

LEGISLATIVE SUMMARY SHEET

Tracking No. 17385-17

DATE: September 19, 2017

SUBJECT AN ACTION RELATING TO LAW AND ORDER, BUDGET AND FINANCE, NAA'BIK'ÍYÁTI, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF THREE MILLION, ONE HUNDRED AND FORTY TWO THOUSAND, ONE HUNDRED AND SEVENTEEN DOLLARS (\$3,142,117.00) FOR THE ADMINSTRATIVE OFFICE OF THE COURTS IN PART IMPROVE INTERNET CONNECTIVITY ACROSS JUDICIAL DISTRICTS, UPDATE NAVAJO RULES AND REPORTER, DEVELOP, PLAN AND DESIGN A CENTRAL RECORDS MANAGEMENT FACILITY AND ARCHIVE SYSTEM FOR THE JUDICIAL DISTRICTS

PURPOSE: The purpose of this legislation is to approve a supplemental appropriation of \$3,142,117.00 for the Administrative Office of the Courts.

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

5-DAY BILL HOLD PERIOD: 11/01/17
Website Posting Time/Date: 10:10pm 09/19/17
Posting End Date: 6/24/2017
Eligible for Action: 6/25/2017

Law & Order Committee

THENCE

Budget & Finance Committee

THENCE

Naa'biik'íyáti' Committee

THENCE

Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

23rd NAVAJO NATION COUNCIL – Third Year, 2017

INTRODUCED BY

Lee Allen Begay
(Prime Sponsor)

TRACKING NO. 0385-17

AN ACTION

RELATING TO LAW AND ORDER, BUDGET AND FINANCE, NAA'BIK'ÍYÁTI', AND
NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE
UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF THREE
MILLION, ONE HUNDRED AND FORTY TWO THOUSAND, ONE HUNDRED AND
SEVENTEEN DOLLARS (\$3,142,117.00) FOR THE ADMINSTRATIVE OFFICE OF
THE COURTS IN PART IMPROVE INTERNET CONNECTIVITY ACROSS JUDICIAL
DISTRICTS, UPDATE NAVAJO RULES AND REPORTER, DEVELOP, PLAN AND
DESIGN A CENTRAL RECORDS MANAGEMENT FACILITY AND ARCHIVE
SYSTEM FOR THE JUDICIAL DISTRICTS

BE IT ENACTED:

Section One. Authority

- A. The Navajo Nation established the Law and Order Committee as a Navajo
Nation Council standing committee and as such gave the Committee
oversight over Navajo Nation Courts. 2 N.N.C. §§ 600 (C)(2).
- B. The Navajo Nation established the Budget and Finance Committee (BFC) as
a Navajo Nation Council standing committee and as such empowered BFC

1 to review and recommend to the Navajo Nation Council the management of
2 all funds. 2 N.N.C. §§ 164 (A)(9), 300 (A), 301 (B)(2).

3 C. The Navajo Nation Council established the Naabik'íyáti' Committee as a
4 Navajo Nation standing committee and as such proposed legislation that
5 requires final action by the Navajo Nation Council shall be assigned to the
6 Naabik'íyáti' Committee. 2 N.N.C. §§ 164 (A)(9), 700 (A).

7 D. The Title 12 Appropriations Act Supplemental Appropriation requirements
8 include:

- 9 1. When the Controller identifies additional sources of revenues above
10 and beyond the initial or current revenue projections, supplemental
11 appropriations may be allocated by the Navajo Nation Council. 12
12 N.N.C. § 820(L).
- 13 2. Supplemental appropriations made from non-recurring revenues shall
14 only be made for non-recurring operations or purposes, as set forth at
15 § 820(F). The Controller of the Navajo Nation shall be responsible for
16 designating recurring and non-recurring revenues. 12 N.N.C. § 820(L).
- 17 3. All requests for annual operating funds and supplemental funds shall be
18 submitted to the Office of Management and Budget ("OMB") for budget
19 impact analysis. 12 N.N.C. § 820(M).

20 **Section Two. Findings**

- 21 A. This is a funding request for the Administrative Office of the Courts to, in
22 part, improve internet connectivity across judicial districts, update Navajo
23 Rules and Reporter, develop, plan design a central records management
24 facility and archive system for the Judicial Districts. See Exhibit A.
- 25 B. The supplemental funding request forms are attached as Exhibit A.
- 26 C. The Office of Management and Budget has been informed of this request.
- 27 D. The Office of the Controller has provided a memorandum dated September 8,
28 2017 indicating the balance in the Unreserved, Undesignated Fund Balance as
29 of September 8, 2017 is \$31,258,307. This memorandum is provided to meet
30 the requirements of 12 N.N.C, 820 (L), however the Controller of the Navajo

