



## 24<sup>th</sup> NAVAJO NATION COUNCIL LEGISLATION SPONSORSHIP WITHDRAWAL

I, Honorable Rickie Nez, Primary  
Sponsor of proposed legislation hereby withdraw my  
sponsorship of the proposed legislation. The legislation  
tracking number is 0034-22.

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

SPONSOR SIGNATURE:

A handwritten signature in black ink, appearing to be "R. Nez", written over a horizontal line.

DATE:

2-25-22

## LEGISLATION SUMMARY

Tracking No. 0034-22

Date: February 3, 2022

Re: **AN AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; ALLOCATING \$3,191,005 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE ("UUFB") TO THE ANIMAL CONTROL PROGRAM FOR PERSONNEL AND OTHER EXPENSES TO ADDRESS THE URGENT PROBLEM OF DOG OVER-POPULATION AND MAULINGS ON THE NAVAJO NATION; WAIVING 12 N.N.C. §820(E), §820(F), AND §820(J) TO ALLOW USE OF UUFB FUNDS FOR RECURRING EXPENSES**

Purpose: to allocate \$3,191,005 from the UUFB to the Animal Control Program for personnel and other program expenses, so the Program can address and mitigate the urgent problem of dog over-population and maulings on the Navajo Nation.



5-DAY BILL HOLD PERIOD: Johnson  
Website Posting Time/Date: 7:45pm; 02-17-22  
Posting End Date: 02-22-22  
Eligible for Action: 02-23-22

Resources & Development Committee  
Thence  
Budget & Finance Committee  
Thence  
Naabik'iyáti' Committee  
Thence  
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
24<sup>th</sup> NAVAJO NATION COUNCIL - Fourth Year, 2022

Introduced by:

  
Rick Nor  
(Prime Sponsor)

Tracking No. 0034-22

AN ACT

RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND  
FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO  
NATION COUNCIL; ALLOCATING \$3,191,005 FROM THE UNRESERVED,  
UNDESIGNATED FUND BALANCE ("UUFb") TO THE ANIMAL CONTROL  
PROGRAM FOR PERSONNEL AND OTHER EXPENSES TO ADDRESS THE  
URGENT PROBLEM OF DOG OVER-POPULATION AND MAULINGS ON  
THE NAVAJO NATION; WAIVING 12 N.N.C. §820(E), §820(F), AND §820(J)  
TO ALLOW USE OF UUFb FUNDS FOR RECURRING EXPENSES

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Resources and Development Committee is a standing committee of the Navajo Nation Council with statutory authority over the Division of Natural Resources ("DNR"). 2 N.N.C. §501(C). The Department of Fish and Wildlife is within the DNR and the Navajo Nation's Animal Control Program is under the Department of Fish and Wildlife. 13 N.N.C. §1700(B)(1), Resolution No. CJY-64-18. The Resources and Development Committee recommends to the Navajo Nation Council the approval of resolutions that will accomplish the Committee's purposes. 2 N.N.C. §501(B)(4)(f).

B. The Navajo Nation established the Budget and Finance Committee as a Navajo Nation

1 Council standing committee with the authority to recommend to the Navajo Nation Council  
2 the management of all funds. 2 N.N.C. §164(A)(9), §300(A), and §301(B)(2).

3 C. The Navajo Nation Council established the Naabik'iyáti' Committee as a Navajo Nation  
4 standing committee, and proposed legislation requiring final action by the Navajo Nation  
5 Council is assigned to the Naabik'iyáti' Committee. 2 N.N.C. §164(A)(9) and §700(A).

6 D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).  
7 As such, the Council “. . . may adopt and approve supplemental appropriations to the Annual  
8 Comprehensive Budget during the fiscal year. Supplemental appropriations of General Funds  
9 within the current fiscal year are permitted, if and when additional sources of revenues above  
10 and beyond the initial or current revenue projections are projected and which are also in  
11 excess of the reserve amount set forth at §820(J).” 12 N.N.C. §820(L).

12 E. The restrictions on supplemental appropriations include:

13 1. Supplemental appropriations from non-recurring revenues shall be approved only for non-  
14 recurring expenses. 12 N.N.C. §820(F). The Controller determines which revenues are  
15 recurring and which are non-recurring. 12 N.N.C. §820(L).

16 2. The Navajo Nation shall budget all recurring operating expenses, including capital  
17 maintenance costs, from recurring revenues only; and long-term debt shall not be used to  
18 finance recurring operating expenses. 12 N.N.C. §820(E).

19 3. The Navajo Nation Code further provides, “. . . non-recurring revenues will be budgeted  
20 only after an examination by the Controller to determine whether or not the revenues are  
21 subsidizing an imbalance between recurring revenues and expenditures, and expenditures  
22 may be authorized only if a long-term (three-five year) forecast shows that the operating  
23 deficit will not continue. Otherwise, non-recurring revenues will be added to the  
24 Unreserved, Undesignated Fund Balance. This provision may be amended or waived by  
25 a two-thirds vote of the full Navajo Nation Council.” 12 N.N.C. §820(F).

26 4. All requests for supplemental funding shall be submitted to the Office of Management  
27 and Budget (“OMB”) for budget impact analysis. 12 N.N.C. §820(M).

