



23rd NAVAJO NATION COUNCIL LEGISLATION SPONSORSHIP WITHDRAWAL

I, Seth Damon, Primary
Sponsor of proposed legislation hereby withdraw my
sponsorship of the proposed legislation. The legislation
tracking number is 0305-15.

If there are any co-sponsors, they may re-sponsor the same
bill by beginning a new legislation.

SPONSOR SIGNATURE:

A handwritten signature in blue ink, appearing to read "Seth Damon", is written over a horizontal line.

DATE:

A handwritten date "11/12/15" in blue ink is written over a horizontal line.

LEGISLATIVE SUMMARY SHEET

Tracking No. 0305-15

DATE: August 27, 2015

TITLE OF RESOLUTION: AN ACTION RELATING TO BUDGET AND FINANCE COMMITTEE, NABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; FISCAL APPROPRIATION; APPROVING THE NAVAJO NATION FISCAL YEAR 2016 COMPREHENSIVE BUDGET; AND WAIVING 12 N.N.C. §820(I)

PURPOSE: This resolution, if approved, will adopt and approve the FY 2016 Comprehensive Budget for the Navajo Nation and will waive 12 N.N.C. § 820(L).

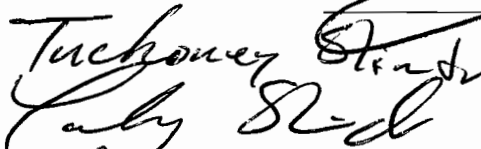
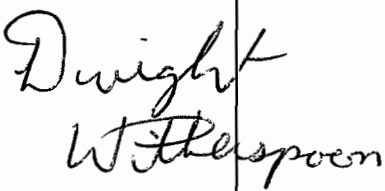

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: Latanya Biduk
Website Posting Time/Date: 8/27/15 10:20 pm
Posting End Date: 9/1/15
Eligible for Action: 9/2/15

Budget & Finance Committee
THENCE

PROPOSED NAVAJO NATION COUNCIL RESOLUTION **Naa'bi'k'iyáti' Committee**
23rd NAVAJO NATION COUNCIL – First Year 2016
THENCE
Navajo Nation Council

INTRODUCED BY

 (Primary Sponsor) 


TRACKING NO. 0305-15

AN ACTION
RELATING TO BUDGET AND FINANCE COMMITTEE, NABIK'ÍYÁTI'
COMMITTEES, AND NAVAJO NATION COUNCIL;
FISCAL APPROPRIATION;
APPROVING THE NAVAJO NATION FISCAL YEAR 2016 COMPREHENSIVE
BUDGET; AND WAIVING 12 N.N.C. §820(I), 12 N.N.C. §901

BE IT ENACTED:

Section One. Findings

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).
- B. The Naabik'iyáti' Committee is assigned proposed resolutions that require final action by the Navajo Nation Council. 2 N.N.C. §102(A).
- C. The Budget and Finance Committee shall make recommendations concerning the budget and submit it to the Navajo Nation Council for deliberation and approval. 12 N.N.C. §840.
- D. It is in the best interest of the Navajo Nation to approve the Navajo Nation Fiscal Year 2016 Comprehensive Budget.

1 **Section Two. Adopting Navajo Nation Fiscal Year 2016 Budget**

2 The Navajo Nation Council hereby adopts the Navajo Nation Fiscal Year 2016
3 Comprehensive Budget as follows:

4
5 A. The Navajo Nation Council approves the appropriation of 12% of the Fiscal Year
6 2016 revenue in the amount of \$26,134,000 to the Navajo Nation Permanent Fund
7 subject to the provisions of Paragraph C below; 4% of Fiscal Year 2016 revenue in the
8 amount of \$8,711,000 to the Navajo Veterans Trust Fund; 2% of Fiscal Year 2016
9 revenue in the amount of \$4,356,000 to the Navajo Nation Land Acquisition Trust
10 Fund; \$2,000,000 of Fiscal Year 2016 revenue to the Capital Outlay Match Funding
11 Special Revenue Fund; \$2,000,000 of Fiscal Year 2016 revenue to the Water Rights
12 Claim Fund; and \$11,200,000 of Fiscal Year 2016 revenue to the Diné Higher
13 Education Grant Fund.

14
15 B. The Navajo Nation Council hereby approves the appropriation of \$614,166,648 as the
16 Navajo Nation Fiscal Year 2016 Operating Budget, as set forth in the attached **Exhibit**
17 **A**, which constitutes \$172,654,000 of General Funds; \$17,500,000 Indirect Cost
18 Credit; \$11,200,000 in Higher Education set aside funds; \$5,000,000 Personnel
19 Savings; \$60,045,615 Proprietary Fund; \$54,628,256 Fiduciary Funds; \$25,185,239
20 Special Revenue Internal Funds; and \$267,953,538 Special Revenue External Funds,
21 summarized as follows:

22
23 1. Legislative Branch: \$16,444,089 as the Navajo Nation Fiscal Year 2016
24 Operating Budget, as set forth in the attached **Exhibit B**, which is constituted of
25 \$14,902,730 General Fund Revenue; \$1,531,359 Indirect Cost Credit; \$10,000
26 Proprietary Funds; \$__0__ Fiduciary Funds, \$__0__ Special Revenue Internal
27 Funds; \$__0__ Special Revenue External Funds, for the Navajo Nation Council,
28 various Standing Committees, boards, commissions, offices, programs, and
29 activities within the Legislative Branch.
30

1 2. Judicial Branch: \$15,396,641 as the Navajo Nation Fiscal Year 2016 Operating
2 Budget, as set forth in the attached **Exhibit C**, which constitutes \$13,873,785 of
3 General Funds; \$81,805 Indirect Cost Credit; \$ __0__ Proprietary Funds; \$ __0__
4 Fiduciary Funds; \$ __0__ Special Revenue Internal Funds and \$1,441,051 Special
5 Revenue External Funds, for the Navajo Nation Supreme Court, district courts,
6 family courts, various offices, programs and activities within the Judicial Branch.

