

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0259-24

SPONSOR: Eugenia Charles-Newton

TITLE: An Action Relating to the Budget and Finance Committee and Law and Order Committee; Approving \$34,250,516 from the Hashkééji Nahat'á Béeso Bé Hooghan Fund for the Aneth Judicial District Court, Kayenta Mobile Court, Administrative Offices of the Courts Warehouse, Ramah Judicial District, Kayenta Training Program, Peacemaking Program Building; Approving the Related Expenditure Plans

Date posted: December 03, 2024 at 2:15PM

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LEGISLATIVE SUMMARY SHEET
Tracking No. 0259-24

DATE: November 26, 2024

TITLE OF RESOLUTION: AN ACTION RELATING TO THE BUDGET AND FINANCE COMMITTEE AND LAW AND ORDER COMMITTEE; APPROVING \$34,250,516 FROM THE HASHKÉÉJÍ NAHAT'Á BÉESO BÁ HOOGHAN FUND FOR THE ANETH JUDICIAL DISTRICT COURT, KAYENTA MOBILE COURT, ADMINISTRATIVE OFFICES OF THE COURTS WAREHOUSE, RAMAH JUDICIAL DISTRICT, KAYENTA TRAINING PROGRAM, PEACEMAKING PROGRAM BUILDING; APPROVING THE RELATED EXPENDITURE PLANS

PURPOSE: This resolution, if approved, approves \$34,250,516 from the HashkééjÍ Nahat'á Béeso Bá Hooghan Fund for six (6) identified Judicial projects.

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.

Final Authority: Law and Order Committee

Vote Required: Simple Majority

5-DAY BILL HOLD PERIOD Al Mike III
Website Posting Time/Date _____
Posting End Date: 12/09/24
Eligible for Action: 12/09/24

Budget & Finance Committee
Thence
Law & Order Committee

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 25th NAVAJO NATION COUNCIL - Second Year, 2024

3 Introduced by:

4 
5 _____
6 (Prime Sponsor)

7
8 Tracking No. 0259-24

9
10 AN ACTION
11 RELATING TO THE BUDGET AND FINANCE COMMITTEE AND LAW AND
12 ORDER COMMITTEE; APPROVING \$34,250,516 FROM THE HASHKÉÉJÍ
13 NAHAT'Á BÉESO BÁ HOOGHAN FUND FOR THE ANETH JUDICIAL DISTRICT
14 COURT, KAYENTA MOBILE COURT, ADMINISTRATIVE OFFICES OF THE
15 COURTS WAREHOUSE, RAMAH JUDICIAL DISTRICT, KAYENTA TRAINING
16 PROGRAM, PEACEMAKING PROGRAM BUILDING; APPROVING THE
17 RELATED EXPENDITURE PLANS

18
19 BE IT ENACTED:

20
21 SECTION ONE. AUTHORITY

- 22 A. The Budget & Finance Committee is a standing committee of the Navajo Nation Council
23 with the responsibility to "review and recommend to the Navajo Nation Council the
24 budgeting, appropriation, investment and management of all funds." 2 N.N.C. §301(B)(2).
25 B. The Resources & Development Committee is a standing committee of the Navajo Nation
26 Council with responsibility over the Division of Community Development. 2 N.N.C.
27 §501(B)(2)(g).
28 C. 12 N.N.C. §2801, as created by CAP-24-21, states the purpose of the Navajo Nation
29 Hashkééji Nahat'á Béeso Bá Hooghan Fund ("Fund") as follows:
30

1 §2802 Purpose

2 A. The purpose(s) of this Fund are to provide financial support and/or financing for
3 the continuing development of the Judicial Branch true to its core of Diné
4 Fundamental law by reinstating peacemaking and traditional Navajo concepts
5 throughout the Branch's systems and facilities, including:

- 6 1. to plan, develop, purchase, and/or construct Judicial Branch facilities,
7 including power, water, electrical, roads infrastructure, parking lots,
8 government and traditional hogan buildings and surrounding infrastructure
9 necessary for the use of government buildings; and
- 10 2. to meet the operational and systematic needs of the Judicial Branch,
11 including but not limited to information technology; and
- 12 3. to develop and implement programs and projects of the Navajo Nation
13 Courts, Peacemaking Program, Administrative Offices of the Courts, and
14 Probation and Parole Program that enhance public services for the Navajo
15 people and improve development of the Judicial Branch's operations and
16 internal systems; and
- 17 4. to fund an update of pay scales.