## 28 29 **SECTION TWO. FINDINGS**

30 A. The Animal Control Program under the Division of Natural Resources has prepared a

1 supplemental funding request, seeking \$3,191,005 out of the UUFB for personnel and other  
2 program expenses of the Animal Control Program. The Appendix K “Supplemental Funding  
3 Proposal Summary” will be provided to the Committees and the Navajo Nation Council  
4 when this legislation is up for consideration. The required Budget Forms are attached hereto  
5 as **EXHIBIT A**.

6 B. The Animal Control Program has provided an Executive Summary and a Report (dated May  
7 26, 2021) regarding this UUFB funding request. **EXHIBIT B**. The Animal Control Program  
8 needs the supplemental funding to address and mitigate the urgent problem of dog over-  
9 population and maulings that have occurred on the Navajo Nation. **EXHIBIT B**.

10 B. The Office of Management and Budget has provided a budget impact analysis as required by  
11 12 N.N.C. § 820(M). **EXHIBIT C**.

12 C. The Office of the Controller has provided a memorandum as required by 12 N.N.C. §820(L).  
13 **EXHIBIT D**. The Controller has designated the expenses of the Animal Control Program as  
14 recurring; therefore a waiver of certain provisions in the Title 12 Appropriations Act is  
15 necessary in order to allocate the UUFB funds.

16  
17 **SECTION THREE. ALLOCATING \$3,191,005 OUT OF THE UUFB TO THE ANIMAL**  
18 **CONTROL PROGRAM FOR PERSONNEL AND OTHER**  
19 **PROGRAM EXPENSES**

20 A. The Navajo Nation hereby allocates \$3,191,005 out of the UUFB to the Animal Control  
21 Program, to pay personnel and other program costs needed to address and mitigate the  
22 problem of dog over-population and maulings that have occurred on the Navajo Nation.

23 B. This supplemental appropriation shall be from those funds that exceed the minimum fund  
24 reserve balance in the UUFB required by 12 N.N.C. §820(J), as determined by the Controller.

25 C. Pursuant to 12 N.N.C. §820(J), on September 30, 2022 this supplemental appropriation shall  
26 expire and any remaining funds not expended or encumbered shall revert to the UUFB,  
27 unless otherwise determined by the Navajo Nation Council.

28  
29 **SECTION FOUR. WAIVING 12 N.N.C. §820(E), §820(F), AND §820(J) TO ALLOW**  
30 **USE OF THE UUFB FOR RECURRING PROGRAM EXPENSES**

1 The Navajo Nation hereby waives 12 N.N.C. §820(E), §820(F), and §820(J) to allow use of the  
2 UUFB by the Animal Control Program for personnel and other program expenses to address  
3 and mitigate the problem of dog over-population and maulings that have occurred on the Navajo  
4 Nation. This waiver is necessary because the Animal Control Program's proposed UUFB  
5 expenditures are considered recurring expenses.

6  
7 **SECTION FIVE. EFFECTIVE DATE**

8 This Act shall become effective as provided in 2 N.N.C. §221(B) and 2 N.N.C. §164(A)(17).  
9

10 **SECTION SIX. SAVING CLAUSE**

11 If any portion of this Act is determined invalid by the Navajo Nation Supreme Court, or by a  
12 District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, the  
13 remainder of this Act shall be the law of the Navajo Nation.  
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FY 2021

# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

 Page 1 of 7  
BUDGET FORM 1

PART I. Business Unit No.: 115026		Program Title: Animal Control Program		Division/Branch: Natural Resources/Executive	
Prepared By: KEVIN GLEASON, JR.		Phone No.: 928-871-6450/6452		Email Address: kgleason@nndfw.org	

PART II. FUNDING SOURCE(S)		Fiscal Year	Amount	% of Total
General Fund-Supplemental Funding		Term		
		10/1/21-9/30/22	3,191,005	100%
PART III. BUDGET SUMMARY				
	Fund Type Code	NNC Approved Original Budget	Proposed Budget	Difference (Column B - A)
2001 Personnel Expenses	1	572,589	1,067,866	495,277
3000 Travel Expenses	1	156,326	1,178,661	1,022,335
3500 Meeting Expenses				
4000 Supplies	1	26,581	746,500	719,919
5000 Lease and Rental				
5500 Communications and Utilities	1	13,996	40,000	26,004
6000 Repairs and Maintenance	1	6,000		
6500 Contractual Services	1	6,000		
7000 Special Transactions	1	23,679	157,978	134,299
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		805,171	3,191,005	2,385,834

PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted		13	23
Total # of Vehicles Budgeted		8	23

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

EXHIBIT A

Gloria M. Tom, Program Manager III

SUBMITTED BY: Program Manager's Printed Name

SUBMITTED BY: Program Manager's Signature and Date

Rudolph Ray Shebala, Executive Director

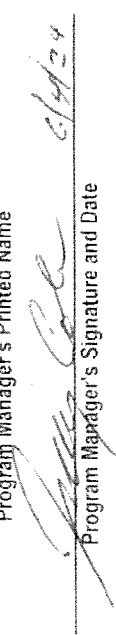
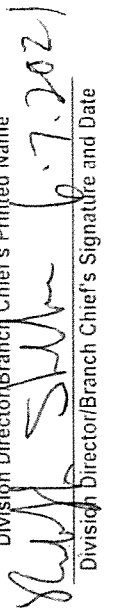
APPROVED BY: Division Director/Branch Chief's Printed Name

