

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



January 6, 2020

Hon. Seth Damon
Office of the Speaker
Post Office Box 3390
Window Rock, AZ 86515

RE: CD-54-19, *An Act Relating to Law and Order, Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and the Navajo Nation Council; Amending 12 N.N.C. §820 (O), Distributions to Chapters*

Dear Speaker Damon,

Pursuant to the authority vested in the Navajo Nation President, I am signing CD-54-19 into law.

After a frank discussion on the legislative intent of the Resolution I come to the conclusion that while the amendment to the Navajo Nation Code, Title 12, Section 820(O) will not fully address the concerns of funding for Navajo Nation Chapter official's stipends or the funding for Chapter staff it is a step in the right direction. We are all aware of the revenue shortfall the Navajo Nation will face in the upcoming years and we know we will have to continue to discuss issues such as funding for our Chapters, social programs, and care for our elderly. These issues could be addressed in the comprehensive budget process as a general budgeting issue, and I look forward to working together with the Navajo Nation Council on this matter.

Sincerely,

A handwritten signature in black ink that reads "Jonathan Nez".

Jonathan Nez, President
THE NAVAJO NATION

RESOLUTION OF THE
NAVAJO NATION COUNCIL
24th NAVAJO NATION COUNCIL -- First Year, 2019

AN ACT RELATING TO LAW AND ORDER, RESOURCES AND DEVELOPMENT,
BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO
NATION COUNCIL; AMENDING 12 N.N.C. § 820 (O), DISTRIBUTIONS TO
CHAPTERS

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Law and Order Committee of the Navajo Nation Council is empowered to review and make recommendations to the Navajo Nation Council on proposed amendments and enactments to the Navajo Nation Code. 2 N.N.C. § 601(B)(14).
- B. The Resources and Development Committee of the Navajo Nation Council serves as the oversight committee for the Navajo Nation chapters. 2 N.N.C. § 501(C)(1).
- C. The Budget and Finance Committee of the Navajo Nation Council is empowered to coordinate and review all fiscal, financial and investment activities of the Navajo Nation. 2 N.N.C. § 301(B)(5).
- D. The Naabik'iyáti' Committee considers proposed resolutions that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- E. The Navajo Nation Council approves enactments and amendments of positive law. 2 N.N.C. § 164(A).

SECTION TWO. FINDINGS

- A. Navajo Nation Chapter Officials for all one hundred and ten (110) chapters perform valuable functions for local government. This proposed amendment would explicitly state

that the Navajo Nation Overall Budget Policy is to provide chapter official stipends on an equal basis to all 110 chapter's officials regardless of the percentage of registered voters in the chapter.

- B. The Resolution of the Commission on Navajo Government Development supporting the proposed amendment is attached as **Exhibit A.**

SECTION THREE. AMENDMENTS TO TITLE 12 OF THE NAVAJO NATION CODE

The Navajo Nation hereby approves amendments to the Navajo Nation Code, Title 12, Section 820(O), as follows:

**NAVAJO NATION CODE ANNOTATED
TITLE 12. FISCAL MATTERS
CHAPTER 7. APPROPRIATIONS**

§820. Overall Budget Policies

O. Where not otherwise prohibited by existing law, any appropriation intended for distribution to all chapters of the Navajo Nation shall be as follows: fifty percent (50%) of the appropriation shall be divided equally among all chapters and the remaining fifty percent (50%) shall be divided proportionately among the chapters using a percentage equal to that figure which the number of registered voters in each chapter bears to the whole of registered Navajo Nation voters as determined by the most current voter registration figures available as of the date of the appropriation, except that appropriations for chapter official stipends shall be equally divided equally among all the chapters regardless of the percentage of registered voters in the chapter.

SECTION FOUR. EFFECTIVE DATE

The amendments enacted herein shall be effective pursuant to 2 N.N.C. §221.

SECTION FIVE. 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.

SECTION SIX. SAVING CLAUSE

Should any portion of the amendment enacted herein be determined invalid by the Navajo Nation Supreme Court, or the District Court of the Navajo Nation, without appeal to the Navajo Nation Supreme Court, those portions not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24th 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 20 in Favor, and 01 Opposed, on this 19th day of December 2019.