7
8 3. Executive Branch: \$550,752,568 as the Navajo Nation Fiscal Year 2016
9 Operating Budget, as set forth in the attached **Exhibit D**, which constitutes
10 \$121,060,689 of General Funds; \$12,130,282 Indirect Cost Credit; \$11,200,000
11 Higher Education Set Aside Funds; \$60,035,615 Proprietary Funds; \$54,628,256
12 Fiduciary Funds; \$25,185,239 Special Revenue Internal Funds; and,
13 \$266,512,487 Special Revenue External Funds; for the various divisions,
14 departments, programs and offices within the Executive Branch.

15
16 4. Fixed Costs: \$27,573,350 constituted of \$18,816,796 General Funds, \$3,756,554
17 Indirect Cost Credit; and \$5,000,000 Personnel Savings as set forth in the attached
18 **Exhibit E**.

19
20 5. Capital Improvement Funds constituted of \$4,000,000 General Fund Revenue, to
21 be used at chapter discretion (exception: not be used for recurring expenses), as
22 set forth in the attached **Exhibit F**.

23
24 6. Chapter Non-Administrative Costs; \$12,500,000 for non-administrative costs.
25 This does not include chapter official's stipends, permanent personnel costs, and
26 travel expenses of chapter officials and chapter staff.

27
28 C. The Navajo Nation Council hereby determines that the current economic conditions
29 may require adjustments to the Permanent Fund set aside. In the event that
30 circumstances arise during the course of Fiscal Year 2016 wherein deficiencies in the

1 receipt of projected Fiscal Year 2016 General Fund revenues, or projected lapse funds
2 reverted to the Navajo Nation General Fund pursuant to 12 N.N.C. § 820(N), or the
3 projected funds from the Personnel Savings Lapse Fund Account, would result in a
4 Fiscal Year 2016 budget shortfall, the Navajo Nation Council waives the set aside for
5 the Navajo Nation Permanent Fund, 12 N.N.C. §901, in such amount as is required to
6 maintain a Navajo Nation Fiscal Year 2016 balanced budget. The Controller shall
7 immediately advise the Branch Chiefs, and the Budget and Finance Committee in the
8 event that the set aside from the Navajo Nation Permanent Fund is reduced.

9
10 D. The Navajo Nation Council hereby approves funding from the Fiscal Year 2015
11 Personnel Savings Fund as follows:

12 Funding of up to \$5,000,000 from the Fiscal Year 2015 Personnel Savings Fund
13 for funding the shortfall in Defined Benefit Plan Retirement Plan, Business Unit
14 Number 118018.

15
16 E. The Navajo Nation Council hereby approves the carryover of unexpended Indirect
17 Cost Credit, if any, from Navajo Nation Fiscal Year 2015 into Fiscal Year 2016.

18
19 F. The Navajo Nation Council hereby approves the carryover of unexpended Capital
20 Improvement Project Funds from Fiscal Year 2015 to Fiscal Year 2016.

21
22 G. The Navajo Nation Council hereby approves the carryover of General Fund
23 unexpended balances from Navajo Nation Fiscal Year 2015 into Fiscal Year 2016 as
24 follows:

25 1. \$4,000,000 for the Government Branches (Executive, Legislative, Judicial) from
26 their respective unexpended balances, as follows:

27 a) Executive: \$2,500,000

28 b) Legislative: \$1,000,000

29 c) Judicial: \$ 500,000
30

2. Other unexpended fund balances for Divisions, Departments and Programs listed in **Exhibit G**.

H. The Navajo Nation Council hereby approves the Conditions of Appropriations for Navajo Nation Fiscal Year 2016, as set forth in the attached **Exhibit H**.

I. The Navajo Nation Council hereby acknowledges that all federal, state, and local government funds addressed in the Navajo Nation Fiscal Year 2016 Comprehensive Budget are provided primarily for information purposes, as directed in the Budget Instructions and Policies Manual, and should not be deemed to limit the expenditure authority for any program, provided additional funds are accepted pursuant to 2 N.N.C. §164(B), 2 N.N.C. §301(B)(15), and 2 N.N.C. §701(A)(10).

J. The Navajo Nation Council hereby authorizes monthly drawdowns of all deposited into BIA Account, PL7341701, Navajo Tribe, Arizona/New Mexico, which are considered Navajo Nation General Funds as part of the overall revenue projection for support of the operations of the Navajo Nation Government.

K. The Budget and Finance Committee and the Navajo Nation Council hereby authorizes the Office of Management and Budget to carry-over available budget amounts to cover any prior year open encumbrances carried into Fiscal Year 2016 by the Office of the Controller. Further, the Office of the Controller shall ensure that the budgeted funds carried over are used specifically, and only for, those open encumbrances. The Office of the Controller shall also inform the Office of Management and Budget, in writing, of any cancelled or reduced prior year open encumbrances so that the Office of Management and Budget can make the appropriate budget adjustments.

L. The Navajo Nation Council hereby directs the Branch Chiefs of the Executive, Legislative and Judicial Branches to prioritize the unmet needs of their respective branches and to prepare appropriate budgets for such prioritized needs for potential

1 consideration of supplemental appropriations in Fiscal Year 2016, in accordance with
2 12 N.N.C. § 820(L).

3
4 M. The Navajo Nation Council hereby waives 12 N.N.C. §820(I) requiring the
5 development and adoption of a Capital Improvement Appropriation Plan.

