

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0115-21\_

SPONSOR: Mark A. Freeland

**TITLE: An Action Relating to the Resources and Development and Budget and Finance Committees; Approving a Modification in the FY2021 Proprietary Budget Account (Business Unit No. 115017) for the Navajo Nation Museum (An Increase of \$72,000), for the Museum to Resume and Continue its Operations**

***Date posted:*** July 14, 2021 at 9:16AM

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0115-21

**DATE:** July 8, 2021

**TITLE OF RESOLUTION: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A MODIFICATION IN THE FY2021 PROPRIETARY BUDGET ACCOUNT (BUSINESS UNIT NO. 115017) FOR THE NAVAJO NATION MUSEUM (AN INCREASE OF \$72,000), FOR THE MUSEUM TO RESUME AND CONTINUE ITS OPERATIONS**

**PURPOSE:** The purpose of this legislation is to approve the budget modification request by the Navajo Nation Museum to increase its Proprietary Fund budget by \$72,000.

5-DAY BILL HOLD PERIOD: Johnson  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 07-19-21  
Eligible for Action: 07-20-21

1 PROPOSED NAVAJO NATION STANDING COMMITTEE RESOLUTION

2 24<sup>th</sup> NAVAJO NATION COUNCIL – Third Year, 2021

3 INTRODUCED BY

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6 (Prime Sponsor)

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8 TRACKING NO. 0115-21

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10 AN ACTION

11 RELATING TO THE RESOURCES AND DEVELOPMENT AND BUDGET  
12 AND FINANCE COMMITTEES; APPROVING A MODIFICATION IN THE  
13 FY2021 PROPRIETARY BUDGET ACCOUNT (BUSINESS UNIT NO. 115017)  
14 FOR THE NAVAJO NATION MUSEUM (AN INCREASE OF \$72,000), FOR  
15 THE MUSEUM TO RESUME AND CONTINUE ITS OPERATIONS

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17 BE IT ENACTED:

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19 SECTION 1. AUTHORITY

- 20 A. The Budget and Finance Committee is a standing committee of the Navajo Nation Council  
21 that reviews the “budgeting, appropriation, investment and management of all [Navajo  
22 Nation] funds.” 2 N.N.C. §301(B)(2).
- 23 B. The Resources and Development Committee is a standing committee of the Navajo Nation  
24 Council that serves as the oversight committee for the Navajo Nation Division of Natural  
25 Resources. 2 N.N.C. §501(C)(1).
- 26 C. The Navajo Nation Museum (“Museum”) is a Navajo Nation Program established under  
27 the Division of Natural Resources. The Plan of Operation for the Museum was approved  
28 pursuant to Resolution No. GSCO-64-00 (as amended).
- 29 D. A Revenue Expenditure Plan for the Museum was also approved, in Resolution No.  
30 BFAP-06-04. **Exhibit A.** The Plan does not specify the exact procedures for the approval

1 of a modification or increase to the Museum's initial funding amount that was approved  
2 in the Navajo Nation's Comprehensive Budget for Fiscal Year 2021. However, the  
3 Revenue Expenditure Plan does say: "[e]xpenditures from this Expenditure account shall  
4 be made in accordance with established Navajo Nation law, budget policies and  
5 procedures . . . and shall be budgeted each fiscal year through the Navajo Nation annual  
6 budgeting process." Resolution No. BFAP-06-04.

7 E. In Resolution No. BFJY-19-20 the Navajo Nation adopted the FY2021 Navajo Nation  
8 Budget Instructions Manual ("BIM"), directing that all Navajo Nation programs and  
9 entities shall use the FY2021 BIM for preparation of their budgets to be included in the  
10 Navajo Nation's FY2021 Comprehensive Budget, as well as for any subsequent carryover  
11 and supplemental budgets for FY2021. Resolution No. BFJY-19-20.

12 F. The FY2021 BIM serves as the Navajo Nation's Budget regulations and provides specific  
13 guidance regarding Navajo Nation program budget revisions. It describes a budget  
14 modification as "an increase or decrease of fifty thousand dollars (\$50,000) or more to an  
15 existing business unit budget under a previously approved budget. This shall require  
16 oversight committee approval before the modification can be processed . . . . Completed  
17 Budget Forms are required for a budget modification." FY2021 BIM, Section XI.(C)(3).

## 18 19 **SECTION 2. FINDINGS**

20 A. In adhering to the requirements of the authorities cited above, the Museum has indeed  
21 provided the appropriate Budget Forms required by the BIM because its requested budget  
22 modification exceeds the \$50,000 amount set in the BIM. The various Budget Forms,  
23 completed and signed by the appropriate officials, are attached hereto as **Exhibit B**.

24 B. In a memorandum dated June 7, 2021, the Navajo Nation Office of the Controller  
25 ("OOC") provided its updated and revised budget schedules for certain Navajo Nation  
26 programs' proprietary fund accounts. This report includes a \$72,000 increase to the  
27 Museum's original FY2021 budget amount that was approved by the Navajo Nation  
28 Council in Resolution No. CN-88-20. The OOC now recommends a revised maximum  
29 budget limit of \$142,000 for FY2021. **Exhibit C**.

30 C. In two memoranda, dated May 24, 2021 and May 28, 2021, the Director of the Museum

1 requests an increase of \$72,000 in the Museum's FY2021 Proprietary Fund account,  
2 matching the \$72,000 increase recommended by the OOC. The Director explains that the  
3 purpose of this added funding is for the Museum to resume and continue its operations,  
4 now that the Navajo Nation has begun to reopen its businesses to the public. Both of the  
5 Director's memos are attached hereto as **Exhibit D**.

6 D. The Museum's budget modification request has been processed through the Navajo  
7 Nation's Title 2 N.N.C. §164 review process, and has been deemed "legally sufficient"  
8 by the Navajo Nation Department of Justice. **Exhibit E**.

9 E. According to its Plan of Operation, the Museum was established to bridge the past, present  
10 and future of the Navajo People, and to protect and curate items of cultural and historic  
11 significance to the Navajo People. With the preservation of such items, the Museum  
12 fosters the unity and harmony of the Navajo People by educating the public about cultural  
13 issues, from the perspective of the Navajo People. Reso. No. GSCO-64-00 (as amended).

14 F. The additional requested funds will assist the Museum with its activities described above.  
15 Therefore, it is in the best interest of the Navajo Nation to approve the requested budget  
16 modification, consisting of a \$72,000 increase, for the Navajo Nation Museum.

### 17 18 **SECTION 3. APPROVAL OF BUDGET MODIFICATION**

19 The Navajo Nation hereby approves the Navajo Nation Museum's requested budget  
20 modification, comprising a \$72,000 increase in Business Unit No. 115017, for the Navajo  
21 Nation Museum's Proprietary Fund account. This approval shall be consistent with the  
22 Budget Forms attached hereto as **Exhibit B**.

### 23 24 **SECTION 4. DIRECTIVES**

25 The Navajo Nation hereby directs the Office of Management and Budget to include the  
26 \$72,000 increase approved herein in the FY2021 Executive Branch Proprietary Funds listing.

### 27 28 **SECTION 5. EFFECTIVE DATE**

29 This legislation and the budget modification approved herein shall become effective when  
30 adopted by the Budget and Finance Committee and certified by the Chairperson.

1     **SECTION 6. SAVINGS CLAUSE**

2     If any provision of this legislation is determined invalid by the Supreme Court of the Navajo  
3     Nation or by any Navajo Nation District Court, without appeal to the Navajo Nation Supreme  
4     Court, the remainder of this legislation shall remain valid as the law of the Navajo Nation.

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