

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0181-22_

SPONSOR: Pernell Halona

TITLE: An Act Relating to the Resources and Development, and Budget and Finance Committees; Approving a Change to CAP-35-18 for Naschitti Chapter by Moving the Chapter's "Cemetery Expansion Project: from Funding Year 1 to Funding Year 3, with No Change in the Original Funding Amount of \$50,000

Date posted: September 28, 2022 at 6:10PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

SUMMARY OF PROPOSED LEGISLATION

TrackingNo. 0181-22

Date: September 26, 2022

Re: AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT, AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE TO CAP-35-18 FOR NASCHITTI CHAPTER BY MOVING THE CHAPTER'S "CEMETERY EXPANSION PROJECT" FROM FUNDING YEAR 1 TO FUNDING YEAR 3, WITH NO CHANGE IN THE ORIGINAL FUNDING AMOUNT OF \$50,000

Purpose of this Legislation:

to approve a change to CAP-35-18 by moving the Naschitti Chapter's Cemetery Expansion Project from Funding Year 1 to Funding Year 2.

OLC No. 22-316-1

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: _____
Posting End Date: 10-03-22
Eligible for Action: 10-04-22

Resources & Development Committee
Thence
Budget & Finance Committee

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION
2 24th NAVAJO NATION COUNCIL - Fourth Year, 2022

3 Introduced by:

4 
5 _____
6 (Prime Sponsor)

7
8 Tracking No. 0181-22

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 NASCHITTI CHAPTER BY MOVING THE CHAPTER'S "CEMETERY
14 EXPANSION PROJECT" FROM FUNDING YEAR 1 TO FUNDING YEAR 3,
15 WITH NO CHANGE IN THE ORIGINAL FUNDING AMOUNT OF \$50,000

16
17 BE IT ENACTED:

18
19 SECTION ONE. AUTHORITY

- 20 A. The Resources and Development Committee of the Navajo Nation Council is empowered to
21 exercise oversight authority over Chapter activities. 2 N.N.C. §500(C).
- 22 B. The Budget and Finance Committee of the Navajo Nation Council is empowered to review
23 and recommend to the Navajo Nation Council the budgeting, appropriation, investment and
24 management of all funds, and to coordinate and review all fiscal, financial and investment
25 activities of the Navajo Nation. 2 N.N.C. §301(B)(2) and §301(B)(5).
- 26 C. The Navajo Nation Council approved Resolution No. CAP-35-18, titled: "Adopting the
27 Síhasin Fund Powerline and Chapter Projects Expenditure Plan Pursuant to CD-68-14, as
28 Amended by CJA-03-18, and 12 N.N.C. §§ 2501-2508, as Amended; Waiving 12 N.N.C. §§
29 810 (F), 820 (I) And (M) And 860 (C) Relating to the Capital Improvement Budget and the
30 Capital Improvement Process." CAP-35-18 is incorporated herein by reference.

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

7
8 **SECTION TWO. FINDINGS**

9 A. The amount of \$50,000 for the Naschitti Chapter "Cemetery Expansion Project" was
10 approved in Exhibit D to CAP-35-18. The CAP-35-18 Exhibit D showing the Naschitti
11 Chapter Project No. D-31 is attached hereto as **EXHIBIT 1**.

12 B. The Naschitti Chapter wishes to move its Cemetery Expansion Project No. D-33 from
13 Funding Year 1 to Funding Year 3. On behalf of the Chapter, the Division of Community
14 Development - Capital Projects Management Department ("CPMD") has submitted a Síhasin
15 Project Amendment Certification Form that explains the Chapter's requested change.
16 **EXHIBIT 2**. The Síhasin Project Amendment Certification Form shows the signature of the
17 Navajo Nation Council Delegate for the Naschitti Chapter, in accordance with CAP-35-18
18 Section 4(C).

19 C. As required by CAP-35-18 Section 4(C), the project has been certified by CPMD as
20 construction-ready and the total Síhasin funding for the Council District will not exceed
21 \$4,166,666.67. In fact, the original Síhasin funding amount of \$50,000 for the Naschitti
22 Chapter, as approved in CAP-35-18, will remain unchanged.

23
24 **SECTION THREE. APPROVAL**

25 A. The Navajo Nation hereby approves a change to Resolution No. CAP-35-18, Exhibit D,
26 Project No. D-31, by moving the Naschitti Chapter's Cemetery Expansion Project from
27 Funding Year 1 to Funding Year 3, with no change in the original funding amount of \$50,000
28 as shown in the attached **EXHIBIT 2**.

29 B. The Síhasin Fund may be reimbursed the \$50,000 reallocated herein, from funds available
30 to the Navajo Nation from any and all state, federal, or other sources.

1 **SECTION FOUR. EFFECTIVE DATE**

2 This Act shall become effective pursuant to 12 N.N.C. §2505(A) and CAP-35-18, Section 4(C).

3

4 **SECTION FIVE. SAVING CLAUSE**

5 If any provision of this Act is determined invalid by the Supreme Court of the Navajo Nation,
6 or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the
7 provision(s) not determined invalid shall remain the law of the Navajo Nation.

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30