

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0221-22_

SPONSOR: Vince R. James

TITLE An Action Relating to the Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and to the Navajo Nation Council; Allocating \$150,000.00 from the Síhasin Fund for the Cornfields Chapter Veterans Organizations Courtyard; Approving the Related Expenditure Plan Pursuant to 12 N.N.C. § 2501 - § 2508

Date posted: November 09, 2022 at 6:05 PM

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.*

LEGISLATIVE SUMMARY SHEET

Tracking No. 0221-22

DATE: November 2, 2022

TITLE OF RESOLUTION: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; ALLOCATING \$150,000.00 FROM THE SÍHASIN FUND FOR THE CORNFEILDS CHAPTER VETERANS ORGANIZATIONS COURTYARD; APPROVING THE RELATED EXPENDITURE PLAN PURSUANT TO 12 N.N.C. §2501 – §2508

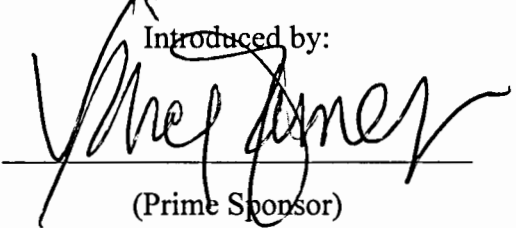
PURPOSE: This resolution, if approved, will establish provided \$150,000.00 in Sihasin funds to the Cornfields Chapter for planning and developing of a Veterans courtyard.

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: John
Website Posting Time/Date: _____
Posting End Date: 11-14-22
Eligible for Action: 11-15-22

Resources & Development Committee
Thence
Budget & Finance Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

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. 0221-22

9
10 AN ACTION
11 RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET
12 AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO
13 THE NAVAJO NATION COUNCIL; ALLOCATING \$150,000.00 FROM
14 THE SÍHASIN FUND FOR THE CORNFIELDS CHAPTER VETERANS
15 ORGANIZATIONS COURTYARD; APPROVING THE RELATED EXPENDITURE
16 PLAN PURSUANT TO 12 N.N.C. §2501 – §2508
17

18 BE IT ENACTED:
19

20 SECTION ONE. AUTHORITY

- 21 A. The Resources and Development Committee is a standing committee of the Navajo Nation
22 Council empowered with oversight authority over all 110 Navajo Nation Chapters. 2 N.N.C.
23 §500(C); 26 N.N.C. §102.
- 24 B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council
25 with the responsibility to “review and recommend to the Navajo Nation Council the
26 budgeting, appropriation, investment and management of all funds.” 2 N.N.C. §301(B)(2).
- 27 C. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council that
28 considers all proposed final actions by the Navajo Nation Council. 2 N.N.C. §164(A)(9).
- 29 D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).
30 As such, the Council may approve appropriations from the Navajo Nation's Síhasin Fund.

1 E. 12 N.N.C. §2502, as amended by CJA-03-18, states the purpose of the Navajo Nation Síhasin
2 Fund (“Síhasin Fund”) as follows:

3 §2502 Purpose

4 A. The purposes of this Fund are to provide financial support and/or financing for:

- 5 1. The planning and development of economic development and
6 regional infrastructure supporting economic development and
7 community development, including such infrastructure as, but not
8 limited to, housing, commercial and government buildings, waterline,
9 solid waste management development, powerline projects, and
10 transportation and communication systems, within the Navajo Nation;

11 . . .

12 B. For the Purpose in §2502(A)(1), Fund expenditures for infrastructure shall not
13 be limited by 12 N.N.C. §1310(F) or TCDCJY-77-99.

14 C. Leveraging the Fund by way of guaranteeing loans, match funding, direct
15 funding in part, and other weighted uses of the Fund, including loan financing
16 from the Fund, for the purposes in §2502(A)(1), shall be favored over direct
17 funding in whole.

18 F. The Síhasin Fund provides that “Fund Principal” shall consist of all deposits made to the
19 Síhasin Fund, that “Fund Income” shall consist of all earnings (interest, dividends, etc.)
20 generated and realized by the Fund Principal, and that Síhasin Fund Income shall be
21 deposited in, and added to, the Fund Principal until such time as a Fund Expenditure Plan is
22 duly approved. 12 N.N.C. §2504 and §2505(C).

