

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0130-19\_\_\_\_\_

SPONSOR: Elmer Begay

**TITLE: An Action Relating To The Law And Order, Budget And Finance, Naabik'íyáti' Committees, And Navajo Nation Council; Approving And Adopting The Síhasin Dilkon Justice Center Fund Expenditure Plan Pursuant 12 N.N.C. §§2501-2508**

***Date posted: May 24, 2019 at 5:46pm***

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LEGISLATIVE SUMMARY SHEET  
Tracking No. 0130-19

**DATE:** May 24, 2019

AN ACTION RELATING TO THE LAW AND ORDER, BUDGET AND FINANCE, NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING AND ADOPTING THE SÍHASIN DILKON JUSTICE CENTER FUND EXPENDITURE PLAN PURSUANT 12 N.N.C §§ 2501 – 2508

**PURPOSE:** Approving and adopting the Sihasin Dilkon Justice Center Fund Expenditure Plan.

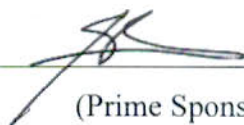
**This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate review the proposed resolution in detail.**

5-DAY BILL HOLD PERIOD: 2 days  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 5-29-19  
Eligible for Action: 5-30-19

Law & Order Committee  
Thence  
Health Education & Human Services Committee  
Thence  
Resources & Development Committee  
Thence  
Budget & Finance Committee  
Thence  
Naa'bik'iyati' Committee  
Thence  
Navajo Nation Council

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
2 **24<sup>th</sup> NAVAJO NATION COUNCIL – First Year, 2019**

3 INTRODUCED BY

4  
5   
6 \_\_\_\_\_  
(Prime Sponsor)

7  
8 TRACKING NO. 0130-19

9  
10 AN ACTION

11 RELATING TO THE LAW AND ORDER, BUDGET AND FINANCE,  
12 NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING  
13 AND ADOPTING THE SÍHASIN DILKON JUSTICE CENTER FUND  
14 EXPENDITURE PLAN PURSUANT 12 N.N.C §§ 2501 – 2508

15  
16 BE IT ENACTED:

17  
18 **Section One. Authority**

- 19 A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §  
20 102 (A).
- 21 B. The Naabik'iyati' Committee of the Navajo Nation Council is empowered to review  
22 all proposed legislation which requires final action by the Navajo Nation Council. 2  
23 N.N.C. §164(A)(9).
- 24 C. The Law and Order Committee of the Navajo Nation Council is empowered to serve  
25 as the oversight authority for the Division of Public Safety and the Judicial Branch  
26 Navajo Nation. 2 N.N.C. §§ 600 (C)(6).
- 27 D. The Budget and Finance Committee of the Navajo Nation Council is empowered to  
28 review and recommend to the Navajo Nation Council the budgeting, appropriation,  
29 investment, and management of all funds. 2 N.N.C. § 301 (B) (2).
- 30

1 E. The Naabik'iyáti' Committee established the Naabik'iyáti' Síhasin Fund  
2 Subcommittee to recommend to the Naabik'iyáti' Committee and Navajo Nation  
3 Council financial support and/or financing plan(s) for the purposes designated in the  
4 Síhasin Fund. NABIAP-20-15. However, approval by the Naabik'iyáti' Síhasin Fund  
5 Subcommittee is not a requirement for legislation.

6 F. The Navajo Nation Code provides the purpose of the Navajo Nation Síhasin Fund  
7 ("Síhasin Fund") is as follows:

8 § 2502 Purpose

9 A. The purposes of this Fund are to provide financial support and/or  
10 financing for:

11 1. The planning and development of economic development  
12 and regional infrastructure supporting economic development  
13 and community development, including such infrastructure  
14 as, but not limited to, housing, commercial and government  
15 buildings, waterline, solid waste management development,  
16 powerline projects, and transportation and communication  
17 systems, within the Navajo Nation; and

18 2. Education opportunities for members of the Navajo  
19 Nation.

20 B. For the Purpose in § 2502(A)(1), Fund expenditures for  
21 infrastructure shall not be limited by 12 NNC § 1310(F) or  
22 TCDCJY-77-99.

