

SUMMARY OF PROPOSED LEGISLATION

Tracking No. 0230-23

DATE: October 3, 2023

RE: AN ACTION RELATING TO THE BUDGET & FINANCE COMMITTEE, THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING EXHIBIT A TO RESOLUTION NO. CJA-01-21 TO CHANGE THE SAWMILL CHAPTER'S 1-TON TRUCK PURCHASE TO OTHER EQUIPMENT

Purpose of this Legislation:

to amend Exhibit A attached to Council Resolution No. CJA-01-21 to change the purchase of a 1-ton truck for the Sawmill Chapter to: "purchase a heavy-duty gooseneck trailer, AT, and UTV 4x4 with CAP equipment."

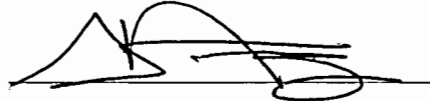
OLC No. 23-460-1

5-DAY BILL HOLD PERIOD At Naabik'iyati
Website Posting Time/Date 4:25 PM 10/3/23
Posting End Date: 10/08/23
Eligible for Action: 10/09/23

Budget & Finance Committee
Thence
Resources & Development Committee
Thence
Naabik'iyati' Committee

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 25th NAVAJO NATION COUNCIL - First Year, 2023

3 Introduced by:

4 

5 (Prime Sponsor)

6 Tracking No. 0230-23

7
8
9
10 AN ACTION

11 RELATING TO THE BUDGET & FINANCE COMMITTEE, THE RESOURCES
12 AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁTI' COMMITTEE;
13 AMENDING EXHIBIT A TO RESOLUTION NO. CJA-01-21 TO CHANGE THE
14 SAWMILL CHAPTER'S 1-TON TRUCK PURCHASE TO OTHER EQUIPMENT

15
16 BE IT ENACTED:

17
18 SECTION ONE. AUTHORITY

19 A. The Budget and Finance Committee is a standing committee of the Navajo Nation Council
20 with the responsibility to "review and recommend to the Navajo Nation Council the
21 budgeting, appropriation, investment and management of all funds" including money in the
22 Navajo Nation's Síhasin Fund. 2 N.N.C. §301(B)(2).

23 B. The Resources and Development Committee is a standing committee of the Navajo Nation
24 Council empowered to exercise oversight over matters involving the 110 Navajo Nation
25 Chapters, among other responsibilities. 2 N.N.C. §500(B); 2 N.N.C. §500(C)(1).

26 C. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council with the
27 authority to hear proposed resolutions requiring final action by the Navajo Nation Council.
28 2 N.N.C. §164(A)(9); 2 N.N.C. §700(A); 2 N.N.C. §701(A)(3).

29 D. In Resolution No. CJA-01-21 the Navajo Nation Council allocated money from the Síhasin
30 Fund to the Division of Community Development for heavy equipment purchases for the 110

1 Navajo Nation Chapters. In Exhibit A attached to CJA-01-21, item number 254 shows the
2 approved amount of \$68,794 for Sawmill Chapter for the purchase of a 1-ton truck, under
3 the approved "Sihasin Fund Chapter Heavy Equipment Expenditure Plan." The relevant
4 pages of CJA-01-21 are attached hereto as **EXHIBIT A**.

5
6 **SECTION TWO. FINDINGS**

7 A. Sawmill Chapter's needs have changed and it now wishes to change its purpose for the
8 \$68,794 allocated for its purchase of the 1-ton truck. The Sawmill Chapter wishes to change
9 the purpose to "purchase a heavy-duty gooseneck trailer, AT, and UTV 4x4 with CAP
10 equipment." The Chapter intends to use approximately the same amount of the \$68,794 for
11 its newly proposed purchases. Chapter Resolution No. SAW-08-14-23-06 is attached hereto
12 as **EXHIBIT B**.

13 B. CJA-01-21 established a deadline for the use of the approved Sihasin funds for the heavy
14 equipment purchases for the 110 Chapters. This deadline was extended to December 31,
15 2023 by Resolution No. NABIJN-18-22. **EXHIBIT C**.

16 C. CJA-01-21 and NABIJN-18-22 are incorporated herein by this reference.

17 D. Because of the Sawmill Chapter's changing needs, the Navajo Nation finds it to be in the
18 best interest of the Navajo Nation and the Navajo People to approve the change in equipment
19 purchase as requested by the Chapter.

20
21 **SECTION THREE. AMENDING CJA-01-21 TO CHANGE THE SAWMILL**
22 **CHAPTER'S 1-TON TRUCK PURCHASE TO OTHER**
23 **EQUIPMENT**

24 A. The Navajo Nation hereby amends item 254 in Exhibit A attached to Navajo Nation Council
25 Resolution No. CJA-01-21 to change the approved allocation of \$68,794 for the purchase of
26 a 1-ton truck for the Sawmill Chapter to the following: "for the Sawmill Chapter - purchase
27 of a heavy-duty gooseneck trailer, ATV, and UTV 4x4 with CAP equipment."

