TITLE: An Act Relating to the Resources and Development Committee; Approving the FY 2019 and FY2020 Navajo Nation Road Fund Management Plan in the Amount of $17,886,992.00

Date posted: July 21, 2021 at 8:46PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0120-21

DATE:      July 20, 2021

TITLE OF RESOLUTION: AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING THE FY2019 AND FY2020 NAVAJO NATION ROAD FUND MANAGEMENT PLAN IN THE AMOUNT OF $17,886,992.00

PURPOSE: This resolution, if adopted, would approve the FY 2019 and FY2020 Road Funding Management Plan in the amount of $17,886,992.00.

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 STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL -- Third Year, 2021

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0120-21

AN ACT

RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE;
APPROVING THE FY2019 AND FY2020 NAVAJO NATION ROAD FUND
MANAGEMENT PLAN IN THE AMOUNT OF $17,886,992.00

BE IT ENACTED:

SECTION ONE. AUTHORITY
A. The Resources and Development Committee is the standing committee of the Navajo Nation Council and has oversight authority over roads and transportation to oversee planning and coordination of all roads and transportation activities of the Navajo Nation. 2 N.N.C. § 500 (C)(6).

B. The Resources and Development Committee has Legislative Oversight authority over the Navajo Nation Road Fund Management Plan. 12 N.N.C. § 1003 (B), see also, BFMY-16-14 attached as Exhibit F and RDCJN-36-14 incorporated by reference.

C. The Resources and Development Committee has oversight authority over the Navajo Division of Transportation which administers the Navajo Nation Road Fund Management Plan. 12 N.N.C. § 1003 (C), see also, BFMY-16-14 attached as Exhibit F and RDCJN-36-14 incorporated by reference.

D. The Navajo Nation Road Fund Management Plan at 12 N.N.C. § 1003 (A) states that “[t]he funding sources of the Navajo Nation Road Fund shall be funds generated from the Navajo Nation Fuel Excise Tax. The Resources and Development Committee may
appropriate all Navajo Nation Fuel Excise Taxes Funds for administration cost, preliminary studies, road maintenance, and road improvement activities to provide a common benefit across all Navajo lands.” See also, BFMY-16-14 attached as Exhibit F and RDCJN-36-14 incorporated by reference.

SECTION TWO: FINDINGS

A. The Navajo Division of Transportation (NDOT) has submitted the FY2019 and FY2020 Navajo Nation Road Fund Management Plan in the amount of $17,886,992.00 to the Resources and Development Committee for the Committee’s approval; the Plan is attached as Exhibit A.

B. The Navajo Division of Transportation submitted the Navajo Nation Office of Management and Budget (OMB) Project Budget Summary Sheets attached as Exhibit B.

C. On April 21, 2021, NDOT provided a summary of the proposed project listing for the FY2019 and FY2020 Road Fund Management Plan in the amount of $17,886,992.00. Attached as Exhibit C.

D. On April 21, 2021, NDOT Division Director through memorandum prepared and presented the FY2019 and FY2020 Navajo Nation Road Fund Management Plan and reported there are enough funds for the $17,886,992.00 and requested a § 164 review from the 2 N.N.C. § Administrative Reviewers. see Exhibit D.

E. On June 3, 2021, The Office of the Controller through a memorandum provided there are enough funds “to cover the $17,886,992.00 that is being requested.” Attached as Exhibit E.

F. NDOT Division Director provided the FY2019 and FY2020 Road Fund Management Plan is submitted in accordance with BFMY-16-14 which the resolution addressed the need for road maintenance and road improvement using the Navajo Nation Fuel Excise Tax revenues. See Exhibit F.

G. The Navajo Nation Department of Justice determined the FY2019 and FY2020 Navajo Nation Road Fund Management Plan to be legally sufficient, attached as Exhibit G.
H. It is in the best interest of the Navajo Nation for the Resources and Development Committee to approve the FY2019 and FY2020 Navajo Nation Road Fund Management Plan.

SECTION THREE. APPROVAL

The Resources and Development Committee of the Navajo Nation Council hereby approves the FY2019 and FY2020 Navajo Nation Road Fund Management Plan in the amount of $17,886,992.00, attached as Exhibit A.