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



THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

FY 2021

<b>PART I. PROGRAM INFORMATION:</b>		Business Unit No.: 115026		Program Name/Title: Animal Control Program	
<b>PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:</b>					
RDCO-79-16: The purpose of the Animal Control Program is to enforce the animal control laws established by the Navajo Nation Council, to protect the health, safety and property of people and animals, address responsible pet ownership, over population, disease and neglect of animals through education, and promote foster programs, spay & neuter clinics and animal adoption programs through the public, other agencies and organizations in the spirit of cooperation and for the benefit of present and future generations.					
<b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>					
1. To impound and dispose of animals, reducing the number of free roaming dogs and cats.					
<b>Program Performance Measure:</b>					
Number of animal dispose of		1,500		1,500	
<b>Goal Statement:</b>					
2. To have socially adopt animals removed from the Navajo Nation by Rescue Organizations.					
<b>Program Performance Measure:</b>					
Number of animals adopted off the Navajo Nation		125		125	
<b>Goal Statement:</b>					
3. To conduct community enforcement sweeps and surrender days, reducing the number of free roaming animals.					
<b>Program Performance Measure:</b>					
Number of community sweeps and surrender day conducted		75		75	
<b>Goal Statement:</b>					
4. Number of bite cases, livestock conflict cases, vicious animals cases, filed with the courts and seek restitution					
<b>Program Performance Measure:</b>					
Number of bite livestock< vicious animals cases and citation filed with court.		100		100	
<b>Goal Statement:</b>					
5. To provide humane education on responsible pet ownership and animal control laws to promote safe and healthy communities.					
<b>Program Performance Measure:</b>					
Number of public education contacts made through direct service & presentations in community		500		500	
<b>PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b>					
Gloria M. Tom, Department Manager III Program Manager's Printed Name		Rudolph Ray Shebala, Executive Director Division Director/Branch Chief's Printed Name			
					
Program Manager's Signature and Date		Division Director/Branch Chief's Signature and Date			



THE NAVAJO NATION  
LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNIT

FY 2021

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WRKSITE CODE	FY 2020 ACTUAL		FY 2020 PROPOSED	
						G/S	SALARY	HOURS	BUDGET
1130	999999	3184	Senior Animal Control Officer	VACANT	Many Farm	BJ61	34,514.64	2080	34,514.64
1131	999999	3184	Senior Animal Control Officer	VACANT	Tuba City	BJ61	34,514.64	2080	34,514.64
1132	999999	3184	Senior Animal Control Officer	VACANT	Crownpoint	BJ61	34,514.64	2080	34,514.64
1133	999999	3189	Animal Control Officer	VACANT	Fl Defiance	BJ59	29,127.60	2080	29,127.60
1134	999999	3189	Animal Control Officer	VACANT	Fl Defiance	BJ59	29,127.60	2080	29,127.60
1135	999999	3189	Animal Control Officer	VACANT	Fl Defiance	BJ59	29,127.60	2080	29,127.60
1136	999999	3189	Animal Control Officer	VACANT	Fl Defiance	BJ59	29,127.60	2080	29,127.60
1137	999999	3189	Animal Control Officer	VACANT	Shiprock	BJ59	29,127.60	2080	29,127.60
1138	999999	3189	Animal Control Officer	VACANT	Shiprock	BJ59	29,127.60	2080	29,127.60
1139	999999	3189	Animal Control Officer	VACANT	Shiprock	BJ59	29,127.60	2080	29,127.60
1140	999999	3189	Animal Control Officer	VACANT	Shiprock	BJ59	29,127.60	2080	29,127.60
1141	999999	3189	Animal Control Officer	VACANT	Crownpoint	BJ59	29,127.60	2080	29,127.60
1142	999999	3189	Animal Control Officer	VACANT	Crownpoint	BJ59	29,127.60	2080	29,127.60
1143	999999	3189	Animal Control Officer	VACANT	Crownpoint	BJ59	29,127.60	2080	29,127.60
1144	999999	3189	Animal Control Officer	VACANT	Crownpoint	BJ59	29,127.60	2080	29,127.60
1145	999999	3189	Animal Control Officer	VACANT	Crownpoint	BJ59	29,127.60	2080	29,127.60
1146	999999	3189	Animal Control Officer	VACANT	Tuba City	BJ59	29,127.60	2080	29,127.60
1147	999999	3189	Animal Control Officer	VACANT	Tuba City	BJ59	29,127.60	2080	29,127.60
1148	999999	3189	Animal Control Officer	VACANT	Tuba City	BJ59	29,127.60	2080	29,127.60
1149	999999	3189	Animal Control Officer	VACANT	Many Farm	BJ59	29,127.60	2080	29,127.60
1150	999999	3189	Animal Control Officer	VACANT	Many Farm	BJ59	29,127.60	2080	29,127.60
1151	999999	3189	Animal Control Officer	VACANT	Many Farm	BJ59	29,127.60	2080	29,127.60
1152	999999	3189	Animal Control Officer	VACANT	Many Farm	BJ59	29,127.60	2080	29,127.60
TOTAL							686,095.92	47,840	686,095.92