28 B. The Sawmill Chapter or the Division of Community Development shall obtain no less than
29 three written vendor quotes for each item desired, and purchase of the gooseneck trailer and
30 other equipment shall be in accordance with the lowest vendor quote received. All other

1 provisions of CJA-01-21 shall govern the allocation of funds, the purchase of the desired
2 items for the Chapter, and the Chapter's responsibility regarding the items purchased.

3 C. In accordance with Section 4(5) of CJA-01-21 and Section 3(B) and 3(C) of NABIJN-18-22,
4 any portion of the \$68,794 in Síhasin funds approved in CJA-01-21 for the Sawmill Chapter
5 that are not spent or encumbered by December 31, 2023 shall revert to the Síhasin Fund,
6 unless otherwise recommended by the Resources and Development Committee of the Navajo
7 Nation Council and otherwise approved by the Naabik'íyáti' Committee.

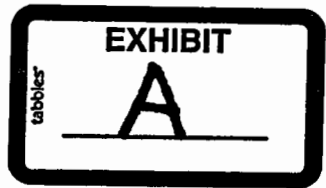
8
9 **SECTION FOUR. EFFECTIVE DATE**

10 This Action shall become effective in accordance with 12 N.N.C. §2505 and 2 N.N.C. §189.
11

12 **SECTION FIVE. SUPERSEDING AND SAVING CLAUSES**

13 A. The new purpose established in this Action for the use of the \$68,794 for the Sawmill Chapter
14 shall supersede inconsistent provisions in any previous resolution of the Navajo Nation
15 Council or a standing committee.

16 B. If any portion of this Action is determined invalid by the Navajo Nation Supreme Court, or
17 by a final order of a District Court of the Navajo Nation without appeal to the Navajo Nation
18 Supreme Court, the remainder of this Action shall be the law of the Navajo Nation.
19
20
21
22
23
24
25
26
27
28
29
30



RESOLUTION OF THE
NAVAJO NATION COUNCIL
24th NAVAJO NATION COUNCIL - THIRD YEAR, 2021

AN ACTION

RELATING TO BUDGET AND FINANCE COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE AND NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$23,954,719.77 FROM THE SÍHASIN FUND TO THE DIVISION OF COMMUNITY DEVELOPMENT; ADOPTING THE SÍHASIN FUND CHAPTER HEAVY EQUIPMENT EXPENDITURE PLAN PURSUANT TO 12 N.N.C §§ 2501 - 2508; ALLOCATING ~~-\$33,876,114~~ FROM THE SÍHASIN FUND TO THE DEPARTMENT OF WATER RESOURCES; ADOPTING THE SÍHASIN FUND DEPARTMENT OF WATER RESOURCES EMERGENCY PROJECTS EXPENDITURE PLAN PURSUANT TO 12 N.N.C §§ 2501 - 2508; ALLOCATING \$4,974,992 FROM THE SÍHASIN FUND TO THE WATER MANAGEMENT BRANCH AND ADOPTING THE WIDE RUINS SDS PROJECT EXPENDITURE PLAN PURSUANT TO 12 N.N.C §§ 2501-2508; ~~ALLOCATING \$350,000 FROM THE SÍHASIN FUND TO THE CAPITAL PROJECTS MANAGEMENT; ADOPTING THE SÍHASIN FUND SHIPROCK CHAPTER PROJECT RECAPTURE EXPENDITURE PLAN PURSUANT TO 12 N.N.C §§ 2501-2508~~

JMN
ML
JMN
ML

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).
- B. The Naabik'iyáti' Committee of the Navajo Nation Council is empowered to review all proposed legislation which requires final action by the Navajo Nation Council. 2 N.N.C. § 164 (A) (9).
- C. The Budget and Finance Committee of the Navajo Nation Council is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment, and management of all funds. 2 N.N.C. § 301 (B) (2).
- D. The Resources and Development Committee of the Navajo Nation Council is empowered to provide oversight over water and chapter activities, as well as oversight over community and economic development on the Navajo Nation. 2 N.N.C. § 501 (C) (1).
- E. The Navajo Nation Code provides that the purpose of the Navajo Nation Síhasin Fund ("Síhasin Fund") is as follows:

§ 2502 Purpose

- T. Per CAP-35-18, Section Four (C), each Council District was awarded Síhasin Funding of \$4,166,666.67; the President's line-item veto of the Former BIA Compound Project resulted in the Shiprock Council District receiving less than \$4,166,666.67 and less funding than all other Council Districts.
- U. As set forth in Shiprock Chapter Resolution No. 10-13-19-006-SHIP (amending 09-17-19-073-SHIP), attached as **Exhibit D**, the Shiprock Chapter requests that the Navajo Nation Council approve the following projects totaling \$350,000 to replace the line-item vetoed "Former BIA Compound" project: Veteran Cemetery for \$110,000; Veterans Waterline for \$15,000; Shiprock Baseball Field for \$75,000.00; and a Portable Building for Elected Officials for \$150,000, as set forth in the Shiprock Chapter Project Recapture Expenditure Plan attached as **Exhibit E**.
- V. The Navajo Nation also finds that using the Síhasin Fund to fund the Shiprock Chapter projects, as set forth in **Exhibit E**, is within the purposes of 12 N.N.C. § 2502 (A)(1) and is in the best interests of the Navajo People and Navajo communities.
- W. The Wide Ruins South Phase II Waterline Extension project, as set forth in **Exhibit F**, has been on the Indian Health Service Sanitation Deficiency System (SDS) for more than five years, but has yet to be funded despite the fact that the project will provide water to at least 46 families in desperate need of water to comply with Center for Disease Control (CDC) guidance to prevent infection of COVID-19 and mitigate its spread throughout the community.
- X. The Navajo Nation also finds that using the Síhasin Fund to fund the Wide Ruins South Phase II Waterline Extension project, as set forth in **Exhibit F**, is within the purposes of 12 N.N.C. § 2502 (A)(1) and is in the best interests of the Navajo People and Navajo communities.

