

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0004-24_

SPONSOR: Dr. Andy Nez

TITLE: An Action Relating to Health, Education, and Human Services Committee, the Budget and Finance Committee, the Naabik'iyáti' Committee, and the Navajo Nation Council; Approving \$51,655 from the Unreserved, Undesignated Fund Balance ("UUFB") for the Navajo Nation Washington Office Internship Program

Date posted: January 10, 2024 at 4:36PM

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SUMMARY OF PROPOSED LEGISLATION

Tracking No. 0004-24

DATE: January 9, 2024

RE: AN ACTION RELATING TO THE HEALTH, EDUCATION, AND HUMAN SERVICES COMMITTEE, THE BUDGET AND FINANCE COMMITTEE, THE NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; APPROVING \$51,655 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE ("UUFB") FOR THE NAVAJO NATION WASHINGTON OFFICE INTERNSHIP PROGRAM

Purpose of this Legislation:

to approve \$51,655 from the UUFB for the Navajo Nation Washington Office for its Internship Program.

OLC No. 23-576-1

5-DAY BILL HOLD PERIOD Al Millett III
Website Posting Time/Date _____
Posting End Date: 01/15/24
Eligible for Action: 01/16/24

Health Education & Human Services Committee
Thence
Budget & Finance Committee
Thence
Committee
Thence
Navajo Nation Council

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION Naabik'iyáti' Committee

2 25th NAVAJO NATION COUNCIL - Second Year, 2024 Thence

3 Introduced by: Navajo Nation Council

4
5 _____
6 (Prime Sponsor)

7
8 Tracking No. 0004-24 

9
10 AN ACTION

11 RELATING TO THE HEALTH, EDUCATION, AND HUMAN SERVICES
12 COMMITTEE, THE BUDGET AND FINANCE COMMITTEE, THE
13 NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL;
14 APPROVING \$51,655 FROM THE UNRESERVED, UNDESIGNATED
15 FUND BALANCE ("UUFb") FOR THE NAVAJO NATION
16 WASHINGTON OFFICE INTERNSHIP PROGRAM

17
18 BE IT ENACTED:

19
20 SECTION ONE. AUTHORITY

- 21 A. The Health, Education, and Human Services Committee is a standing committee of the Navajo
22 Nation Council with authority over general government services matters. 2 N.N.C. §400(C)(1).
23 B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council
24 authorized to review and recommend to the Council the management of all funds, including
25 those funds in the Unreserved, Undesignated Fund Balance of the Navajo Nation's General
26 Fund ("UUFb"). 2 N.N.C. §164(A)(9); 2 N.N.C. §300(A); 2 N.N.C. §301(B)(2); 12 N.N.C.
27 §820(L).
28 C. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council and is the
29 oversight authority for the Navajo Nation Washington Office. 2 N.N.C. §1154.
30 D. In addition, the Naabik'iyáti' Committee reviews all proposed legislation requiring final action

1 by the Navajo Nation Council. 2 N.N.C. §164(A)(9); 2 N.N.C. §700(A).

2 E. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).
3 As such, the Council “. . . may adopt and approve supplemental appropriations to the Annual
4 Comprehensive Budget during the fiscal year. Supplemental appropriations of General Funds
5 within the current fiscal year are permitted, if and when additional sources of revenues above
6 and beyond the initial or current revenue projections are projected and which are also in excess
7 of the reserve amount set forth at §820(J).” 12 N.N.C. §820(L).

8 F. Further Title 12 restrictions on supplemental appropriations, including all amounts from the
9 Unreserved, Undesignated Fund Balance (“UUF B”), include:

- 10 1. Payment of recurring government operating expenses shall be from recurring revenues, and
11 payment of nonrecurring expenses shall be from nonrecurring revenues such as UUF B
12 funds. 12 N.N.C. §820(E); 12 N.N.C. §820(F).
- 13 2. Specifically, the UUF B shall not be used for recurring government expenditures or
14 operations. 12 N.N.C. §820(J); 12 N.N.C. §820(L).
- 15 3. Nonrecurring revenues such as UUF B funds may be used only after the Controller
16 determines if such revenues are subsidizing an imbalance between the Navajo Nation’s
17 recurring revenues and expenditures, and government expenditures shall only be authorized
18 if a long-term (3-year to 5-year year) forecast shows that the operating deficit will not
19 continue; otherwise, nonrecurring revenues will be added to the UUF B. 12 N.N.C. §820(F).
- 20 4. The above provisions in Title 12 may be amended or waived by a two-thirds vote of the full
21 membership of the Navajo Nation Council. 12 N.N.C. §820(F); 12 N.N.C. §880.
- 22 5. Pursuant to 12 N.N.C. §820(F) all UUF B funding requests must be reviewed by the
23 Controller, to ensure compliance with 12 N.N.C. §820(L).
- 24 6. Pursuant to 12 N.N.C. §820(M) all UUF B funding requests must be submitted to the Office
25 of Management and Budget (“OMB”) for a budget impact analysis.

26
27 **SECTION TWO. FINDINGS**

28 A. The Office of the President/Vice-President and the Navajo Nation Washington Office
29 (“NNWO”) are requesting \$51,655 in UUF B funds for the NNWO’s Internship Program.

30 **EXHIBIT A.** Further information on the NNWO Internship Program is included in the

1 Program's Handbook, attached as **EXHIBIT B**.

2 B. The required Appendix J "Supplemental Funding Proposal Summary" for the requested UUFB
3 funds, as well as the required Budget Forms 1, 2, and 4, are attached as **EXHIBIT C**.

4 C. The Office of the Controller has provided a memorandum regarding the proposed
5 expenditures, as required by 12 N.N.C. §820(L). This memorandum indicates that the proposed
6 expenditures are *non-recurring*. **EXHIBIT D**.

7 D. The Office of Management and Budget has provided a memorandum regarding the proposed
8 expenditures, pursuant to 12 N.N.C. §820(M). **EXHIBIT E**.

9
10 **SECTION THREE. APPROVING \$51,655 FROM THE UNRESERVED,**
11 **UNDESIGNATED FUND BALANCE ("UUFB") FOR THE**
12 **NAVAJO NATION WASHINGTON OFFICE INTERNSHIP**
13 **PROGRAM**

14 A. The Navajo Nation hereby approves \$51,655 from the UUFB for the Navajo Nation
15 Washington Office for its Internship Program, as shown in the attached **EXHIBITS A - C**.

16 B. This supplemental appropriation shall be from those funds that exceed the minimum fund
17 reserve balance in the UUFB required by 12 N.N.C. §820(J), as determined by the Controller.

18 C. Upon the effective date of this Action, the approved UUFB funds shall be promptly transferred
19 into those budget line items as indicated in the attached **EXHIBIT C**.

20 D. Pursuant to 12 N.N.C. §820(N)(1)(b) and 12 N.N.C. §820(N)(4), the UUFB funds received by
21 the Navajo Nation Washington Office, as approved herein, shall lapse at the end of FY2024,
22 unless otherwise provided by a 7/8 vote of all Council delegates.

23
24 **SECTION FOUR. EFFECTIVE DATE**

25 This Action shall become effective as provided in 2 N.N.C. §221(B) and 2 N.N.C. §164(A)(17).

26
27 **SECTION FIVE. SAVING CLAUSE**

28 If any portion of this Action is determined invalid by the Navajo Nation Supreme Court, or by a
29 District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, the
30 remainder of this Action shall be the law of the Navajo Nation.