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

FY 2021

PART I. PROGRAM INFORMATION:		Business Unit No.: 115026	
Program Name/Title: ANIMAL CONTROL PROGRAM			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	2001 - PERSONNEL EXPENSE		1,067,866
	Employee salary, fringe benefits, overtime, Holiday and Special Duty Pay		
2110	REGULAR		
	2120 03 Senior Animal Control Officer \$103,543.92	586,096	
	2120 20 Animal Control Officers \$562,552	26,480	
2610	REGULAR HOLIDAY		
	2620 Holiday Regular 8 Hrs x 10 Holiday x 16.55 x 20 Officers = \$26,480		
2900	FRINGE BENEFITS	355,290	1,178,661
	2900 Law Enforcement \$65,096 x 45.86% = \$342,087.47		
	2900 Holiday Fringe \$26,480 x 45.86% = \$13,202.93		
	3000 - TRAVEL EXPENSES		
	Expense for department vehicle monthly rates and mileages, rentals, meals, lodging and other miscellaneous travel expense to and from training, seminars, conferences, fieldwork, and other program related business		
3110	FLEET		
	3111 Monthly Perm (Group E Class XI) 525 x 12 mos x 23 vehicles	\$ 144,900	\$ 153,594.00
	3113 Mileage (Group E Class XI) 4,000 x 26 x 12 mos x 23 vehicles	\$309,120	\$327,667.20
	6% Sales Tax		825.061
	Total		
	TOTAL	1,892,927	2,246,527

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

FY 2021

PART I. PROGRAM INFORMATION:			
Program Name/Title:		Business Unit No.: 115026	
ANIMAL CONTROL PROGRAM			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
3210	Vehicle Rental	20,000	
3270	Vehicle Rental (off reservation)		
3280	TRAVEL EXPENSES	133,000	
3240	Per Diem Meals		
3250	Lodging		
3260	Travel		
3290	Other Travel Expenses		
4000	SUPPLIES		746,500
	Operating Supplies such as stationary, envelopes, binders, folders, labels, pens and pencils, filing cabinets, federal express charges, freight charges, postages, printing and binding, pamphlets, photo copying, software, and other general operating supplies		
4120	OFFICE SUPPLIES	34,500	
4130	General Office Supplies		
4200	NON CAPITAL ASSETS	212,000	
4210	Non-Cap Equip & Equip		
4220	Non-Cap Computer Equip		
4410	OPERATING SUPPLIES	900,000	
4420	General Operating Supplies		
4440	Non Cap Computer Software		
4450	Postage Courier Shipping		
4530	Printing/Binding/Photocopying		
4540	Books, Periodicals, Subscriptions		
TOTAL		145,500	145,500

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

FY 2021

PART I. PROGRAM INFORMATION:			
Program Name/Title:		Business Unit No.: 115026	
ANIMAL CONTROL PROGRAM			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	5500 - COMMUNICATION AND UTILITIES Basic telephone service & line charges, install telephone hardware, installation and service charges for DSL line, internet service and cellular phones		40,000
5610	WIRELESS 5620 - Cellular	40,000	
	7000 - SPECIAL TRANSACTIONS Promote & Advertise department initiatives, gifts and awards to be presented to employees, catering, refreshments for department events, printing and advertisements, employees training fees and insurance premiums.		157,978
7110	PROMOTIONS 7130 Promotional items \$60,000 7190 Refreshments \$27,000	80,000	
7510	TRAINING & PROFESSIONAL FEES 7520 Training and Registration \$15,000 7530 Training Supplies \$14,000	50,000	
7710	INSURANCE PREMIUMS 7730 Vehicle - Auto Liability (\$135.00 x 23 Vehicles = \$3,105.00) 7740 Vehicle - Auto Physical Damage (under 1 ton) (\$148.42 x 23 Vehicles = \$3,413.66) 7765 Policy Payment (General Liability) (\$1,067.866 - 100 x 41 = \$43,787.5) 7780 Deductible Vehicle under 1 ton \$940 x 23 Vehicles = \$21,620 7787 Workers (non- less fringe) \$717.50 x 76 / 100 x 17 = \$8,486.84	27,978	
TOTAL		157,978	157,978



THE NAVAJO NATION

BUDGET FORM 5

SUMMARY OF CHANGES TO BUDGETED POSITIONS

PART I. PROGRAM INFORMATION: Business Unit No.: 115026  
 Program Name/Title: ANIMAL CONTROL PROGRAM

PART II. PERSONNEL/POSITION CHANGES:

(A) Type of Change	(B) Sub Acct Object Code	(C) Position Number	(D) Job Type / Class Code	(E) Position Title	(F) Employee ID No. or Vacant	(G) Salary	(H) Fringe Benefit	(I) Total (Col. G + H)
NEW	1130	999999	003184	Senior Animal Control Officer	VACANT	34,515	17,289	51,804
NEW	1131	999999	003184	Senior Animal Control Officer	VACANT	34,515	17,289	51,804
NEW	1132	999999	003184	Senior Animal Control Officer	VACANT	34,515	17,289	51,804
NEW	1133	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
NEW	1134	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
NEW	1135	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
NEW	1136	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
NEW	1137	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
NEW	1138	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
NEW	1139	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
NEW	1140	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
NEW	1141	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
NEW	1142	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
NEW	1143	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
NEW	1144	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
NEW	1145	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
NEW	1146	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
NEW	1147	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
NEW	1148	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
NEW	1149	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
NEW	1150	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
NEW	1151	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
NEW	1152	999999	003185	Animal Control Officer	VACANT	29,128	14,523	43,651
PAGE TOTAL:						686,096	342,327	1,028,423

# THE NAVAJO NATION

JONATHAN NEZ - PRESIDENT      MYRON LIZTE - VICE PRESIDENT



## MEMORANDUM

**TO :** Jeffrey Cole, Wildlife Manager  
Department of Fish and Wildlife  
**DIVISION OF NATURAL RESOURCES**

**FROM :** Gloria M. Tom  
Gloria M. Tom, Department Manager III  
Department of Fish and Wildlife  
**DIVISION OF NATURAL RESOURCES**

**DATE :** June 4, 2021

**SUBJECT :** DELEGATION OF AUTHORITY

I will be on annual leave on Friday, June 4, 2021. Therefore, I am delegating you to act in the capacity of the Department Manager III, Department of Fish and Wildlife, effective Friday, June 4, 2021 beginning at 8:00 a.m. through 5:00 p.m.