SECTION THREE. ALLOCATION OF \$23,954,719.77 TO THE DIVISION OF COMMUNITY DEVELOPMENT AND ADOPTION OF THE CHAPTER HEAVY EQUIPMENT EXPENDITURE PLAN

- A. The Navajo Nation hereby allocates twenty-three million nine hundred fifty-four thousand seven hundred nineteen dollars and seventy-seven cents (\$23,954,719.77) from the Síhasin Fund to the Division of Community Development to implement the Síhasin Fund Chapter Heavy Equipment Expenditure Plan as detailed in **Exhibit A**.

B. The Navajo Nation hereby approves and adopts the Síhasin Fund Chapter Heavy Equipment Expenditure Plan as set forth in this resolution and in Exhibit A.

SECTION FOUR. APPROVAL AND ADOPTION OF CHAPTER HEAVY EQUIPMENT EXPENDITURE PLAN ADMINISTRATION

The Navajo Nation hereby approves administration of the Síhasin Fund Chapter Heavy Equipment Expenditure Plan as follows:

1. The Navajo Nation Controller shall determine whether the source of the \$23,954,719.77 allocation from the Síhasin Fund will be from Fund Principal or Fund Income or a combination of both;
2. The funds allocated for the Chapter Heavy Equipment Expenditure Plan shall be distributed to the Division of Community Development within ten (10) days following enactment of this legislation;
3. The funds allocated for the Chapter Heavy Equipment Expenditure Plan shall be used solely to purchase the equipment described in Exhibit A and any and all cost-savings shall be returned to the Síhasin Fund once the Chapter Heavy Equipment Expenditure Plan is completed; and
4. Chapters shall be responsible for the repairs and maintenance and insurance costs for their respective Heavy Equipment.
5. The funds allocated for the Chapter Heavy Equipment Expenditure Plan shall revert to the Síhasin Fund principal if not spent or encumbered within ninety (90) days of distribution to the Division of Community Development, unless recommended otherwise by the Resources and Development Committee and approved by the Naabik'iyáti' Committee.

SECTION FIVE. ALLOCATION OF \$33,876,114 TO THE DEPARTMENT OF WATER RESOURCES AND ADOPTION OF THE DEPARTMENT OF WATER RESOURCES EMERGENCY PROJECTS EXPENDITURE PLAN

JMN
ML

A. The Navajo Nation hereby allocates ~~thirty-three million eight hundred seventy-six thousand one hundred fourteen dollars~~ (\$33,876,114) from the Síhasin Fund to the Department of Water Resources to implement the Síhasin Fund Department of Water Resources Emergency Projects Expenditure Plan as detailed in Exhibit B.

JMN
ML

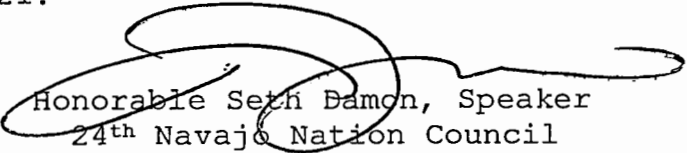
SECTION FOURTEEN. DIRECTIVES

- A. The Division of Community Development and Department of Water Resources shall report, in writing, the status of expenditures and project progress under their respective Expenditure Plans to the Naabik'iyáti' Committee and Office of the President and Vice-President by the fifth day of each month following the enactment of this legislation.

- B. The Office of the Speaker and Office of Legislative Counsel shall immediately provide the Division of Community Development with all supporting documents used in the development of **Exhibit A**.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 20 in Favor, and 01 Opposed, on this 15th day of January 2021.


Honorable Seth Damon, Speaker
24th Navajo Nation Council

01/20/2021
DATE

Motion: Honorable Pernell Halona
Second: Honorable Jamie Henio

Speaker Seth Damon not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

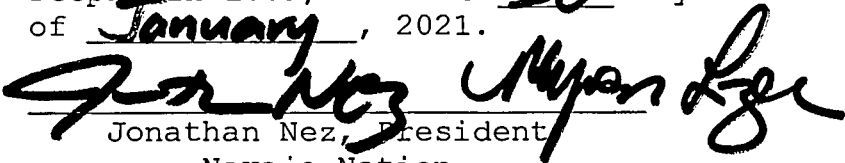
1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this _____ day of _____, 2021.

Jonathan Nez, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2021 for the reason(s) expressed in the attached letter to the Speaker.

Jonathan Nez, President
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this 30 day of January, 2021.



