding from the Unreserved,
2 Undesignated Fund Balance in the amount of \$1,374,278 for the 110 Navajo Nation
3 Chapters, Business Unit Numbers 108014-108123, to fund the unmet need of the
4 chapter official stipends and worker's compensation.

5 C. The supplemental funding will be deposited with each of the 110 Navajo Nation
6 Chapters as described in **Exhibit A**.

7
8 **SECTION FIVE. WAIVING 12 N.N.C. §§ 820(F) AND (L) REGARDING THE**
9 **RESTRICTION OF APPROPRIATIONS OF NON-RECURRING REVENUES TO**
10 **RECURRING COSTS**

11 The Navajo Nation Council hereby waives 12 N.N.C. §§ 820(F) and (L) with regard to the
12 restriction of appropriations of non-recurring revenues to recurring costs.

13
14 **SECTION SIX. WAIVING 12 N.N.C. § 820(O) REGARDING THE**
15 **DISTRIBUTION TO CHAPTERS FORMULA**

16 The Navajo Nation Council hereby waives 12 N.N.C. § 820(O) with regard to the
17 "Distribution to Chapter" formula.

18
19 **SECTION SEVEN. EFFECTIVE DATE**

20 The provisions of this Act shall become effective in accord with 2 N.N.C. § 221(B).