6
7 N. The Navajo Nation Council hereby approves the Fiscal Year 2016 Budget Detail
8 binder, included as **Exhibit I**.

9
10 **Section Three. Directive to the Office of Management and Budget**

11
12 A. The Navajo Nation Council directs the Office of Management and Budget to
13 recalculate the final monetary totals such that the figures conform to the amendments
14 passed by the Navajo Nation Council.

15
16 B. The Navajo Nation Council directs the Office of Management and Budget to make
17 any other changes to the exhibits such that they conform to the amendments passed
18 by the Navajo Nation Council.

The Navajo Nation

EXHIBIT A

Fiscal Year 2016 Budget Summary

A	B	C	D	E	F	G	H	I	J	K
Business Unit	Description	Navajo Nation General Fund	Indirect Cost Fund	Higher Education Setaside	Personnel Saving Fund	Proprietary Fund	Fiduciary Fund	Special Revenue Fund - Internal	Special Revenue Fund - External	Total
1	100xxx	Executive Branch	12,130,282	11,200,000		60,035,615	54,628,256	25,185,239	266,512,487	550,752,568
2	101xxx	Legislative Branch	1,531,359			10,000				16,444,089
3	102xxx	Judicial Branch	81,805						1,441,051	15,396,641
4	118xxx	Fixed Costs	3,756,554		5,000,000					27,573,350
5	108xxx	Capital Projects	4,000,000							4,000,000
6		Total:	17,500,000	11,200,000	5,000,000	60,045,615	54,628,256	25,185,239	267,953,538	614,166,648

The Navajo Nation

EXHIBIT B

Fiscal Year 2016 Legislative Branch Budget Summary

A	B	C	D	E	F	G	H	I
Business Unit	Program	Navajo Nation General Fund	Indirect Cost Fund	Proprietary Fund	Fiduciary Fund	Special Revenue Fund - Internal	Special Revenue Fund - External	Total
1	101001 Navajo Nation Council	2,046,081	745,085					2,791,166
2	101003 Budget & Finance Committee	91,650	8,157					99,807
3	101014 Navajo Nation Labor Commission	288,612	35,841					324,453
4	101015 Ofc of the Speaker	2,129,024	215,032					2,344,056
5	101016 Ofc of Government Development	514,959	18,762					533,721
6	101017 Ofc of Legislative Counsel	1,149,415	110,154					1,259,569
7	101018 Navajo Utah Commission	268,091						268,091
8	101019 Ofc of Legislative Services	1,455,824	187,598					1,643,422
9	101020 Ethics & Rules Office	461,907	41,309					503,216
10	101021 Ofc of Election Administration	1,094,427	29,151					1,123,578
11	101022 Board of Elections Supervisors	138,175						138,175
12	101023 Black Mesa Review Board	19,126						19,126
13	101024 Ofc of the Auditor General	1,493,767	34,331					1,528,098
14	101025 Navajo-Hopi Land Commission	215,000						215,000
15	101026 Commission on Emergency Mgmt	13,157						13,157
16	101027 Eastern Agency Land Commission	110,685						110,685
17	101028 Office of Eastern Navajo Land Commission	309,234						309,234
18	101029 Human Rights Commission	656,111						656,111
19	101030 Health, Educ. and Human Services Comm.	121,940	31,453					153,393
20	101031 Resources and Development Committee	126,331	31,326					157,657
21	101032 Law and Order Committee	95,810	20,507					116,317
22	101033 Nabl'iyatii Committee	333,601	22,653					356,254
23	101034 OLS/Legislative District Assistants	1,769,803						1,769,803
24	901001 Navajo Nation Code Enterprise			10,000				10,000
25	Total:	14,902,730	1,531,359	10,000				16,444,089

The Navajo Nation

EXHIBIT C

Fiscal Year 2016 Judicial Branch Budget Summary

A	B	C	D	E	F	G	H	I
Business Unit	Program	Navajo Nation General Fund	Indirect Cost Fund	Proprietary Fund	Fiduciary Fund	Special Revenue Fund - Internal	Special Revenue Fund - External	Total
1 102001	Administrative Office of the Courts	1,566,024	81,805				1,441,051	3,088,880
2 102002	Chinle Judicial District	837,162						837,162
3 102003	Crownpoint Judicial District	709,886						709,886
4 102004	Window Rock Judicial District	1,044,096						1,044,096
5 102005	Shiprock Judicial District	924,196						924,196
6 102006	Tuba City Judicial District	812,127						812,127
7 102007	Ramah Judicial District	560,421						560,421
8 102008	Supreme Court	818,567						818,567
9 102009	Peacemaker Division	1,209,564						1,209,564
10 102010	Kayenta Judicial District	915,063						915,063
11 102011	Dilkon Judicial District	709,217						709,217
12 102012	Utah Judicial District	599,985						599,985
13 102013	Tohajilee Judicial District	594,985						594,985
14 102014	Alamo Judicial District	182,075						182,075
15 102015	Dził Yíjín Judicial District	400,142						400,142
16 102017	Pueblo Pintado Circuit Court	298,712						298,712
17 102018	Probation Services	1,691,563						1,691,563
18	Total:	13,873,785	81,805				1,441,051	15,396,641