Your authority will cover the review and signing off on all routine documents pertaining to the Department of Fish and Wildlife, except for issues that you feel should have the attention of the Director.

## ACKNOWLEDGEMENT:

Jeffrey Cole

Jeffrey Cole, Wildlife Manager  
Department of Fish and Wildlife  
**DIVISION OF NATURAL RESOURCES**

**Navajo Nation Department of Fish and Wildlife  
Animal Control Program  
Supplemental Funding Request in Response to the Loss of Life due to  
Over-Population of Dogs**

**Executive Summary**

The Navajo Nation Animal Control Program is requesting supplemental funding in the amount of \$3,191,005 as a direct and immediate response to the loss of life that is continually occurring from dog mauling's across the Navajo Nation. Since 2010, 6 dog mauling incidents have occurred and resulted in the deaths of Navajo individuals ranging in age from 5 years old to 49 years old with the most recent incident taking the life of a 13-year-old in Fort Defiance, Arizona and 12 dogs were responsible. Additional documentation on severe injuries of Navajo individuals ranging in age from 5 years old to elderly, from dog attacks has also been documented by the Animal Control Program.

Current funding levels for the Animal Control Program are severely insufficient to effectively address the over-population of dogs across the Navajo Nation. In 2015, it was estimated the dog population on the Navajo Nation was 250,000. Current staffing levels for Animal Control Officers, who are responsible for enforcing Navajo Nation animal control laws (13NNC), are inadequate to provide an immediate and comprehensive response to these recent incidents. Current staffing levels are 1 Animal Control Officer per Agency. The supplemental funding request will increase staffing levels to 5 Animal Control Officers per Agency, including an additional 3 Senior Animal Control Officer positions. This allows for direct oversight and supervision of animal control enforcement activities in each Agency.

With this supplemental request, the Animal Control Program also requests provisions to waive the funding lapsing at the end of the fiscal year and this allocation be added to the Animal Control Program's base funding as recurring funding.

Navajo Nation Department of Fish and Wildlife  
Animal Control Program  
Report to the Resource and Development Committee of the Navajo Nation  
Council Regarding Recent Dog Mauling's on the Navajo Nation  
May 26, 2021

**Introduction**

Animal Control Program is managed by the Department of Fish and Wildlife. The program consists of One (01) Program Manager (Vacant), Two (02) Senior Animal Control Officers (SACO). One SACO oversees Tuba City, Kayenta, Dilcon, and Chinle Agency. The second SACO oversees Shiprock, Crownpoint, Ft Defiance and the three satellite reservations. There is one Animal Control Officer assigned to Northern Agency, one ACO to Eastern Agency, one ACO to Fort Defiance Agency, one ACO to Chinle Agency, one ACO to Western City Agency and one ACO to Kayenta. The Program also has Kennel Officers (KO) assigned to Shiprock, Ft Defiance, Many Farms and Tuba City. These KO's operate and maintain the Agency animal shelters at these locations.

Pursuant to the Animal Control Plan of Operation: RDCO-79-16, the purpose of the Animal Control Program is to enforce the animal control laws established by the Navajo Nation Council, to protect the health, safety and property of people and animals, address responsible pet ownership, over population, disease and neglect of animals through education, and promote foster programs, spay & neuter clinics, and animal adoption program, through the public and organization in the spirit of cooperation and for the benefit of present and future generations.

The Program is responsible for enforcing the Navajo Nation Animal Control Law under 13 NNC-Health and Welfare, Chapter 09. The Animal Control Ordinance is located in Sections 1700 to 1715, Enforcement and Penalties. These provisions give the Program authority to enforce animal control laws but has enforcement commission with limited authority; it only authorizes the enforcement of 13 NNC and does not allow for the enforcement of other law and order laws and does not provide arrest authority. This Animal Control enforcement commission is given by the President of the Navajo Nation. It permits the Animal Control Officer to issue citations, investigate animal cases and permits them to impound dogs and cats, and enforce any new enacted Animal Control law.

The Animal Control Program has established Standard Operating Procedures that require Animal Control Officer's to abide to standards established by the Program. These standards address training requirements, physical fitness, evidence collecting, refresher training, and other standards.