18 B. Expenditures from the Fund shall not be subject to or limited by 12 N.N.C. §§ 810 (F)
19 and of the Appropriations Act, 12 N.N.C. § 1310 (F) of the Bond Financing Act or the
20 Capital Improvement Project Guidelines, Policies, and Procedures approved through
21 TCDCJY-77-99.

22 D. The Fund Principal and Income shall be expended upon recommendation by the Chief Justice
23 of the Navajo Nation Supreme Court through an annual or multi-year expenditure plan
24 approved by the Law and Order and Budget and Finance Committees. Any changes or
25 modifications to an approved expenditure plan shall be approved by the Law and Order
26 Committee and Budget and Finance Committee upon the recommendation of the Chief
27 Justice of the Navajo Nation. 12 N.N.C. § 2805

28
29 **SECTION TWO. FINDINGS**

30 A. Chief Justice JoAnn B. Jayne has identified and recommended the following six (6) projects

1 as part of a multi-year Expenditure Plan. **Exhibit A.**

2	1. Aneth Judicial District	\$8,472,513
3	2. Kayenta Mobile Court	\$74,459
4	3. Administrative Offices of the Courts	\$1,543,994
5	4. Ramah Judicial District	\$1,000,000
6	5. Kayenta Tribal Court Clerk Training	\$159,550
7	6. Peacemaking Program Building	\$23,000,000
8	Total :	\$34,250,516

9 B. The Aneth Judicial District proposes a \$8,472,513 project to fund the construction of a new
10 7,500 square foot Aneth Judicial Court building, which includes the architecture and
11 engineering design with deliverables of construction documents, parking lot, office furniture
12 and equipment to fully make the court building turn-key operational and right of way access
13 road to the facility in Aneth, Utah. A detailed expenditure plan, including budget forms,
14 cost estimates, and summary for the project, is attached as **Exhibit B.**

15 C. The Kayenta Judicial District proposes to use \$74,459 to procure a specialized district Mobile
16 Court vehicle, vehicle hardware accessories, mobile Internet connectivity and other
17 associated expenses. The mobile court unit will be utilized to provide court services in rural
18 and frontier locations like Navajo mountain. A detailed expenditure plan, including budget
19 forms, cost estimates, and summary for the project, is attached as **Exhibit C.**

20 D. The Administrative Offices of the Courts proposes to use \$1,543,994 to plan, design and
21 construct a 15,000 square foot warehouse facility for use by all 18 business units of the
22 Judicial Branch. Costs would include a feasibility study, a contractor to oversee the
23 construction of the warehouse, environmental assessment survey, possible demolition of an
24 existing structure if the warehouse will be built on the same site, leveling of land,
25 construction of a warehouse and storage equipment for the warehouse. A detailed
26 expenditure plan, including budget forms, cost estimates, and summary for the project, is
27 attached as **Exhibit D.**

28 E. The Ramah Judicial District proposes to utilize \$1,000,000 of funds for the architectural and
29 engineering design to construct a 17,000 square foot judicial complex that will include a
30 peacemaking Hogan, fitness center and landscaping the proposed first phase will include

1 planning, designing, bidding, and awarding the project. A detailed expenditure plan,
2 including budget forms, cost estimates, and summary for the project, is attached as **Exhibit**
3 **E.**

4 F. The Kayenta Judicial District proposes to use \$159,550 for specialized, mandatory, two-
5 phase uniform Tribal Court Clerk training for all Judicial Branch court clerks and court
6 administrators to meet the requirements of their positions, modern trends that impact the
7 courts and be prepared for the public's current and future needs. A detailed expenditure plan,
8 including budget forms, cost estimates, and summary for the project, is attached as **Exhibit**
9 **F.**

