

RESOLUTION OF THE
HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
of the 25th NAVAJO NATION COUNCIL - FIRST YEAR, 2023

AN ACTION
RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE;
RESCINDING RESOLUTIONS ECMAR-12-91 AND HSCMA-13-96; APPROVING
OVERSIGHT COMMITTEE BUDGET MEETING PROCEDURES

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. 400 § (A).
- B. The Navajo Nation Code provides that "[e]ach oversight committee shall review and make recommendations to the Budget and Finance Committee concerning the budget in accordance with the annual budget instructions. The oversight committees may hold public hearings at each agency with programs under their oversight and take testimony on the budget. 12 N.N.C. § 840 (A).
- C. Additionally, "[t]he oversight committees shall make recommendations concerning the budget and pass resolutions recommending appropriations and conditions of appropriations for activities within their respective areas of oversight to the Budget and Finance Committee pursuant to the time-lines established in the Budget Instructions Manual." 12 N.N.C. § 840 (A).

SECTION TWO. FINDINGS

- A. The former Education Committee approved Resolution ECMAR-12-91, attached as Exhibit 1, and the former Human Services Committee approved Resolution HSCMA-13-96, attached as Exhibit 2. Both Resolutions approved rules for conducting budget hearings.
- B. The Health, Education, and Human Services Committee wishes to adopt the uniform standing committee procedures for conducting the Fiscal Year 2024 budget meetings. As such, the Procedures for Oversight Committee Meetings, Program Budgets for FY 2024 is attached as Exhibit 3.

- C. As a result of adopting the Procedures in Exhibit 3, Resolutions ECMAR-12-91 and HSCMA-19-96 should be rescinded.

SECTION THREE. RESCINDING PRIOR RESOLUTIONS APPROVING RULES OF PROCEDURE FOR BUDGET HEARINGS

- A. The Health, Education and Human Services Committee rescinds Resolutions ECMAR-12-91 and HSCMA-13-96.
- B. The Health, Education, and Human Services Committee hereby rescinds any other budget hearing rules from the Education Committee, Human Services Committee, and any other former committees resolutions, which are now under the oversight of the Health, Education and Human Services Committee, approving budget hearing and budget meeting rules, procedures or guidelines.

SECTION FOUR. APPROVING PROCEDURES FOR OVERSIGHT COMMITTEE MEETINGS FOR APPROVING BUDGETS FOR THE FISCAL YEAR 2024

The Health, Education, and Human Services Committee hereby approves the Procedures for Oversight Committee Meetings for Approving Budgets for the Fiscal Year 2024, attached as Exhibit 3.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Health, Education and Human Services Committee 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 4 in Favor, and 0 Opposed, on this 10th day of August 2023.



Honorable Vince R. James, Chairperson
Health, Education and Human Services Committee
25th Navajo Nation Council

Motion by: Helena Nez Begay
Second by: Andy Nez

Vince R. James, Chairperson not voting



ECMAR-12-91

RESOLUTION OF THE
EDUCATION COMMITTEE OF THE
NAVAJO NATION COUNCIL

Adopting Rules of Procedure for Budget Hearings

WHEREAS:

1. Pursuant to 2 N.T.C. Section 481, (1989 Amendments), the Education Committee (the "Committee") is a standing committee of the Navajo Nation Council; and

2. Pursuant to 2 N.T.C. Section 185 (d), (1989 Amendments), the Committee is authorized, for the purpose of carrying out its purposes and authorities, to hold hearings and request the attendance and testimony of such witnesses and the production of books, records, memoranda, papers, and documents as it deems advisable; and

3. Pursuant to 2 N.T.C. Section 183 (d), the Committee can adopt rules for conduct of Committee meetings including a set of Rules of Procedure to govern the Committee's budget hearings to have an orderly hearing process; and

4. The set of Rules of Procedure for the Budget Hearings, attached hereto and incorporated herein as Exhibit "A," will serve to facilitate an orderly and efficient budget hearing process.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Education Committee of the Navajo Nation Council hereby adopts the Rules of Procedure for Budget Hearings, attached hereto and incorporated herein as Exhibit "A."