**Dog Maulings on the Navajo Nation**

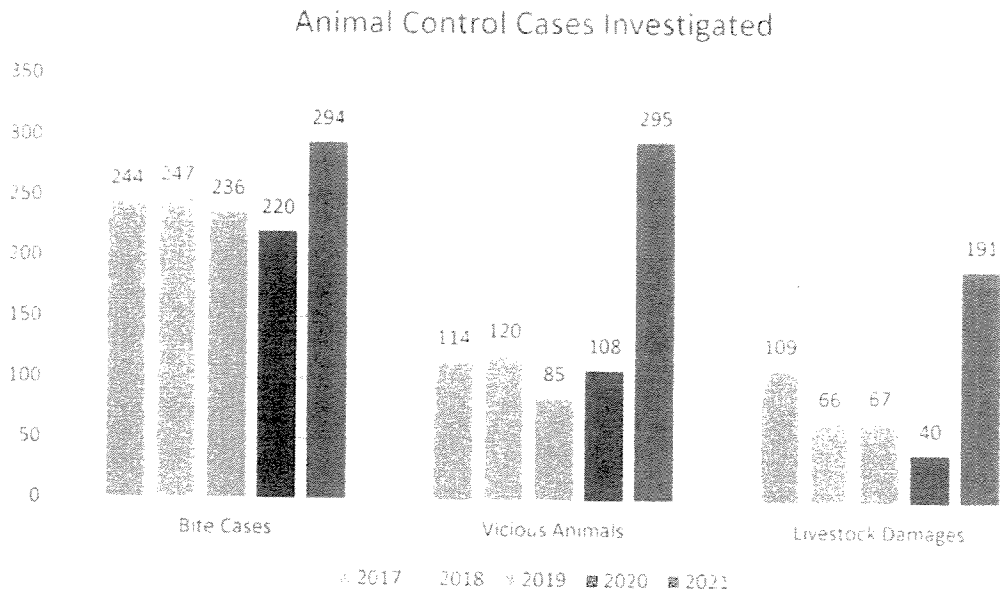
Dog maulings on the Navajo Nation have been increasing over the past 10 years. Many of these maulings have resulted in loss of limbs, severe injury and death. The maulings that have taken place are primarily due to dogs roaming at large; both stray dogs and pets have been involved. This ranges from well-cared for animals to animals that were abandoned by previous owners who could no longer care for their animals or feral dogs. These maulings have taken place all throughout the Navajo Nation. This table summarizes the most severe incidents since 2010:



Date	Location	Injury/Loss of Life	Number of Dogs Involved	Pets/Strays	Comments
May 2021	Fort Defiance, AZ	Loss of Life – 13 yr old	12	Pets	Investigation is pending. All 12 dogs involved were euthanized and 01 dog was tested for Rabies. Test was negative
October 2020	Kayenta, AZ	Loss of Life – Female age unknown	2	Strays left by school employee	Victim was intoxicated and was mauled. 27 dogs were confiscated; majority were puppies.
July 2017	Teesto, AZ	Loss of life – 5 yr old	05	Pets	Dog owner was cited, pled guilty and Court ordered to pay min \$500
February 2017	Salina Springs, AZ	Loss of life – 28-30 yr old	06	Pets	Victim was at dog owner residence and went outside and never returned. Dog owner found the victim. 25 citations issued. Disposition is still pending.
December 2012	Ramah, NM	Loss of life – 8 yr old	14	Pets	Case was handled by FBI and County Animal Control. NNACP was not involved but documented the incident.
December 2010	Sundance, NM	Loss of life – 49 yr old	06	Strays	No owner identified; no charges. Sweep after incident resulted in 100+ dogs impounded.

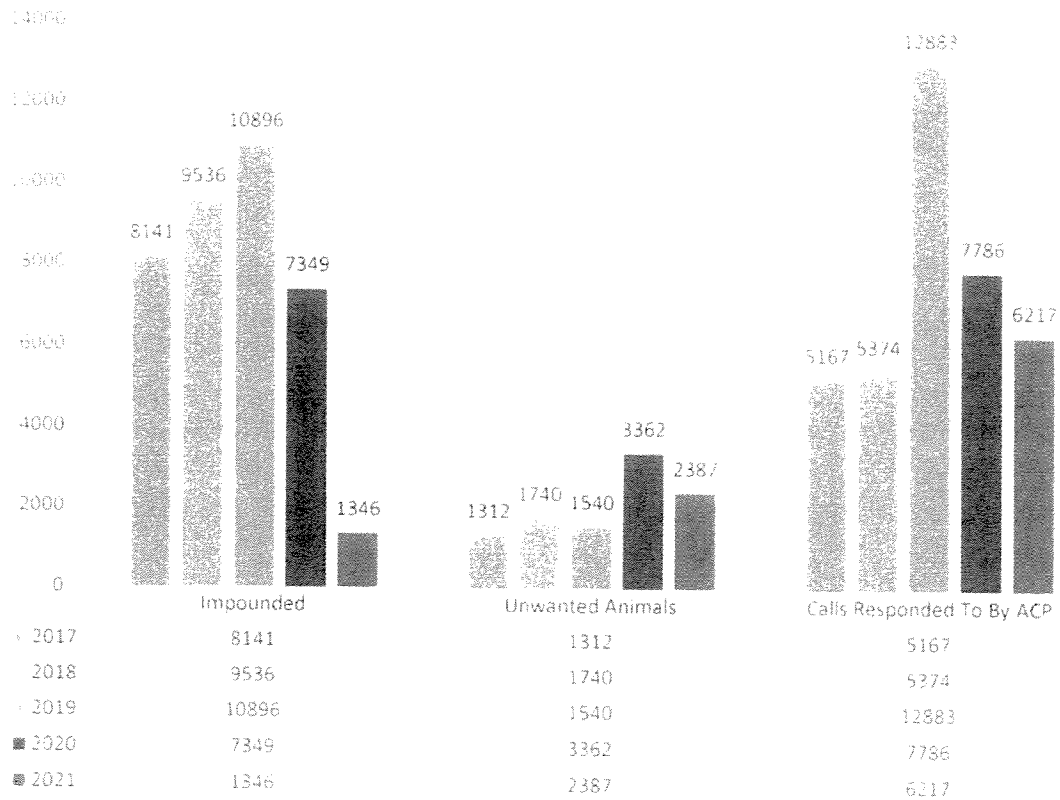
## Animal Control Issues

The following charts depict other dog incidents that have been investigated by Animal Control since 2017.