10 G. The Peacemaking program proposes to use \$23,000,000 to fund the architecture and
11 engineering designs of a 10,756 square foot building to house the Peacemaking
12 administration and Window Rock Peacemaking Program services. The building will include
13 an Amphitheatre, and adjacent modern Hogan and a Dine traditional ceremonial hogan on
14 land withdrawn for the Navajo Nation Judicial Branch in Window Rock, Arizona. A detailed
15 expenditure plan, including budget forms, cost estimates, and summary for the project, is
16 attached as **Exhibit G.**

17 H. The Office of the Controller has provided a memorandum dated August 23, 2024,
18 reflecting a balance of \$577,676,677 in the Hashkééjí Nahat'á Béeso Bá Hooghan.
19 **Exhibit H.**

20 I. The Expenditure Plans have gone through the 164 review process, receiving Executive
21 Official Review and found legally sufficient by the Navajo Nation Department of Justice.
22 **Exhibit I.**

23 J. The Budget and Finance Committee and Law and Order Committee finds the approval of the
24 recommended Expenditure Plans to be in the best interests of the Navajo Nation and the
25 Navajo People.

26
27 **SECTION THREE. APPROVING \$34,250,516 FROM THE HASHKÉÉJÍ NAHAT'Á**
28 **BÉESO BÁ HOOGHAN FUND AND APPROVING THE**
29 **RELATED EXPENDITURE PLAN**

30 A. The Navajo Nation hereby approves the allocation of \$8,472,513 from the Hashkééjí

1 Nahat'á Béeso Bá Hooghan Fund to the Aneth Judicial District Court to use on the Aneth
2 Judicial Court project, as explained in the attached **Exhibit B**.

3 B. The Navajo Nation hereby approves the allocation of \$74,459 from the Hashkééjį Nahat'á
4 Béeso Bá Hooghan Fund to the Kayenta Judicial District Court to use on the Kayenta Mobile
5 Court, as explained in the attached **Exhibit C**.

6 C. The Navajo Nation hereby approves the allocation of \$1,543,994 to from the Hashkééjį
7 Nahat'á Béeso Bá Hooghan Fund to the Administrative Offices of the Courts, for the
8 purposes explained in the attached **Exhibit D**.

9 D. The Navajo Nation hereby approves the allocation of \$1,000,000 to from the Hashkééjį
10 Nahat'á Béeso Bá Hooghan Fund to the Ramah Judicial District Court to use on a judicial
11 complex and Peacemaking Hogan, as explained in the attached **Exhibit E**.

12 E. The Navajo Nation hereby approves the allocation of \$159,550 to from the Hashkééjį
13 Nahat'á Béeso Bá Hooghan Fund to the Kayenta Judicial District Court to use on Tribal
14 Court Clerk training, as explained in the attached **Exhibit F**.

15 F. The Navajo Nation hereby approves the allocation of \$23,000,000 to from the Hashkééjį
16 Nahat'á Béeso Bá Hooghan Fund to the Peacemaking program to use on development and
17 design of a Peacemaking Administrative Building and Window Rock Peacemaking Program
18 services, as explained in the attached **Exhibit G**.

19
20 **SECTION FOUR. DIRECTIVE**

21 The Judicial Branch shall submit written reports, and verbal reports if requested,
22 explaining the ongoing status of the Expenditure Plans approved herein, including any transfers
23 or modifications made. Any changes or modifications to an approved expenditure plan shall be
24 approved by the Law and Order Committee and Budget and Finance Committee upon the
25 recommendation of the Chief Justice of the Navajo Nation. 12 N.N.C. § 2805. Said reports shall
26 be provided to the Law and Order Committee, Budget and Finance Committee, and the
27 Naabik'íyáti' Committee bi-annually in June and December until the projects are completed.
28

29 **SECTION FIVE. EFFECTIVE DATE**

30 This Action and the related Expenditure Plan shall become effective pursuant to 12

1 N.N.C. §2505(A) and 2 N.N.C. §221(B).

2
3 **SECTION SIX. SAVING CLAUSE**

4 If any part of this Action is invalidated by the Supreme Court of the Navajo Nation, or
5 by any Navajo Nation District Court without appealing to the Navajo Nation Supreme Court,
6 the remainder of this Action shall be the law of the Navajo Nation.