

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0003-24_

SPONSOR: Dr. Andy Nez

TITLE: An Action Relating to the Resources and Development Committee, the Budget and Finance Committee, the Naabik'iyáti' Committee, and the Navajo Nation Council; Amending CJY-35-22 to Extend the Síhasin Funds Reversion Deadline for the Navajo, New Mexico Apartment/Multi-Purpose Complex Expenditure Plan

Date posted: January 04, 2024 at 4:40PM

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SUMMARY OF PROPOSED LEGISLATION

Tracking No. 0003-24

DATE: December 13, 2023

RE: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE, THE BUDGET AND FINANCE COMMITTEE, THE NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; AMENDING CJY-35-22 TO EXTEND THE SÍHASIN FUNDS REVERSION DEADLINE FOR THE NAVAJO, NEW MEXICO APARTMENT/MULTI-PURPOSE COMPLEX EXPENDITURE PLAN

Purpose of this Legislation:

to amend CJY-35-22 to extend the reversion deadline for the approved \$4,100,000 in Sihasin funds for the noted project, to February 14, 2026.

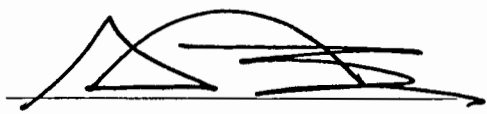
OLC No. 23-530-1

5-DAY BILL HOLD PERIOD
Website Posting Time/Date
Posting End Date: 01-09-24
Eligible for Action: 01-10-24

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

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
25th NAVAJO NATION COUNCIL - Second Year, 2024

Introduced by:



(Prime Sponsor)

Tracking No. 0003-24

AN ACTION
RELATING TO THE RESOURCES AND DEVELOPMENT
COMMITTEE, THE BUDGET AND FINANCE COMMITTEE,
THE NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION
COUNCIL; AMENDING CJY-35-22 TO EXTEND THE SÍHASIN FUNDS
REVERSION DEADLINE FOR THE NAVAJO, NEW MEXICO
APARTMENT/MULTI-PURPOSE COMPLEX EXPENDITURE PLAN

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is a standing committee of the Navajo Nation Council with oversight authority over community development and housing matters on the Navajo Nation. 2 N.N.C. §500(C).
- B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council with the responsibility to “review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds” which includes the Navajo Nation’s Síhasin Fund. 2 N.N.C. §301(B)(2).
- C. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council that considers all proposed final actions by the Navajo Nation Council. 2 N.N.C. §164(A)(9).
- D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).

1 As such, the Council may enact or amend resolutions approving funds from the Navajo
2 Nation's Síhasin Fund. Specifically, 12 N.N.C. §2505(A) permits expenditures from the
3 Síhasin Fund upon a 2/3 approval vote of all members of the Navajo Nation Council.

4
5 **SECTION TWO. FINDINGS**

6 A. In Resolution No. CJY-35-22 (signed into law on August 14, 2022), the Navajo Nation
7 Council approved \$4,100,000 in Síhasin funds for the proposed Apartment/Multipurpose
8 Complex to be constructed in Navajo, New Mexico, as well as the related Expenditure Plan
9 for the project. CJY-35-22 is incorporated herein by this reference. See **EXHIBIT 1**.

10 B. SECTION THREE (J) of CJY-35-22 provides that the approved \$4,100,000 for the project
11 will revert to the Síhasin Fund Principal within twenty-four (24) months of the effective date
12 of CJY-35-22. This means that the reversion date for the \$4,100,000 is August 14, 2024.

13 C. Due to delays in executing the funding agreement for the project, it has become necessary to
14 extend the Síhasin funds reversion deadline to December 31, 2026, so that the approved funds
15 will remain available for the implementation and completion of the project.

16 F. The Navajo Nation has determined that approving the requested extension of the Síhasin
17 funds reversion deadline in CJY-35-22 is in the best interest of the Navajo Nation.

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19 **SECTION THREE. EXTENDING THE SÍHASIN FUNDS REVERSION DEADLINE**
20 **FOR THE NAVAJO, NEW MEXICO APARTMENT/MULTI-**
21 **PURPOSE COMPLEX EXPENDITURE PLAN**

22 A. The Navajo Nation hereby approves an amendment to SECTION THREE (J) of Resolution
23 No. CJY-35-22, as follows:

24 * * * *

25 J. The \$4,100,000 shall not lapse on an annual basis, which would otherwise
26 occur pursuant to 12 N.N.C. §820(N). However, any Síhasin funds not spent
27 or encumbered ~~within twenty-four (24) months of the effective date of this~~
28 Aet by December 31, 2026 shall then revert to the Síhasin Fund Principal,
29 unless otherwise approved by the Navajo Nation Council.

30 * * * *

1 B. All other provisions of the Expenditure Plan for the proposed Apartment/Multipurpose
2 Complex to be constructed in Navajo, New Mexico, as originally approved in CJY-35-22,
3 shall remain as set forth in CJY-35-22.
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5 **SECTION FOUR. EFFECTIVE DATE**

6 This Action shall become effective pursuant to 12 N.N.C. §2505(A) and 2 N.N.C. §221(B).
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8 **SECTION FIVE. SAVING CLAUSE**

9 If any portion of this Action is invalidated by the Supreme Court of the Navajo Nation, or by
10 any Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the
11 remainder of this Action shall be the law of the Navajo Nation.
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