

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0062-22\_

SPONSOR: Mark A. Freeland

**TITLE: An Act Relating to the Resources and Development and Naabik'iyáti' Committees; Amending CJA-01-21 and NABIS-36-21 to Extend the Deadlines for the Expenditure of Síhasin Funds for Chapter Heavy Equipment Purchases and for the Department of Water Resources Emergency Projects**

*Date posted:* March 30, 2022 at 6:20PM

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## **SUMMARY OF PROPOSED LEGISLATION**

TrackingNo. 0062-22

Date: March 30, 2022

Re: **AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT AND NAABIK'ÍYÁTI' COMMITTEES; AMENDING CJA-01-21 AND NABIS-36-21 TO EXTEND THE DEADLINES FOR THE EXPENDITURE OF SÍHASIN FUNDS FOR CHAPTER HEAVY EQUIPMENT PURCHASES AND FOR THE DEPARTMENT OF WATER RESOURCES EMERGENCY PROJECTS**

### Purpose of this Legislation:

to extend the deadlines for the expenditure of Síhasin funds by DCD and DWR for DCD's purchases of heavy equipment for chapters, and for DWR's emergency water projects, to December 31, 2023.

OLC No. 22-121-1

5-DAY BILL HOLD PERIOD: Johnson  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 04-04-22  
Eligible for Action: 04-05-22

1 PROPOSED STANDING COMMITTEE RESOLUTION  
2 24<sup>th</sup> NAVAJO NATION COUNCIL - Fourth Year, 2022

3 Introduced by:

4 \_\_\_\_\_  
5  
6 (Prime Sponsor)



7  
8 Tracking No. 0062-22

9  
10 AN ACT

11 RELATING TO THE RESOURCES AND DEVELOPMENT AND  
12 NAABIK'ÍYÁTI' COMMITTEES; AMENDING CJA-01-21 AND NABIS-36-21  
13 TO EXTEND THE DEADLINES FOR THE EXPENDITURE OF SÍHASIN  
14 FUNDS FOR CHAPTER HEAVY EQUIPMENT PURCHASES AND FOR  
15 THE DEPARTMENT OF WATER RESOURCES EMERGENCY PROJECTS

16  
17 BE IT ENACTED:

18  
19 SECTION ONE. AUTHORITY

20 A. The Resources and Development Committee is a standing committee of the Navajo Nation  
21 Council empowered to exercise oversight over matters involving water, land, environment,  
22 economic and community development, public utilities, and the 110 Navajo Nation Chapters,  
23 among other responsibilities. 2 N.N.C. §500(B); 2 N.N.C. §500(C)(1).

24 B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council with the  
25 authority to hear proposed resolutions requiring final action by the Navajo Nation Council.  
26 2 N.N.C. §164(A)(9); 2 N.N.C. §700(A); 2 N.N.C. §701(A)(3).

27 C. In Resolution No. CJA-01-21 the Navajo Nation Council allocated money from the Síhasin  
28 Fund to the Division of Community Development for heavy equipment purchases for the 110  
29 Chapters, and to the Division of Natural Resources/Department of Water Resources for the  
30 Department's Emergency Projects. Also in CJA-01-21, the Council delegated to the

1 Resources Committee and the Naabik'iyáti' Committee the authority over the deadline for  
2 the expenditure of the allocated Síhasin funds. Resolution No. CJA-01-21 is incorporated  
3 herein by this reference.  
4

5 **SECTION TWO. FINDINGS**

6 A. As stated above, CJA-01-21 allocated money from the Síhasin Fund for the Division of  
7 Community Development to purchase of certain heavy equipment for the 110 Chapters, and  
8 for the Department of Water Management to purchase needed equipment and pay for  
9 waterline projects and other projects listed in Exhibit B of CJA-01-21 ("DWR Emergency  
10 Projects"). Although CJA-01-21 was line-item vetoed by President Nez, the veto did not  
11 affect the allocated funds for the heavy equipment purchases, and it affected only a portion  
12 of the funds for the DWR Emergency Projects.

13 B. CJA-01-21 established a deadline for the use of the approved Síhasin funds for the heavy  
14 equipment purchases and the DWR Emergency Projects. These original deadlines have been  
15 extended, most recently by the Naabik'iyáti' Committee in Resolution No. NABIS-36-21.  
16 Currently, the deadline for the heavy equipment purchases is December 30, 2021 and the  
17 deadline for the DWR Emergency Projects is March 31, 2022. NABIS-36-21 is incorporated  
18 herein by this reference.

19 C. At this time, both the Division of Community Development and the Department of Water  
20 Resources need more time to complete all purchases of heavy equipment for the 110  
21 Chapters, and to fully expend the Síhasin funds for the DWR Emergency Projects.

22 D. Because of the Chapters' need for the heavy equipment, and the dire need for the DWR  
23 Emergency Projects that will provide clean running water in many Navajo Nation  
24 communities, the Navajo Nation finds it to be in the best interest of the Navajo Nation and  
25 the Navajo People to extend the deadlines set forth in NABIS-36-21 for the expenditure of  
26 the Síhasin funds approved in CJA-01-21.  
27

28 **SECTION THREE. APPROVING THE EXTENSION OF DEADLINES**

29 A. The Navajo Nation hereby approves an extension of the deadline for the expenditure of the  
30 Síhasin funds approved in CJA-01-21 for the DWR Emergency Projects, from March 31,

1 2022 to the new deadline of December 31, 2023.

2 B. The Navajo Nation hereby approves an extension of the deadline for the expenditure of the  
3 Síhasin funds approved in CJA-01-21 for the 110 Chapters' heavy equipment purchases from  
4 December 30, 2022 to the new deadline of December 31, 2023.

5 C. Any Síhasin funds approved in CJA-01-21 that are not spent or encumbered in accordance  
6 with the approved Expenditure Plans by the new deadlines set forth in Section Three (A) and  
7 Section Three (B) herein shall revert to the Síhasin Fund, unless otherwise recommended by  
8 the Resources and Development Committee of the Navajo Nation Council and otherwise  
9 approved by the Naabik'íyáti' Committee.

10  
11 **SECTION FOUR. EFFECTIVE DATE**

12 This Act shall become effective in accordance with 12 N.N.C. §2505 and 2 N.N.C. §189.

13  
14 **SECTION FIVE. SUPERSEDING AND SAVING CLAUSES**

15 A. The new deadlines set forth in Section Three (A) and Three (B) of this Act shall supersede  
16 inconsistent provisions in any previous resolution of the Navajo Nation Council or a standing  
17 committee, to the extent that such previous resolutions establish a deadline for the  
18 expenditure of Síhasin funds approved in CJA-01-21.

19 B. If any portion of this Act is determined invalid by the Navajo Nation Supreme Court, or by  
20 a final order of a District Court of the Navajo Nation without appeal to the Navajo Nation  
21 Supreme Court, the remainder of this Act shall be the law of the Navajo Nation.