The Navajo Nation

EXHIBIT D

Fiscal Year 2016 Executive Branch Budget Summary

A	B	C	D	E	F	G	H	I	J
Business Unit	Program	Navajo Nation General Fund	Indirect Cost Fund	Higher Education Setaside	Proprietary Fund	Fiduciary Fund	Special Revenue Fund - Internal	Special Revenue Fund - External	Total
1 103xxx	Executive Offices	8,431,692	815,895						9,247,587
2 104xxx	Department of Justice	5,887,325	1,332,987						7,220,312
3 105xxx	Office of Management and Budget	1,454,811	837,399						2,292,210
4 106xxx	Office of Navajo Tax Commission	1,548,967							1,548,967
5 107xxx	Office of the Controller	3,415,354	2,833,968		1,208,000	14,845,777	4,651,000		26,954,099
6 108xxx	Division of Community Development	4,124,743	774,917						4,899,660
7 108xxx	Navajo Nation Chapters	26,975,993					2,138,966		29,114,959
8 109xxx	Department of Dine' Education	8,041,836	316,562	11,200,000	45,000	766,352	4,092,997	40,417,583	64,880,330
9 110xxx	Division of Economic Development	4,629,334	184,206		290,000		1,451,400		6,554,940
10 111xxx	Navajo Environmental Protection Agency	1,752,683	96,380				2,912,076	4,876,831	9,637,970
11 112xxx	Division of General Services	5,059,531	2,270,685		50,479,615			2,666,017	60,475,848
12 113xxx	Division of Health	12,638,294	111,988			274,308		54,186,585	67,211,175
13 114xxx	Division of Human Resources	4,999,746	1,331,797		47,500	38,741,819		13,725,885	58,846,747
14 115xxx	Division of Natural Resources	18,021,292	223,321		7,505,000		2,750,000	10,564,669	39,064,282
15 116xxx	Division of Public Safety	9,607,450	244,428		75,500		432,000	43,649,460	54,008,838
16 117xxx	Division of Social Services	3,455,078	586,790		140,000			81,843,662	86,025,530
17 120xxx	Office of Gaming Regulatory				200,000				200,000
18 121xxx	Navajo Division of Transportation	1,016,560	168,959		45,000		6,756,800	14,581,795	22,569,114
19	Total:	121,060,689	12,130,282	11,200,000	60,035,615	54,628,256	25,185,239	266,512,487	550,752,568

The Navajo Nation
Fiscal Year 2016 Fixed Costs Budget Summary

EXHIBIT E

	A	B	C	D	E	F	G	H	I	J
	Business Unit	Description	Navajo Nation General Fund	Indirect Cost Fund	Personnel Saving Fund	Proprietary Fund	Fiduciary Fund	Special Revenue Fund - Internal	Special Revenue Fund - External	Total
1	118001	Annual Audit - OOC	1,719,886	114						1,720,000
2	118004	Insurance Premiums - DGS	3,800,000							3,800,000
3	118005	Utilities - DGS	2,700,000	1,434,502						4,134,502
4	118007	Telecommunications - DGS	1,100,000	523,872						1,623,872
5	118008	Radio Communications - DGS	310,000	309,960						619,960
6	118009	Equip./Furniture/Bldg. Maint. - OOC		4,554						4,554
7	118010	FMIS Debt Service - OOC	976,731							976,731
8	118013	Hopi Partitioned Land Rental - NHLCO	120,400							120,400
9	118017	Indirect Cost Plan - OMB	50,000							50,000
10	118018	Retirement Plan Account - DHR	600,000		5,000,000					5,600,000
11	118019	NN Integrated Justice Info. Sharing - JB	368,991							368,991
12	118020	Fixed Cost Investment Fees - OOC	150,000							150,000
13	118022	FMIS Maintenance Services - OOC	1,500,000							1,500,000
14	118023	Fixed Cost Facility Maintenance	420,788	1,483,552						1,904,340
15	N01000	Fixed Cost Litigation - DOJ	5,000,000							5,000,000
16		Total:	18,816,796	3,756,554	5,000,000					27,573,350

EXHIBIT F

**The Navajo Nation
Fiscal Year 2016 Capital Budget Summary**

A	B	C	D	E	F	G	H	I
Business Unit	Description	Navajo Nation General Fund	Indirect Cost Fund	Proprietary Fund	Fiduciary Fund	Special Revenue Fund - Internal	Special Revenue Fund - External	Total
1	108xxx Capital Projects (NN Chapters)	4,000,000						4,000,000
2	Total:	4,000,000						4,000,000

FY2016
CONDITION OF APPROPRIATIONS

Condition of Appropriation means a specific contingency place on an appropriation by the Navajo Nation Council at the time the appropriation is made creating legal conditions precedent to the expenditure of funds. Appropriated funds or any other funds received by the Navajo Nation on which a condition of appropriation or expenditure is placed may not be lawfully expended until the condition of appropriation or expenditure is met. It is the responsibility of the Controller to ensure that funds are expended in accordance with the conditions placed on the appropriation or expenditure. 12 N.N.C. §810(I)

RESULT for noncompliance with the following Conditions of Appropriations (COA):

1. Based on the quarterly COA Status Report, the Office of Management & Budget (OMB) will immediately report a program(s)/department(s) non-compliance to the respective Division Director and/or Branch Chief and the Budget and Finance Committee;
2. The appropriate oversight Committee may place the non-compliant program/department on notice for 30 days;
3. At the end of the 30 day probation period the OMB will follow-up on COA compliance status;
4. The OMB will notify the appropriate oversight Committee of any continued non-compliance and the Controller to immediately withhold 10% of the program's non-personnel operating budget;
5. Thereafter, if noncompliance continues, an additional 10% of non-personnel operating budget will be withheld each quarter;
6. COA noncompliance will become part of the annual Employee Performance Appraisal Form (EPAF).

CONDITION OF APPROPRIATION No. 1

All appropriate Division Directors, with the assistance of the Office of Management and Budget (BU # 105001), Office of the Controller (BU #107022), and the Branch Chiefs, shall enforce compliance with each of the Condition of Appropriations, including but not limited to coordination of the written responses on a quarterly basis so as to insure adherence with each Condition of Appropriation. If the Condition of Appropriation is not complied with the above stated result shall apply.