2. The Education Committee of the Navajo Nation Council further directs and authorizes that the Rules of Procedure for Budget Hearings shall become effective immediately upon passage and shall remain in effect until repealed or amended by the Committee.

C E R T I F I C A T I O N

I hereby certify that the foregoing resolution was duly considered by the Education Committee of the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and the same was passed by a vote of 6 in favor, 0 opposed and 0 abstained, this 5th day of March, 1991.

ECMAR-12-91

Daniel E. Tso

Chairperson
Education Committee-NNC

Motion: Henry Barber
Second: William Tso

EXHIBIT "A"

RULES OF PROCEDURE FOR BUDGET HEARINGS

- Rule 1 - The Chairperson of the Committee shall serve as the Presiding Officer for the hearing. The same provisions of Title Two (2) of the Navajo Tribal Code which apply to Committee meetings shall apply to the Budget Hearings.
- Rule 2 - All members of the Committee not otherwise precluded from participating shall be allowed to ask questions of presenters.
- Rule 3 - Formal Rule of Evidence and Procedures shall not apply to the budget hearings. The Presiding Officer may exclude evidence that is irrelevant, immaterial, or unduly repetitious.
- Rule 4 - Presenters shall be given a maximum of fifteen (15) minutes for oral testimony.
- Rule 5 - Presenters shall in addition to oral testimony be allowed to submit written testimony and any other documents and materials in support of their testimony. Such materials and documents shall be identified by the presenter.
- Rule 6 - Testimony shall be pertinent to the issues identified by the Committee. Testimony shall not include matters which are currently in litigation or grievance process, except as is related to the financial impact.
- Rule 7 - A written report with the budget recommendations and/or directives shall be rendered by the Committee in accordance with the established Fiscal Year budget process.
- Rule 8 - All budget hearings shall be open to the public.



HSCMA-13-96

**RESOLUTION OF THE
HUMAN SERVICES COMMITTEE OF THE
NAVAJO NATION COUNCIL**

**Adopting Rules of Procedure for Budget Hearings and Public
Hearings**

WHEREAS:

1. Pursuant to 2 NTC Section 601, the Human Services Committee is established and continued as a standing committee of the Navajo Nation Council; and
2. Pursuant to 2 NTC Section 604 (b) (5), the Human Services Committee is authorized to serve as the oversight authority for the Division of Human Resources; and
3. By Resolution BFF-18-95, the Budget and Finance Committee of the Navajo Nation Council adopted the Fiscal Year 1997 Navajo Nation Budget Policies and Instructions, wherein the legislative oversight/standing committees of the Navajo Nation Council shall review proposed budgets in the area of their oversight responsibilities and as such conduct oversight budget hearings; and
4. Rules of Procedure to ensure a orderly hearing process and to govern the Committee's budget/ oversight hearings and other public hearings is necessary; and
5. The Human Services Committee Rules of Procedure for Budget/ Oversight and Public Hearings is attached and incorporated herein as Exhibit "A", which will serve to facilitate an orderly and efficient budget/ oversight hearing process.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Human Services Committee of the Navajo Nation Council hereby adopts the Rules of Procedures for Budget Hearings and Public Hearings, attached hereto and incorporated herein as Exhibit "A".

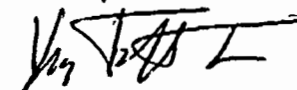
2. The Human Services Committee of the Navajo Nation Council further directs and authorizes that the Rules of Procedure for Budget/ Oversight Hearings and other Public Hearings shall become effective immediately upon passage and remain in effect until amended or repealed by the Committee.

3. Further, the Human Services Committee of the Navajo Nation Council strongly recommends to the Budget and Finance Committee of the Navajo Nation Council that any recommended changes, budget cuts, merging of programs, reductions in force as may be deemed necessary by the Committee shall be honored and supported by the Budget and Finance Committee of the Navajo Nation Council during the Navajo Nation Government budget process.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Human Services Committee of the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona) at which a quorum was present and that same was passed by a vote of 5 in favor, 0 opposed, and 0 abstained, this 11TH day of March, 1996.

