

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0056-22\_

SPONSOR: Wilson C. Stewart, Jr.

**TITLE: An Act Relating to the Resources and Development, and Budget and Finance Committees; Approving a Change to CAP-35-18, Exhibit E, for the Crystal Chapter by Allocating \$165,666.66 in Síhasin Funds to the Chapter's Fire Suppression Project and Moving Funds to the Year 3 Funding Period**

***Date posted:*** March 28, 2022 at 5:21PM

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Office of Legislative Services  
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## LEGISLATION SUMMARY

TrackingNo. 0056-22

Date: March 9, 2022

Re: **AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT, AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE TO CAP-35-18, EXHIBIT E, FOR THE CRYSTAL CHAPTER BY REALLOCATING \$165,666.66 IN SÍHASIN FUNDS TO THE CHAPTER'S FIRE SUPPRESSION PROJECT AND MOVING FUNDS TO THE YEAR 3 FUNDING PERIOD**

Purpose: to reallocate \$165,666.66 in Síhasin Funds for the Crystal Chapter approved in CAP-35-18 by deleting the "Green Knoll/Split Mesa Waterline and Storage Project" in Funding Year 1 and Year 2, and adding the "Fire Suppression System" Project to the Year 3 Funding Period.

OLC No. 22-027-1

5-DAY BILL HOLD PERIOD: Adjutant  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 04-02-22  
Eligible for Action: 04-03-22

Resources & Development Committee  
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Budget & Finance Committee

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PROPOSED STANDING COMMITTEE RESOLUTION  
24<sup>th</sup> NAVAJO NATION COUNCIL - Fourth Year, 2022

Introduced by:

  
\_\_\_\_\_  
(Prime Sponsor)

Tracking No. 0056-22

AN ACT

RELATING TO THE RESOURCES AND DEVELOPMENT, AND BUDGET  
AND FINANCE COMMITTEES; APPROVING A CHANGE TO CAP-35-18,  
EXHIBIT E, FOR THE CRYSTAL CHAPTER BY REALLOCATING  
\$165,666.66 IN SIHASIN FUNDS TO THE CHAPTER'S FIRE SUPPRESSION  
PROJECT AND MOVING FUNDS TO THE YEAR 3 FUNDING PERIOD

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee of the Navajo Nation Council is empowered to exercise oversight authority over chapter activities. 2 N.N.C. §500(C).
- B. 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, and to coordinate and review all fiscal, financial and investment activities of the Navajo Nation. 2 N.N.C. §301(B)(2) and §301(B)(5).

SECTION TWO. FINDINGS

- A. The Navajo Nation Council approved Resolution No. CAP-35-18, entitled, "Adopting the Sihasin 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. §§

1 810 (F), 820 (I) And (M) And 860 (C) Relating to the Capital Improvement Budget and the  
2 Capital Improvement Process.” CAP-35-18 is incorporated herein by this reference.

3 B. Section 4(C) of CAP-35-18 allows an approved Chapter project to be changed, by changing  
4 the year funded, by adding to the project, or by changing the project entirely, with the  
5 concurrence of the Council Delegate representing the Council District and the approvals of  
6 the Resources and Development Committee and Budget and Finance Committee, as long as  
7 such project has been certified as construction-ready and the total Sihasin Funding for the  
8 District does not exceed \$4,166,666.67.

9 C. The amount of \$165,666.66 for the Crystal Chapter’s “Green Knoll/Split Mesa Waterline  
10 and Storage” project was approved in Exhibit E of CAP-35-18. The CAP-35-18 Exhibit E  
11 showing the Crystal Project No. E-4 is attached hereto as **EXHIBIT 1**.

12 D. The Crystal Chapter desires to delete Project No. E-4 in the Year 1 and Year 2 Funding  
13 Periods and reallocate the approved funds to the Year 3 Funding Period, and to change the  
14 approved project to the “Fire Suppression System” project. The Division of Community  
15 Development - Capital Projects Management Department (“CPMD”) has submitted, on  
16 behalf of the Chapter, a Sihasin Project Amendment Certification Form. **EXHIBIT 2**. The  
17 CPMD Amendment Certification Form shows the signature of the Navajo Nation Council  
18 Delegate for the Crystal Chapter, as required by CAP-35-18 Section 4(C).

19 E. The Crystal Chapter has passed Resolution No. CRY-01-2022-002, dated January 23, 2022,  
20 to request this project change. **EXHIBIT 3**.

21 F. As required by CAP-35-18 Section 4(C), the new project has been certified by CPMD as  
22 construction-ready and the total Sihasin funding for the Council District will not exceed  
23 \$4,166,666.67. In fact, the original Sihasin funding amount of \$165,666.66 for the Crystal  
24 Chapter, as approved in CAP-35-18, will remain unchanged.

25 G. The Sihasin Fund shall be reimbursed the \$165,666.66 reallocated herein, from funds  
26 available to the Navajo Nation from any and all state and federal sources, including  
27 Congressional appropriations under the American Rescue Plan Act of 2021 or other COVID-  
28 19-related relief, so long as the expenditures described herein are deemed eligible under such  
29 COVID-19-related or other funding sources.

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1 **SECTION THREE. APPROVAL**

2 The Navajo Nation Council hereby approves a change to Resolution No. CAP-35-18, Exhibit  
3 E, Project No. E-4, for the Crystal Chapter by deleting the “Green Knoll/Split Mesa Waterline  
4 and Storage Project” in Funding Year 1 and Year 2, and adding the “Fire Suppression System”  
5 Project to the Year 3 Funding Period, as shown in the attached **EXHIBIT 2**.

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7 **SECTION FOUR. EFFECTIVE DATE**

8 This Legislation shall become effective pursuant to 12 N.N.C. §2505.

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10 **SECTION FIVE. SAVING CLAUSE**

11 If any provision of this Legislation is determined invalid by the Supreme Court of the Navajo  
12 Nation, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme  
13 Court, the provision(s) not determined invalid shall remain as Navajo Nation law.

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