RESOLUTION OF THE LAW AND ORDER COMMITTEE 23RD NAVAJO NATION COUNCIL - Fourth Year, 2018

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 OFFICE OF HEARINGS AND APPEALS

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 Office of Hearings and Appeals. 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 Office of Hearings and Appeals' 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 Office of Hearings and Appeals. 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 OFFICE OF HEARINGS AND APPEALS

A. The Law and Order Committee hereby acknowledges the proposed Navajo Nation Fiscal Year (FY) 2019 Budget for the Navajo Nation Office of Hearings and Appeals recommended by the Office of the Navajo Nation President and Vice President, 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.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Law and Order Committee of the 23rd Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 3 in favor and 0 oppose, this 20th day of July 2018.

Raymond Smith, Jr., Vice Chairperson Law and Order Committee of the 23rd Navajo Nation Council

Motion: Honorable Kee Allen Begay, Jr.

Second: Honorable Otto Tso

		104003	103004	Business Unit Number	
Total:		Navajo Public Defender	Office of Hearing and Appeals	Program	
1,580,366		1,273,024	307,342	General Fund Budget	EV 2018
1,614,113		1,273,024	341,089	Proposed General Fund Budget	
40,065			40,065	Indirect Cost Fund	
				External Funds Cash Match	Fiscal
				Proprietary Fund	Fiscal Year 2019 Navajo Nation Funds
				Fiduciary Fund	wajo Natior
				Special Revenue Fund - Internal	Funds
				Special Revenue Fund - External	
1,654,178		1,273,024	381,154	Total	

The Navajo Nation General Fund Comparative Summary

EXHIBIT B

Branch: Executive

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Executive Offices

è			104003	103004	Business Unit Number	(A)
TOTAL:			Navajo Public Defender	Office of Hearing and Appeals	Program Title	(B)
1,614,113			1,273,024	341,089	Branch Chief's Proposed FY 2019 General Fund Budget	(C)
0					Oversight Committee's Recommended FY 2019 General Fund Budget	(D)
					Plus or minus \$ difference (Column D minus C)	(E)

Fiscal Year 2019

EXHIBIT C

The Navajo Nation Recommended Changes to the General Fund Budget

Branch:	Executive	Division: Executive Offices
Business Unit Number	Program Title	Explanation of Recommended Changes to the Fiscal Year 2019 General Fund Budget (Increase or Decrease \$ Amount)
103004	Office of Hearing and Appeals	
104003	Navajo Public Defender	

Fiscal Year 2019

Branch:

EXECUTIVE BRANCH

EXHIBIT D

The Navajo Nation Recommended Conditions of Appropriations and Legislative Concerns

Division:

Business Unit Number	Program Title	Brief Narrative of Recommended Condition of Appropriation (COA) or Legislative Concern (LC)
103004	OFFICE OF HEARINGS AND APPEALS	THE OFFICE OF THE PRESIDENT/VICE-PRESIDENT WILL CONDUCT A SALARY STUDY BETWEEN
		HEARING OFFICERS OF THE OFFICE OF HEARINGS AND APPEALS AND JUDGES ON THE
		NAVAJO NATION. HEARING OFFICERS ARE RECOGNIZED AS JUDGES BY THE NAVAJO NATION
		BAR ASSOCIATION. THE NAVAJO NATION COUNCIL HAS INCREASED THE JURISDICTIONAL
		CASELOAD TO THE OFFICE OF HEARINGS AND APPEALS, WITH ONLY TWO HEARING
		OFFICERS, WITH NO COMMENSURATE PAY INCREASE SINCE ITS 1993 ENACTMENT. THE
		OFFICE OF THE PRESIDENT/VICE-PRESIDENT WILL BRING THE SALARIES OF HEARING
		OFFICERS AND THE CHIEF HEARING OFFICER COMMENSURATE TO THE SALARIES OF THE
		JUDGES, TAKING INTO CONSIDERATION THE NUMBER OF YEARS THE HEARING OFFICERS
		HAVE INVESTED TO THE NAVAJO NATION TO BE COMPLETED BY THE FIRST QUARTER OF
		FISCAL YEAR 2019.

Fiscal Year 2019

The Navajo Nation Recommended Unmet Needs Budgets

EXHIBIT E

Business Unit 104003 103004 Branch: € Navajo Public Defender Office of Hearing and Appeals **Program Title** Executive B TOTAL: **Amount of Unmet Need** <u>C</u> Division: Explanation of Recommended UNMET NEEDS to the FY 2019 General Fund Budget **Executive Offices** 0

LAW AND ORDER COMMITTEE Special Meeting July 20, 2018

ROLL CALL VOTE TALLY SHEET:

Legislation No. 0238-18: An Act 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 Office of Hearings and Appeals – Sponsor: Honorable Herman M. Daniels

Main Motion: Kee A. Begay, Jr. Second: Otto Tso Vote: 3-0-1

VOTE TALLY:

YEAS: Otto Tso/Kee A. Begay, Jr./Herman M. Daniels

NAYS:

NOT VOTING: Raymond Smith, Jr.

EXCUSE: Edmund Yazzie

Amendment No. 1:

Motion: Kee A. Begay, Jr. Second: Otto Tso Vote 3-0-1

Insert Exhibit D

YEAS: Otto Tso/Kee A. Begay, Jr./Herman M. Daniels

NAYS:

NOT VOTING: Raymond Smith, Jr.

EXCUSE: Edmund Yazzie

Raymond Smith, Jr., Vice Chairperson

Law and Order Committee

Laureen Spencer, Legislative Advisor

Law and Order Committee