

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0206-22\_

SPONSOR: Raymond Smith, Jr.

**TITLE: An Action Relating to the Resources and Development, and Budget and Finance Committee; Approving a Change to CAP-35-18 for Houck Chapter by Approving the Chapter's Use of Leftover Funds for More Bathroom Additions and New House Wiring Projects, and Moving the Leftover Funding to Funding Year 3**

***Date posted:*** October 26, 2022 at 4:19PM

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto: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. 0206-22

Date: October 19, 2022

**Re: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT, AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE TO CAP-35-18 FOR HOUCK CHAPTER BY APPROVING THE CHAPTER'S USE OF LEFTOVER FUNDS FOR MORE BATHROOM ADDITIONS AND NEW HOUSE WIRING PROJECTS, AND MOVING THE LEFTOVER FUNDING TO FUNDING YEAR 3**

### **Purpose of this Legislation:**

to approve an amendment to CAP-35-18 to change projects for the Houck Chapter, by moving \$279,912.30 in leftover project funds from Funding Years 1 and 2 to Funding Year 3, for the Chapter's use on additional bathroom additions and house wiring projects.

OLC No. 22-318-1

5-DAY BILL HOLD PERIOD: Johnson  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 10-31-22  
Eligible for Action: 11-01-22

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. 0206-22

9  
10 AN ACTION

11 RELATING TO THE RESOURCES AND DEVELOPMENT, AND BUDGET  
12 AND FINANCE COMMITTEES; APPROVING A CHANGE TO CAP-35-18 FOR  
13 HOUCK CHAPTER BY APPROVING THE CHAPTER'S USE OF LEFTOVER  
14 FUNDS FOR MORE BATHROOM ADDITIONS AND NEW HOUSE WIRING  
15 PROJECTS, AND MOVING THE LEFTOVER FUNDING TO FUNDING YEAR 3

16  
17 BE IT APPROVED:

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 \$315,000 for the Houck Chapter's "Bathroom Additions" Project was  
10 approved in Exhibit D to CAP-35-18. The CAP-35-18 Exhibit D showing the Houck Chapter  
11 Project No. D-148 is attached hereto as **EXHIBIT 1**.

12 B. The amount of \$353,278 for the Houck Chapter's "Powerline" Project was approved in  
13 Exhibit B to CAP-35-18. The CAP-35-18 Exhibit B showing the Houck Chapter Project No.  
14 B-26 is attached hereto as **EXHIBIT 2**.

15 C. The Houck Chapter has leftover funds from both Projects, and wishes to use these funds  
16 (\$258,367.42) for more bathroom additions, and also for several new house wiring projects  
17 (\$21,544.88). The Chapter wishes to move all of its leftover funds from Funding Years 1 and  
18 2, to Funding Year 3, for a total amount of \$279,912.30 that would be moved to Funding  
19 Year 3. The Houck Chapter resolutions explaining these change requests are attached as  
20 **EXHIBIT 3**.

21 D. On behalf of the Chapter, the Division of Community Development - Capital Projects  
22 Management Department ("CPMD") has submitted a Síhasin Project Amendment  
23 Certification Form describing the Chapter's requested changes. **EXHIBIT 4**. The Síhasin  
24 Project Amendment Certification Form shows the signature of the Navajo Nation Council  
25 Delegate for the Houck Chapter, in accordance with CAP-35-18 Section 4(C).

26 E. As required by CAP-35-18 Section 4(C), the project has been certified by CPMD as  
27 construction-ready and the total Síhasin funding for the Council District will not exceed  
28 \$4,166,666.67. In fact, the original Síhasin funding amount of \$315,000 for the Chapter's  
29 Bathroom Additions Project, and the original amount of \$353,278 for the Chapter's  
30 Powerline Project, both of which were approved in CAP-35-18, will remain unchanged.

1 **SECTION THREE. APPROVAL OF CHANGE TO CAP-35-18**

2 A. The Navajo Nation hereby approves a change to Resolution No. CAP-35-18, Exhibit D,  
3 Project No. D-148, by approving the Houck Chapter's use of \$258,367.42 in leftover funds  
4 from Funding Years 1 and 2 for more bathroom additions, as shown in **EXHIBIT 4**.

5 B. The Navajo Nation hereby approves a change to Resolution No. CAP-35-18, Exhibit B,  
6 Project No. B-26, by approving the Houck Chapter's use of \$21,544.88 in leftover funds  
7 from Funding Years 1 and 2 for several new house wiring projects, as shown in **EXHIBIT 4**.

8 C. The Navajo Nation also approves moving the Houck Chapter's leftover funds from Projects  
9 Nos. D-143 and B-26, from Funding Years 1 and 2 to Funding Year 3, with no change in the  
10 original funding amounts approved in CAP-35-18, as shown in the attached **EXHIBIT 4**.

11 D. The Sihasin Fund may be reimbursed the funds reallocated herein, from funds available to  
12 the Navajo Nation from any and all state, federal, or other sources.

13  
14 **SECTION FOUR. EFFECTIVE DATE**

15 This Act shall become effective pursuant to 12 N.N.C. §2505(A) and CAP-35-18, Section 4(C).  
16

17 **SECTION FIVE. SAVING CLAUSE**

18 If any provision of this Act is determined invalid by the Supreme Court of the Navajo Nation,  
19 or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the  
20 provision(s) not determined invalid shall remain the law of the Navajo Nation.  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30