Jonathan Nez, President
Navajo Nation

LEGISLATION 0309-20
NEW EXHIBIT A

EXHIBIT A

| | | | | | |
|--------------------|--------------------|----------------------|--|-----------|----------------------|
| 233 | Seth Damon | Red Rock Chapter | Utility Terrain Vehicle | \$ | 14,578.80 |
| 234 | Seth Damon | Red Rock Chapter | 4x4 Truck | \$ | 51,615.00 |
| 235 | Seth Damon | Red Rock Chapter | Tractor/Loader 4x4 w/8" Blade and 16" Trailer | \$ | 32,000.00 |
| 236 | Seth Damon | Red Rock Chapter | Trailer for Backhoe(40,000 LB Capacity) | \$ | 42,507.00 |
| 237 | Seth Damon | Rock Springs Chapter | Tractor/Loader 4x4 w/8" Blade and 16" Trailer | \$ | 32,000.00 |
| 238 | Seth Damon | Rock Springs Chapter | Backhoe | \$ | 106,908.00 |
| 239 | Seth Damon | Rock Springs Chapter | 4x4 Truck | \$ | 51,615.00 |
| 240 | Seth Damon | Isayatoh Chapter | Heavy Equipment | \$ | 56,325.76 |
| 241 | Thomas Walker Jr | Cameron | Backhoe | \$ | 94,743.00 |
| 242 | Thomas Walker Jr | Leupp | Backhoe | \$ | 111,509.87 |
| 243 | Thomas Walker Jr | Leupp | towing trailer | \$ | 27,820.76 |
| 244 | Thomas Walker Jr. | Coalmine Canyon | Backhoe, Flatbed Dump Truck, Water Truck, Skid Steer | \$ | 159,132.00 |
| 245 | Thomas Walker Jr. | Birdsprings | Motor Grader | \$ | 165,606.09 |
| 246 | Thomas Walker Jr. | Tolani Lake | Trailer and Backhoe | \$ | 140,943.96 |
| 247 | Vince James | Cornfields | Water Truck, Snow Plow, Dump Truck | \$ | 108,085.95 |
| 248 | Vince James | Ganado | Vehicle, Water Truck | \$ | 73,754.99 |
| 249 | Vince James | Jeddito | Vehicle, Water Truck | \$ | 118,850.00 |
| 250 | Vince James | Steamboat/Hoyee | Trailer, Dump Trailer, Water Truck | \$ | 96,606.00 |
| 251 | Vince James | Kin Dah Lichii | Backhoe | \$ | 118,683.96 |
| 252 | Vince James | Kin Dah Lichii | Lake Valley Trailer | \$ | 4,900.00 |
| 253 | Wilson Stewart Jr. | Fort Defiance | Backhoe | \$ | 95,814.29 |
| 254 | Wilson Stewart Jr. | Sawmill | 1 ton truck | \$ | 68,794.00 |
| 255 | Wilson Stewart Jr. | Crystal | Backhoe | \$ | 99,534.00 |
| GRAND TOTAL | | | | \$ | 23,954,719.77 |

\$ 68,794
for Sawmill Chapter
purchase of 1 ton truck



Woodie Bennett, President
Lewis Shirley, Vice President
Toneika Tsosie, Sec/Treasurer
Dr. Andy Nez, Council Delegate
Patrick Martinez, Grazing Representative

Timothy Begay Jr., Acting CSC
Ronald Deschinny, AMS
Louise Mark, Center Supervisor

SAW-08-14-23-06

RESOLUTION OF THE SAWMILL CHAPTER
NAVAJO NATION

REQUESTING THE NAABIK'IYATI' STANDING COMMITTEE, AND THE 25TH NAVAJO NATION COUNCIL TO AMEND LEGISLATION CJA-01-21 EXHIBIT (A) 254 OF THE NAVAJO NATION SIHASIN FUND FOR CHAPTER HEAVY EQUIPMENT PURCHASES TO ALLOW SAWMILL CHAPTER TO CHANGE ITS REQUEST FROM A ONE-TON TRUCK TO A HEAVY-DUTY GOOSENECK TRAILER AND AN ATV, UTV 4X4 WITH CAP EQUIPMENT UTILIZING THE NAVAJO NATION SIHASIN FUNDING AMOUNT OF \$68,794.00.

WHEREAS:

1. The Sawmill Chapter, a recognized certified local government of the Navajo Nation, vested with the power and authority to advocate on behalf of its constituents for the improvement of health, education, safety, general welfare; and
2. Pursuant to the subchapter 1, section 131 (1); (2) of the same "Act", the Sawmill Chapter has the responsibility and authority to promote, protect, and preserve the interest and general welfare including the safety of its community people; and
3. The Navajo Nation Council is the governing body of the Navajo Nation, pursuant to 2 N.N.C. section 102 (A); and
4. The Naabik'iyati' Committee is a standing committee of the Navajo Nation Council with the authority to hear proposed resolutions requiring final action by the Navajo Nation Council. 2 N.N.C. S 164 (A) (9); 2 N.N.C. S 700 (A); 2 N.N.C S 701 (A) (3); and
5. Pursuant to Navajo Nation Council resolution CJA-01-21, the Council approved funds from the Navajo Nation Sihasin fund for the Division of Community Development to purchase of certain heavy equipment for the 110 chapters; and
6. The Sawmill Chapter has submitted its request to purchase a one-ton truck utilizing the Navajo Nation Sihasin fund of \$68,794.00 as listed in exhibit (A) 254; and
7. The Sawmill Chapter has changed its plans to purchase the one-ton truck and requesting to amend to purchase a heavy-duty gooseneck, ATV, UTV 4x4 with cap equipment utilizing the Navajo Nation Sihasin fund of \$68,794.00; and