Responsible Entity: Appropriate Divisions

CONDITION OF APPROPRIATION NO. 2

The Division of Community Development (BU# 108001) and Administrative Services Centers (BU#108125), assisted by the Office of Management and Budget (BU # 105001), Office of the Controller (BU# 107022) and the Office of the Auditor General (BU # 101024), shall, by the end of the 2nd quarter, develop a streamlined accounting system for the 110 chapters that interfaces with the FMIS enhancing the Chapters' electronic capability for efficient processing and

transmission of Chapters' financial transactions. If the Condition of Appropriation is not complied with the above stated result shall apply.

Responsible Entity: Division of Community Development, Administrative Service Centers

CONDITION OF APPROPRIATION NO. 3

The Office of the Navajo Tax Commission (BU# 106001) shall, by the end of the 2nd quarter, develop a coordination policy (with input from other departments and programs) for the Procurement Clearance process by ONTC Sections for greater efficiency using technology to minimize and reduce to 10 days' time it takes to provide a Procurement Clearance processing for contracts and leases to improve the Nation's working relationships with businesses within the Navajo Nation. If the Condition of Appropriation is not complied with the above stated result shall apply.

Responsible Entity: Office of the Navajo Tax Commission

CONDITION OF APPROPRIATION NO. 4

The Office of the Navajo Tax Commission (BU# 106001) shall, by the end of the 2nd quarter, develop rules and regulations for Navajo Nation Chapters and their contractors/vendors to report taxable revenues. If the Condition of Appropriation is not complied with the above stated result shall apply.

Responsible Entity: Office of the Navajo Tax Commission

CONDITION OF APPROPRIATION NO. 5

The Office of the Controller, Property Management Department (BU# 107021) shall by the end of the 2nd quarter, amend property management policies. If the Condition of Appropriation is not complied with the above stated result shall apply.

Responsible Entity: Property Management Department

CONDITION OF APPROPRIATION NO. 6

The Division of General Services, Facilities Maintenance Department (BU# 118023), in coordination with the Office of the Controller, Property Management Department (BU# 107021), during the 2nd quarter, shall complete the assessment on square footage percentage of all Navajo Nation facilities for the purpose of justifying Indirect Cost reimbursement. This assessment shall be presented to the Budget and Finance Committee by the end of the 2nd quarter. If the Condition of Appropriation is not complied with the above stated result shall apply.

Responsible Entity: Facilities Maintenance Department and Property Management Department

CONDITION OF APPROPRIATION NO. 7

The Division of Human Resources, Department of Personnel Management (BU# 114009) and the Department of Justice (BU# 104001) by the end of the 1st quarter, shall present a proposed amendment to the Personnel Policies manual to include a plan to hold department managers more accountable. If the Condition of Appropriation is not complied with the above stated result shall apply.

Responsible Entity: Department of Personnel Management and Department of Justice

CONDITION OF APPROPRIATION NO. 8

All Divisions and Programs whose plans of operation which have been identified to be updated per Exhibit H-1 shall present, to their respective oversight committees, amendments to their respective plans of operation to bring the plans of operation up to date by the end of the 3rd quarter, except the Division of Natural Resources which shall bring their plans of operation up to date by the end of the 4th quarter. If this Condition of Appropriation is not complied with the above stated result shall apply.

Responsible Entity: Affected Divisions and Programs

CONDITION OF APPROPRIATION NO. 9

All external grants from Fiscal Year 2012 and prior shall be fully expended by the end of the 3rd quarter of Fiscal Year 2016 and closed out pursuant to Fiscal Year 2014 Navajo Nation Budget Instructions Policy Manual. These are grants with K12xxxx numbers and prior years. If this Condition of Appropriation is not complied with the above stated result shall apply.

Responsible Entity: Affected Divisions and Programs

CONDITION OF APPROPRIATION NO. 10

The Division of Human Resources, Department of Personnel Management (BU# 114009), in coordination with the Office of Management and Budget, Contracts and Grants Section, by the end of the 2nd quarter, shall revise and update all class specifications for the Division Director, Executive Director, Deputy Division Director, Deputy Executive Director, Department Manager, Assistant Department Manager, Program Manager and Program Supervisor position titles to include responsibility for external grants/contracts to ensure full compliance with grant/contract requirements. If this Condition of Appropriation is not complied with the above stated result shall apply.

Responsible Entity: Department of Personnel Management

CONDITION OF APPROPRIATION NO. 11

The Office of the President and Vice-President, in coordination with the Department of Justice, Office of Management and Budget, Office of the Controller and Department of Personnel Management, shall, by the end of the 1st quarter, develop measures to address non-compliance on external grants, including holding personnel accountable. If this Condition of Appropriation is not complied with the above stated result shall apply.

Responsible Entity: Office of the President and Vice-President

CONDITION OF APPROPRIATION NO. 12

Affected Division Directors and their accountants and contract compliance officers shall, by the end of the 1st quarter, submit quarterly reports on external grants to their respective oversight Committees with a copy to the Office of Management and Budget. The report shall include

status of the grant, if the grant is on schedule and action taken to resolve the grant that is behind schedule. Office of Management and Budget and the Office of the Controller shall develop a reporting format for use by the Divisions. If this Condition of Appropriation is not complied with the above stated result shall apply.

