LEGISLATIVE SUMMARY SHEET
Tracking No. 0141-20

DATE: June 18, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE TOTAL AMOUNT OF FOUR HUNDRED FORTY-SEVEN THOUSAND ONE HUNDRED AND SIXTY-SIX DOLLARS ($447,166) TO THE NAVAJO ELECTION ADMINISTRATION OFFICE; WAIVING 12 N.N.C. §§ 820 (E) AND 820 (F) OF THE APPROPRIATIONS ACT

PURPOSE: The purpose of this resolution is approve the $447,166 in supplemental funding to the Navajo Election Administration.

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 to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: 7:00pm 06-26-20
Posting End Date: 07-01-20
Eligible for Action: 07-02-20

Budget & Finance Committee
Thence
Naabik'íyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL – Second Year, 2020

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0141-20

AN ACTION

RELATING TO BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE TOTAL AMOUNT OF FOUR HUNDRED FORTY-SEVEN THOUSAND ONE HUNDRED AND SIXTY-SIX DOLLARS ($447,166) TO THE NAVAJO ELECTION ADMINISTRATION OFFICE; WAIVING 12 N.N.C. §§ 820 (E) AND 820 (F) OF THE APPROPRIATIONS ACT

BE IT ENACTED:

SECTION 1. AUTHORITY

A. The Budget and Finance Committee 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).

B. A proposed resolution that requires final action by the Navajo Nation Council shall be assigned to the Naabik'íyáti' Committee. 2 N.N.C. §§ 164 (A)(9).

C. The Navajo Nation Council is the governing of body of the Navajo Nation. 2 N.N.C. § 102(A).

D. The Navajo Nation Council has the authority to approve supplemental appropriations. 12 N.N.C. § 820(L). Pursuant to 12 N.N.C. § 820 (L), "[t]he Navajo Nation Council may adopt and approve supplemental appropriations to the Annual Comprehensive Budget during the fiscal year. Supplemental appropriations of General Funds within the current fiscal year are permitted, if and when additional sources of revenues above and beyond the initial or current revenue projections are projected and which are also in excess of the reserve amount set forth at § 820(J)."

E. The Title 12 Finance Act Supplemental Appropriation requirements include:

1. All requests for annual operating funds and supplemental funds shall be submitted to the Office of Management and Budget for budget impact analysis. 12 N.N.C. § 820(M).
2. When the Controller identifies additional sources of revenues above and beyond the initial or current revenue projections, supplemental appropriations may be approved by the Navajo Nation Council. 12 N.N.C. § 820(L).
3. Supplemental Appropriations made from non-recurring revenues shall only be made for non-recurring operations or purposes, as set forth at § 820(F). The Controller of the Navajo Nation shall be responsible for designation recurring and non-recurring revenues. 12 N.N.C. § 820(L).
4. The Nation shall budget all recurring operating expenses, including capital maintenance, from recurring revenues. Long term debt shall not be used to finance recurring operating expenses. 12 N.N.C. §820(E).
5. The Navajo Nation Code provides, "[t]he Nation shall restrict non-recurring revenues to budget non-recurring expenditures. In addition, non-recurring revenues will be budgeted only after an examination by the Controller to determine whether or not the revenues are subsidizing an imbalance between recurring revenues and expenditures, and expenditures may be authorized only if a long-term (three-five year) forecast shows that the operating deficit will not continue. Otherwise, non-recurring revenues will be added to the Unreserved, Undesignated Fund balance. This provision may be amended or waived by a two-thirds vote of the full Navajo Nation Council." 12 N.N.C. § 820(F).

SECTION 2. FINDINGS

A. The Navajo Election Administration Office has requested a supplemental appropriation for the purpose of holding elections throughout the Navajo Nation.

B. The supplemental funding will fund payments to poll officials, election supplies, printing ballots, postage for absentee ballots, photocopying, hardware installation, tabulator parts and supplies, catering for poll workers, and advertising.

C. This supplemental appropriation is requested in the total amount of Four Hundred Forty-Seven Thousand One Hundred and Sixty-Six Dollars ($447,166). The budget documents are attached as **Exhibit A**.

D. The budget forms have been presented to the Office of Budget and Management and is awaiting the required review in accordance with 12 N.N.C. 820 (M).