1 Nation has not designated the funds as recurring or non-recurring. This
2 memorandum is attached as Exhibit B.

- 3 E. The Navajo Nation finds it in the best interest of the Navajo people to approve
4 this supplemental appropriation request.
5

6 **Section Three. Approving the Supplemental Appropriation from the Unreserved,**
7 **Undesignated Fund Balance in the Amount of \$3,142,117.00 for the**
8 **Administrative Office of the Courts.**

- 9 A. This supplemental appropriation of \$3,142,117.00 shall be from that amount
10 of funds that exceeds the minimum fund balance of the Unreserved,
11 Undesignated Fund Balance as determined by the Office of the Controller
12 and to Business Unit Number 102001.

- 13 B. The Navajo Nation hereby approves the supplemental appropriation from the
14 Unreserved, Undesignated Fund Balance to the Tselani-Cottonwood Chapter
15 for the Administrative Office of the Courts, Business Unit Number 102001
16 for \$3,142,117.00.
17

18 **Section Four. Effective Date**

19 The provisions of this Act shall become effective in accord with 2 N.N.C. § 221(B).
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THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

EXHIBIT

tabbies

A

PART I. Business Unit No.: 102001 **Program Title:** Administrative Office of the Courts
Division/Branch: Judicial **Amount Requested:** \$3,142,117.00 **Phone No.:** 928-871-7026
Prepared By: Yvonne A. Gorman **Email Address:** yagorman@navajo-nsn.gov

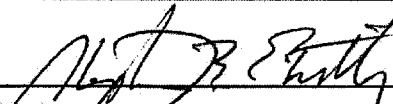
PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

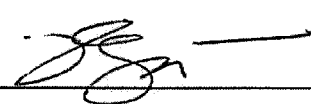
The Administrative Office of the Courts (AOC) is requesting supplemental funding in the amount of \$3,142,117. The Judicial Branch has limited funding to cover Operations and Maintenance (O&M) Costs for the entire fiscal year. Additional funding request are as follows: Travel - \$128,000 which includes funding for seven (7) new vehicles for Judicial Districts and Travel expense for staff; Meeting Expense - \$134,096 for Process Servers and non-employees. Supplies - \$75,000 for Laptops for training and funding to produce Navajo Reporter, Vol. X; Repairs & Maintenance - \$400,000 to improve Internet/Connectivity across Judicial Districts; Contractual Services - \$750,000 for Consultants to update Navajo Court Rules, produce Navajo Reporter, Vol. X; Computer and Audit Services; Special Transactions - \$37,021 for training fees and insurance premiums for new vehicles; Capital Outlay - \$1,618,000 to develop, plan and design a Central Records Management Facility and Archive System.

PART III. SCOPE OF WORK/METHODOLOGY

The Operations and Maintenance (O&M) funds will be utilized by all Judicial Branch Staff, Process services and non-employee travel expenses. Funding will be used to improve Internet/Connectivity across the Judicial Districts. Update Navajo Court Rules and produce Navajo Reporter, Vol. X. Funding will also be used to develop, plan and design a Central Records Management Facility & Archive System for the Judicial Districts.

PART IV. AFFIRMATION IS PROVIDED THAT THE PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL.

 9/15/17
REVIEWED BY: Division Director's Signature / Date


RECOMMEND APPROVAL: Branch Chief's Signature / Date

FY 2018

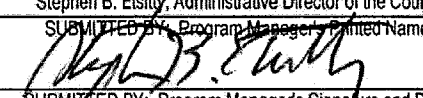
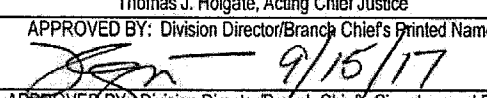
**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page 1 of 5
BUDGET FORM 1

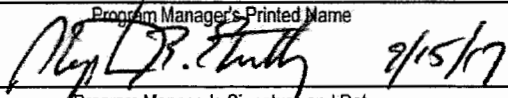
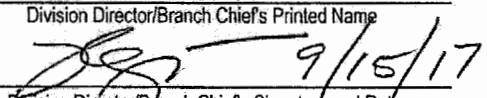
PART I. Business Unit No.: <u>102001</u>		Program Title: <u>Administrative Office of the Courts</u>		Division/Branch: <u>Judicial Branch of the Navajo Nation</u>	
Prepared By: <u>Yvonne Gorman</u>		Phone No.: <u>928-871-7026</u>		Email Address: <u>yagorman@navajo-nsn.gov</u>	

PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY				
					Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
UUFB	10/1/2017-9/30/2018	3,142,117	100%	2001 Personnel Expenses	1	1,329,939	0	1,329,939
				3000 Travel Expenses	1	29,866	128,000	157,866
				3500 Meeting Expenses	1	0	134,096	134,096
				4000 Supplies	1	13,800	75,000	88,800
				5000 Lease and Rental	1	300	0	300
				5500 Communications and Utilities	1	4,930	0	4,930
				6000 Repairs and Maintenance	1	500	400,000	400,500
				6500 Contractual Services	1	2,500	750,000	752,500
				7000 Special Transactions	1	24,469	37,021	61,490
				8000 Public Assistance	1	0	0	0
				9000 Capital Outlay	1	0	1,618,000	1,618,000
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$1,406,304	\$3,142,117	\$4,548,421

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	19	0
Total # of Permanently Assigned Vehicles:	3	7

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	
Stephen B. Elsitty, Administrative Director of the Courts SUBMITTED BY: Program Manager's Printed Name  9/15/17 SUBMITTED BY: Program Manager's Signature and Date	Thomas J. Holgate, Acting Chief Justice APPROVED BY: Division Director/Branch Chief's Printed Name  9/15/17 APPROVED BY: Division Director/Branch Chief's Signature and Date

THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:								
Business Unit No.: 102001			Program Name/Title: Administrative Office of the Courts					
PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE: 1) CO-69-58 2) CD-94-85, 7 N.N.C. §101-404 3) CO-72-03 §371 & 401 7 N.N.C. §371 authorizes the Chief Justice to supervise the work of all justices and judges of the Navajo Nation and to administer the Judicial Branch. The Administrative Office of the Courts assists the Chief Justice with this duty by providing administrative, financial, technical and legal support services to the eleven judicial districts, one supreme court, one peacemaker program and the Administrative Office of the Courts. Administrative services are provided for non-judge personnel through the Judicial Branch Personnel Rules as authorized by 7 N.N.C. §401.								
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Program Performance Area: Update 1-2 sets of Navajo Nation Court Rules and produce draft Navajo Reporter, Vol X. Goal Statement: Update 1-2 sets of NN Court Rules & produce draft Navajo Reporter, Vol X. by the 3rd and 4th quarters.								
	N/A		N/A		1		1	
2. Program Performance Area: Conduct internal Financial Audit for Judicial Branch General Funds and Cash Bond Accounts. Goal Statement: Conduct internal Financial Audit for Judicial Branch General Funds and Cash Bond Accounts by 4th quarter.								
	N/A		N/A		N/A		1	
3. Program Performance Area: To improve internet/Connectivity across Judicial Districts. Procure updated licenses for existing software. Address barriers/challenges presented by e-filing, e.g. data security, digital signatures. Goal Statement: Improve Internet/Connectivity for Pueblo Pintado, Tohajilee, and Alamo Judicial Districts.								
	N/A		N/A		N/A		1	
4. Program Performance Area: Draft plan and design a Central Records Management Facility & Archive System. Draft plan by the end of 3rd quarter.								
	N/A		N/A		1		N/A	
5. facilities maintenance and building operations. Obtain Facilities Management & Building Supervision Training for Court Administrators; to enhance facilities maintenance and building operations. Goal Statement: One training per quarter for five (5) Court Administrators								
	1		1		1		1	
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.								
Stephen B. Etsitty, Administrative Director of the Courts Program Manager's Printed Name  Program Manager's Signature and Date			Thomas J. Holgate, Acting Chief Justice Division Director/Branch Chief's Printed Name  Division Director/Branch Chief's Signature and Date					

FY 2018

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

Page 3 of 5
BUDGET FORM 4

PART I. PROGRAM INFORMATION:				
Program Name/Title: <u>Administrative Office of the Courts</u>		Business Unit No.: <u>102001</u>		
PART II. DETAILED BUDGET:				
(A)	(B)	(C)	(D)	
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code	
	3000 TRAVEL EXPENSES			128,000
	Meals and lodging expenses directly related to program business. Other miscellaneous travel expenses. Transportation to and from authorized training, seminars, conferences and other program related functions.			
3110	FLEET		114,660	
	5% Sales Tax Total			
	3111 - Group B Class XVII (Ford Explorer) 7 vehicles x \$460/mo. x 12 mos. = \$27,600	38,640 1,932 40,572		
	3113 - Group B Class XVII (Ford Explorer) 7 Vehicles x 3,000 miles x .28/mile x 12 mos. = \$36,000	70,560 3,528 74,088		
	<u>\$109,200 \$5,460 \$114,660</u>			
3230	PERSONAL TRAVEL		13,340	
	3240 Per Diem Meals	3,840		
	3250 Lodging	3,500		
	3260 POV Mileage	6,000		
	<u>13,340</u>			
	3500 METING EXPENSE			134,096
	Service of Process Fees plus mileage. Travel Expenses for recalled Judges.			
3810	Meetings		134,096	
	3811 Stipend	120,000		
	3812 Meals & Lodging	8,000		
	3813 Mileage	6,096		
	<u>\$134,096</u>			
TOTAL		262,096		262,096

