

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0167-21_

SPONSOR: Eugenia Charles-Newton

TITLE: An Action Relating to Resources and Development, Budget and Finance and Naabik'iyáti' Committees and Navajo Nation Council; Amending CAP-35-18 "Adopting the Síhasin Fund Powerline and Chapter Projects Expenditure Plan Pursuant to CD-68-14, as amended by CJA-03-18, and 12 N.N.C. §§ 2501-2508, as amended; Waiving 12 N.N.C. §§ 810 (F), 820 (I) and (M) and 860(C) Relating to the Capital Improvement Budget and the Capital Improvement Process"; Allocating Síhasin Funds in the Amount of \$350,000.00 for Shiprock Chapter Projects

Date posted: August 17, 2021 at 4:04PM

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Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
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LEGISLATIVE SUMMARY SHEET
Tracking No. 0167-21

DATE: August 16, 2021

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; AMENDING CAP-35-18 "ADOPTING THE SÍHASIN FUND POWERLINE AND CHAPTER PROJECTS EXPENDITURE PLAN PURSUANT TO CD-68-14, AS AMENDED BY CJA-03-18, AND 12 N.N.C. §§ 2501-2508, AS AMENDED; WAIVING 12 N.N.C. §§ 810 (F), 820 (I) AND (M) AND 860 (C) RELATING TO THE CAPITAL IMPROVEMENT BUDGET AND THE CAPITAL IMPROVEMENT PROCESS"; ALLOCATING SIHASÍN FUNDS IN THE AMOUNT OF \$350,000.00 FOR SHIPROCK CHAPTER PROJECTS

PURPOSE: This resolution, if approved, will amend CAP-35-18 and allocate \$350,000 of Sihasín Funds to replace Shiprock Chapter project(s) that were line-item vetoed by President Begaye.

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

5-DAY BILL HOLD PERIOD: J. Johnson
Website Posting Time/Date:
Posting End Date: August 22, 2021
Eligible for Action: August 23, 2021

Resources & Development Committee
Thence
Budget & Finance Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION
2 24th NAVAJO NATION COUNCIL – Third Year 2021
3

4 INTRODUCED BY

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6

7 (Prime Sponsor)

8 TRACKING NO. 0167-21
9

10 AN ACTION

11 RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND
12 FINANCE AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION
13 COUNCIL; AMENDING CAP-35-18 "ADOPTING THE SÍHASIN FUND
14 POWERLINE AND CHAPTER PROJECTS EXPENDITURE PLAN PURSUANT
15 TO CD-68-14, AS AMENDED BY CJA-03-18, AND 12 N.N.C. §§ 2501-2508, AS
16 AMENDED; WAIVING 12 N.N.C. §§ 810 (F), 820 (I) AND (M) AND 860 (C)
17 RELATING TO THE CAPITAL IMPROVEMENT BUDGET AND THE
18 CAPITAL IMPROVEMENT PROCESS"; ALLOCATING SIHASÍN FUNDS IN
19 THE AMOUNT OF \$350,000.00 FOR SHIPROCK CHAPTER PROJECTS
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21 BE IT ENACTED:
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23 SECTION ONE. AUTHORITY

- 24 A. The Resources and Development Committee of the Navajo Nation Council is
25 empowered to exercise oversight authority on matters involving roads and
26 transportation, communication and utilities, information technology, chapter activities,
27 economic and community development, rights-of way, public utilities and housing for
28 the purposes enumerated in 2 N.N.C. § 500 (C)(1)-(8).
29 B. The Budget and Finance Committee of the Navajo Nation Council is empowered to
30 review and recommend to the Navajo Nation Council the budgeting, appropriation,

1 investment and management of all funds and to coordinate and review all fiscal,
2 financial and investment activities of the Navajo Nation. 2 N.N.C. §301 (B)(2) and (5).