Responsible Entity: affected Division Directors

Exhibit H-1

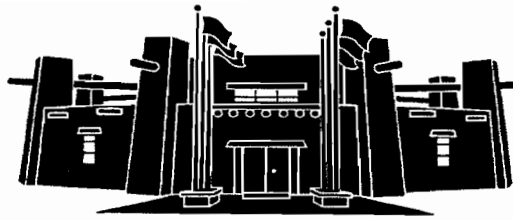
1.	103001 Office of the President/Vice President	1989
2.	103003 Navajo Hopi Land Commission Office	1991
3.	103004 Office of Hearings and Appeals	1995
4.	103005 Office of Miss Navajo Nation	2000
5.	103007 Executive Protection Services Program	1995
6.	104003 Office of the Public Defender	1993
7.	101015 Office of the Speaker	1989
8.	101017 Office of Legislative Counsel	1989
9.	101021 Election Administration Office	1989
10.	101022 Navajo Board of Election Supervisors	1989
11.	101023 Black Mesa Review Board	1989
12.	101024 Office of the Auditor General	2002
13.	101025 Navajo/Hopi Land Commission	1989
14.	101026 Commission on Emergency Management	1990
15.	901001 Navajo Nation Code Enterprise	1989
16.	102001 Administrative Office of Courts	2003
17.	102002 Chinle Judicial District	2003
18.	102003 Crownpoint Judicial District	2003
19.	102004 Window Rock Judicial District	2003
20.	102005 Shiprock Judicial District	2003
21.	102006 Tuba City Judicial District	2003
22.	102007 Ramah Judicial District	2003
23.	102010 Kayenta Judicial District	2003
24.	102003 Supreme Court	2003
25.	102015 Pinon Judicial District	2003
26.	102017 Pueblo Pintado Circuit Court	2003
27.	102019 Judicial Conduct Commission	2003
28.	115001 Division of Natural Resources (Administration)	1994
29.	115004 Mineral Department	1994
30.	115018 Dept. of Agriculture	1994
31.	115002 AGR- District Grazing Committee	1998
32.	115005 AGR- Eastern Nav Agency Dist/Land Boards	2000
33.	115007 AGR- Major Irrigation Farm Boards	1997
34.	915003 AGR- Tribal Ranches	1994
35.	115021 Navajo Land Department	1996
36.	415000 Land Acquisition Trust Fund	1994
37.	115023 Forestry Department	1999
38.	115026 F & W – Animal Control Program	2002
39.	115027 Department of Resource Enforcement	1994
40.	115030 NN Archeology Department (ARCH)	1994
41.	118001 Annual Audit- Office of the Controller	2000

42. 118004 Insurance Premium - DGS	2009
43. 118005 Utilities – DGS	2009
44. 118007 Telecommunications – DGS	2009
45. 118008 Radio Communications – DGS	2009
46. 118009 Ofc Mach/Furn/Bldg Maint – OOC	1976
47. 118010 FMIS – OOC	2002
48. 118013 Hopi Partitioned Land Rental – NHLO	1991
49. 118017 Indirect Cost Plan – OMB	2002
50. N01000 Fixed Cost Litigation – DOJ	1993
51. 107022 Office of the Controller – Admin/Fin Servcs	2011
52. 407001 Navajo Nation Permanent Fund	1985
53. 907001 Credit Services Dept (CSD)- Home Loan Prg	1988
54. 907002 Credit Services Dept (CSD)- Personal Loan Prg	1988
55. 509008 Scholarship Plan for Finance & Accounting	1996
56. 109026 Navajo Nation Board of Education	2005
57. 116018 Division of Public Safety – Admin	1995
58. 116011 Dept. of Criminal Investigation	1995
59. 116012 Dept. of Fire & Rescue Services	1995
60. 116013 Dept. of Internal Affairs	1995
61. 116014 Dept. of Corrections (DOC)	1995
62. 116019 Dept. of Emergency Mgmt. (DEM)	1995
63. 116017 Dept. of Emergency Med. Services	1995
64. 113003 Uranium Workers Project	1995
65. 113004 Dilkon Health Ctr Steering Comm./Plan Ofc	1995
66. 113005 Office of Environmental Health	1995
67. 113006 Food Distribution Program	1995
68. 113010 NAAA – Admin	1995
69. 113011 NAAA-Chinle Agency	1995
70. 113012 NAAA-Fort Defiance Agency	1995
71. 113013 NAAA-Crownpoint Agency	1995
72. 113014 NAAA-Tuba City Agency	1995
73. 113015 NAAA- Shiprock Agency	1995
74. K90102 W.I.C. Program	1995
75. 111001 Environmental Protection Agency (EPA) Admin	1995
76. 114003 Office of Broadcast Services	1990
77. 114007 Navajo Occupational Safety & Health Admin	2003
78. 114010 Navajo Dept. of Workforce Development	1998
79. 714XXX3 Veterans Affairs Trust Funds – East. Agency	1998
80. 714XXX4Veterans Affairs Trust Funds – FD Agency	1998
81. 714XXX2Veterans Affairs Trust Funds –Chinle Agency	1998
82. 714XXX6Veterans Affairs Trust Funds –Western Agency	1998
83. 714XXX5Veterans Affairs Trust Funds –Shiprock Agency	1998
84. 112001 Division of General Services(DGS) Admin	1995

85. 112005 Navajo Transit System – Fixed Routes Srvs.	1995
86. 812018 NTS- Charter Services Program	1995
87. 112007 Navajo Air Transportation Dept.	1995
88. 112009 Department of Information Technology	1999
89. 812003 Fleet Management Dept.	1995
90. 912001 Employee Housing Department	1995
91. 104001 DOJ – Attorney General	1990
92. 104002 Navajo-Hopi Legal Services Program	1993