FY 2018

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

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BUDGET FORM 4

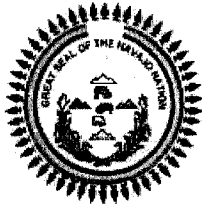
PART I. PROGRAM INFORMATION:				
Program Name/Title: <u>Administrative Office of the Courts</u>		Business Unit No.: <u>102001</u>		
PART II. DETAILED BUDGET:				
(A)	(B)	(C)	(D)	
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code	
	4000 SUPPLIES		75,000	
	Printing & binding, pamphlets & photocopying. To produce Navajo Reporter, Vol. X. Purchase Laptops for staff training.			
4410	OPERATING SUPPLIES	50,000		
	4530 Printing/Binding/Photocopying \$50,000			
4200	NON CAPITAL ASSETS	25,000		
	4230 Non Cap Computer Equipment \$25,000			
	6000 REPAIRS AND MAINTENANCE		400,000	
	Annual repair and maintenance fees for furniture, equipment and computer upgrade hardware. To improve Internet/Connectivity across Judicial Districts; to procure updated licenses for existing software; to address the barriers/challenges presented by e-filing, e.g. data security, digital signatures, etc.			
6300	TECHNOLOGY	400,000		
	6310 Computer Hardware R&M 200,000			
	6320 Software Support 200,000			
	<u>\$400,000</u>			
	6500 CONTRACTUAL SERVICES		750,000	
	Professional Services for various program initiatives. Contractual Services for specialized services. To update Navajo Nation Court Rules. To conduct internal financial audit for the Judicial Branch General Funds and Judicial District Cash Bond Accounts. Consulting Services for Computer Support.			
6520	CONSULTING	650,000		
	6530 Consulting Fees 500,000			
	6540 Consulting Expenses 150,000			
	<u>\$650,000</u>			
6600	AUDIT	100,000		
	6630 Audit Fees 80,000			
	6640 Audit Expenses 20,000			
	<u>\$100,000</u>			
TOTAL		1,225,000	1,225,000	

FY 2018

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

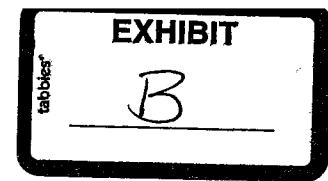
Page 5 of 5
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Administrative Office of the Courts</u>		Business Unit No.: <u>102001</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
	7000 SPECIAL TRANSACTIONS		37,021
	Employee training fees. To obtain Facilities Management & Building Supervision Training for Court Administrators; to enhance facilities maintenance and building operations. Insurance Premiums.		
7510	TRAINING AND PROFESSIONAL DUES	32,000	
	7520 Training/Registration Fees \$32,000		
7710	INSURANCE PREMIUMS	5,021	
	7740 Vehicle - Auto Liability - 7 Vehicles x \$109.66/yr. = 768		
	7750 Vehicle - Auto Physical Damage - 7 vehicles x \$107.64 = 753		
	7766 Deductible Expense - 7 Vehicles x \$500 per vehicle 3,500		
	<u>\$5,021</u>		
	9000 CAPITAL OUTLAY		1,618,000
	To develop, plan and design a Central Records Management Facility & Archive system.		
9050	BUILDING	1,618,000	
	9052 Buildings 1,318,000		
	9054 Building Improvements 300,000		
	<u>\$1,618,000</u>		
TOTAL		1,655,021	1,655,021



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE-PRESIDENT




Memorandum

Date: September 8, 2017

To: Honorable Russell Begaye, President
Office of the President/Vice President

Honorable Lorenzo Bates, Speaker
Navajo Nation Council

Honorable Thomas J Holgate, Acting Chief Justice
Judicial Branch

From: 
Pearline Kirk, Controller
Office of the Controller

Subject: Financial Update-(General Fund Revenue, Expenditures, UUFB)

The gross General Fund Revenues, (see Exhibit "A"), as of August 31, 2017 is \$203,053,235, (see Footnote 1). The total General Fund set asides is \$ \$51,749,599 (Footnote 2). The Net Revenue for the General Fund is \$151,303,727 (see Footnote 3). The permanent fund income transfer is \$24,411,000 (Footnote 4). The reserve taken for the permanent fund income transfer is \$2,885,000 (Footnote 5). The grand total revenue for the General Fund is \$172,829,727 (see Footnote 6) which is 98.78% of the projection.