This graph shows the number of incidents that are investigated involving dog bites, vicious animals and livestock damage. These are cases that are reported by the victim, Indian Health Service and/or the Grazing Committee members to ACP. These are priority calls that the Animal Control Officer will respond to immediately. These cases can take anywhere from 2 hours to 8 hours to investigate, depending on the severity of the case. ACO's document these cases and present the case report to the Navajo Nation Prosecutor's Office.

## Impoundments and Unwanted Animals



This graph shows the number of animals impounded by the Animal Control Program. In 2020 and the beginning of 2021 the numbers are low due to the COVID 19 Pandemic and NN government shutdown. Officers responded to priority calls only. The middle graph shows the number of unwanted animals people bring to the Agency animal shelters. The third graph shows the number of calls ACP responded to in each of these Fiscal Years.

### Animal Control Funding Summary

In FY 2021, the Animal Control Program's annual operating budget is \$805,171. This funds 06 Animal Control Officers in Fort Defiance, Shiprock, Many Farms, Kayenta and Tuba City. Additional personnel include 02 Senior Animal Control Officers in Fort Defiance and Shiprock who oversee field operations and 04 Kennel Officers in Fort Defiance, Shiprock, Many Farms and Tuba City.

In order for the Program to adequately address the overpopulation of dogs and cats and associated problems resulting from this, it is imperative staffing levels be increased to at least 5 Animal Control Officers for each Agency. Currently, staffing levels are at 1 Officer per Agency. An additional allocation of \$3,191,005 needs to be made to the Program in order for the Program to begin effective enforcement of Navajo Nation Animal Control laws and to expand current public outreach efforts on pet owner responsibilities, spay and neuter programs and Navajo Nation laws and regulations on pet ownership. A supplemental funding request for this amount is currently in the approval process within the Division of Natural Resources.

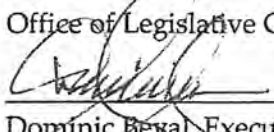
# THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



## MEMORANDUM

TO : Office of Legislative Counsel

FROM :   
Dominic Beyer, Executive Director  
Office of Management and Budget

DATE : July 14, 2021

SUBJECT : **Document No. 016644:** Supplemental Funding Request for \$1,203,595 for DNR/Fish & Wildlife, Animal Control Program, Business Unit No. 115026.

The Office of Management and Budget (OMB) previously reviewed a similar request under Document No. 016555 however the amount was for \$3,191,005. According to the program, this new Document No. 016644 will replace Document No. 016555. OMB prepared this memorandum per request of the Office of Legislative Counsel.

1. The FY 2021 Budget Instructions Manual, Section XII is the Supplemental Funding Request Procedures. The procedures set guidance to leadership in considering supplemental funding including the Branch Chiefs to review and prioritize all supplemental requests. In the reviews, the Navajo Nation must weigh laws, priorities, legal mandates, matching funds, health and safety of the general public and emergencies during the course of the fiscal year.
2. The FY 2021 Budget Resolution CN-88-20, Section Seven, directs the Office of the Controller to provide a report of the FY 2020 unexpended funds by December 1, 2020. The report is to be presented to the Navajo Nation Council to consider supplemental appropriations to programs with unexpended fund amounts as an alternative to carryovers. During the FY 2021 budget process, the oversight committees, via resolutions supported carryovers for 55 programs. Has this directive been completed?
3. During the Fiscal Year 2021 Budget Process, there was approximately \$134 million in Unmet Needs supported by the Legislative Oversight Committees. The DNR Fish and Wildlife/Animal Control Program is part of the Unmet Needs for \$1.3 million on an annual basis.
4. Review of Budget Forms:
  - a. The supplemental funding budget request is for FY 2022 for \$1,203,595. The request should be for FY 2021 since the Navajo Nation is still in FY 2021.
  - b. The \$1,203,595 represents a 12 months budget. Per the FY 2021 Budget Instructions Manual, the amount should be prorated for the remaining months in the FY 2021 which is 3 months (July – September).





Page Two (02)

Memo to Office of Legislative Counsel

Re: Supplemental Funding Request for \$1,203,595 for DNR/F&W, Animal Control

July 14, 2021

- c. Budget Form 1, Part II, Funding Source. A funding source is not identified.
  - d. Budget Form 1, Part III, Column A, should total \$805,171.
  - e. Budget Form 2, information should be provided for 4<sup>th</sup> quarter only.
  - f. Personnel budgeting. The amounts on Budget Form 3, Form 4, and Form 5 should be consistent. The amounts differ.
  - g. Budget Form 3, the positions are budgeted for 2,080 hours. This should reflect the remaining months in FY 2021. (July – September)
5. A separate budget for FY 2022 beginning October 1 could be prepared for possible funding consideration. The fund source could be the UUFB or the Permanent Fund "excess" interest income available for FY 2022.
6. Based on the above, the budget documents are insufficient.