23 G. The Síhasin Fund provides that “Fund Principal and Income shall not be expended except
24 pursuant to a Fund Expenditure Plan consistent with the purposes set forth in §2502 of this
25 Chapter and adopted by a two-thirds (2/3) vote of all members of the Navajo Nation
26 Council.” 12 N.N.C. §2505(A).

27
28 **SECTION TWO. FINDINGS**

29 A. The Cornfields Chapter (“CFC”) Resolution No. CF-APRIL2022-035 establishes a Fund
30 Expenditure Plan designating the request for \$150,000.00 from the Síhasin Fund for the

1 planning and development of a Veterans Organization Courtyard for the purpose of
2 providing a space for veterans' gatherings and educational activities as described in **Exhibit**
3 **A.**

4 B. The Chapter requests the support of Navajo Nation Delegates and the President to approve
5 the funding request of \$150,000.00. **Exhibit A.**

6 C. Allocation of the Síhasin Funds as requested by the Chapter meets the criteria for Síhasin
7 Fund expenditures because the proposed expenditure involves community development, as
8 described in 12 N.N.C. §2502(A)(1).

9
10 **SECTION THREE. ALLOCATING \$150,000.00 IN SÍHASIN FUNDS FOR THE**
11 **CORNFIELDS CHAPTER VETERANS ORGANIZATION COURTYARD;**
12 **APPROVING THE RELATED EXPENDITURE PLAN PURSUANT TO 12 N.N.C**
13 **§2501 – §2508**

14
15 A. In accordance with 12 N.N.C. §2505(A), the Navajo Nation hereby approves \$150,000.00
16 from the Síhasin Fund for the planning and development of a Veterans Organization
17 Courtyard for the Cornfields Chapter as explained in **Exhibit A.**

18 B. The total amount of the Síhasin funds approved herein may be further leveraged by bond or
19 loan financing pursuant to the Navajo Nation Bond Financing Act (12 N.N.C. §1300 *et seq.*,
20 as amended), using Síhasin Fund earnings for repayment and financing costs, upon approval
21 of the Budget and Finance Committee and upon further approval by a two-thirds (2/3) vote
22 of the full membership of the Navajo Nation Council.

23 C. The Controller shall determine whether the source of the Síhasin funds approved herein will
24 be Síhasin Fund Principal or Síhasin Fund Income, or a combination of both.

25 D. Within sixty (60) calendar days after the effective date of this Act, the approved Síhasin
26 funds shall be made available to the Navajo Nation Division of Community Development
27 (“DCD”) pursuant to a drawdown schedule agreed to by the Controller.

28 E. At the request of the Cornfields Chapter, DCD shall enter into a Memorandum of
29 Agreement, or other legal agreement, with the Chapter to transfer the \$150,000.00 and
30 responsibility for this Project to the Chapter.

- 1 F. The approved Síhasin funds shall not lapse on an annual basis. However, any Síhasin funds
2 not spent or encumbered within thirty-six (36) months of the effective date of this Act shall
3 revert to the Síhasin Fund Principal, unless otherwise approved by both the Resources and
4 Development Committee and the Naabik'íyáti' Committee of the Navajo Nation Council.
- 5 G. The Síhasin funds approved herein shall only be used for the planning and design of the
6 Veterans Organization Courtyard as described in **Exhibit A**. Any and all savings or unused
7 amounts of the Síhasin funds approved herein shall be immediately returned to the Síhasin
8 Fund Principal once planning and design activities are completed, or upon the reversion
9 deadline in Section Four (F) above.
- 10 H. The Síhasin Fund may be reimbursed all or part of the amount approved herein from eligible
11 funds available to the Navajo Nation from any and all state and federal sources.

12
13 **SECTION FOUR. EFFECTIVE DATE**

14 This Action and the Expenditure Plan approved herein shall become effective pursuant to 12
15 N.N.C. §2505.

16
17 **SECTION FIVE. SAVING CLAUSE**

18 If any portion of this Action is invalidated by the Supreme Court of the Navajo Nation, or by
19 any Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the
20 remainder of this Act shall be the law of the Navajo Nation.

21
22
23
24
25
26
27
28
29
30