Next, are the total expenditures by Branch, (see Exhibit "B"), as of August 31, 2017, the Legislative Branch has expenditures of \$14,836,331 (see Footnote 1a); encumbrances of \$822,493 (see Footnote 1b) with a remaining budget of \$3,307,669 (see Footnote 1c). The Executive Branch expenditures are \$162,500,722 (see Footnote 2a); encumbrances are \$7,206,122 (see Footnote 2b) with a remaining budget of \$37,797,219 (see Footnote 2c). The Judicial Branch expenditures are \$11,718,156 (see Footnote 3a); with encumbrances of \$73,692 (see Footnote 3b) and remaining budget of \$2,356,349 (see Footnote 3c). Total General Fund expenditures are \$189,055,209 (see Footnote 4a); total encumbrances are \$8,102,307 (see Footnote 4b) with an overall remaining budget of \$43,461,236 (see Footnote 4c).

The updated Undesignated Unreserved Fund Balance (UUFB), (see Exhibit "C") as of September 8, 2017 is \$31,258,217. The Fiscal Year 2016 audited numbers were approved via CJY-51-17 and an amount of \$11,728,198 that was previously reserved for debt service for capital projects was returned back to the UUFB with the approval of CJY-50-17. These two amounts have been incorporated into this new schedule.

Thank you, if you should have any question please feel free to call me at tribal extension X6308.



THE NAVAJO NATION
General Fund Revenue Schedule
(Unaudited)
August 31, 2017

FY 2017

GENERAL FUND REVENUE	Original Budget	Revised Budget	Actual Revenue Received	Revenue to be collected	% Revenue of Total
TNN: ROYAL; GAS; OIL	\$ 24,700,000	\$ 24,700,000	22,503,079	\$ 2,196,921	91.11
TNN: COAL REVENUES	55,850,000	55,850,000	51,709,402	4,140,598	92.59
TNN:OTR MINERALS REV			79,149	(79,149)	
TNN: LAND REVENUES	58,450,000	58,450,000	59,393,523	(943,523)	101.61
TNN: BUSINESS FEES			80,415	(80,415)	
TNN: INTEREST INCOME	1,600,000	1,600,000	4,249,477	(2,649,477)	265.59
TNN: TAX REVENUES	64,150,000	64,150,000	63,125,774	1,024,226	98.40
COURT FINES + FEES	400,000	400,000	379,897	20,103	94.97
TNN: OTHER REVENUES	500,000	500,000	1,270,889	(770,889)	254.18
BIA: ROYAL; GAS; OIL			111,327	(111,327)	
BIA: COAL REVENUES			114	(114)	
BIA:OTR MINERALS REV				-	
BIA: LAND REVENUES			150,280	(150,280)	
TOTAL REVENUE	\$ 205,650,000	\$ 205,650,000	203,053,325	(1) \$ 2,596,675	98.74
LESS:SET ASIDES					
CAPITAL OUTLAY MATCH	\$ (2,000,000)	\$ (2,000,000)	(2,000,000)	\$ -	100.00
LAND FUND TRANSFER	(4,113,000)	(4,113,000)	(4,061,067)	(51,933)	98.74
PERMANENT FUND TRNSF	(24,678,000)	(24,678,000)	(24,366,399)	(311,601)	98.74
WATER RIGHTS CLAIM FU	(2,000,000)	(2,000,000)	(2,000,000)	-	100.00
DINE' HIGHER EDUCATIO	(11,200,000)	(11,200,000)	(11,200,000)	-	100.00
VETERANS TRUST FUND S	(8,226,000)	(8,226,000)	(8,122,133)	(103,867)	98.74
TOTAL SET ASIDE	\$ (52,217,000)	\$ (52,217,000)	\$ (51,749,599)	(2) \$ (467,401)	99.10
SUB TOTAL	\$ 153,433,000	\$ 153,433,000	\$ 151,303,727	(3) \$ 2,129,273	98.61
PERMANENT FUND INCOME TRANSFER					
OTHER REVENUE TRANSFER	\$ 24,411,000	\$ 24,411,000	\$ 24,411,000	(4) \$ -	100.00
LESS: PF FIVE-YEAR CONTINGENCY	(2,885,000)	(2,885,000)	(2,885,000)	(5) -	100.00
TOTAL PFI TRANSFER	\$ 21,526,000	\$ 21,526,000	\$ 21,526,000	\$ -	100.00
NET PFI TRANSFER	\$ 21,526,000	\$ 21,526,000	\$ 21,526,000	\$ -	100.00
GRAND TOTAL	\$ 174,959,000	\$ 174,959,000	\$ 172,829,727	(6) \$ 2,129,273	98.78