E. The budget forms have been presented to the Office of the Controller and is awaiting the required review in accordance with 12 N.N.C. § 820 (L).

SECTION 3. WAIVING 12 N.N.C. §§ 820 (E) AND 820 (F) REGARDING MATCHING RECURRING REVENUES WITH RECURRING EXPENSES (12 N.N.C. § 820(E)) AND LIMITING THE APPROPRIATION OF FUNDS FROM THE UNRESERVED, UNDESIGNATED FUND TO NON-RECURRING EXPENDITURES (12 N.N.C. § 820(F))

The Navajo Nation Council hereby waives 12 N.N.C. §§ 820 (E) and 820 (F) in order to allow UUFB funds to be used for recurring expenditures.

SECTION 4. APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF FOUR HUNDRED FORTY-SEVEN THOUSAND ONE HUNDRED AND SIXTY-SIX DOLLARS ($447, 166) TO THE NAVAJO ELECTION ADMINISTRATION OFFICE

A. This supplemental appropriation of $447,166 shall be from that amount of funds that exceeds the minimum fund balance of the Unreserved, Undesignated Fund Balance as

determined by the Office of the Controller and as indicated the documents in **Exhibit A**.

B. The Navajo Nation hereby approves supplemental funding from the Unreserved, Undesignated Fund Balance in the amount of $447,166 for emergency funds as indicated in the documents in **Exhibit A**.

EXHIBIT A

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. **Business Unit No.:** 101021 **Program Title:** Election Administration Office

Division/Branch: Legislative **Amount Requested:** $447,166 **Phone No.:** 871-7263

Prepared By: Jonah Roanhorse **Email Address:** jonahroanhorse@navajo-nsn.gov

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

The program's funding through the appropriation is limited to a base of $1,190,257 which is insufficient for a primary election and approximately 6 months of program operational costs.

The unmet needs included is poll officials payments, election supplies, absentee ballot postage, printing of ballots & forms & xeroxing, tabulator parts & supp hardware install, catering for workers, advertising (print & radio).

Administrative shortfall is office supplies, operational supplies, custodial supplies, equipment rental, gifts & awards, refreshments and recruitment expenses. Additionally, the estimated ballot cost for the general election and absentee ballot postage is included due to the general election occuring thirty-four days after the fiscal year ends. The ballots have to be printing at a mimimum of fifteen day prior to early absentee walk-in voting which begins on October 5. This is five days into the next fiscal year and financial activity and books are closed early in September.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

The other alternative is to seek funds from the carryover.

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

2-27-20 3-13-2020

REVIEWED BY: Division Director's Signature / Date **RECOMMEND APPROVAL: Branch Chief's Signature / Date**

FY ____2020____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: 101021 Program Title: Election Administration Office Division/Branch: Legislative

Prepared By: Jonah Roanhorse Phone No.: 871-7263 Email Address: jonahroanhorse@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
	10/1/19-9/3020	447,166.00	100%
	TOTAL:	$447,166.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Total (Column B + A)
2001 Personnel Expenses	1	906,058		906,058
3000 Travel Expenses	1	100,117		100,117
3500 Meeting Expenses	1		104,940	104,940
4000 Supplies	1	63,018	261,640	324,658
5000 Lease and Rental	1	81,918		81,918
5500 Communications and Utilities	1	16,312	936	17,248
6000 Repairs and Maintenance	1	8,670	4,625	13,295
6500 Contractual Services				0
7000 Special Transactions	1	14,164	75,025	89,189
8000 Public Assistance				0
9000 Capital Outlay				0
9500 Matching Funds				0
9500 Indirect Cost				0
TOTAL		$1,190,257.00	447,166.00	1,637,423

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	18	N.A.
Total # of Vehicles Budgeted:	6	N.A.

