LEGISLATIVE SUMMARY SHEET

Tracking No. 0252-18

DATE: June 29, 2018

TITLE OF RESOLUTION: AN ACTION RELATING TO LAW AND ORDER COMMITTEE; APPROVING AND RECOMMENDING TO THE BUDGET AND FINANCE COMMITTEE THE PROPOSED FISCAL YEAR 2019 BUDGET FOR THE NAVAJO NATION LABOR COMMISSION

PURPOSE: This bill will approve and recommend to the Budget and Finance Committee the proposed Fiscal Year 2019 Budget for the Navajo Nation Labor Commission.

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:
Website Posting Time/Date: 3:43pm 7/11/18
Posting End Date: 7/16/2018
Eligible for Action: 7/17/2018

PROPOSED STANDING COMMITTEE RESOLUTION

23rd NAVAJO NATION COUNCIL – Fourth Year, 2018

INTRODUCED BY

Herman Daniels

(Prime Sponsor)

TRACKING NO. 0252-18

AN ACTION

RELATING TO LAW AND ORDER COMMITTEE; APPROVING AND RECOMMENDING TO THE BUDGET AND FINANCE COMMITTEE THE PROPOSED FISCAL YEAR 2019 BUDGET FOR THE NAVAJO NATION LABOR COMMISSION

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Law and Order Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 600(A).

B. The Law and Order Committee is the oversight committee for the Navajo Nation Labor Commission 2 N.N.C. § 601(C)(1).

C. Each oversight committee shall review and make recommendations to the Budget and Finance Committee concerning the budget in accordance with the annual budget instructions. 12 N.N.C. § 840 (A).

SECTION TWO. FINDINGS

A. The Law and Order Committee held a budget hearing and took budget testimony regarding the Navajo Nation Labor Commission's Fiscal Year 2019 Budget. 12 N.N.C. § 840 (A).

B. The Law and Order Committee recommends to the Budget and Finance Committee a fiscal year budget for the Navajo Nation Labor Commission. 12 N.N.C. § 840 (A).

SECTION THREE. APPROVING AND RECOMMENDING TO THE BUDGET AND FINANCE COMMITTEE THE PROPOSED FISCAL YEAR 2019 BUDGET FOR THE NAVAJO NATION LABOR COMMISSION

A. The Law and Order Committee hereby acknowledges the proposed Navajo Nation Fiscal Year (FY) 2019 Budget for the Navajo Nation Labor Commission recommended by the Navajo Nation Office of the Speaker, as provided on the Fund Type Budget Summary, attached as **Exhibit A.**

B. The Law and Order Committee requests that the Budget and Finance Committee and the Navajo Nation Council adopt the changes to the Budget, as set forth in the General Fund Comparative Summary, **Exhibit B**, Recommended Changes to the General Fund Budget, **Exhibit C**, Recommended Conditions of Appropriation and Legislative Concerns, **Exhibit D,** and Recommended Unmet Needs, **Exhibit E.**

C. The Law and Order Committee authorizes the Committee Chairperson or Vice-Chairperson to meet and negotiate with the Budget and Finance Committee on these recommendations.

Fiscal Year 2019

The Navajo Nation
Fund Type Budget Summary

EXHIBIT A

Business Unit Number	Program	FY 2018 General Fund Budget	Fiscal Year 2019 Navajo Nation Funds: Proposed General Fund Budget	Indirect Cost Fund	External Funds Cash Match	Proprietary Fund	Fiduciary Fund	Special Revenue Fund - Internal	Special Revenue Fund - External	Total
101014	NN Labor Commission	299,292	265,880	44,846						310,726
										0
										0
										0
										0
										0
										0
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	Total	299,292	265,880	44,846	0	0	0	0	0	310,726

Fiscal Year 2019

The Navajo Nation
General Fund Comparative Summary

EXHIBIT B

Branch: Legislative

Division: Navajo Nation Labor Commission

(A) Business Unit Number	(B) Program Title	(C) Branch Chief's Proposed FY 2019 General Fund Budget	(D) Oversight Committee's Recommended FY 2019 General Fund Budget	(E) Plus or minus $ difference (Column D minus C)
101014	Navajo Nation Labor Commission	310,726	419,010	108,284
				0
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				0
				0
				0
				0
				0
				0
				0
				0
				0
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				0
				0
	TOTAL:	310,726	419,010	108,284

Fiscal Year 2019

The Navajo Nation
Recommended Changes to the General Fund Budget

EXHIBIT C

Branch: Legislative

Division: Navajo Nation Labor Commission

Business Unit Number	Program Title	Explanation of Recommended Changes to the Fiscal Year 2019 General Fund Budget (Increase or Decrease $ Amount)
101014	Navajo Nation Labor Commission	Increase for Unmet Needs to ensure Navajo Nation Labor Commission to adjudicate NPEA cases as mandated by Navajo Preference in Employment Act.