(1) Gross General Fund Revenues

(2) Total Set Asides for General Fund Revenue

(3) Net General Fund Revenue

(4) Permanent Fund Income allocation to General Fund

(5) Permanent Fund Income allocation reserve (CO-54-16)

(6) Grand total General Fund Revenues

EXHIBIT "A"

Prepared by:
General Accounting
9/8/2017



FY 2017 EXHIBIT "B"

The Navajo Nation Budget Status Income Statement As of August 31, 2017

Branch / Object Account	Original Budget	Revised Budget	Actual Expenses	Encumbrances	Budget Available	% Available
LEGISLATIVE BRANCH						
2001 - Personnel Expenses	\$ 10,651,778	\$ 12,278,822	\$ 10,019,466		\$ 2,259,357	18.40
3000 - Travel Expenses	1,321,631	1,765,310	1,572,327	46,213	545,274	30.89
3500 - Meeting Expenses	159,932	399,828	210,861	-	204,416	51.13
4000 - Supplies	196,565	744,678	455,884	31,130	248,147	33.32
5000 - Lease & Rental	212,423	226,684	179,129	10,417	50,024	22.07
5500 - Communications & Utilities	119,336	158,833	134,035	-	60,813	38.83
6000 - Repairs & Maintenance	44,547	152,091	74,100	7,525	57,978	38.12
6500 - Contractual Services	541,691	1,553,766	963,771	462,824	197,091	12.68
7000 - Special Transactions	294,373	618,408	411,587	42,876	239,264	38.63
8000 - Assistance	-	-	-	-	-	-
9000 - Capital Outlay	20,000	1,068,274	815,172	221,509	586,817	54.88
9500 - Matching & Indirect Cost	-	-	-	-	-	-
Total LEGISLATIVE BRANCH	\$ 13,562,275	\$ 18,966,493	\$ 14,836,331	(1a) \$ 822,493	(1b) \$ 3,307,669	(1c) 17.44
EXECUTIVE BRANCH						
2001 - Personnel Expenses	82,554,099	85,757,946	67,342,879	-	18,415,068	21.47
3000 - Travel Expenses	9,499,593	9,498,299	8,499,697	8,235	990,367	10.43
3500 - Meeting Expenses	981,047	1,713,064	1,321,407	-	391,657	22.86
4000 - Supplies	5,400,663	7,963,841	4,549,358	897,024	2,517,450	31.61
5000 - Lease & Rental	1,751,399	1,669,091	1,198,102	28,114	444,875	28.65
5500 - Communications & Utilities	7,305,568	8,123,429	6,513,700	589,673	1,020,057	12.56
6000 - Repairs & Maintenance	3,914,876	8,788,252	5,571,378	1,030,316	2,186,557	24.88
6500 - Contractual Services	4,653,568	12,866,818	6,849,248	2,804,762	3,212,809	24.97
7000 - Special Transactions	10,316,377	11,986,749	10,083,552	322,516	1,580,681	13.19
8000 - Assistance	41,728,697	48,837,782	45,579,345	1,174,985	2,083,432	4.27
9000 - Capital Outlay	764,670	2,746,354	1,563,730	350,497	832,127	30.30
9300 - Other Income and Expense	-	-	-	-	-	-
9500 - Matching & Indirect Cost	7,552,457	7,552,457	3,430,326	-	4,122,131	54.68
Total EXECUTIVE BRANCH	\$ 176,423,011	\$ 207,504,063	\$ 162,500,722	(2a) \$ 7,206,122	(2b) \$ 37,797,219	(2c) 18.22
JUDICIAL BRANCH						
2001 - Personnel Expenses	\$ 12,523,143	\$ 12,566,722	\$ 10,812,000		\$ 1,754,722	13.96
3000 - Travel Expenses	433,764	419,940	243,969	-	175,971	41.90
3500 - Meeting Expenses	-	26,807	10,955	-	15,852	59.13
4000 - Supplies	68,291	378,953	241,164	27,553	110,238	29.09
5000 - Lease & Rental	9,000	45,670	19,012	-	26,658	68.37
5500 - Communications & Utilities	69,206	90,472	98,386	-	22,087	24.41
6000 - Repairs & Maintenance	-	210,010	99,988	46,094	63,927	30.44
6500 - Contractual Services	-	89,627	50,671	-	38,956	43.46
7000 - Special Transactions	103,339	274,160	172,011	44	102,105	37.24
8000 - Assistance	-	-	-	-	-	-
9000 - Capital Outlay	-	45,834	-	-	45,834	100.00
9300 - Other Income and Expense	-	-	-	-	-	-
Total JUDICIAL BRANCH	\$ 13,206,743	\$ 14,148,196	\$ 11,718,156	(3a) \$ 73,692	(3b) \$ 2,356,349	(3c) 16.65
GRAND TOTAL:	\$ 203,192,029	\$ 240,618,752	\$ 189,055,209	(4a) \$ 8,102,307	(4b) \$ 43,481,236	(4c) 18.06