Chairperson



Young Jeff Tom

Human Services Committee

Motion: Harry Williams, Sr.

Second: Wilford Lane

Human Services Committee

Rules and Procedures for Budget Hearings

1. The Chairperson, Human Services Committee shall preside over the hearings and maintain order. In the absence of the Chairperson, the Vice-Chairperson shall preside. The Committee may select a Pro-Temp Chairperson in the absence of both the Committee Chairperson and Vice-Person.
2. All members of the Committee shall be allowed to ask questions of presenters.
3. Formal Rules of Evidence and Procedures shall not apply to the budget hearings. The Chairperson shall control the order of the agenda/ committee business; exclude evidence that is irrelevant, immaterial, or unduly repetitious; may question the presenters and respond into the record; and may entertain requests for executive sessions.
4. All presenters shall be sworn and present testimony under oath.
5. Presenters shall be given a maximum of twenty (20) minutes or less for oral testimony.
6. Presenters shall, in addition to oral testimony, be allowed to submit written testimony and other documents and materials in support of their testimony. Such materials and documents shall be identified by the presenter.
7. Testimony shall be pertinent to the issue(s) identified by the Committee and relevant to the Division, Department or Program budget. Testimony shall not include matters which are currently in litigation or in the grievance process, except as they relate to the financial impact for budget hearings.
8. Recommendations in the form of a written report shall be rendered by the Committee in accordance with Fiscal Year Budget Manual for budget hearings and no more than thirty (30) calendar days after the conclusion of the budget hearing.
9. All budget hearings shall be open to the public, except when the Committee determines that issues and subjects presented are sensitive and confidential in nature at which time the Committee may convene in an executive session.
10. Any proposed changes in the Division budget will be consistent with the Uniform Rules of Procedure for all Standing Committees of the Navajo Nation Council pursuant to CJA-06-92.

LEGISLATIVE BRANCH
THE NAVAJO NATION
POST OFFICE BOX 1400
WINDOW ROCK, ARIZONA 86515

No. 001099

SECTION 164 REVIEW PROCESS

NAME: Delbert Benally DEPT.: Legislative Services PHONE: 871-7254

DOCUMENT: PROPOSED RESOLUTION OF THE HUMAN DATE: March 1, 1996
SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL
"Adopting the Rules of Procedure for Budget Hearing and Public Hearings"

SURNAME

1. Sponsor: <u>Young Jeff Tom</u>	<u>Jeff Young</u>	Date: <u>3-1-96</u>
2. Department of Justice	<u>Thomas D. Chambers</u>	Date: <u>3/1/96</u>
3. Legislative Counsel	<u>TLA</u>	Date: <u>3/4/96</u>
4. Human Services Committee Chairperson	<u>Jeff Young</u>	Date: <u>3/4/96</u>
5. _____	_____	Date: _____
6. _____	_____	Date: _____
7. _____	_____	Date: _____