23 C. Leveraging the Fund by way of guaranteeing loans, match  
24 funding, direct funding in part, and other weighted uses of the  
25 Fund, including loan financing from the Fund, for the purposes  
26 in § 2502(A)(1), shall be favored over direct funding in whole.

27 12 N.N.C. § 2502, as amended by CJA-03-18.

28 G. The Síhasin Fund provides that "Fund Principal" shall consist of all deposits made  
29 to the Síhasin Fund and that "Fund Income" shall consist of all earnings (interest,  
30 dividends, etc.) generated and realized by the Fund Principal, and that Fund Income

1 shall be deposited in and added to Fund Principal until such time as a Fund  
2 Expenditure Plan is duly adopted. 12 N.N.C. §§ 2504 and 2505 (C).

3  
4 **Section Two. Findings**

- 5 A. The Dilkon Justice Center Plan is detailed in **Exhibits A and B**.
- 6 B. As set forth in **Exhibit A**, 10 acres of land was set aside for a medium district public  
7 safety center. Phase one of the Dilkon Justice Center was completed in 2009. Phase  
8 2 of the Dilkon Justice Center will include a police station and corrections facility.
- 9 C. A budget summary and detailed budget and justification are provided in **Exhibit B**.
- 10 D. The Dilkon Chapter of the Navajo Nation through Resolution No. DIL-2019-02-  
11 130, at **Exhibit C**, has approved the Expenditure Plan for the Dilkon Justice Center  
12 Project.

13  
14 **Section Three. Approval and Adoption of Expenditure Plan**

- 15 A. The Navajo Nation hereby approves and adopts the Dilkon Justice Center  
16 Expenditure Plan, attached and incorporated herein as **Exhibits A and B**.
- 17 B. The Navajo Nation hereby approves and adopts funding to Dilkon Chapter for thirty-  
18 two million, nine hundred eighty-two thousand, thirty dollars (\$32,982,030.00).
- 19 C. The Síhasin Funds allocated for the Dilkon Justice Center Expenditure Plan may be  
20 further leveraged by bond or loan financing pursuant to the Navajo Nation Bond  
21 Financing Act, 12 N.N.C. § 1300 *et seq.*, as amended, using Síhasin Fund earnings  
22 for repayment and financing costs upon the recommendation of the Budget and  
23 Finance Committee and approval by a two-thirds (2/3) vote of all members of the  
24 Navajo Nation Council.

25  
26 **Section Four. Approval and Adoption of Expenditure Plan Administration**

27 The Navajo Nation hereby approves administration of the Dilkon Justice Center  
28 Expenditure Plan as follows:

- 1           1. The Navajo Nation Controller shall determine whether the source of the annual  
2           allocations from the total allocation of \$32,982,030.00 will be Síhasin Fund  
3           Principal or Income or a combination of both;
- 4           2. The funding for the Dilkon Justice Center shall be distributed by the end of the  
5           first quarter of the Navajo Nation Fiscal Year;
- 6           3. The funds allocated for the Dilkon Justice Center Expenditure Plan shall be used  
7           solely to design, plan, and construct the Dilkon Justice Center described in  
8           **Exhibits A and B**. Any and all cost-savings shall be returned to the to the Síhasin  
9           Fund once the Dilkon Justice Center is completed; and
- 10          4. The funds allocated for the Dilkon Justice Center Expenditure Plan shall not lapse  
11          on an annual basis pursuant to 12 N.N.C. §820 (N), however, any funds not spent  
12          or encumbered within twenty-four (24) months of the date funds are made  
13          available to Dilkon Chapter shall revert to the Síhasin Fund principal, unless  
14          recommended otherwise by the Resources and Development Committee and  
15          approved by the Naabik'iyáti' Committee.

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17       **Section Five. Effective Date**

18       The Dilkon Justice Center Expenditure Plan, as set forth above, shall become effective  
19       pursuant to 12 N.N.C. § 2505.

20  
21       **Section Six. Directives**

22       Dilkon Chapter and Department of Public Safety shall report the status of the Dilkon  
23       Justice Center to the Naabik'iyáti' Committee on a quarterly basis.