

LEGISLATIVE SUMMARY SHEET

Tracking No. 0309-15

DATE: September 3, 2013

TITLE OF RESOLUTION: PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACTION RELATING TO AN EMERGENCY; ADOPTING A CONTINUING BUDGET RESOLUTION FOR THE OPERATION OF THE NAVAJO NATION GOVERNMENT; BEGINNING OCTOBER 1, 2015 AND ENDING NO LATER THAN MARCH 31, 2016; WAIVING 12 N.N.C. §840(B)

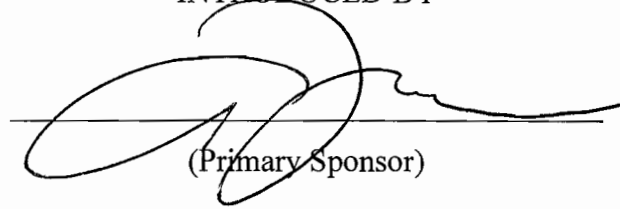
PURPOSE: This emergency resolution would adopt a Continuing Budget Resolution for the Operation of the Navajo Nation Government; Beginning October 1, 2015 and ending no later than March 31, 2016; Waiving 12 NNC Section 840(B).

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.

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

23rd NAVAJO NATION COUNCIL – First Year 2015

INTRODUCED BY



(Primary Sponsor)

TRACKING NO. 0309-15

AN ACTION

RELATING TO AN EMERGENCY; ADOPTING A CONTINUING BUDGET
RESOLUTION FOR THE OPERATION OF THE NAVAJO NATION
GOVERNMENT; BEGINNING OCTOBER 1, 2015 AND ENDING NO LATER THAN
MARCH 31, 2016; WAIVING 12 N.N.C. §840(B)

BE IT ENACTED:

Section 1. Findings

1. The Navajo Nation Council hereby finds that the current lack of an adopted Navajo Nation Fiscal Year 2015 budget resolution constitutes an emergency for purposes of 2 N.N.C. §164(A)16(a) due to the impending cessation of law enforcement services, disaster relief services, and fire protection services which would result from the lack of a Navajo Nation Fiscal Year 2016 budget resolution.
2. The Navajo Nation Council has determined the need to commence further study and consideration of a Fiscal Year 2016 budget. To allow for further, detailed examination of the needs of the Navajo Nation, the Navajo Nation Council hereby finds it is in the best interest of the Navajo Nation to enact a Continuing Resolution.
3. The Navajo Nation Council hereby resolves that all Navajo Nation Government divisions, departments, offices, programs and Navajo Nation chapters shall receive 1/2 of their Navajo Nation FY 2015 initial general fund, proprietary fund, and fiduciary fund allocations, as of September 30, 2015 for operation of the Navajo Nation Government beginning October 1, 2015 and ending no later than March 31, 2016 in

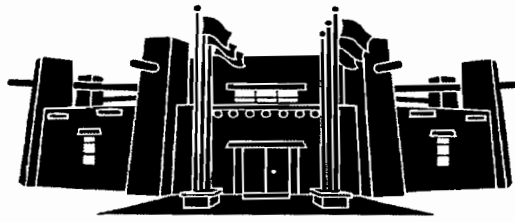
1 accord with the Navajo Nation Council Resolution CS-46-14. The Continuing Budget
2 Resolution amounts shall be based on 100% (one hundred percent) of the Navajo
3 Nation Council approved Fiscal Year 2015 Budget amounts in order that there is
4 consistency between this Continuing Budget Resolution amounts and the Fiscal Year
5 2015 General Revenue Fund projections, excluding supplemental appropriations made
6 in Fiscal Year 2015.

7 4. In order for the continuing resolution budgets to be entered into the Financial
8 Management and Information System (FMIS), all Navajo Nation programs and
9 Chapters, shall submit continuing resolution budgets to the Office of Management and
10 Budget at the level of the funding stated in paragraph number 2 above by September
11 21, 2015.

12 5. The Navajo Nation Council further directs the Speaker of the Navajo Nation Council
13 to convene a special session by no later than twenty days before the end of the
14 Continuing Resolution period for the exclusive purpose of consideration and adoption
15 of the proposed Navajo Nation Fiscal Year 2016 Comprehensive Budget.

16 6. The Branch Chiefs in conjunction with the Office of the Controller and the Office of
17 Management and Budget shall issue any necessary instructions for the proper
18 implementation of this Continuing Budget Resolution, including all expenditures as
19 required by statute, contract or government policy, including but not limited to Risk
20 Management, scholarship, school clothing, employee insurance, retirement, match
21 fund requirements and higher education.

22 7. The Navajo Nation Council hereby waives 12 N.N.C. §840 (B) pertaining to the
23 adoption of a comprehensive twelve month budget in order that this Continuing
24 Budget Resolution be adopted. This waiver shall cease to be in effect upon adoption
25 of the Navajo Nation Comprehensive Budget for Fiscal Year 2016.
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MEMORANDUM

To : Honorable Seth Damon
Navajo Nation Council Delegate

From : Mariana Kahn
Mariana Kahn, Attorney
Office of Legislative Counsel

Date : September 3, 2015

Re : PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACTION
RELATING TO AN EMERGENCY; ADOPTING A CONTINUING
BUDGET RESOLUTION FOR THE OPERATION OF THE NAVAJO
NATION GOVERNMENT; BEGINNING OCTOBER 1, 2015 AND
ENDING NO LATER THAN MARCH 31, 2016; WAIVING 12 N.N.C.
§840(B)

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 drafted is legally sufficient. However, as with all legislation, it is subject to review by the courts in the event of challenge. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Council confirms the appropriate standing committee(s) reviews 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 you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment. 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. Thank you for your service to the Navajo Nation.

15-647-1