

THE NAVAJO NATION
LEGISLATIVE BRANCH
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LEGISLATION NO: _0062-24_

SPONSOR: Brenda Jesus

TITLE: An Action Relating to the Resources and Development Committee and the Naabik'iyáti 'Committee: Amending CJA-01-21 and NABIJN-18-22 to Extend the Deadline for the Expenditure of Síhasin Funds for Chapter Heavy Equipment Purchases

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SUMMARY OF PROPOSED LEGISLATION

Tracking No. 0062-24

DATE: March 13, 2024

RE: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING CJA-01-21 AND NABIJN-18-22 TO EXTEND THE DEADLINE FOR THE EXPENDITURE OF SÍHASIN FUNDS FOR CHAPTER HEAVY EQUIPMENT PURCHASES

PURPOSE OF THIS LEGISLATION:

to approve an extension of the deadline for expenditure of Síhasin funds for Chapter heavy equipment purchases, from December 31, 2023 to December 31, 2025.

FINAL AUTHORITY and VOTE REQUIREMENT:

The Naabik'iyáti' Committee has final authority over this resolution (with recommendation by the Resources & Development Committee). This resolution must be approved by a simple majority vote.

5-DAY BILL HOLD PERIOD Al Miketti
Website Posting Time/Date _____
Posting End Date: 03/20/24
Eligible for Action: 03/21/24

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 25th NAVAJO NATION COUNCIL - Second Year, 2024

3 Introduced by:

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6 (Prime Sponsor)

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8 Tracking No. 0062-24

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10 AN ACTION
11 RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE
12 AND THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING CJA-01-21 AND
13 NABIJN-18-22 TO EXTEND THE DEADLINE FOR THE EXPENDITURE OF
14 SÍHASIN FUNDS FOR CHAPTER HEAVY EQUIPMENT PURCHASES
15

16 BE IT ENACTED:

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18 SECTION ONE. AUTHORITY

- 19 A. The Resources and Development Committee is a standing committee of the Navajo Nation
20 Council with oversight authority over community development matters, the Navajo Nation
21 Division of Community Development, and the 110 Navajo Nation Chapters, among other
22 responsibilities. 2 N.N.C. §500(B); 2 N.N.C. §500(C)(1).
- 23 B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council with the
24 authority to hear proposed resolutions requiring final action by the Navajo Nation Council.
25 2 N.N.C. §164(A)(9); 2 N.N.C. §700(A); 2 N.N.C. §701(A)(3).
- 26 C. In Resolution No. CJA-01-21 the Navajo Nation Council allocated money from the Síhasin
27 Fund to the Division of Community Development (“DCD”) for heavy equipment purchases
28 for the 110 Chapters.
- 29 D. Also in CJA-01-21, the Council delegated to the Resources and Development Committee
30 and the Naabik'iyáti' Committee the authority over the deadline for the expenditure of the

1 allocated Síhasin funds. The relevant pages of Resolution No. CJA-01-21 are attached hereto
2 as **EXHIBIT 1**.

3
4 **SECTION TWO. FINDINGS**

5 A. As stated above, CJA-01-21 allocated money from the Síhasin Fund for the DCD to purchase
6 certain heavy equipment for the 110 Chapters. Although CJA-01-21 was line-item vetoed by
7 former President Jonathan Nez, the veto did not affect the allocated funds for the Chapter
8 heavy equipment purchases.

9 B. CJA-01-21 established a deadline for the use of the approved Síhasin funds for the heavy
10 equipment purchases. The original deadline has been extended several times, most recently
11 by the Naabik'íyáti' Committee in Resolution No. NABIJN-18-22. The extant deadline for
12 the heavy equipment purchases was December 31, 2023. A copy of NABIJN-18-22 is
13 attached hereto as **EXHIBIT 2**.

14 C. At this time, the DCD states that it needs more time to complete all purchases of heavy
15 equipment for the 110 Chapters, and to fully expend the Síhasin funds that were allocated in
16 CJA-01-21. **EXHIBIT 3**. According to DCD, the remaining equipment consists of 84 items,
17 and the remaining amount of Síhasin funds to be expended is \$3,777,954.96. **EXHIBIT 4**.

18 D. The DCD has provided the original list of heavy equipment approved for purchase for the
19 Chapters. **EXHIBIT 5**. The DCD has also provided a list of the heavy equipment for which
20 purchases have been completed. **EXHIBIT 6**.

21 E. Because of the Chapters' need for the heavy equipment, the Navajo Nation finds it to be in
22 the best interest of the Navajo Nation and the Navajo People to extend the deadline
23 established in NABIJN-18-22 for the DCD's expenditure of the Síhasin funds approved in
24 Resolution No. CJA-01-21.

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26 **SECTION THREE. APPROVING THE EXTENSION OF THE SÍHASIN FUNDS**
27 **EXPENDITURE DEADLINE FOR CHAPTER HEAVY**
28 **EQUIPMENT PURCHASES**

29 A. The Navajo Nation hereby approves an extension of the deadline for the expenditure of the
30 Síhasin funds approved in CJA-01-21 for the 110 Chapters' heavy equipment purchases from

1 December 31, 2023, as established in NABIJN-18-22, to **December 31, 2025.**

2 B. Any Síhasin funds approved in CJA-01-21 that are not spent or encumbered in accordance
3 with the approved Chapter Heavy Equipment Expenditure Plan by the new December 31,
4 2025 deadline shall revert to the Síhasin Fund, unless otherwise recommended by the
5 Resources and Development Committee and approved by the Naabik'iyáti' Committee.

6 C. If the \$3,777,954.96 has already reverted to the Síhasin Fund, the Office of Management and
7 Budget is hereby directed to promptly transfer the \$3,777,954.96 to the appropriate DCD
8 business unit for the Chapter Heavy Equipment Expenditure Plan approved in CJA-01-21.

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10 **SECTION FOUR. EFFECTIVE DATE**

11 This Action shall become effective in accordance with 12 N.N.C. §2505 and 2 N.N.C. §189.
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13 **SECTION FIVE. SUPERSEDING AND SAVING CLAUSES**

14 A. With respect to the deadline for the expenditure of Síhasin funds for the Chapter heavy
15 equipment purchases approved in CJA-01-21, the new deadline set forth in Section Three
16 (A) of this Action shall supersede inconsistent provisions in any previous resolutions.

17 B. If any portion of this Action is determined invalid by the Navajo Nation Supreme Court, or
18 by a final order of a District Court of the Navajo Nation without appeal to the Navajo Nation
19 Supreme Court, the remainder of this Action shall be the law of the Navajo Nation.
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