

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0142-24_

SPONSOR: Casey Allen Johnson

TITLE: An Action Relating to the Resources and Development, Budget and Finance, and Naabik'iyáti' Committees and to the Navajo Nation Council; Approving \$1,077,263 from the Navajo Nation Fair Fund for the Navajo Nation Fair Office to Cover Expenses Relating to the Preparation and Production of the 2024 Annual Navajo Nation Fair and other Events

Date posted: July 02, 2024 at 3:49PM

Digital comments may be e-mailed to 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.*

SUMMARY OF PROPOSED LEGISLATION

Tracking No. 0142-24

DATE: July 2, 2024

RE: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; APPROVING \$1,077,263 FROM THE NAVAJO NATION FAIR FUND FOR THE NAVAJO NATION FAIR OFFICE TO COVER EXPENSES RELATING TO THE PREPARATION AND PRODUCTION OF THE 2024 ANNUAL NAVAJO NATION FAIR AND OTHER EVENTS

PURPOSE OF THIS LEGISLATION:

to approve \$1,077,263 from the Navajo Nation Fair Fund to the Fair Office for expenses related to the 2024 Navajo Nation Fair and other events.

FINAL AUTHORITY and VOTE REQUIREMENT:

The Navajo Nation Council has final authority. A simple majority vote is required.

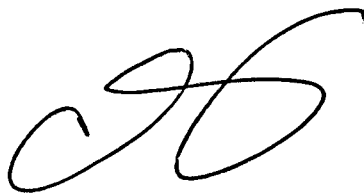
5-DAY BILL HOLD PERIOD At Min. 11
Website Posting Time/Date _____
Posting End Date: 07/07/24
Eligible for Action: 07/08/24

Resources & Development Committee
Thence
Budget & Finance Committee
Thence
Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION Naabik'iyáti'
25th NAVAJO NATION COUNCIL - Second Year, 2024

Introduced by:

(Prime Sponsor)



Tracking No. 0142-24

AN ACTION

**RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET
AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO THE
NAVAJO NATION COUNCIL; APPROVING \$1,077,263 FROM THE NAVAJO
NATION FAIR FUND FOR THE NAVAJO NATION FAIR OFFICE TO COVER
EXPENSES RELATING TO THE PREPARATION AND PRODUCTION
OF THE 2024 ANNUAL NAVAJO NATION FAIR AND OTHER EVENTS**

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee was established as a standing committee of the Navajo Nation Council with the authority to make recommendations to the Council regarding proposed resolutions that assist the Committee in accomplishing its duties and purposes. 2 N.N.C. §500(C)(1), §501(B)(4)(f).
- B. The Resources and Development Committee has oversight authority over the Navajo Nation Division of Natural Resources and its subordinate departments, including the Navajo Nation Fair Office. 2 N.N.C. §501(C)(1).
- C. The Budget and Finance Committee is a standing committee of the Navajo Nation Council authorized to review and recommend to the Council the management of all funds. 2 N.N.C. §164(A)(9); 2 N.N.C. §300(A); 2 N.N.C. §301(B)(2).
- D. The Navajo Nation established the Naabik'iyáti' Committee as a Navajo Nation Council standing committee, and all proposed legislation that requires final action by the Navajo

1 Nation Council is assigned to the Naabik'íyáti' Committee for its review and consideration.
2 N.N.C. §164(A)(9); 2 N.N.C. §700(A).

3 E. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).

4 F. Expenditures from the Navajo Nation Fair Fund must be approved by the Navajo Nation
5 Council, pursuant to its approved Fund Management Plan. Resolution No. BFF-04-08.

