TITLE: 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 Chapter” Formula.

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

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

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

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 et. seq.
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'IYÁTÉ 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 (I) 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 (I) 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.
PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL – First Year, 2019

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0132-19

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).
B. The Navajo Nation established the Resources and Development Committee ("RDC")
as a Navajo Nation Council standing committee and as such gave RDC oversight over
Navajo Nation Chapters. 2 N.N.C. §§ 164 (A)(9), 500 (A), 501 (C)(1).
C. The Navajo Nation Council established the Naabik’íyáti’ Committee as a Navajo
Nation standing committee and as such proposed legislation that requires final action
by the Navajo Nation Council shall be assigned to the Naabik’íyáti’ Committee. 2
N.N.C. §§ 164 (A)(9), 700 (A).

SECTION TWO. TITLE 12 FINANCE ACT SUPPLEMENTAL
APPROPRIATION PROCESS
A. The Title 12 Finance Act Supplemental Appropriation requirements include:
   1. Pursuant to 12 N.N.C. § 820(L), when the Controller identifies additional sources
      of revenues above and beyond the initial or current revenue projections,
      supplemental appropriations may be allocated by the Navajo Nation Council.
   2. Pursuant to 12 N.N.C. § 820 (L), “Supplemental appropriations made from non-
      recurring revenues shall only be made for non-recurring operations or purposes,
      as set forth at § 820 (F). The Controller of the Navajo Nation shall be responsible
      for designating recurring and non-recurring revenues and purposes.”
   3. Pursuant to 12 N.N.C. § 820(M), all requests for annual operating funds and
      supplemental funds shall be submitted to the Office of Management and Budget
      ("OMB") for budget impact analysis.
   4. Pursuant to 12 N.N.C. § 820(O), “fifty percent (50%) of the appropriation shall be
      divided equally among all chapters and the remaining fifty percent (50%) shall be
      divided proportionately among the chapters using a percentage equal to that figure
      which the number of registered voters in each chapter bears to the whole of
      registered Navajo Nation votes as determined by the most current voter
      registration figures available as of the date of the appropriation.”

SECTION THREE. FINDINGS
A. The Navajo Division of Community Development requests a supplemental appropriation on behalf of 110 Navajo Nation Chapters from the Unreserved, Undesignated Fund Balance in the amount of $1,374,278 for chapter official stipend and worker’s compensation. See “Supplemental Funding Proposal Summary” attached hereto within Exhibit A.

B. Pursuant to the 2019 Budget Instructions Manual Section XIV. B. and C., the requisite supplemental funding request budget forms are attached hereto as Exhibit A.

C. The Office of Management and Budget will provide a Budget Impact Analysis for the supplemental funding request pursuant to 12 N.N.C. § 820(M).

D. The Office of the Controller has provided a memorandum dated May 6, 2019, indicating the balance in the Unreserved, Undesignated Fund Balance as of April 10, 2019 is $42,334,700. This memorandum is provided to meet the requirements of 12 N.N.C. 820 (L). The Controller of the Navajo Nation designated the funds for the chapter official stipends and worker’s compensation as a recurring cost. This memorandum is attached hereto as Exhibit B.

E. The Navajo Nation finds it in the best interest of the Navajo people to approve this supplemental appropriation request. It is also in the best interest to waive the restriction of appropriations of non-recurring revenues to recurring costs as stated 12 N.N.C. §§ 820(F) and (L) and to waive the requirement regarding the “Distribution to Chapters” formula as stated in 12 N.N.C. § 820(O).

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

A. This supplemental appropriation of $1,374,278 shall be from that amount of funds that exceeds the minimum fund balance of the Unreserved, Undesignated Fund Balance as determined by the Office of the Controller and to the 110 Navajo Nation Chapters, Business Unit Numbers 108014-108123.
B. The Navajo Nation hereby approves supplemental funding from the Unreserved, Undesignated Fund Balance in the amount of $1,374,278 for the 110 Navajo Nation Chapters, Business Unit Numbers 108014-108123, to fund the unmet need of the chapter official stipends and worker’s compensation.

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

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

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

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

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

SECTION SEVEN. EFFECTIVE DATE

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