Fiscal Year 2019

The Navajo Nation
Recommended Conditions of Appropriations and Legislative Concerns

EXHIBIT D

Branch: Legislative

Division: Navajo Nation Labor Commission

Business Unit Number	Program Title	Brief Narrative of Recommended Condition of Appropriation (COA) or Legislative Concern (LC)
101014	Navajo Nation Labor Commission	None

Fiscal Year 2019

The Navajo Nation
Recommended Unmet Needs Budgets

EXHIBIT E

Branch: Legislative

Division: Navajo Nation Labor Commission

(A) Business Unit Number	(B) Program Title	(C) Amount of Unmet Need	(D) Explanation of Recommended UNMET NEEDS to the FY 2019 General Fund Budget
101014	Navajo Nation Labor Commission	108,284	The Navajo Nation Council by CJY-42-16 amending 15 N.N.C. § 303 (B) required NNLC Members to be members of NNBA and Licenced attorneys to adjudicate NPEA cases Proposed allocation in FY 2019 is insuffucient for NNLC to adjudicate cases throughout the entire fiscal year. The proposed allocation is only for forty (40) hearings sufficient up to May 2019 hearings. That result in no funds for any hearings set beyond May 2019.
	TOTAL:	108,284	

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: 101014 Program Title: Navajo Nation Labor Commission Division/Branch: Legislative Branch

Prepared By: Leffew R. Denny Phone No.: 928-871-6805 Email Address: laborcommission@gmail.com

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
General Funds	10/01/18-09/31/19	108,284.00	100
	TOTAL:	$108,284.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
2001 Personnel Expenses		219,035	50,852	(168,183)
3000 Travel Expenses		8,000	8,000	0
3500 Meeting Expenses		47,000	49,025	2,025
4000 Supplies		10,025		(10,025)
5000 Lease and Rental		2,000		(2,000)
5500 Communications and Utilities		4,000		(4,000)
6000 Repairs and Maintenance		6,000		(6,000)
6500 Contractual Services				0
7000 Special Transactions		3,232	407	(2,825)
8000 Public Assistance				0
9000 Capital Outlay				0
9500 Matching Funds				0
9500 Indirect Cost				0
TOTAL		$299,292.00	108,284.00	(191,008)

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	3	3
Total # of Permanently Assigned Vehicles:		

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

Anslem Bitsoi
SUBMITTED BY: Program Manager's Printed Name

LoRenzo Bates
APPROVED BY: Division Director/Branch Chief's Printed Name

SUBMITTED BY: Program Manager's Signature and Date

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

PART I. PROGRAM INFORMATION:

Business Unit No.: 101014 **Program Name/Title:** Navajo Nation Labor C

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

The Navajo Nation Labor Commission ("Commission") was established by the Navajo Nation Code, Title 15 et seq. as a quasi-judicial hearing body pursuant to the NPEA to hear all formal complaints to protect all substantial rights of all Navajo and Non- Navajo individuals who are employed.

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: NNLC Processing of Appealled Commisson cases								
Program Performance Measure: Timely filing of cases in accordance to Navajo Rules of Appeallate Procedure.	3		3		3		3	
2. Goal Statement: Complaint properly mailed within five day of provided by the Act & rules.								
Program Performance Measure: NNLC staff processing formal complaints	15		15		15		15	
3. Goal Statement: NNLC to continue tp conduct Quasi-judicial hearings.								
Program Performance Measure: Timely adjudicate the NPEA complaints/Pet.-actions in accordance to the Act.	20		20		20		20	
4. Goal Statement: NNLC continue finalized and closed NNLC cases.								
Program Performance Measure: Timely close NNLC Cases	5		5		5		5	
5. Goal Statement: NNLC Staff process and complete close cases.								
Program Performance Measure: Timely process and complete closed cases (final order) according to NNLC Rules	5		5		5		5	