Contact D.Sam, Senior Budget Analyst at (928) 871-6029/6470 if there are any questions and/or concerns regarding this memorandum.

xc: Rudy Shebala, Division Director – Div. of Natural Resources  
Paulson Chaco, Chief of Staff – Office of the President/Vice President



# THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT   MYRON LIZER | VICE PRESIDENT



## Memorandum:

To: 2 NNC § 164 Reviewers  
Delegates & 2 NNC '164 Reviewers  
Navajo Nation Government

From: Elizabeth Begay, Acting Controller  
Office of the Controller

Date: June 24, 2021

Subject: 0164-016555-Supplemental Funding Request for Animal Control

The Office of the Controller has reviewed the above referenced document.

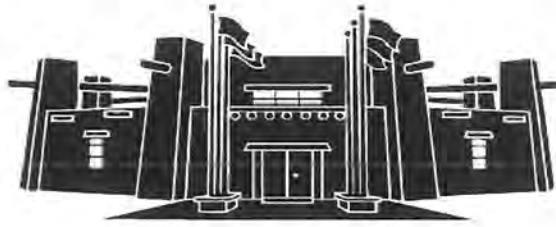
1. The balance of the UUFB is \$25,786,238 as of June 24, 2021.
2. This request is for a total of \$3,191,005 to the Animal Control Program. The budget forms included in the packet have 4 quarters for the goals of the program, but we are ending the 3<sup>rd</sup> quarter and entering the 4<sup>th</sup> quarter of Fiscal Year 2021. The budget forms also have personnel costs for a full 4 quarters. There would only be need for 1 quarter of budget. If approved this program would need increased budget for the upcoming fiscal year. Also, the question of whether these positions have been established would also need to be considered.
3. This request would be considered RECURRING for unmet needs of the program.

If you should have any questions, you can contact me at tribal extension X6308.

NAVAJO NATION OFFICE OF THE CONTROLLER


P.O.BOX 3150 · WINDOW ROCK, AZ 86515 · PHONE: (928) 871-6398 · FAX: (928) 871-6026





## MEMORANDUM

To: Hon. Delegate Rick Nez, Chairman  
Resources and Development Committee  
24<sup>th</sup> Navajo Nation Council

From:   
Luralene D. Tapahe, Principal Advocate  
Office of Legislative Counsel

Date: February 3, 2022

Subject: **AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; ALLOCATING \$3,191,005 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE ("UUF") TO THE ANIMAL CONTROL PROGRAM FOR PERSONNEL AND OTHER EXPENSES TO ADDRESS THE URGENT PROBLEM OF DOG OVER-POPULATION AND MAULINGS ON THE NAVAJO NATION; WAIVING 12 N.N.C. §820(E), §820(F), AND §820(J) TO ALLOW USE OF UUF FUND FOR RECURRING EXPENSES**

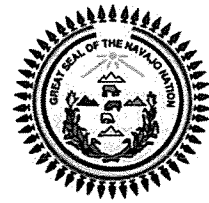
Per your request, the Office of Legislative Counsel has prepared the above-referenced proposed legislation and related summary sheet. Based on existing Navajo Nation law and other applicable laws, and upon review of all supporting documents regarding your request that were submitted to OLC, this legislation as drafted is legally sufficient. However, as with any action of government, this legislation may be subject to judicial review in the event of a legal challenge.

**Please review this legislation to make sure it is drafted to your satisfaction, and that all necessary and appropriate supporting documents have been provided and all attached Exhibits are correct.**

OLC has reviewed the appropriate standing committees' authorities to consider this legislation, based on the standing committees' powers and responsibilities set forth in Title 2 of the Navajo Nation Code. Based on its review, OLC has listed those committees in the title of this legislation. However, the Speaker may assign this legislation to any committee(s) other than those shown in the title, pursuant to his authority under 2 N.N.C. §164(A)(5).

If you find anything unacceptable, please let me know immediately and advise me of your desired changes. I can be reached at phone no. (928)871-7166 or by email at: [LuraleneTapahe@navajo-nsn.gov](mailto:LuraleneTapahe@navajo-nsn.gov)  
Thank you for your cooperation.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0034-22\_

SPONSOR: Rickie Nez

**TITLE: An Act Relating to the Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and the Navajo Nation Council; Allocating \$3,191,005 from the Unreserved, Undesignated Fund Balance ("UUFb") to the Animal Control Program for Personnel and Other Expenses to Address the Urgent Problem of Dog Over-Population and Maulings on the Navajo Nation; Waiving 12 N.N.C. § 820(E), § 820(F), and § 820(J) to Allow Use of UUFb Funds for Recurring Expenses**

***Date posted:*** February 17, 2022 at 7:45 PM

**Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto: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.:** 0034-22

**SPONSOR:** Honorable Rickie Nez


**TITLE:** An Act Relating to the Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and the Navajo Nation Council; Allocating \$3,191,005 from the Unreserved, Undesignated Fund Balance ("UUFb") to the Animal Control Program for Personnel and Other Expenses to Address the Urgent Problem of Dog Over-Population and Maulings on the Navajo Nation; Waiving 12 N.N.C. § 820(E), § 820(F), and § 820(J) to Allow Use of UUFb Funds for Recurring Expenses

**Posted:** February 17, 2022 at 7:45 PM

**5 DAY Comment Period Ended:** February 22, 2022

**Digital Comments received:**

<b>Comments Supporting</b>	<i>None</i>
<b>Comments Opposing</b>	<i>None</i>
<b>Comments/Recommendations</b>	<i>None</i>

  
\_\_\_\_\_  
**Legislative Tracking Secretary  
Office of Legislative Services**

**February 23, 2022; 8:21 AM**  
**Date/Time**