TITLE: An Action Relating To Budget And Finance And NAABIK’IYATI’ Committees, And Navajo Nation Council; Approving Supplemental Funding From The Unreserved, Undesignated Fund Balance In The Total Amount Of Four Hundred Forty-Seven Thousand One Hundred And Sixty-Six Dollars ($447,166) To The Navajo Election Administration Office; Waiving 12 N.N.C. §§ 820 (E) And 820 (F) Of The Appropriations Act

Date posted: June 26, 2020 at 7:00 PM

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DATE: June 18, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE TOTAL AMOUNT OF FOUR HUNDRED FORTY-SEVEN THOUSAND ONE HUNDRED AND SIXTY-SIX DOLLARS ($447,166) TO THE NAVAJO ELECTION ADMINISTRATION OFFICE; WAIVING 12 N.N.C. §§ 820 (E) AND 820 (F) OF THE APPROPRIATIONS ACT

PURPOSE: The purpose of this resolution is approve the $447,166 in supplemental funding to the Navajo Election Administration.

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 – Second Year, 2020

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0141-20

AN ACTION
RELATING TO BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES,
AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING
FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE TOTAL
AMOUNT OF FOUR HUNDRED FORTY-SEVEN THOUSAND ONE HUNDRED
AND SIXTY-SIX DOLLARS ($447,166) TO THE NAVAJO ELECTION
ADMINISTRATION OFFICE; WAIVING 12 N.N.C. §§ 820 (E) AND 820 (F) OF THE
APPROPRIATIONS ACT

BE IT ENACTED:

SECTION 1. AUTHORITY
A. The Budget and Finance Committee is empowered 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).
B. A proposed resolution that requires final action by the Navajo Nation Council shall be
   assigned to the Naabik'íyáti' Committee. 2 N.N.C. §§ 164 (A)(9).
C. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §
   102(A).
D. The Navajo Nation Council has the authority to approve supplemental appropriations. 12 N.N.C. § 820(L). Pursuant to 12 N.N.C. § 820 (L), “[t]he Navajo Nation Council may adopt and approve supplemental appropriations to the Annual Comprehensive Budget during the fiscal year. Supplemental appropriations of General Funds within the current fiscal year are permitted, if and when additional sources of revenues above and beyond the initial or current revenue projections are projected and which are also in excess of the reserve amount set forth at § 820(J).”

E. The Title 12 Finance Act Supplemental Appropriation requirements include:

1. All requests for annual operating funds and supplemental funds shall be submitted to the Office of Management and Budget for budget impact analysis. 12 N.N.C. § 820(M).

2. When the Controller identifies additional sources of revenues above and beyond the initial or current revenue projections, supplemental appropriations may be approved by the Navajo Nation Council. 12 N.N.C. § 820(L).

3. 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 designation recurring and non-recurring revenues. 12 N.N.C. § 820(L).

4. The Nation shall budget all recurring operating expenses, including capital maintenance, from recurring revenues. Long term debt shall not be used to finance recurring operating expenses. 12 N.N.C. §820(E).

5. The Navajo Nation Code provides, “[t]he Nation shall restrict non-recurring revenues to budget non-recurring expenditures. In addition, non-recurring revenues will be budgeted only after an examination by the Controller to determine whether or not the revenues are subsidizing an imbalance between recurring revenues and expenditures, and expenditures may be authorized only if a long-term (three-five year) forecast shows that the operating deficit will not continue. Otherwise, non-recurring revenues will be added to the Unreserved, Undesignated Fund balance. This provision may be amended or waived by a two-thirds vote of the full Navajo Nation Council.” 12 N.N.C. § 820(F).
SECTION 2. FINDINGS

A. The Navajo Election Administration Office has requested a supplemental appropriation for the purpose of holding elections throughout the Navajo Nation.

B. The supplemental funding will fund payments to poll officials, election supplies, printing ballots, postage for absentee ballots, photocopying, hardware installation, tabulator parts and supplies, catering for poll workers, and advertising.

C. This supplemental appropriation is requested in the total amount of Four Hundred Forty-Seven Thousand One Hundred and Sixty-Six Dollars ($447,166). The budget documents are attached as Exhibit A.

D. The budget forms have been presented to the Office of Budget and Management and is awaiting the required review in accordance with 12 N.N.C. § 820 (M).

E. The budget forms have been presented to the Office of the Controller and is awaiting the required review in accordance with 12 N.N.C. § 820 (L).

SECTION 3. WAIVING 12 N.N.C. §§ 820 (E) AND 820 (F) REGARDING MATCHING RECURRING REVENUES WITH RECURRING EXPENSES (12 N.N.C. § 820(E)) AND LIMITING THE APPROPRIATION OF FUNDS FROM THE UNRESERVED, UNDESIGNATED FUND TO NON-RECURRING EXPENDITURES (12 N.N.C. § 820(F))

The Navajo Nation Council hereby waives 12 N.N.C. §§ 820 (E) and 820 (F) in order to allow UUFB funds to be used for recurring expenditures.

SECTION 4. APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF FOUR HUNDRED FORTY-SEVEN THOUSAND ONE HUNDRED AND SIXTY-SIX DOLLARS ($447,166) TO THE NAVAJO ELECTION ADMINISTRATION OFFICE

A. This supplemental appropriation of $447,166 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 as indicated the documents in Exhibit A.

B. The Navajo Nation hereby approves supplemental funding from the Unreserved, Undesignated Fund Balance in the amount of $447,166 for emergency funds as indicated in the documents in Exhibit A.