

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0173-19

SPONSOR: Herman M Daniels

TITLE: An Action Relating To The Resources And Development Committee, Budget And Finance Committee, NAABIK'IYATI' Committee, And The Navajo Nation Council; Allocating \$9,565,000 From The Shashin Fund To The Office Of Diné Youth And Approving And Adopting The Shonto Youth Center Fund Expenditure Plan Pursuant To 12 N.N.C. §§ 2501 - 2508

Date posted: June 28, 2019 at 4:54 PM

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) 871-7586

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. 0173-19

DATE: June 25, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; ALLOCATING \$9,565,000 FROM THE SÍHASIN FUND TO THE OFFICE OF DINÉ YOUTH AND APPROVING AND ADOPTING THE SHONTO YOUTH CENTER FUND EXPENDITURE PLAN PURSUANT TO 12 N.N.C. §§ 2501- 2508.

PURPOSE: If approved, this resolution will allocate \$9,565,000 from the Síhasin Fund to the Office of Diné Youth and approve and adopt the Shonto Youth Fund Expenditure Plan pursuant to 12 N.N.C. §§ 2501- 2508.

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: 2388
Website Posting Time/Date: _____
Posting End Date: 7.3.19
Eligible for Action: 7.4.19

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

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

INTRODUCED BY



(Prime Sponsor)

Herman M. Doney

TRACKING NO. 0173-19

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; ALLOCATING \$9,565,000 FROM THE SÍHASIN FUND TO THE OFFICE OF DINÉ YOUTH AND APPROVING AND ADOPTING THE SHONTO YOUTH CENTER FUND EXPENDITURE PLAN PURSUANT TO 12 N.N.C. §§ 2501- 2508.

BE IT ENACTED:

Section One. Authority

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).
- B. The Naabik'iyáti' Committee of the Navajo Nation Council is empowered to review all proposed legislation which requires final action by the Navajo Nation Council. 2 N.N.C. §164(A)(9).
- C. The Budget and Finance Committee of the Navajo Nation Council 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).
- D. The Resources and Development Committee of the Navajo Nation Council has oversight of the chapters of the Navajo Nation. 2 N.N.C. § 501(C)(1).

1 E. The Naabik'iyáti Committee of the 24th Navajo Nation Council continued the
2 Naabik'iyáti Síhasin Fund Subcommittee in Resolution NABIAP-23-19. The
3 Naabik'iyáti Síhasin Fund Subcommittee was initially established in 2015 by
4 Resolution NABIAP-20-15 to provide recommendations to the Naabik'iyáti
5 Committee and Navajo Nation Council for projects to be funded using Síhasin
6 Funds. Notwithstanding the creation and continuation of the Naabik'iyáti Síhasin
7 Fund Subcommittee, approval from the Subcommittee is not a requirement for the
8 Navajo Nation Council to approve Síhasin Fund expenditure plans.

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

11 § 2502 Purpose

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

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

21 2. Education opportunities for members of the Navajo Nation.

22 B. For the purpose in § 2502(A)(1), fund expenditures for
23 infrastructure shall not be limited by 12 N.N.C § 1310(F) or
24 TCDCJY-77-99.

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

29 12 N.N.C. § 2502, as amended by CJA-03-18.

30

1 G. The Sihasin Fund provides that “Fund Principal” shall consist of all deposits made
2 to the Sihasin Fund and that “Fund Income” shall consist of all earnings (interest,
3 dividends, etc.) generated and realized by the Fund Principal, and that Fund
4 Income shall be deposited in and added to Fund Principal until such time as a
5 Fund Expenditure Plan is duly adopted. 12 N.N.C. §§ 2504 and 2505 (C).
6

7 **Section Two. Findings**

8 A. The Shonto Youth Center Project is detailed in the project proposal attached as
9 **Exhibit A.**

10 B. A project summary and an architectural design schematic are attached within
11 **Exhibit A.**

12 C. Letters of support for the Shonto Youth Center are attached within **Exhibit A.**

13 D. The Shonto Community Governance will submit matching funds in the amount of
14 \$1,300,000.00. *See Exhibit A.*
15

16 **Section Three. Allocation of \$9,565,000 to the Office of Diné Youth and** 17 **Approval and Adoption of the Shonto Youth Center Expenditure Plan**

18 A. The Navajo Nation hereby allocates to the Office of Diné Youth the total amount
19 of \$9,565,000.00 to construct the Shonto Youth Center as detailed in **Exhibit A.**

20 B. The Navajo Nation hereby approves and adopts the Shonto Youth Center
21 Expenditure Plan, attached and incorporated herein as **Exhibit A.**

22 C. The Sihasin Funds allocated for the Sihasin Fund Shonto Youth Center
23 Expenditure Plan may be further leveraged by bond or loan financing pursuant to
24 the Navajo Nation Bond Financing Act, 12 N.N.C. § 1300 *et seq.*, as amended,
25 using Sihasin Fund earnings for repayment and financing costs upon the
26 recommendation of the Budget and Finance Committee and approval by a two-
27 thirds (2/3) vote of all members of the Navajo Nation Council.
28

29 **Section Four. Approval and Adoption of Expenditure Plan Administration**

30

1 The Navajo Nation hereby approves administration of the Síhasin Youth Center
2 Expenditure Plan as follows:

- 3 1. The Navajo Nation Controller shall determine whether the source of the
4 annual allocations from the total allocation of \$9,565,000.00 will be Síhasin
5 Fund Principal or Income or a combination of both;
- 6 2. The Navajo Nation Controller shall release the funds to the Office of Diné
7 Youth during the Navajo Nation Fiscal Year 2019 pursuant to a construction
8 plan or other such schedule agreed to by the Office of the Controller and
9 Office of Diné Youth within 30 days of the formal adoption of this legislation;
- 10 3. The funds allocated for the Shonto Youth Center shall be used solely to
11 design, plan, and construct the Shonto Youth Center described in **Exhibit A**.
12 Any and all cost-savings shall be returned to the to the Síhasin Fund once the
13 Shonto Youth Center is completed; and
- 14 4. The funds allocated for the Shonto Youth Center shall not lapse on an annual
15 basis pursuant to 12 N.N.C. §820 (N), however, any funds not spent or
16 encumbered within twenty-four (24) months of the date funds are made
17 available to the Office of Diné Youth shall revert to the Síhasin Fund
18 principal, unless recommended otherwise by the Resources and Development
19 Committee and approved by the Naabik'iyáti' Committee.

20
21 **Section Five. Effective Date**

22 The Síhasin Fund Shonto Youth Center Expenditure Plan, as set forth above, shall
23 become effective pursuant to 12 N.N.C. § 2505.

24
25 **Section Six. Directives**

26 The Shonto Chapter and the Office of Dine Youth shall report the status of the Shonto
27 Youth Center to the Division of Community Development and the Naabik'iyáti'
28 Committee at least once per quarter after the initial disbursement of funds.
29
30