

RESOLUTION OF THE
NAVAJO NATION COUNCIL

22ND NAVAJO NATION COUNCIL - First Year, 2011

AN ACT

RELATING TO LAW AND ORDER, BUDGET AND FINANCE AND THE
NABIKI'YATI' COMMITTEE; AMENDING THE NAVAJO NATION CODE, TITLE
12, CHAPTER 2, OFFICE OF THE CONTROLLER AT SECTIONS 201, 202
AND 204

BE IT ENACTED:

1. Findings.

- A. The Navajo Nation finds with respect to this legislation that certain amendments to 12 N.N.C. §§ 201, 202 and 204 are necessary.

2. Amendment to Title 12

The Navajo Nation hereby amends the Navajo Nation Code at Title 12, Chapter 2. Office of the Controller as follows:

Title 12

Chapter 2. Office of the Controller

Section

201. Establishment; purpose; composition
202. Controller; Acting Controller; other personnel
203. Duties, responsibilities and authority of Controller
204. Amendments

§201. Establishment; purpose; composition

- A. There is established the office of the Controller within the Executive Branch of the Navajo Nation.

- B. The purpose of the Office of Controller shall be the formulation, implementation and execution of the financial plans and policies of the Navajo Nation in order that accurate and complete accounts and reports be rendered, the assets of the Navajo Nation be properly protected and modern methods of financial management be implemented.
- C. ~~There shall be, within the t~~ The Office of the Controller can include the following positions as needed:
1. ~~Two secretaries;~~ Administrative Assistants and Office Aides;
 2. ~~A s~~ Systems and p~~Procedures a~~Analyst;, Analyst, Account Maintenance Specialist
 3. ~~Three a~~ Accounting m~~Managers, one of which shall oversee and accounts~~ Receivable Department and a Budget Control Department; ~~one of which shall oversee and~~ Accounts Payable Department and a General Accounting Department; ~~and one of which shall oversee a~~ Cashier's Department, a Payroll Department and an Office Services Department. Accounting Supervisor, Principle Accountant, Senior Accountant, Associate Accountant.

§ 202. Controller; Acting Controller; other personnel

A There is established the position of Controller, and such other positions as may from time to time be budgeted by the Navajo Nation Council, or by any other source acceptable to the President, Navajo Nation.

B. The Controller shall be appointed by the President of the Navajo Nation, at a negotiated salary with the approval of the Navajo Nation Council and shall serve at the pleasure of the Navajo Nation Council. The President of the Navajo Nation, with the consent of the Budget and Finance Committee, may appoint an Acting Controller to serve during vacancies of the Controller pending formal action by the Navajo Nation Council.

C. The Controller shall possess a baccalaureate in accounting or finance, including an advanced degree or certification, such as a Master of Business Administration, Certified Public Accountant, Chartered Financial Analyst, Certified Internal Auditor.

ED. All other personnel shall be hired and compensated pursuant to usual Navajo Nation policies and procedures.

§ 203. Duties, responsibilities and authority of Controller

The Controller shall:

A. Report directly to the President of the Navajo Nation, on operational matters of the Office of the Controller.

B. Report to the Navajo Nation Council and its committees concerning the financial condition of the Navajo Nation and be solely responsible to the Council and the Budget and Finance Committee concerning the propriety of financial transactions, and compliance with Council or committee directives.

C. Formulate overall financial policy and procedures for the Navajo Nation Council and take such action as is necessary for the accomplishment and enforcement thereof.

D. Exercise supervisory control and direction of all sections and divisions under the Controller.

E. Represent all areas of the Controller's responsibility at executive level planning.

F. Develop and coordinate programs of financial management at all levels within the Navajo Nation government.

G. Represent the Navajo Nation government in the areas of the Controller's responsibility.

H. Delegate authority to subordinates as required for efficient operation.

I. Serve as Chairperson, Investment Committee for the administration of the Navajo Nation's investment programs, and be responsible to the Navajo Nation Council and the Budget and Finance Committee for the proper execution of the investment program.

J. Plan and conduct program and budget development and review.

K. Act as an advisor to the Budget and Finance Committee.

§ 204. Amendments

This Plan of Operation may be amended by the Budget and Finance Committee of the Navajo Nation Council.

3. Effective Date

The amendment enacted herein shall be effective pursuant to 2 N.N.C. §221 (B).

4. Codification

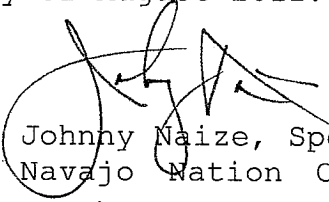
The provisions of the Act which amend or adopt new sections of the Navajo Nation Code shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such amended provisions in the next codification of the Navajo Nation Code.