Footnotes:

Legislative Branch

- (1a) Legislative Expenses
- (1b) Legislative Encumbrances
- (1c) Legislative Budget Available

Executive Branch

- (2a) Executive Expenses
- (2b) Executive Encumbrances
- (2c) Executive Budget Available

Judicial Branch

- (3a) Judicial Expenses
- (3b) Judicial Encumbrances
- (3c) Judicial Budget Available

Total General Fund

- (4a) General Fund Expenses
- (4b) General Fund Encumbrances
- (4c) General Fund Budget Available

EXHIBIT "C"

Memo Dated Sept. 8, 2017

Financial Update

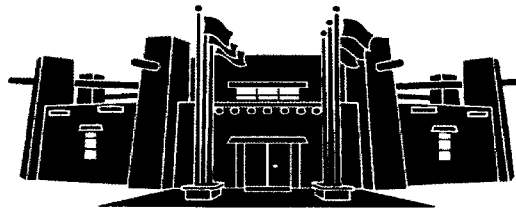
**Undesignated, Unreserved, Fund Balance (UUFB)
September 8, 2017**

09-30-16 UUFB balance <u>(Audited)</u> CJY-15-17		26,763,946
Less Supplementals:		
CO-55-16 Election	510,616	
CN-58-16-Budget	3,848,764	
CJA-05-17 Bennett Freeze	254,656	
CAP-22-17-Dine Bii Association	239,200	
CJN-34-17 Summer Youth Employment	2,161,748	
CJY-37-17- Transportation Stimulus Election	218,943	7,233,927
Total UUFB less Supplementals		19,530,019
Add:		
CJY-50-17 Deposit into UUFB.		11,728,198
UUFB 09-08-17		<u>31,258,217</u>

Prepared by: General Accounting

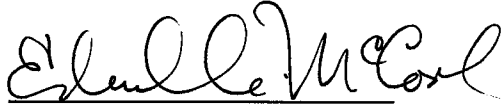
9/8/2017

5:00 PM



MEMORANDUM

TO: Honorable Kee Allen Begay, Jr.
Navajo Nation Council

FROM: 
Edward A. McCool, Principal Attorney
Office of Legislative Counsel

DATE: September 19, 2017

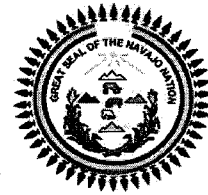
SUBJECT: AN ACTION RELATING TO LAW AND ORDER, BUDGET AND FINANCE, NAA'BIK'ÍYÁTI, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF THREE MILLION, ONE HUNDRED AND FORTY TWO THOUSAND, ONE HUNDRED AND SEVENTEEN DOLLARS (\$3,142,117.00) FOR THE ADMINSTRATIVE OFFICE OF THE COURTS IN PART IMPROVE INTERNET CONNECTIVITY ACROSS JUDICIAL DISTRICTS, UPDATE NAVAJO RULES AND REPORTER, DEVELOP, PLAN AND DESIGN A CENTRAL RECORDS MANAGEMENT FACILITY AND ARCHIVE SYSTEM FOR THE JUDICIAL DISTRICTS

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§500, 501. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0385-17_____

SPONSOR: Kee Allen Begay Jr.

TITLE: An Act Relating To Law And Order, Budget And Finance, Naabik'iyati', And Navajo Nation Council; Approving Supplemental Funding From The Unreserved, Undesignated Fund Balance In The Amount Of Three Million, One Hundred And Forty Two Thousand, One Hundred And Seventeen Dollars (\$3,142,177.00) For The Administrative Office Of The Courts In Part Improve Internet Connectivity Across Judicial Districts, Update Navajo Rules And Reporter, Develop, Plan And Design A Central Records Management Facility And Archive System For The Judicial Districts.

Date posted: September 19, 2017 at 10:10pm

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) 871-7590**

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.*

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

LEGISLATION NO.: 0385-17

SPONSOR: Honorable Kee Allen Begaye Jr.

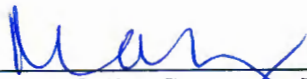
TITLE: An Act Relating To Law And Order, Budget And Finance, Naabik'iyati', And Navajo Nation Council; Approving Supplemental Funding From The Unreserved, Undesignated Fund Balance In The Amount Of Three Million, One Hundred And Forty Two Thousand, One Hundred And Seventeen Dollars (\$3,142,177.00) For The Administrative Office Of The Courts In Part Improve Internet Connectivity Across Judicial Districts, Update Navajo Rules And Reporter, Develop, Plan And Design A Central Records Management Facility And Archive System For The Judicial Districts..