8. The Sawmill Chapter has obtained its required three quotations from various vendors to purchase the equipment; and
9. The Sawmill Chapter further requests the Naabik'iyati Committee and the 25th Navajo Nation Council to expedite the process before the deadline as set pursuant to Naabik'iyati', 24th Navajo Nation Council resolution NABIJN-18-22.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Sawmill Chapter hereby requests the Naabik'iyati' Standing Committee, and the 25th Navajo Nation Council to amend legislation CJA-01-21 Exhibit (A) 254 of the Navajo Nation Sihasin fund for chapter heavy equipment purchases to allow Sawmill Chapter to change its request from one-ton truck to a heavy-duty gooseneck trailer and an ATV, UTV 4x4 with cap equipment utilizing the Navajo Nation Sihasin funding amount of \$68,794.00.

CERTIFICATION

We hereby certify that the foregoing resolution was considered at a duly called meeting held at Sawmill (Navajo Nation), Arizona at which a quorum was present, and that same day was passed by a vote of 32 in favor, 0 opposed, and 1 abstained on this 14th day of August 2023.

Motioned by: Larry Foster

Seconded by: Juanita Martinez



Woodie Bennett, President



NABIJN-18-22

RESOLUTION OF THE
NAABIK'ÍYÁTI' STANDING COMMITTEE
24th NAVAJO NATION COUNCIL -- Fourth Year, 2022

AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT AND NAABIK'ÍYÁTI' COMMITTEES; AMENDING CJA-01-21 AND NABIS-36-21 TO EXTEND THE DEADLINES FOR THE EXPENDITURE OF SÍHASIN FUNDS FOR CHAPTER HEAVY EQUIPMENT PURCHASES AND FOR THE DEPARTMENT OF WATER RESOURCES EMERGENCY PROJECTS

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is a standing committee of the Navajo Nation Council empowered to exercise oversight over matters involving water, land, environment, economic and community development, public utilities, and the 110 Navajo Nation Chapters, among other responsibilities. 2 N.N.C. § 500(B); 2 N.N.C. § 500(C) (1).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the authority to hear proposed resolutions requiring final action by the Navajo Nation Council. 2 N.N.C. § 164(A) (9); 2 N.N.C. § 700(A); 2 N.N.C. § 701(A) (3).
- C. In Resolution No. CJA-01-21 the Navajo Nation Council allocated money from the Síhasin Fund to the Division of Community Development for heavy equipment purchases for the 110 Chapters, and to the Division of Natural Resources/Department of Water Resources for the Department's Emergency Projects. Also, in CJA-01-21, the Council delegated to the Resources Committee and the Naabik'íyáti' Committee the authority over the deadline for the expenditure of the allocated Síhasin funds. Resolution No. CJA-01-21 is incorporated herein by this reference.

SECTION TWO. FINDINGS

- A. As stated above, CJA-01-21 allocated money from the Síhasin Fund for the Division of Community Development to purchase of certain heavy equipment for the 110 Chapters, and for the Department of Water Management to purchase needed equipment and pay for waterline projects and other projects listed in Exhibit B of CJA-01-21 ("DWR Emergency Projects"). Although CJA-01-21 was line-item vetoed by President Nez, the veto did not affect the allocated funds for the heavy equipment

purchases, and it affected only a portion of the funds for the DWR Emergency Projects.

- B. CJA-01-21 established a deadline for the use of the approved Síhasin funds for the heavy equipment purchases and the DWR Emergency Projects. These original deadlines have been extended, most recently by the Naabik'iyáti' Committee in Resolution No. NABIS-36-21. Currently, the deadline for the heavy equipment purchases is December 30, 2021 and the deadline for the DWR Emergency Projects is March 31, 2022. NABIS-36-21 is incorporated herein by this reference.
- C. At this time, both the Division of Community Development and the Department of Water Resources need more time to complete all purchases of heavy equipment for the 110 Chapters, and to fully expend the Síhasin funds for the DWR Emergency Projects.
- D. Because of the Chapters' need for the heavy equipment, and the dire need for the DWR Emergency Projects that will provide clean running water in many Navajo Nation communities, the Navajo Nation finds it to be in the best interest of the Navajo Nation and the Navajo People to extend the deadlines set forth in NABIS-36-21 for the expenditure of the Síhasin funds approved in CJA-01-21.

SECTION THREE. APPROVING THE EXTENSION OF DEADLINES

- A. The Navajo Nation hereby approves an extension of the deadline for the expenditure of the Síhasin funds approved in CJA-01-21 for the DWR Emergency Projects, from March 31, 2022 to the new deadline of December 31, 2023.
- B. The Navajo Nation hereby approves an extension of the deadline for the expenditure of the Síhasin funds approved in CJA-01-21 for the 110 Chapters' heavy equipment purchases from December 30, 2022 to the new deadline of December 31, 2023.
- C. Any Síhasin funds approved in CJA-01-21 that are not spent or encumbered in accordance with the approved Expenditure Plans by the new deadlines set forth in Section Three (A) and Section Three (B) herein shall revert to the Síhasin Fund, unless otherwise recommended by the Resources and Development Committee of the Navajo Nation Council and otherwise approved by the Naabik'iyáti' Committee.

