

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0284-19_____

SPONSOR: Mark Freeland

TITLE: An Act Relating to Health, Education and Human Services; Budget and Finance, and Naabik'iyáti' 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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**Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590**

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0284-19

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 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

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.

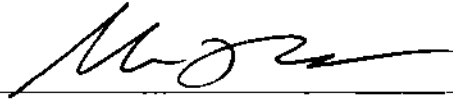
This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: 2800
Website Posting Time/Date: _____
Posting End Date: 9/30/19
Eligible for Action: 10/01/19

Health Education & Human Services Committee
Thence
Budget & Finance Committee
Thence
Naabik'iyáti Committee
Thence
Navajo Nation Council

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION
2 24th NAVAJO NATION COUNCIL – First Year, 2019

3
4 INTRODUCED BY

5 
6

7 (Prime Sponsor)

8
9 TRACKING NO. 0284-19

10
11 AN ACT

12 RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; BUDGET AND
13 FINANCE, AND NAABIK'YÁTI COMMITTEES, AND NAVAJO NATION COUNCIL;
14 APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED,
15 UNDESIGNATED FUND BALANCE IN THE AMOUNT OF NINE HUNDRED
16 TWENTY THOUSAND FOUR HUNDRED DOLLARS (\$920,400) FOR THE LEASE
17 PAYMENT TO THE UNIVERSITY OF NEW MEXICO FOR THE RAIN FOREST
18 BUILDING; WAIVING 12 N.N.C §§ 820(F) AND (L) REGARDING THE RESTRICTION
19 OF APPROPRIATIONS OF NON-RECURRING REVENUES TO RECURRING COSTS
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22 BE IT ENACTED:

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24 **SECTION 1. AUTHORITY**

- 25 A. The Health, Education and Human Services Committee is empowered HEHSC
26 to review and recommend resolutions relating to education. 2 N.N.C. § 401
27 (B)(6)(a).
28 B. The Budget and Finance Committee (BFC) is empowered to review and
29 recommend to the Navajo Nation Council the management of all funds. 2 N.N.C.
30 § 301 (B)(2).

1 C. The Navajo Nation Council established the Naabik'iyáti' Committee as a Navajo
2 Nation standing committee and as such proposed legislation that requires final
3 action by the Navajo Nation Council shall be assigned to the Naabik'iyáti'
4 Committee. 2 N.N.C. §§ 164 (A)(9) and 700 (A).

5 D. The Title 12 Supplemental Appropriation requirements include:

- 6 1. Pursuant to 12 N.N.C. § 820(L), when the Controller identifies
7 additional sources of revenues above and beyond the initial or current
8 revenue projections, supplemental appropriations may be allocated by
9 the Navajo Nation Council.
- 10 2. Supplemental appropriations made from non-recurring revenues shall only be
11 made for non-recurring operations or purposes, as set forth at § 820(F). The
12 Controller of the Navajo Nation shall be responsible for designating recurring
13 and non-recurring revenues. 12 N.N.C. § 820(L).
- 14 3. Pursuant to 12 N.N.C. § 820(M), all requests for annual operating funds
15 and supplemental funds shall be submitted to the Office of Management
16 and Budget (OMB) for budget impact analysis.

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18 **SECTION 2. FINDINGS**

- 19 A. The Office of the President and Vice President has requested a supplemental
20 appropriation of Nine Hundred Twenty Thousand Four Hundred Dollars
21 (\$920,400) for a past due payment to the University of New Mexico (UNM)
22 pursuant to a lease agreement. The budget forms are attached as **Exhibit A**.
- 23 B. The 164 review is attached as **Exhibit B**. As noted by the reviewers, the payment
24 to UNM is considered a recurring cost. As such, waiver language is included in
25 section four of this resolution.
- 26 C. The Council Resolution funding the initial lease payment to UNM is attached as
27 **Exhibit C**.

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29 **SECTION 3. APPROVING SUPPLEMENTAL FUNDING FROM THE**
30 **UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF**

1 **NINE HUNDRED TWENTY THOUSAND FOUR HUNDRED DOLLARS**
2 **(\$920,400) FOR BUSINESS UNIT NUMBER 119031**

- 3 A. This supplemental appropriation of \$920,400 shall be from that amount of funds
4 that exceeds the minimum fund balance of the Unreserved, Undesignated Fund
5 Balance as determined by the Office of the Controller and to Business Unit
6 Number 119031.
- 7 B. The Navajo Nation hereby approves supplemental funding from the Unreserved,
8 Undesignated Fund Balance in the amount of \$920,400 for Business Unit
9 Number 119031.
- 10 C. The supplemental funding shall be deposited in accordance with the budget
11 forms in **Exhibit A**.

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13 **SECTION 4. WAIVING §§ 820(F) AND (L) REGARDING THE RESTRICTION OF**
14 **APPROPRIATIONS OF NON-RECURRING REVENUES TO RECURRING COSTS**

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

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18 **SECTION FOUR. EFFECTIVE DATE**

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

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