TITLE: An Act Relating to Health, Education and Human Services; Budget and Finance, and Naabík’íyáti’ Committees, and Navajo Nation Council; Approving supplemental Funding from the Unreserved, Undesignated Fund Balance in the amount of Nine Hundred Twenty Thousand Four Hundred Dollars ($920,400) for the lease payment to the University of New Mexico for the Rain Forest Building; Waiving 12 N.N.C §§ 820 (F) and (L) regarding the restriction of appropriations of non-recurring revenues to recurring costs

Date posted: September 25, 2019 at 4:30pm

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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.

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DATE: September 24, 2019

TITLE OF RESOLUTION: AN ACT RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF NINE HUNDREDTWENTY THOUSAND FOUR HUNDRED DOLLARS ($920,400) FOR THE LEASE PAYMENT TO THE UNIVERSITY OF NEW MEXICO FOR THE RAIN FOREST BUILDING; WAIVING 12 N.M.C §§ 820(F) AND (L) REGARDING THE RESTRICTION OF APPROPRIATIONS OF NON-RECURRING REVENUES TO RECURRING COSTS

PURPOSE: The purpose of this legislation is to approve an appropriation from the UUFB for a lease payment to the University of New Mexico in the amount of $920,400.

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. 028419

AN ACT

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; BUDGET AND
FINANCE, AND NAABIK’IYÁTÍ COMMITEES, AND NAVAJO NATION COUNCIL;
APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED,
UNDESIGNATED FUND BALANCE IN THE AMOUNT OF NINE HUNDRED
TWENTY THOUSAND FOUR HUNDRED DOLLARS ($920,400) FOR THE LEASE
PAYMENT TO THE UNIVERSITY OF NEW MEXICO FOR THE RAIN FOREST
BUILDING; WAIVING 12 N.N.C §§ 820(F) AND (L) REGARDING THE RESTRICTION
OF APPROPRIATIONS OF NON-RECURRING REVENUES TO RECURRING COSTS

BE IT ENACTED:

SECTION 1. AUTHORITY

A. The Health, Education and Human Services Committee is empowered HEHSC
to review and recommend resolutions relating to education. 2 N.N.C. § 401
(B)(6)(a).

B. The Budget and Finance Committee (BFC) is empowered to review and
recommend to the Navajo Nation Council the management of all funds. 2 N.N.C.
§ 301 (B)(2).
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) and 700 (A).

D. The Title 12 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. 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. 12 N.N.C. § 820(L).
   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.

SECTION 2. FINDINGS

A. The Office of the President and Vice President has requested a supplemental appropriation of Nine Hundred Twenty Thousand Four Hundred Dollars ($920,400) for a past due payment to the University of New Mexico (UNM) pursuant to a lease agreement. The budget forms are attached as Exhibit A.

B. The 164 review is attached as Exhibit B. As noted by the reviewers, the payment to UNM is considered a recurring cost. As such, waiver language is included in section four of this resolution.

C. The Council Resolution funding the initial lease payment to UNM is attached as Exhibit C.

SECTION 3. APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF
NINE HUNDRED TWENTY THOUSAND FOUR HUNDRED DOLLARS
($920,400) FOR BUSINESS UNIT NUMBER 119031

A. This supplemental appropriation of $920,400 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 Business Unit
Number 119031.

B. The Navajo Nation hereby approves supplemental funding from the Unreserved,
Undesignated Fund Balance in the amount of $920,400 for Business Unit
Number 119031.

C. The supplemental funding shall be deposited in accordance with the budget
forms in Exhibit A.

SECTION 4. WAIVING §§ 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 FOUR. EFFECTIVE DATE
The provisions of this Act shall become effective in accord with 2 N.N.C. § 221(B).