SECTION FOUR. EFFECTIVE DATE

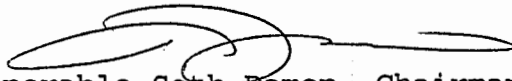
This Act shall become effective in accordance with 12 N.N.C. § 2505 and 2 N.N.C. § 189.

SECTION FIVE. SUPERSEDING AND SAVING CLAUSES

- A. The new deadlines set forth in Section Three (A) and Three (B) of this Act shall supersede inconsistent provisions in any previous resolution of the Navajo Nation Council or a standing committee, to the extent that such previous resolutions establish a deadline for the expenditure of Síhasin funds approved in CJA-01-21.
- B. If any portion of this Act is determined invalid by the Navajo Nation Supreme Court, or by a final order of a District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, the remainder of this Act shall be the law of the Navajo Nation.

CERTIFICATION

I, hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 17 in Favor, and 01 Opposed, on this 9th day of June 2022.


Honorable Seth Damon, Chairman
Naabik'iyáti' Committee

6/9/22
Date

Motion: Honorable Vince R. James
Second: Honorable Pernell Halona

Chairman Seth Damon not voting

NAVAJO NATION

1279

Naa'bik'iyati' Committee Regular Meeting

6/9/2022
06:26:53 PM

| | |
|---------------|---------------------------------|
| Amd# to Amd# | CONSENT AGENDA: Item A. |
| MOT James, V | -Legislations: 0062-22,0097-22, |
| SEC Halona, P | 0040-22, 0074-22, 0083-22, |
| | 0088-22, & 0090-22 |

PASSED

| | | | |
|------------------|-----------------|--------------------|-----------------------|
| Yeas : 17 | Nays : 1 | Excused : 3 | Not Voting : 2 |
|------------------|-----------------|--------------------|-----------------------|

Yea : 17

| | | | |
|----------------|-------------|-----------|------------|
| Begay, K | Daniels | James, V | Tso, O |
| Begay, P | Freeland, M | Slater, C | Walker, T |
| Brown | Halona, P | Tso, D | Wauneka, E |
| Charles-Newton | Henio, J | Tso, E | Yellowhair |
| Crotty | | | |

Nay : 1

Smith

Excused : 3

| | | |
|------------|--------|--------|
| Stewart, W | Tso, C | Nez, R |
|------------|--------|--------|

Not Voting : 2


| | |
|--------|----------|
| Yazzie | Begay, E |
|--------|----------|

Presiding Speaker: Damon



MEMORANDUM

To: Hon. Andy Nez, Member
Health, Education, and Human Services Committee
25th Navajo Nation Council

From: 
Luralene D. Tapahe, Principal Advocate
Office of Legislative Counsel

Date: October 3, 2023

Subject: **AN ACTION RELATING TO THE BUDGET & FINANCE COMMITTEE, THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING EXHIBIT A TO RESOLUTION NO. CJA-01-21 TO CHANGE THE SAWMILL CHAPTER'S 1-TON TRUCK PURCHASE TO OTHER EQUIPMENT**

The Office of Legislative Counsel has prepared the above-referenced proposed legislation and related summary sheet. Based on existing Navajo Nation law and other applicable laws, and upon review of all supporting documents regarding your request that were submitted to OLC, this legislation as drafted is legally sufficient. However, as with any action of government, this legislation may be subject to judicial review in the event of a legal challenge.

Please review this legislation and its Exhibits to make everything is drafted to your satisfaction, and that all necessary and appropriate supporting documents have been provided and all attached Exhibits are correct.

OLC has reviewed the appropriate standing committees' authorities to consider this legislation, based on the standing committees' powers and responsibilities set forth in Title 2 of the Navajo Nation Code. Based on its review, OLC has listed those committees in the title of this legislation. However, the Speaker may assign this legislation to any committee(s) other than those shown in the title, pursuant to his authority under 2 N.N.C. §164(A)(5).

If you find anything unacceptable, please let me know immediately and advise me of your desired changes. I can be reached at phone no. (928)871-7166 or by email at: LuraleneTapahe@navajo-nsn.gov

Thank you for your cooperation.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0230-23_

SPONSOR: Andy Nez

TITLE: An Action Relating to the Budget & Finance Committee, the Resources and Development Committee and the Naabik'iyáti' Committee; Amending Exhibit A to Resolution NO. CJA-01-21 to Change the Sawmill Chapter's 1-Ton Truck Purchase to Other Equipment

Date posted: October 3, 2023 at 4:25 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

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.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0230-23

SPONSOR: Honorable Andy Nez

TITLE: An Action Relating to the Budget & Finance Committee, the Resources and Development Committee and the Naabik'iyáti' Committee; Amending Exhibit A to Resolution NO. CJA-01-21 to Change the Sawmill Chapter's 1-Ton Truck Purchase to Other Equipment.