Honorable Seth Damon, Speaker
24th Navajo Nation Council

12/27/19

DATE

Motion: Honorable Thomas Walker, Jr.

Second: Honorable Edison J. Wauneka

Speaker Seth Damon not voting

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 6th day of January, ~~2019~~ 2020

J-N Nez
Jonathan Nez, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2019 for the reason(s) expressed in the attached letter to the Speaker.

Jonathan Nez, President
Navajo Nation



**RESOLUTION OF THE COMMISSION ON NAVAJO GOVERNMENT
DEVELOPMENT**

**AN ACTION TO RECOMMEND AMENDMENTS TO 12 N.N.C § 820(O),
DISTRIBUTIONS TO CHAPTER, TO REMOVE APPROPRIATIONS MADE TO ALL
CHAPTERS INTENDED FOR CHAPTER OFFICIAL STIPENDS FROM THE 50/50
DISTRIBUTION FORMULA IN ORDER TO STREAMLINE FUNDING
APPROPRIATIONS INTENDED FOR CHAPTER OFFICIAL STIPENDS.**

WHEREAS:

1. Pursuant to CD-68-89, the Navajo Nation Council established the Commission (“Commission”) on Navajo Government Development including the Office of Navajo Government Development with the quasi-independent authority to accomplish the Navajo Nation Council’s project of instituting reforms necessary to ensure an accountable and responsible government; and,
2. Pursuant to 2 N.N.C § 971 (A), the purpose of the Commission on Navajo Government Development shall be as follows, “To review and evaluate all aspects of the existing government structure of the Navajo Nation including laws, rules and regulations, practices, functions, goals and objectives of the central government as it relates to Chapters, and local communities and the relationship of Chapters and local communities and the relationship of Chapters and local communities to the central government.” And,
3. The Navajo Nation Council passed Resolution CJN-22-19 recognizing the need to create stable funding mechanisms to enable Chapter officials to perform their official duties; and,
4. The Commission and Office of Government Development recognizes that the current 50/50 chapter distribution formula stated in 12 N.N.C § 820(O) does not appropriate Chapter funding for Chapter official stipends equally among all Chapters, resulting in Chapters with too little funding and Chapters with too much funding for stipends at the beginning of each fiscal year; and,
5. The Commission and Office of Government Development recommends amendments to 12 N.N.C § 820(O) to exempt funding intended for chapter stipends from the 50/50 formula in order to allow for the equal distribution of funding for Chapter official stipends for all Navajo Nation Chapters.

NOW THEREFORE IT BE RESOLVED THAT THAT:

1. The Commission on Navajo Government Development hereby recommends amendments to 12 N.N.C § 820(O), distributions to chapter, to remove appropriations made to all chapters intended for chapter official stipends from the 50/50 distribution formula in order to streamline funding appropriations intended for chapter official stipends.

CERTIFICATION

I hereby certify that the forgoing resolution was duly considered by the Commission on Navajo Government Development at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that same was passed by a vote of 6 in favor, 0 opposed, and 2 abstained, on this 22nd day of June, 2019.



JoAnn Dedman, Chairperson
Commission on Navajo Government Development

Motion: LeTanya Thinn

Second: Rachel Felix

215

NAVAJO NATION

12/19/2019

SPECIAL SESSION

03:27:42 PM

Amd# to Amd#

Legislation No. 0267-19

PASSED

MOT Walker, T
SEC Wauneka, E

Amending 12 N.N.C. Section
820 (O), Distribution to
Chapters

Yea : 20

Nay : 1

Excused : 0

Not Voting : 2

Yea : 20

Begay, E
Begay, K
Begay, P
Charles-Newton
Crotty

Freeland, M
Halona, P
Henio, J
James, V
Nez, R

Slater, C
Smith
Stewart, W
Tso
Tso, C

Tso, D
Tso, E
Walker, T
Wauneka, E
Yazzie

Nay : 1

Yellowhair

Excused : 0

Not Voting : 2

Daniels

Brown

Presiding Speaker: Damon