

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0103-22\_

SPONSOR: Pernell Halona

**TITLE: An Act Relating to the Resources and Development, Budget and Finance Committees; Approving a Change to CAP-35-18 for the Mexican Springs Chapter by Deleting the “Road Maintenance, Culverts, and Bridges” Project and Adding the “Road Improvement-Badger Loop” Project, in Funding Year 1, with No Change in the Original Funding Amount**

*Date posted:* June 21, 2022 at 8:35PM

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## SUMMARY OF PROPOSED LEGISLATION

Tracking No. 0103-22

Date: June 17, 2022

**Re: AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT, AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE TO CAP-35-18 FOR THE MEXICAN SPRINGS CHAPTER BY DELETING THE “ROAD MAINTENANCE, CULVERTS, AND BRIDGES” PROJECT AND ADDING THE “ROAD IMPROVEMENT - BADGER LOOP” PROJECT, IN FUNDING YEAR 1, WITH NO CHANGE IN THE ORIGINAL FUNDING AMOUNT**

Purpose of this Legislation:

to approve a project change in CAP-35-18 Exhibit D-33 for the Mexican Springs Chapter, to delete the “Road Maintenance, Culverts, and Bridges” in the Year 1 funding period and to add the “Road Improvement - Badger Loop” Project, also in Year 1.

OLC No. 22-119-1

5-DAY BILL HOLD PERIOD: Johnson  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 06/26/22  
Eligible for Action: 06/27/22

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

3 Introduced by:

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

7  
8 Tracking No. 0103-22

9  
10 AN ACT  
11 RELATING TO THE RESOURCES AND DEVELOPMENT, AND BUDGET  
12 AND FINANCE COMMITTEES; APPROVING A CHANGE TO CAP-35-18  
13 FOR THE MEXICAN SPRINGS CHAPTER BY DELETING THE “ROAD  
14 MAINTENANCE, CULVERTS, AND BRIDGES” PROJECT AND ADDING  
15 THE “ROAD IMPROVEMENT - BADGER LOOP” PROJECT, IN FUNDING  
16 YEAR 1, WITH NO CHANGE IN THE ORIGINAL FUNDING AMOUNT

17  
18 BE IT ENACTED:

19  
20 SECTION ONE. AUTHORITY

- 21 A. The Resources and Development Committee of the Navajo Nation Council is empowered to  
22 exercise oversight authority over Chapter activities. 2 N.N.C. §500(C).  
23 B. The Budget and Finance Committee of the Navajo Nation Council is empowered to review  
24 and recommend to the Navajo Nation Council the budgeting, appropriation, investment and  
25 management of all funds, and to coordinate and review all fiscal, financial and investment  
26 activities of the Navajo Nation. 2 N.N.C. §301(B)(2) and §301(B)(5).  
27

28 SECTION TWO. FINDINGS

- 29 A. The Navajo Nation Council approved Resolution No. CAP-35-18, titled: “Adopting the  
30 Sihasin Fund Powerline and Chapter Projects Expenditure Plan Pursuant to CD-68-14, as

1 Amended by CJA-03-18, and 12 N.N.C. §§ 2501-2508, as Amended; Waiving 12 N.N.C. §§  
2 810 (F), 820 (I) And (M) And 860 (C) Relating to the Capital Improvement Budget and the  
3 Capital Improvement Process.” CAP-35-18 is incorporated herein by reference.

4 B. Section 4(C) of CAP-35-18 provides: “A chapter project, powerline, or waterline project may  
5 be changed, including the year funded, or added to Exhibits A through E with the concurrence  
6 of the Delegate representing the chapter’s Council District and the approvals of the  
7 Resources and Development Committee and Budget and Finance Committee, as long as such  
8 project has been certified as construction-ready by CPMD or NTUA and the total Síhasin  
9 Funding for the District does not exceed \$4,166,666.67.”

10 C. The amount of \$121,333.34 for the Mexican Springs Chapter “Road Maintenance, Culverts,  
11 and Bridges” Project was approved in Exhibit D to CAP-35-18. The CAP-35-18 Exhibit D  
12 showing the Mexican Springs Chapter Project No. D-33 is attached hereto as **EXHIBIT 1**.

13 D. The Mexican Springs Chapter wishes to delete the “Road Maintenance, Culverts, and  
14 Bridges” Project No. D-33 in the Year 1 funding period and to add the “Road Improvement  
15 - Badger Loop” Project, also in Year 1.

16 E. The Division of Community Development - Capital Projects Management Department  
17 (“CPMD”) has submitted, on behalf of the Mexican Springs Chapter, a Síhasin Project  
18 Amendment Certification Form, attached hereto as **EXHIBIT 2**, explaining the Chapter’s  
19 requested change of project. The Síhasin Project Amendment Certification Form shows the  
20 signature of the Navajo Nation Council Delegate for the Mexican Springs Chapter, in  
21 accordance with CAP-35-18 Section 4(C).

22 F. As required by CAP-35-18 Section 4(C), the new project has been certified by CPMD as  
23 construction-ready and the total Síhasin Funding for the Council District will not exceed  
24 \$4,166,666.67. In fact, the original Síhasin funding amount of \$121,333.34 for the Mexican  
25 Springs Chapter, as approved in CAP-35-18, will remain unchanged.

### 26 27 **SECTION THREE. APPROVAL**

28 A. The Navajo Nation Council hereby approves a change to Resolution No. CAP-35-18, Exhibit  
29 D, Project No. D-33, by deleting the “Road Maintenance, Culverts, and Bridges” Project in  
30 the Year 1 funding period for the Mexican Springs Chapter, and adding the “Road

1 Improvement - Badger Loop” Project for the Mexican Springs Chapter, also in Year 1, as  
2 shown in the attached **EXHIBIT 2**.

3 B. The Síhasin Fund shall be reimbursed the \$121,333.34 reallocated herein, from funds  
4 available to the Navajo Nation from any and all state and federal sources, including  
5 Congressional appropriations under the American Rescue Plan Act of 2021 or other COVID-  
6 19-related relief, so long as the expenditures for the Mexican Springs Chapter project are  
7 deemed eligible under such COVID-19-related or other funding sources.

8  
9 **SECTION FOUR. EFFECTIVE DATE**

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

11  
12 **SECTION FIVE. SAVING CLAUSE**

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