Date Signed: _____ No. of Signatures: _____

Disposition: _____ Initial: _____

OVERSIGHT COMMITTEE SPECIAL BUDGET MEETINGS
PROCEDURES
FY2024 PROGRAM BUDGETS

1. The Standing Committee Rules of Order are to be used for the oversight Budget Meetings. The only exception is Rule 8.
2. These Procedures suspend Rule 8 of the Standing Committee Rules of Order. The Order of Agenda Business for the Budget Meeting shall be as follows:
 - A. Call Meeting to Order; Roll Call; Invocation
 - B. Recognize Guests and Visiting Officials
 - C. Review and adopt the Agenda. The Agenda items shall only include budget legislations.
 - D. Close of Meeting; Announcements; Adjournment
3. The Budget Meeting shall be posted for a duration of five (5) consecutive work days.
4. The Committee may recess during the five-day meeting to provide time for amendments to be drafted and budget exhibits to be corrected.
5. The Committee is not required to swear in agents or other presenters, either from the Office of Management and Budget (OMB) or Program staff.
6. After a budget legislation is motioned, OMB shall present a simple budget summary for each Program's budget before the Sponsor of the legislation starts their presentation. A staff member of OMB shall be available at each Committee Budget Meeting, either virtually or in person, to answer relevant questions and to clarify issues during the discussion.
7. The Sponsor of the budget legislation, and his or her agents, will have a maximum of 10 minutes, or other time period established by the Committee, to present the legislation. The Committee Chair, at his or her discretion, may increase the time period for the initial presentation of the legislation.
8. As with any legislation, the Committee Members may ask questions of the agents and OMB through the Sponsor. Questions to advisors, e.g., the Controller, Department of Personnel Management, should go through the Committee Chair.

9. The Office of Legislative Counsel (OLC) will provide fillable amendment forms to the Committee members to be used for amendments to the Program's detailed budgets and Conditions of Appropriations/Legislative Concern exhibits. The fillable amendment forms shall be submitted to the Committee Advisor.

Requests for amendments to the body of the legislation shall be handled the same way as other legislations and should be submitted directly to OLC.

10. The Committee Advisor is responsible for keeping a complete and accurate list of all proposed amendments to the detailed budgets, and providing the proposed amendments to the Program, OMB, the Controller, and to OLC.
11. When, and if, a proposed amendment to the Program's detailed budget is approved by the Committee, the Committee Advisor will add the approved amendment to Exhibit C. The Program(s) shall work with OMB to revise Exhibit B, when necessary, to reflect the approved amendments made to the detailed budgets and Exhibit C.
12. If amendments are made to a Program's budget, the Committee will table the legislation to give the Program time to revise its detailed budgets and prepare the filled-in Exhibits B and C. When the Program returns to the Committee with its revised detailed budgets and its completed Exhibits B and C, if additional amendments or corrections are needed, the Committee will go into a recess to allow the Program time to make the budget corrections in order to avoid tabling the legislation twice and permanently eliminating the legislation from the Committee's agenda.
13. Upon reconvening after the recess, if the Committee is not satisfied with any of the proposed amendments or with any of the revised detailed budget provided by the Program, the Committee may recess a second time.
14. As with any legislation, the Committee will vote on all amendments to each budget legislation and will vote on the main motion for each budget legislation for the divisions and programs that it oversees. A quorum of Committee members is required for each vote.
15. Final approved Oversight Committee resolutions serve as recommendations to the Budget & Finance Committee. The Oversight Committee, through the Chair and/or Vice Chair, or designee, shall present the adopted Oversight Committee resolution and final program budgets, with all amendments inserted, to the Budget & Finance Committee.

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
Special Budget Meeting
August 10, 2023

Legislation No. 0187-23: Legislation No. 0187-23: An Action Relating to Health, Education and Human Services Committee; Rescinding Resolutions ECMAR-12-91 and HSCMA-13-96; Approving Oversight Committee Budget Meeting Procedures

Sponsor: Delegate Vince R. James Co-Sponsor: Delegate Dr. Andy Nez

VOTE TALLY:

Main Motion:

Motion: Honorable Helena Nez Begay

Second: Honorable Andy Nez

Yea: Helena Nez Begay, Andy Nez; Germaine Simonson; George Tolth

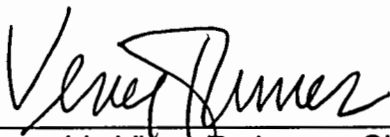
Nay:

Not Voting: Vince R. James (Presiding Chairperson)

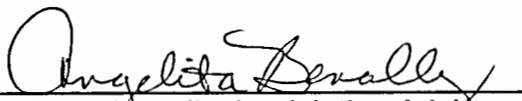
Excused:

Absent: Curtis Yanito

Vote: 4-0-2



Honorable Vince R. James, Chairperson
Health, Education and Human Services Committee
25th Navajo Nation Council



Angelita Benally, Legislative Advisor
Health, Education and Human Services Committee
Office of Legislative Services