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

Murray Lee, Interim Director
SUBMITTED BY: Program Manager's Printed Name

Murray Lee 2-27-20
SUBMITTED BY: Program Manager's Signature and Date

Hon. Seth Damon, Speaker of the Navajo Nation Council
APPROVED BY: Division Director/Branch Chief's Printed Name

3.13.2020
APPROVED BY: Division Director/Branch Chief's Signature and Date

FY ____2020_____

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: 101021 Program Name/Title: Election Administration Office

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

2 NNC 876 To implement and carryout provisions of the election code and conduct elections DC-68-89

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: Elections Program Performance Measure: To prepare for and conduct all elections							1	
2. Goal Statement: Program Performance Measure:								
3. Goal Statement: Program Performance Measure:								
4. Goal Statement: Program Performance Measure:								
5. Goal Statement: Program Performance Measure:								

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Murray Lee, Interim Director
Program Manager's Printed Name

Murray Lee 2-27-20
Program Manager's Signature and Date

Hon. Seth Damon, Speaker of the NN Council
Division Director/Branch Chief's Printed Name

3/3/2020
Division Director/Branch Chief's Signature and Date

FY ____2020_____

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: Election Administration Office Business Unit No.: 101021

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)			(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
	3500 MEETING EXPENSES				
	Poll Officials pay for election day work, training and CPJ mileage.				104,940
3810	Meetings				
	3811	Stipend - M/L	440 PO x $120 = $52,800	104,940	
			440 PO training x $60 = $26,400		
			110 CPJ training x $60 = $6,600		
	3813	Mileage	110 CPJ x 2 RT x 150 mi. x $0.58/mi. = $19,140		
	4000 SUPPLIES				
	Operational supplies, postage and printing.				261,640
4410	Operating Supplies				
	4420	General Operating Supplies	110 chapters x $100 = $11,000	261,640	
	4450	Postage,Courier,Shipping	Ballots: 8,500 x $1.55/ea. = $13,175; Ballots: 10,500 x $1.55/ea. = $16,275		
	4530	Printing/Binding/Photocopying	Forms: 4 ea. X $360/ea. X 2 purchases = $3,040		
			Primary Ballots: 75,000 x $1.30/ea. = $97,500		
			33,000 xerox x $0.15/ea. = $4,950		
			General Ballots: 89,000 x $1.30/ea. = $115,700		
	5500 COMMUNICATIONS & UTILITIES				
	Telephone and DSL temporary installation.				936
5520	Telephone				
	5550	Hardware/Install	9 lines x $104/ea. = $936	936	
			TOTAL	367,516	367,516

FY ____2020_____

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: Election Administration Office **Business Unit No.:** 101021

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)			(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
	6000 REPAIRS & MAINTENANCE				
	Tabulator parts and services.				4,625
6110	Supplies				
	6120	Furn&Equip R&M Supplies	15 x $75/ea. = $1,125	1,125	
6130	Services				
	6140	Furn&Equip R&M Services	10 x $350/ea. = $3,500	3,500	
	7000 SPECIAL TRANSACTIONS				
	Catering and advertising.				75,025
7110	Program				
	7150	Catering	$625	625	
7410	Media				
	7440	Print Advertising	8 full page x $2,250 x 2 outlets = $36,000	74,400	
	7450	Radio Advertising	$30 x 8/da. X 4 outlets x 40 days = $38,400		
			TOTAL	79,650	79,650

Office of Legislative Counsel
Telephone: (928) 871-7166
Fax # (928) 871-7576

Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

TO: Honorable Edison J. Wauneka
24th Navajo Nation Council

FROM: Kristen A. Lowell, Principal Attorney
Office of Legislative Counsel

DATE: June 18, 2020

SUBJECT: AN ACTION RELATING TO BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE TOTAL AMOUNT OF FOUR HUNDRED FORTY-SEVEN THOUSAND ONE HUNDRED AND SIXTY-SIX DOLLARS ($447,166) TO THE NAVAJO ELECTION ADMINISTRATION OFFICE; WAIVING 12 N.N.C. §§ 820 (E) AND 820 (F) OF THE APPROPRIATIONS ACT

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. §§301, 401, 501, 601 and 701. 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: _0141-20__ **SPONSOR: Edison J. Wauneka**

TITLE: An Action Relating To Budget And Finance And NAABIK'IYATI' Committees, And Navajo Nation Council; Approving Supplemental Funding From The Unreserved, Undesignated Fund Balance In The Total Amount Of Four Hundred Forty-Seven Thousand One Hundred And Sixty-Six Dollars ($447,166) To The Navajo Election Administration Office; Waiving 12 N.N.C. §§ 820 (E) And 820 (F) Of The Appropriations Act

***Date posted*: June 26, 2020 at 7:00 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
(928) 871-7586

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.*