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

Anslem Bitsoi
Program Manager's Printed Name

LoRenzo Bates
Division Director/Branch Chief's Printed Name

Program Manager's Signature and Date

Division Director/Branch Chief's Signature and Date

Serenity Smith 06/14/18

DPM VERIFICATION DATE

FY 2019

The Navajo Nation
Listing of Positions and Assignments by Business Unit

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WKSITE CODE	FY 2018 ACTUAL G/S	FY 2018 ACTUAL SALARY	FY 2019 PROPOSED HOURS	FY 2019 PROPOSED BUDGET PERIOD		BUDGET
101014	NAVAJO NATION LABOR COMMISSION										
1101	209350	1252	PROGRAMS & PROJECTS SPEC	12983	WIN	AI63L	51,812.80	2,080	10/01/2018	09/30/2019	51,813.00
1102	209351	1295	LEGISLATIVE REPORTER	13840	WIN	AI59L	36,982.40	2,080	10/01/2018	09/30/2019	36,982.00
1103	209295	1366	OFFICE SPEC	12162	WIN	AI58G	29,515.20	2,080	10/01/2018	09/30/2019	29,515.00
						SUBTOTAL:					118,310.00
						BUSINESS UNIT TOTAL:					118,310.00

PART I. PROGRAM INFORMATION:

Program Name/Title: Navajo Nation Labor Commission Business Unit No.: 101014

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)
	2001 PERSONAL EXPENSES		**50,852**
	Employment & Fringe Benefits		
2450	STIPEND-BOARDS/COMMISSION	46,250	
	2470 Labor Commission		
	5 Commission members x $250.00 = $1,250.00 x 37 hearings = $46,250		
2900	FRINGE BENEFITS	4,602	
	5 Commission Members: $46,250 x 9.95% = $4,601.88		
	3000 TRAVEL EXPENSES		**8,000**
	Lodging expenses directly related to program business. Travel for hearings, trainings, seminars and other functions.		
3230	PESONAL TRAVEL	8,000	
	3250 Lodging		
	3500 MEETING EXPENSES		**49,025**
	Stipend mileage paid to five commission members for performing their duties & responsibilities as an Admin. Hearing body pursuant to the NPEA for each hearing while traveling on the reservation to and from the designated locations.		
3610	MEETINGS	49,025	
	3613 Mileage		
	265 miles x 5 Commission members x 37 hrgs. = $49,025.00		
	TOTAL	107,877	107,877

PART I. PROGRAM INFORMATION:

Program Name/Title: Navajo Nation Labor Commission Business Unit No.: 101014

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)
	7000 SPECIAL TRANSACTIONS		407
	Insurance Premiums for three (3) Permanent staff and Training/Registrations Fees for staff and Commisison members.		
7710	INSURANCE PREMIUMS	407	
	7767 Workers' Comp Premiums: $46,250/100 = $462.50 x $0.88 = $407.00 *NNLC Members		
	TOTAL	407	407

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

Honorable LoRenzo Bates
Speaker
23rd Navajo Nation Council

MEMORANDUM

To : Hon. Herman Daniels, Jr., Council Delegate
Navajo Nation Council

From : _____
Ron Haven, Attorney
Office of Legislative Counsel

Date : June 29, 2018

Re : AN ACTION RELATING TO LAW AND ORDER COMMITTEE; APPROVING AND RECOMMENDING TO THE BUDGET AND FINANCE COMMITTEE THE PROPOSED FISCAL YEAR 2019 BUDGET FOR THE NAVAJO NATION LABOR COMMISSION

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. The resolution drafted is legally sufficient, although, as with all legislation, challenges are possible in the courts. You are advised and encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction. 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. As you may be aware, the Speaker is authorized to refer this proposed resolution to other committees than those stated in the title.

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. Ahéhee'.

OLC # 18-382-1

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0252-18_____ SPONSOR: Herman Daniels/Otto Tso

TITLE: An Action Relating to Law and Order Committee; Approving and Recommending to the Budget and Finance Committee the Proposed Fiscal Year 2019 Budget for the Navajo Nation Labor Commission

***Date posted*: July 11, 2018 at 3:43pm**

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.*

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: **0252-18**

SPONSOR: **Honorable Herman Daniels**

TITLE: **An Action Relating to Law and Order Committee; Approving and Recommending to the Budget and Finance Committee the Proposed Fiscal Year 2019 Budget for the Navajo Nation Labor Commission**

Posted: **July 11, 2018 at 3:43pm**

5 DAY Comment Period Ended: **July 16, 2018**

Digital Comments received:

Comments Supporting	***None***
Comments Opposing	***None***
Inconclusive Comments	***None***

Legislative Secretary II
Office of Legislative Services

7/17/2018 8:19am
Date/Time