3 C. The Naabik'iyáti' Committee of the Navajo Nation Council is empowered to review
4 all proposed legislation which requires final action by the Navajo Nation Council. 2
5 N.N.C. §164(A)(9).

6 D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §
7 102 (A).

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9 **SECTION TWO. FINDINGS**

10 A. The Navajo Nation approved Council Resolution CAP-35-18, attached as **Exhibit 1**,
11 titled, "Adopting the Síhasin Fund Powerline and Chapter Projects Expenditure Plan
12 Pursuant to CD-68-14, As Amended by CJA-03-18, and 12 N.N.C. §§ 2501-2508, as
13 Amended; Waiving 12 N.N.C. §§ 810 (F), 820 (I) And (M) And 860 (C) Relating to
14 the Capital Improvement Budget and the Capital Improvement Process."

15 B. Per memorandum dated May 7, 2018, **Exhibit 1**, the Navajo Nation President line-
16 item vetoed certain CAP-35-18 projects approved by the Navajo Nation Council,
17 including Shiprock Chapter's "Former BIA Compound" Project, listed as No. 70 in
18 **Exhibit 1-D**, for \$350,000.00.

19 C. Per CAP-45-18, Section Four (C), each Council District was awarded Síhasín Funding
20 of \$4,166,666.67; the President's line-item veto of the Former BIA Compound Project
21 resulted in the Shiprock Council District receiving less than \$4,166,666.67 and less
22 funding than all other Council Districts.

23 D. As set forth in Shiprock Chapter Resolution No. 10-13-19-006-SHIP (amending 09-
24 17-19-073-SHIP), attached as **Exhibit 2**, the Shiprock Chapter requests that the
25 Navajo Nation Council approve the following projects totaling \$350,000 to replace
26 the line-item vetoed "Former BIA Compound" project: Veteran Cemetery for
27 \$110,000; Veterans Waterline for \$15,000; Shiprock Baseball Field for \$75,000.00;
28 and a Portable Building for Elected Officials for \$150,000.

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30 **SECTION THREE. AMENDING CAP-35-18 AND ALLOCATING SIHASÍN FUNDS**

1 A. The Navajo Nation hereby deletes Former BIA Compound in the amount of \$350,000
2 from CAP-35-18, Exhibit D (No. 40), attached as **Exhibit 1**.

3 B. The Navajo Nation hereby adds the following projects to CAP-35-18, Exhibit D, and
4 allocates Sihasin Funds in the total amount of \$350,000 to the Capital Projects
5 Management Department to implement said projects on behalf of the Shiprock Chapter:

<u>Project Description</u>	<u>Funding Yr.</u>	<u>Funding Amount</u>
<u>Veterans Cemetery</u>	<u>4</u>	<u>\$110,000.00</u>
<u>Veterans Waterline</u>	<u>4</u>	<u>\$15,000.00</u>
<u>Shiprock Baseball Field</u>	<u>4</u>	<u>\$75,000.00</u>
<u>Portable building for</u> <u>Elected Officials</u>	<u>4</u>	<u>\$150,000.00</u>
<u>TOTAL FUNDING</u>		<u>\$350,000.00</u>

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19 C. As required by CAP-35-18, Section Four (C), and set forth in attached **Exhibit 3**, the
20 projects listed in (B) above have been certified by the Capital Projects Management
21 Department as construction-ready and the total Sihasin Funding for the Shiprock
22 Council District will not exceed \$4,166,666.67.

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24 **SECTION FOUR. EFFECTIVE DATE**

25 The actions enacted herein shall be effective pursuant to 2 N.N.C. § 221 (B) and, 2 N.N.C. §
26 164 (A)(17).

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28 **SECTION FIVE. SAVINGS CLAUSE**

29 Should any provision(s) of this action be determined invalid by the Navajo Nation Supreme
30 Court, or the District Courts of the Navajo Nation without appeal to the Navajo Nation

1 Supreme Court, those provision(s) that are not determined invalid shall remain the law of
2 the Nation.
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