Posted: September 19, 2017 at 10:10pm

5 DAY Comment Period Ended: September 24, 2017

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Inclusive Comments	<i>None</i>



**Legislative Secretary II
Office of Legislative Services**

9/25/2017 8:29am

Date/Time

**LAW AND ORDER COMMITTEE
23RD NAVAJO NATION COUNCIL
THIRD YEAR 2017**

COMMITTEE REPORT

Mr. Speaker,

The **LAW AND ORDER COMMITTEE** to whom has been assigned:

Legislation No. 0385-17: An Action Relating to Law and Order, Budget and Finance, Naabik'iyati', and Navajo Nation Council: Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of Three Million, One Hundred and Forty Two Thousand, One Hundred and Seventeen Dollars (\$3,142,117.00) for the Administrative Office of the Courts in Part Improve Internet Connectivity across Judicial Districts, Update Navajo Rules and Reporter, Develop, Plan and Design a Central Records Management Facility and Archive System for the Judicial Districts – Sponsor: Honorable Kee A. Begay, Jr.

Has had it under consideration and reports the same with the recommendation that it **DO PASS** with one amendment:

Page 3 of 3, line 14, delete ~~Tselani Cottonwood Chapter~~ and insert "Navajo Nation Judicial Branch"

And thereafter referred to Budget and Finance Committee

Respectfully submitted,



Edmund Yazzie, Chairperson
Law and Order Committee
23rd Navajo Nation Council

Date: October 9, 2017

Amendment No. 1:

Motion: Honorable Otto Tso

Second: Honorable Raymond Smith, Jr.

Vote: 3-0

Main Motion: Honorable Otto Tso

Second : Honorable Raymond Smith, Jr.

Vote : 3-0 (Chairperson not voting)

23rd NAVAJO NATION COUNCIL

Third Year 2017

Mr. Speaker:

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

NAVAJO LEGISLATIVE BILL # 0385-17:

An Action Relating to Law and Order, Budget and Finance, Naabikiyati, and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of Three Million, One Hundred and Forty Two Thousand, One Hundred and Seventeen Dollars (\$3,142,117.00) for the Administrative Office of the Courts in Part Improve Internet Connectivity across Judicial Districts, Update Navajo Rules and Reporter, Develop, Plan and Design a Central Records Management Facility and Archive System for the Judicial Districts
Sponsored by Kee Allen Begay, Jr., Council Delegate

has had it under consideration and reports the same with the recommendation that It
Do Not Pass with 1 amendment.


1. On page 2, line 19, insert new language "as Exhibit C." at the end of the sentence.
Add OMB memo dated October 27, 2017 as Exhibit "C" *Amendment 1 Motion: Dwight Witherspoon Second: Tom T. Chee Vote: 3-0*

And therefore, referred to the **NAABIKIYATI** Committee

Respectfully submitted,


Seth Damon, Chairman

Adopted: _____
Legislative Advisor

Not Adopted: 
Legislative Advisor

7 November 2017

The vote was **1** in favor **2** opposed
Motion: Tom T. Chee
Second: Dwight Witherspoon

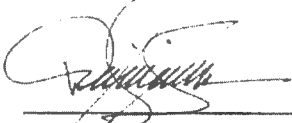


THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

MEMORANDUM

TO : 2 NNC 164 Reviewers

FROM : 
Dominic Beyal, Executive Director
Office of Management and Budget

DATE : October 27, 2017

SUBJECT : Legislation 0385-17: Supplemental Appropriation for the Administrative Office of the Courts in the amount of \$3,142,117 from the UUFB.

1. The Supplemental Funding Proposal Summary Form and the Budget Form are signed and dated September 15, 2017. The forms need to be updated.
2. There is another proposal submitted to OMB for all eighteen Judicial Branch programs which totals to the amount of \$425,950. This amount of \$425,950 is included as Exhibit 'L' in the FY 2018 budget resolution CS-53-17. Therefore, the Administrative Office of the Courts has two supplemental appropriations proposal going through the Legislative review process. What are the priorities?
3. In a memorandum dated October 2, 2017, OMB informed the Branch Chiefs and Navajo Nation Council that there are 30 UUFB proposals totaling more than \$46 million. Since then, there are more (possibly 10) and the new total amount requested is about \$60 million. Again, what are the priorities?
4. The Appropriations Act requires that non-recurring funds be used for non-recurring purposes (12 NNC § 820 (E), (F), (J), (L). The Controller would make this determination.

Contact OMB at 871-6470, N. Francisco, SBA, if there are any questions and/or concerns regarding this memorandum.

xc: Judicial Branch