6
7 **SECTION TWO. FINDINGS**

8 A. The Navajo Nation Fair Office ("Fair Office") is requesting \$1,077,263 from the Navajo
9 Nation Fair Fund ("NNFF") to cover expenses relating to the preparation and production of
10 the 2024 Annual Navajo Nation Fair and other events; facilities need repairs and upgrades
11 for the safety of the public. **EXHIBIT A.**

12 B. The NNFF, along with its Fund Management Plan ("FMP"), was established via Resolution
13 No. BFF-04-08. **EXHIBIT B.**

14 C. According to the FMP, at Section VII(G), "[n]o expenditure shall be authorized unless such
15 has been approved in the annual Navajo Nation Budget." Generally, this means that money
16 in the NNFF can only be allocated for an expenditure if such allocation is included in the
17 Navajo Nation's annual Comprehensive Budget, which is normally approved in mid-
18 September.

19 D. The Controller has provided a memorandum listing the amount of revenue generated by
20 various Fair activities and events, and deposited into the NNFF. **EXHIBIT C.** This
21 memorandum states that the "*unappropriated* fund balance as of March 31, 2024 is
22 \$1,730,306.90. This amount is more than sufficient to cover the Fair Office's request for
23 funds.

24 E. The funds requested are considered by the Controller to be "unappropriated" by the Council.
25 However, because the Fair Office needs the requested funds immediately to prepare for the
26 2024 Navajo Nation Fair in September 2024, it is not feasible to wait for the funds to be
27 appropriated in the Comprehensive Budget, as required by Section VII(G) of the FMP.
28 Therefore, the Fair Office is submitting this request for funds at this time.

29 F. The Fair Office has submitted completed and signed Budget Forms for its funding request.
30 **EXHIBIT D.**

1 G. This funding request has been reviewed in the Section 164 Review process, and the reviewers
2 have determined the request to be sufficient. **EXHIBIT E.**

3
4 **SECTION THREE. APPROVING \$1,077,263 FROM THE NAVAJO NATION FAIR**
5 **FUND FOR THE NAVAJO NATION FAIR OFFICE TO COVER**
6 **EXPENSES RELATING TO THE PREPARATION AND**
7 **PRODUCTION OF THE 2024 ANNUAL NAVAJO NATION FAIR**
8 **AND OTHER EVENTS; WAIVING SECTION VII(G) OF THE**
9 **FUND MANAGEMENT PLAN**

10 A. The Navajo Nation hereby approves \$1,077,263 from the Navajo Nation Fair Fund, to be
11 distributed to the Navajo Nation Fair Office for the purposes listed in the attached **EXHIBIT**
12 **A** and **EXHIBIT D.**

13 B. Pursuant to 12 N.N.C. §820(N)(3), the \$1,077,263 provided to the Fair Office under this
14 Action shall not revert at the end of FY2024, so long as the Fair Office accounts for unspent
15 funds that remain from the \$1,077,263 at the end of the FY2024 Fiscal Year, and also budgets
16 such remaining funds in the FY2025 Fiscal Year for the same purposes.

17 C. The Navajo Nation hereby waives Section VII(G) of the Fund Management Plan for the
18 Navajo Nation Fair Fund, as approved in BFF-04-08, to allow for the \$1,077,263 to be
19 provided to the Fair Office as soon as possible.

20
21 **SECTION FOUR. DIRECTIVES**

22 A. The Navajo Nation Council hereby directs the Fair Office to present an amended Fund
23 Management Plan to the Budget and Finance Committee, for the Committee's approval no
24 later than December 31, 2024. Said amendment should provide for NNFF allocations without
25 going through the annual Comprehensive Budget, and to allow for budget transfers of
26 appropriated funds with the approval of the Resources and Development Committee.

27 B. The Office of the Controller shall provide the funds approved herein to the Fair Office
28 immediately upon the effective date of this Action.

29 C. The Fair Office shall provide a report on its expenditures of the approved funds, to the
30 Resources and Development Committee, once per Quarter, until all funds are exhausted.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

SECTION FIVE. EFFECTIVE DATE

This Action shall become effective as provided in 2 N.N.C. §221(B), 2 N.N.C. §1005(C)(10), and 2 N.N.C. §164(A)(17).

SECTION SIX. SAVING CLAUSE

If any portion of this Action is determined invalid by the Navajo Nation Supreme Court, or by a District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, the remainder of this Action shall be the law of the Navajo Nation.