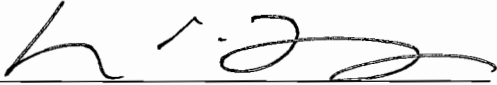
Funds Carryovers

1. Business Unit # 102019 – Judicial Conduct Commission
\$100,000 or Remaining balance
2. Business Unit # 101020 – Ethic and Rules Office
Remaining balance from object code 6520 – Consulting
3. Business Unit #101021- Election Administration Office
Remaining balance
4. Business Unit #118023- Facilities Maintenance Fixed Cost
\$670,000 or remaining balance
5. Business Unit # 510003 – Tourism Department
\$200,000 or remaining balance
6. Business Unit # 910005 – Karigan Professional Office
\$100,000 or remaining balance



MEMORANDUM

TO: Honorable Seth Damon
Navajo Nation Council

FROM: 
Levon B. Henry, Chief Legislative Counsel
Office of Legislative Counsel

DATE: August 27, 2015

SUBJECT: AN ACTION RELATING TO BUDGET AND FINANCE COMMITTEE,
NABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL;
FISCAL APPROPRIATION; APPROVING THE NAVAJO NATION
FISCAL YEAR 2016 COMPREHENSIVE BUDGET; AND WAIVING 12
N.N.C. §820(I)

Pursuant to your request, attached is the above-referenced proposed resolution and associated legislative summary sheet. Based on existing law and review of the documents submitted, the resolution as drafted is legally sufficient. However, as with all legislation, it is subject to review by the courts in the event of a challenge.

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).

Please review the proposed resolution to ensure it is drafted to your satisfaction. If this proposed resolution is acceptable to you, please sign it where it indicates "Prime Sponsor", and submit it to the Office of Legislative Services for the assignment of a tracking number and referral to the Speaker.

If the proposed resolution is unacceptable to you, or if you have further questions, please contact me at the Office of Legislative Counsel and advise me of changes you would like made to the proposed resolution. You may contact me at (928) 871-7166. Thank you.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0305-15__

SPONSOR: Seth Damon

TITLE: An Action Relating To Budget And Finance Committee, NABIK'IYATI Committees, And Navajo Nation Council; Fiscal Appropriation; Approving The Navajo Nation Fiscal Year 2016 Comprehensive Budget; And Waiving 12 N.N.C. §820(1), 12 N.N.C. §901

Date posted: August 27, 2015 at 10:20PM

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.*

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0305-15

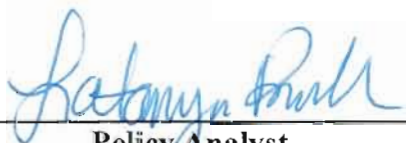
SPONSOR: Honorable Seth Damon

TITLE An Action Relating To Budget And Finance Committee, Nabik'iyati Committees, And Navajo Nation Council; Fiscal Appropriation; Approving The Navajo Nation Fiscal Year 2016 Comprehensive Budget; And Waiving 12 N.N.C. §820(1), 12 N.N.C. §901.

Posted: August 27, 2015 at 10:20 PM

5 DAY Comment Period Ended: September 1, 2015

Digital Comments received: *No comments received.*



Policy Analyst
Office of Legislative Services



Date/Time

23rd NAVAJO NATION COUNCIL

First Year 2015

Mr. Speaker:

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

NAVAJO LEGISLATIVE BILL # 0305-15:

An Action Relating to Budget and Finance Committee, Nabikiyati Committees, and Navajo Nation Council; Fiscal Appropriation; Approving the Navajo Nation Fiscal Year 2016 Comprehensive Budget; and Waiving 12 N.N.C. §820(I), 12 N.N.C. §901 *Sponsored by Seth Damon and co-sponsored by Tuchoney Slim, Jr., Dwight Witherspoon and Tom T. Chee, Council Delegates*

has had it under consideration and reports the same with the recommendation that It **Do Pass** with amendments.

1. On Exhibit A, Fiscal Year 2016 Budget Summary, amending Special Revenue External Fund column with new totals for the Executive Branch; see as attached
2. On Exhibit D, the Executive Branch Budget Summary, amending Special Revenue Fund External column with new totals for the Division of Community Development and the Division of Health; see as attached
3. On Exhibit G, Funds Carryovers, 5. Business Unit #510003 – Tourism Department strike ~~\$200,000~~ insert \$2,000,000;
4. On Page 2, line 15, strike “~~\$614,166,648~~”, insert “\$620,361,145”; and line 20 strike “~~267,953,538~~”, insert “\$274,148,035”;
5. On Page 3, line 8, strike “~~\$550,752,568~~”, insert “\$556,947,065”; and line 13 strike “~~266,512,487~~”, insert “\$272,706,984”;

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

Respectfully submitted,


Dwight Witherspoon, Vice Chairman

Adopted: 
Legislative Advisor

Not Adopted: _____
Legislative Advisor

2 September 2015

The vote was **4** in favor **0** opposed
Absent: Tom T. Chee

**The Navajo Nation
Fiscal Year 2016 Budget Summary**

EXHIBIT A

	A	B	C	D	E	F	G	H	I	J	K
	Business Unit	Description	Navajo Nation General Fund	Indirect Cost Fund	Higher Education Setaside	Personnel Saving Fund	Proprietary Fund	Fiduciary Fund	Special Revenue Fund - Internal	Special Revenue Fund - External	Total
1	100xxx	Executive Branch	121,060,689	12,130,282	11,200,000		60,035,615	54,628,256	25,185,239	272,706,984	556,947,065
2	101xxx	Legislative Branch	14,902,730	1,531,359			10,000				16,444,089
3	102xxx	Judicial Branch	13,873,785	81,805						1,441,051	15,396,641
4	118xxx	Fixed Costs	18,816,796	3,756,554		5,000,000					27,573,350
5	108xxx	Capital Projects	4,000,000								4,000,000
6		Total:	172,654,000	17,500,000	11,200,000	5,000,000	60,045,615	54,628,256	25,185,239	274,148,035	620,361,145