5. Saving Clause

Should any provision of this Act be determined invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation without appeal to the Navajo Nation Supreme Court, those provisions of the Act which are not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

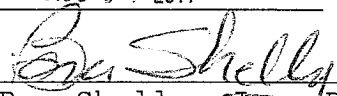
I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 15 in favor and 3 opposed, this 19th day of August 2011.


Johnny Naize, Speaker
Navajo Nation Council
Aug 24, 2011
Date

Motion: Russell Begaye
Second: David Tom

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (10), on this _____ day of AUG 31 2011 2011.



Ben Shelly, Jr., President
Navajo Nation

2. I hereby veto the foregoing Legislation, pursuant to 2 N.N.C. §1005 (C) (11), this _____ day of _____ 2011 for the reason(s) expressed in the attached letter to the Speaker.

Ben Shelly, President
Navajo Nation

**LAW AND ORDER COMMITTEE
22nd NAVAJO NATION COUNCIL**

FIRST YEAR 2011

COMMITTEE REPORT

Mr. Speaker,

The **LAW AND ORDER COMMITTEE** to whom has been assigned:

NAVAJO LEGISLATIVE NO. 0286-11

AN ACTION RELATING TO LAW AND ORDER, BUDGET AND FINANCE AND
NAABIK'ÍYÁTI'; AMENDING THE NAVAJO NATION CODE, TITLE 12,
CHAPTER 2. OFFICE OF THE CONTROLLER AT §§ 201, 202 AND 204.
(Sponsored by LoRenzo Bates and Co-Sponsor Danny Simpson)

Has had it under consideration and report the same with a recommendation that it **DO
PASS** with no amendments

and therefore referred to **BUDGET AND FINANCE COMMITTEE.**

Respectfully submitted,



Edmund Yazzie
Presiding Chairperson

Date: July 25th, 2011

The vote was 3 in favor and 0 opposed

Motion: Alton Shepherd

Second: Elmer Begay

22nd NAVAJO NATION COUNCIL

First Year 2011

Mr. Speaker:

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

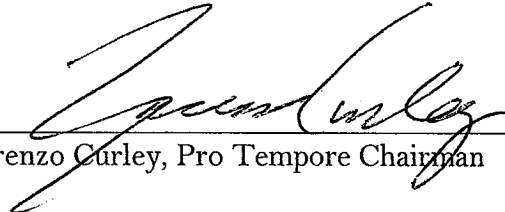
NAVAJO LEGISLATIVE BILL # 0286-11:

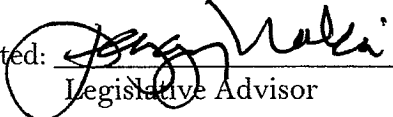
An Action Relating to Law and Order, Budget and Finance and the Nabik'iyati' Committee, Amending the Navajo Nation Code, Title 12 Chapter 2. Office of the Controller at Sections 201, 202, and 203 *Sponsored by the Honorable LoRenzo Bates with the Honorable Danny Simpson, Council Delegates*

has had it under consideration and reports the same with the recommendation that It **Do Pass** without amendment.

And therefore, referred to the **Nabik'iyati' Committee**

Respectfully submitted,


Lorenzo Curley, Pro Tempore Chairman

Adopted: 
Legislative Advisor

Not Adopted: _____
Legislative Advisor

Date: **26 July 2011**

The vote was **4** in favor **0** opposed
Excused: Nelson S. BeGaye
Absent: Jonathan Nez

NAABIK'YATI' COMMITTEE REPORT
22ND NAVAJO NATION COUNCIL – First Year 2011

Mr. Speaker:

The NAABIK'YATI' COMMITTEE, to whom has been assigned:

LEGISLATION NO. 0286-11

Introduced by Hon. Lorenzo Bates

AN ACTION

Relating to Law & Order; Budget & Finance and the Naabik'iyati' Committee;
Amending the Navajo Nation Code, Title 12, Chapter 2. Office of the
Controller at Sections 201, 201, and 204

has had it under consideration and reports the same with a **DO PASS** with two amendments as follows:

AMENDMENT No. 1

Page 3; Line 4; Delete the word “plus”; insert “including”

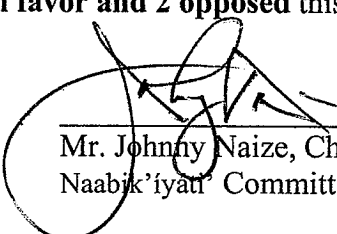
AMENDMENT No. 2

Page 3; Line 6; After the word “Auditor” insert a period (.); the remaining language is deleted – “~~or other equivalent degree or certification.~~”

and thence referred to the **Navajo Nation Council**.

CERTIFICATION

I, hereby certify that the foregoing legislation was duly considered by the Naabik'iyati' Committee of the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed with a vote of **14 in favor and 2 opposed** this 1st day of August 2011.



Mr. Johnny Naize, Chairperson
Naabik'iyati' Committee

MOTION: David Tom
SECOND: Walter Phelps