

LEGISLATIVE SUMMARY SHEET

Tracking No. 0024-20

DATE: January 28, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO BUDGET AND FINANCE COMMITTEE; AMENDING THE NAVAJO NATION FISCAL YEAR 2020 BUDGET INSTRUCTIONS MANUAL; CONCERNING SECTION XII SUPPLEMENTAL APPROPRIATIONS

PURPOSE: The purpose of this resolution is approve amendments to the Fiscal Year 2020 Budget Instructions Manual.

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: None
Website Posting Time/Date: 3:19pm 01-29-20
Posting End Date: 02-03-20
Eligible for Action: 02-04-20

PROPOSED NAVAJO NATION STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL – Second Year, 2020

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0024-20

AN ACTION

RELATING TO BUDGET AND FINANCE COMMITTEE; AMENDING THE NAVAJO
NATION FISCAL YEAR 2020 BUDGET INSTRUCTIONS MANUAL; CONCERNING
SECTION XII SUPPLEMENTAL APPROPRIATIONS

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Budget and Finance Committee is empowered to promulgate rules and regulations relative to contracting, investments, and financial matters. 2 N.N.C. § 301 (B) (1).
- B. The Budget and Finance Committee is responsible for approving the budget instructions for each fiscal year. 12 N.N.C. § 830 (H).

SECTION TWO. FINDINGS

- A. The Budget Instruction Manual for Fiscal Year 2020 was approved by the Budget and Finance Committee on June 3, 2019.
- B. The Navajo Nation Appropriations Act provides that “the Navajo Nation Council may adopt and approve supplemental appropriations to the Annual Comprehensive Budget during the fiscal year.” Moreover, the “Controller of the Navajo Nation shall

1 be responsible for designating recurring and non-recurring revenues and purposes.”
2 12 N.N.C. § 820 (L).

3 C. Additionally, the Appropriations Act indicates supplemental appropriation requests
4 “shall be submitted to the Office of Management and Budget for budget impact
5 analysis and other appropriate action.” 12 N.N.C. § 820 (M).

6 D. The Appropriations Act defines a budget impact analysis as “an assessment by the
7 Office of Management and Budget of the fiscal consequences of funding or failing to
8 fund a particular branch, division, department, program, office, entity or activity.” 12
9 NNC. § 810(C).

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13 **SECTION THREE. AMENDMENT TO THE FISCAL YEAR 2020 BUDGET**
14 **INSTRUCTION MANUAL, SECTION XII. SUPPLEMENTAL FUNDING REQUEST**
15 **PROCEDURES.**

16 A. The Budget and Finance Committee hereby amends Budget Instruction Manual,
17 Section XII.A. as follows:

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20 **FISCAL YEAR 2020**
21 **BUDGET INSTRUCTION MANUAL**
22 **XII. SUPPLEMENTAL FUNDING REQUEST PROCEDURES**

23 ***

24 A. **Purpose.** Due to limited availability of funds, the Navajo Nation must carefully
25 weigh the laws, priorities and any extenuating circumstances before consideration of
26 supplemental funding requests. Further, the Navajo Nation must consider obligations
27 in terms of mandates ordered by the courts, required match funding to capture
28 external funds, the health and safety of the general public and emergencies which
29 may arise during the course of the fiscal year.

1 All supplemental funding requests shall be submitted through the Navajo Nation
2 official review process before consideration by the appropriate oversight committee,
3 Budget and Finance Committee, and the Navajo Nation Council. OMB will review all
4 written analysis and recommendations and prioritize supplemental funding requests
5 for consideration.

6
7 Once the budget is provided to OMB by the delegate sponsoring the legislation, OMB
8 shall prepare a budget impact analysis. The budget impact analysis is defined within
9 the Navajo Nation Appropriations at 12 NNC § 810(C) as "an assessment by the
10 Office of Management and Budget of the fiscal consequences of funding or failing to
11 fund a particular branch, division, department, program, office, entity, or activity."
12 OMB shall limit its analysis to the budget documents provided.

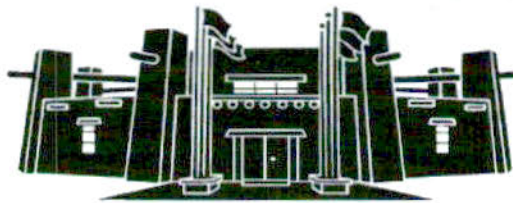
13 14 **SECTION FOUR. APPROVAL**

15 This amendment shall be effective upon Budget and Finance Committee's approval and shall
16 remain in effect unless amended by the Budget and Finance Committee.

17 18 **SECTION FIVE. DIRECTIVE TO OFFICE OF MANAGEMENT AND BUDGET**

19 A. The Office of Management and Budget is directed to make the changes approved in
20 Section Three of this resolution to the Budget Instruction Manual for Fiscal Year
21 2020.

22 B. The Office of Management and Budget is further directed that any changes made to
23 the Fiscal 2020 Budget Instruction Manual for inclusion into the Fiscal Year 2021
24 Budget Instruction Manual shall be summarized and provided to the Budget and
25 Finance Committee prior to the approval of the Fiscal Year 2021 Budget Instruction
26 Manual.



MEMORANDUM

TO: Honorable Amber Kanazbah Crotty
24th Navajo Nation Council

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

DATE: January 28, 2020

**SUBJECT: AN ACTION RELATING TO BUDGET AND FINANCE COMMITTEE;
AMENDING THE NAVAJO NATION FISCAL YEAR 2020 BUDGET
INSTRUCTIONS MANUAL; CONCERNING SECTION XII SUPPLEMENTAL
APPROPRIATIONS**

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: _0024-20_____

SPONSOR: Amber Kanazbah Crotty

TITLE: An Action Relating to Budget and Finance Committee; Amending the Navajo Nation Fiscal Year 2020 Budget Instructions Manual; Concerning Section XII Supplemental Appropriations

Date posted: January 29, 2020 at 3:19pm

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.*