The Navajo Nation

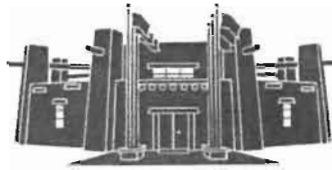
EXHIBIT D

Fiscal Year 2016 Executive Branch Budget Summary

A	B	C	D	E	F	G	H	I	J
Business Unit	Program	Navajo Nation General Fund	Indirect Cost Fund	Higher Education Setaside	Proprietary Fund	Fiduciary Fund	Special Revenue Fund - Internal	Special Revenue Fund - External	Total
1 103xxx	Executive Offices	8,431,692	815,895						9,247,587
2 104xxx	Department of Justice	5,887,325	1,332,987						7,220,312
3 105xxx	Office of Management and Budget	1,454,811	837,399						2,292,210
4 106xxx	Office of Navajo Tax Commission	1,548,967							1,548,967
5 107xxx	Office of the Controller	3,415,354	2,833,968		1,208,000	14,845,777	4,651,000		26,954,099
6 108xxx	Division of Community Development	4,124,743	774,917					6,586,157	11,485,817
7 108xxx	Navajo Nation Chapters	26,975,993					2,138,966		29,114,959
8 109xxx	Department of Dine' Education	8,041,836	316,562	11,200,000	45,000	766,352	4,092,997	40,417,583	64,880,330
9 110xxx	Division of Economic Development	4,629,334	184,206		290,000		1,451,400		6,554,940
10 111xxx	Navajo Environmental Protection Agency	1,752,683	96,380				2,912,076	4,876,831	9,637,970
11 112xxx	Division of General Services	5,059,531	2,270,685		50,479,615			2,666,017	60,475,848
12 113xxx	Division of Health	12,638,294	111,988			274,308		53,794,925	66,819,515
13 114xxx	Division of Human Resources	4,999,746	1,331,797		47,500	38,741,819		13,725,885	58,846,747
14 115xxx	Division of Natural Resources	18,021,292	223,321		7,505,000		2,750,000	10,564,669	39,064,282
15 116xxx	Division of Public Safety	9,607,450	244,428		75,500		432,000	43,649,460	54,008,838
16 117xxx	Division of Social Services	3,455,078	586,790		140,000			81,843,662	86,025,530
17 120xxx	Office of Gaming Regulatory				200,000				200,000
18 121xxx	Navajo Division of Transportation	1,016,560	168,959		45,000		6,756,800	14,581,795	22,569,114
19	Total:	121,060,689	12,130,282	11,200,000	60,035,615	54,628,256	25,185,239	272,706,984	556,947,065

Fund Carryovers

1. Business Unit# 102019 – Judicial Conduct Commission
\$100,000 or remaining balance
2. Business Unit # 101020 – Ethics and Rules Office
Remaining balance from object code 6520 – Consulting
3. Business Unit# 101021 – Election Administration Office
Remaining balance
4. Business Unit# 118023 – Facilities Maintenance Fixed Cost
\$670,000 or remaining balance
5. Business Unit# 510003 – Tourism Department
\$2,000,000 or remaining balance
6. Business Unit# 910005 – Karigan Professional Office
\$100,000 or remaining balance



NAABIK'ÍYÁTI' COMMITTEE REPORT
23rd NAVAJO NATION COUNCIL---FIRST YEAR 2015

LEGISLATION 0305-15

Introduced by the Honorable Seth Damon

An Action relating to Budget and Finance Committee, Naabik'iyati' Committees and Navajo Nation Council; Fiscal Appropriation; Approving the Navajo Nation Fiscal Year 2016 Comprehensive Budget; And waiving 12 N.N.C. §820 (I), 12 N.N.C. §901

TO THE NAVAJO NATION COUNCIL:

The Naabik'iyati Committee, to whom has been referred Legislation 0305-15, has had it under consideration and reports a **TABLING** action with no amendments.

Thence referred to the **NAVAJO NATION COUNCIL** on this 3rd Day of September, 2015.

MAIN MOTION HELD BY:

Motion: Honorable Jonathan Perry
Second: Honorable Raymond Smith, Jr.
Vote:

TABLING MOTION

Motion: Honorable Edmund E. Yazzie
Second: Honorable Leonard Pete
Vote: 8 in favor, 7 opposed (Chairman voted to break tie) **MOTION CARRIED**


Table legislation and forward to the Navajo Nation Council. Members of the Council will submit proposed budget amendments to the Budget and Finance Advisor to be shared with the Budget and Finance Committee and the Office of Management and Budgets for review and guidance. Amendments will be provided to the Navajo Nation Council during the Special Budget Session.

AMENDMENT # 1

Motion: Honorable Jonathan L. Hale
Second: Honorable
Vote: (TABLING Motion took precedence)

103001 Office of the President/Vice President		109004 –Office of DODE Research/Stat. 109006 – Office of NN Library	
103001-1134	\$58,573	109004	\$86,700
103001-1136	\$28,127		
103001-1136	\$22,226	109006	\$22,226
TOTAL:	\$108,926	TOTAL:	\$108,926

Carry over unexpended balances within the Office of Background Investigations BU#114018, Account #s 1855 and 1853. Carry over all unexpended balances within the NN Dept. of Veterans Affairs Match Trust Fund for housing projects BU #s 114020 and 114019

A handwritten signature in black ink, appearing to read 'LoRenzo C. Bates', is positioned above a horizontal line.

Honorable LoRenzo C. Bates, Chairman
NAABIK'ÍYÁTI' COMMITTEE