

RESOLUTION OF THE  
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACTION

RELATING TO BUDGET AND FINANCE, LAW AND ORDER, NAABIK'ÍYÁTI'  
COMMITTEES AND THE NAVAJO NATION COUNCIL; AMENDING 12 N.N.C.  
§ 203, DUTIES, RESPONSIBILITIES AND AUTHORITY OF THE CONTROLLER

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Budget and Finance Committee is a standing committee of the Navajo Nation Council and exercises oversight authority over budget, finance, investment, bonds, contracting, insurance, audits, accounting, taxes, loans, Chapter budget and finance to coordinate, oversee and regulate the fiscal, financial, investment, contracting and audit policies of the Navajo Nation and the Office of the Controller. 2 N.N.C. §§ 300 (A), 300 (C) (1) and 301 (B) (13).
- B. The Law and Order Committee is a standing committee of the Navajo Nation Council and is empowered with the authority to review and make recommendations to the Navajo Nation Council on amendments to and enactments in the Navajo Nation Code. 2 N.N.C. §§ 600 (A) and 601(B) (14).
- C. The Naabik'iyáti' Committee of the Navajo Nation Council, pursuant to 2 N.N.C. § 164 (A) (9), reviews proposed legislation, which requires final action by the Navajo Nation Council.
- D. The Navajo Nation Council must review and approve enactments or amendments of positive law. 2 N.N.C. § 164 (A).

SECTION TWO. FINDINGS

- A. Pursuant to 12 N.N.C. § 201, the "purpose of the Office of the 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."

- B. Authorizing the Office of the Controller to close accounts when the balance is zero dollars (\$0) will save the Navajo Nation the time and expense of carrying such accounts that have no funds.
- C. It is within the best interest of the Navajo Nation to amend 12 N.N.C. § 203.

**SECTION THREE. AMENDMENT TO TITLE 12**

The Navajo Nation amends the Navajo Nation Code 12 N.N.C. § 203 as follows:

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**NAVAJO NATION CODE ANNOTATED  
TITLE 12. FISCAL MATTERS  
CHAPTER 2. Office of the Controller**

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**§ 203. Duties, responsibilities and authority of Controller**

The Controller shall:

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- L. Close all internal accounts of any Navajo Nation account that reaches a zero (0) balance to avoid deficit spending.

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**SECTION FOUR. 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 FIVE. SAVINGS 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, the remainder of the Act shall remain the law of the Navajo Nation.

**SECTION SIX. EFFECTIVE DATE**

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

**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 04 opposed, on this 18th day of October 2018.



LoRenzo C. Bates, Speaker  
23rd Navajo Nation Council


10-23-18  
Date

Motion: Honorable Alton Joe Shepherd  
Second: Honorable Davis Filfred

Speaker LoRenzo C. Bates 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 2<sup>nd</sup> day of November 2018.

  
\_\_\_\_\_  
Russell Begaye, President  
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (c) (11), on this \_\_\_\_\_ day of \_\_\_\_\_ 2018 for reason(s) expressed in the attached letter to the Speaker

\_\_\_\_\_  
Russell Begaye, President  
Navajo Nation

**NAVAJO NATION**

RCS# 1305

2018 Fall Session

10/18/2018  
05:06:06 PM

<b>Amd# to Amd#</b>	<b>Legislation 0159-18: Amending</b>	<b>PASSED</b>
MOT Shepherd SEC Filfred	12 NNC S 203, Duties, Responsibilities & Authority of the Controller	

**Yea : 15**

**Nay : 4**

**Excused : 0**

**Not Voting : 4**

**Yea : 15**

Begay, K  
Begay, NM  
BeGaye, N  
Chee

Damon  
Daniels  
Filfred  
Jack

Perry  
Pete  
Shepherd  
Slim

Smith  
Tsosie  
Witherspoon

**Nay : 4**

Crotty

Phelps

Bennett

Brown

**Excused : 0**

**Not Voting : 4**

Hale

Tso

Yazzie

Bates