Posted: October 3,2023 at 4:25 PM

5 DAY Comment Period Ended: October 09, 2023

Digital Comments received:

| | |
|---------------------------------|-------------|
| Comments Supporting | <i>None</i> |
| Comments Opposing | <i>None</i> |
| Comments/Recommendations | <i>None</i> |



**Legislative Secretary II
Office of Legislative Services**

October 9, 2023 8:30 AM

Date/Time

25th NAVAJO NATION COUNCIL

First Year 2023

Ms. Speaker:

The **BUDGET & FINANCE COMMITTEE** to whom has been assigned

NAVAJO LEGISLATIVE BILL # 0230-23:

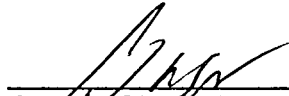
An Action Relating to the Budget & Finance Committee, the Resources and Development Committee and the Naabik'iyáti' Committee; Amending Exhibit A to Resolution No. CJA-01-21 to Change the Sawmill Chapter's 1-Ton Truck Purchase to Other Equipment.

Sponsor: Andy Nez, Council Delegate

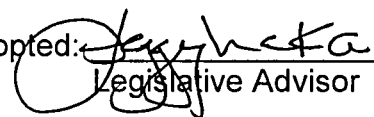
has had it under consideration and reports the same with the recommendation that It **Do Pass** without amendment.

And, therefore referred to the **RESOURCES & DEVELOPMENT** Committee

Respectfully submitted,



Carl R. Slater, Vice Chairman

Adopted: 

Legislative Advisor

Not Adopted: _____
Legislative Advisor

October 10, 2023

The vote was **3** in favor **0** opposed yeas: *Lomardo Aseret, Norman M. Begay, Seth A. Damon*
Main Motion: *Seth A. Damon*
Second: *Norman M. Begay*

BUDGET AND FINANCE COMMITTEE
October 10, 2023
Special Meeting

VOTE TALLY SHEET:

Legislation No. 0230-23: An Action Relating to the Budget & Finance Committee, the Resources and Development Committee and the Naabik'iyáti' Committee; Amending Exhibit A to Resolution NO. CJA-01-21 to Change the Sawmill Chapter's 1-Ton Truck Purchase to Other Equipment.

Sponsor: Andy Nez, Council Delegate

Motion: Seth A. Damon

Second: Norman M. Begay

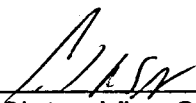
Vote: 3-0, Vice Chairman not voting

Final Vote Tally:

| | | |
|-------------------|------------|--|
| Lomardo Aseret | yea | |
| Norman M. Begay | yea | |
| Amber K. Crotty | | |
| Seth A. Damon | yea | |
| Shaandiin Parrish | | |
| Carl R. Slater | | |

Absent: Amber K. Crotty

Excused: Shaandiin Parrish



Carl R. Slater, Vice Chairman
Budget & Finance Committee



Peggy Nakai, Legislative Advisor
Budget & Finance Committee

**RESOURCES AND DEVELOPMENT COMMITTEE
25th NAVAJO NATION COUNCIL**

FIRST YEAR 2023

COMMITTEE REPORT

Madam Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

LEGISLATION #0230-23: AN ACTION RELATING TO THE BUDGET & FINANCE COMMITTEE, THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING EXHIBIT A TO RESOLUTION NO. CJA-01-21 TO CHANGE THE SAWMILL CHAPTER'S 1-TON TRUCK PURCHASE TO OTHER EQUIPMENT.

Sponsor: Honorable Andy Nez

Has had it under consideration and reports a **DO PASS** with no amendments.

And thereafter the legislation was referred to the Naabik'íyáti' Committee.

Respectfully submitted,



Casey Allen Johnson, *Vice-Chairperson*
Resources and Development Committee of
the 25th Navajo Nation Council

Date: October 11, 2023 – Regular Meeting (Mentmore, New Mexico)

Location: Navajo Division of Transportation – #16 Old Coalmine Road – Mentmore, New Mexico 87319

Main Motion:

M: Rickie Nez

S: Shawna Ann Claw

V: 4-0-1 (VCNV)

In Favor: Shawna Ann Claw; Rickie Nez; Danny Simpson; Otto Tso

Opposition: None

Excused: Brenda Jesus

Not Voting: Casey Allen Johnson, *Vice-Chairperson*

(NOTE: VOTE TALLY attached hereto)

**RESOURCES AND DEVELOPMENT COMMITTEE
25th NAVAJO NATION COUNCIL**

FIRST YEAR 2023

**ROLL CALL
VOTE TALLY SHEET**

LEGISLATION #0230-23: AN ACTION RELATING TO THE BUDGET & FINANCE COMMITTEE, THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING EXHIBIT A TO RESOLUTION NO. CJA-01-21 TO CHANGE THE SAWMILL CHAPTER'S 1-TON TRUCK PURCHASE TO OTHER EQUIPMENT.

Sponsor: Honorable Andy Nez

Date: October 11, 2023 – Regular Meeting (Mentmore, New Mexico)

Location: Navajo Division of Transportation – #16 Old Coalmine Road – Mentmore, New Mexico 87319

Main Motion:

M: Rickie Nez

S: Shawna Ann Claw

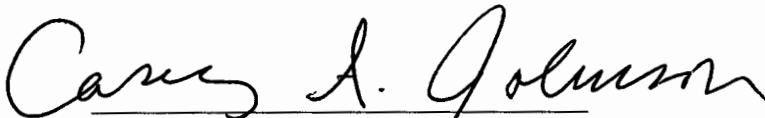
V: 4-0-1 (VCNV)

In Favor: Shawna Ann Claw; Rickie Nez; Danny Simpson; Otto Tso

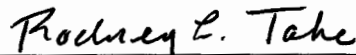
Opposition: None

Excused: Brenda Jesus

Not Voting: Casey Allen Johnson, *Vice-Chairperson*



Honorable Casey Allen Johnson, *Vice-Chairperson*
Resources and Development Committee



Rodney L. Taha, *Legislative Advisor*
Office of Legislative Services

**25th NAVAJO NATION COUNCIL
NAABIK'ÍYÁTI' COMMITTEE REPORT
First Year 2023**

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

NAVAJO LEGISLATIVE BILL # 0230-23

An Action Relating to the Budget & Finance Committee, the Resources and Development Committee and the Naabik'íyáti' Committee; Amending Exhibit A to Resolution NO. CJA-01-21 to Change the Sawmill Chapter's 1-Ton Truck Purchase to Other Equipment.

Sponsored by: Honorable Andy Nez

Has had it under consideration and reports the same that the legislation **WAS PASSED AND REFERRED TO THE NAVAJO NATION COUNCIL WITH ONE (1) AMENDMENT.**

Respectfully Submitted,



*Honorable Crystalyne Curley, Chairwoman
NAABIK'ÍYÁTI' COMMITTEE*

12 October 2023

AMENDMENT #1

1. On page 1 at line 12, add the following new language before the word "**AMENDING**":
AND THE NAVAJO NATION COUNCIL; AMENDING . . .
2. On page 1 at line 29, add the following new paragraph D:
D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A). As such, the Council may approve appropriations from the Navajo Nation's Síhasin Fund, or amendments to Council-approved allocations from the Síhasin Fund.
3. On page 3 at line 8, insert the following new section:
SECTION FOUR. DIRECTIVES
The Office of Management and Budget, the Office of the Controller, and the Division of Community Development, as well as other Navajo Nation offices, departments, programs, etc. involved in this legislation, shall work promptly and diligently to ensure that the Navajo Nation's procurement process is followed and all other required and appropriate actions are taken so that the approved funds are made available and the purchases of the vehicles/equipment for the Sawmill Chapter are completed before the December 31, 2023 deadline.

4. Renumber or re-letter succeeding paragraphs, sections, and exhibits, as necessary and appropriate. The Office of Legislative Services and the Office of Legislative Counsel are authorized to make technical edits to this legislation and its exhibits to implement the Committee's intent. This Amendment supersedes inconsistent language in any other amendment(s).

Motioned by: Honorable Vince R. James

Seconded by: Honorable Helena Nez Begay

Vote: 12 in Favor, 00 Opposed (Chairwoman Curley Not Voting)

MAIN MOTION

Motioned by: Honorable Danny Simpson

Seconded by: Honorable Vince R. James

Vote: 12 in Favor, 00 Opposed (Chairwoman Curley not voting)

NAVAJO NATION

10/12/2023
03:42:59 PM

Naa'bik'iyati' Committee Regular Meeting

Amd#1 to Amd#

AMENDMENT > #0230-23:

PASSED

MOT James, V

1. On page 3 at line 8,insert...

SEC Begay, H

2. Renumber or re-letter

Yeas : 12

Nays : 0

Excused : 6

Not Voting : 5

Yea : 12

Arviso, S
Begay, H
Begay, N

Claw, S
James, V
Nez, A

Notah, N
Simonson, G
Simpson, D

Slater, C
Tolth, G
Yanito, C

Nay : 0

Excused : 6

Charles-Newton, E
Crotty, A

Daniels, H
Jesus, B

Nez, R

Parrish, S

Not Voting : 5

Aseret, L
Damon, S

Johnson, C

Tso, O

Yazzie, C

Presiding Speaker: Curley, C

NAVAJO NATION

231

10/12/2023
03:46:41 PM

Naa'bik'iyati' Committee Regular Meeting

Amd# to Amd#

New Business: Item I.

PASSED

MOT Simpson, D

Legislation #0230-23: Amending

SEC James, V

Exhibit A to CJA-01-21 to Change
the Sawmill Chapter's 1-ton. . .

Yeas : 12

Nays : 0

Excused : 6

Not Voting : 5

Yea : 12

Arviso, S

Claw, S

Notah, N

Slater, C

Begay, H

James, V

Simonson, G

Tolth, G

Begay, N

Nez, A

Simpson, D

Yanito, C

Nay : 0

Excused : 6

Charles-Newton, E

Daniels, H

Nez, R

Parrish, S

Crotty, A

Jesus, B

Not Voting : 5

Aseret, L

Johnson, C

Tso, O

Yazzie, C

Damon, S

Presiding Speaker: Curley, C