



**The 21<sup>st</sup> Navajo Nation Council**  
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## **Council votes down Navajo Nation Election Consolidation Act of 2010, refers supplemental appropriations to IGR Committee**

**WINDOW ROCK, Ariz.** – On day two of the 2010 Summer Session, the 21<sup>st</sup> Navajo Nation Council referred four legislative items to the Intergovernmental Relations Committee and denied passage of three pieces of legislation, including the Navajo Nation Election Consolidation Act of 2010.

Ernest Yazzie (Baahaali/Church Rock) sponsored the Navajo Nation Election Consolidation Act of 2010 and said he sponsored the legislation to consolidate Navajo elections every four years, “With this legislation it would amend the issues between the three branches and provide positive leadership the nation needs.”

Despite Yazzie’s optimistic outlook, various Council delegates including Katherine Benally (Dennehotso) questioned the proposed legislation.

“This is the fourth time this legislation has been presented to us, we already voted on this and said ‘No,’” Benally said, adding that the 2010 election is progress. “The people have already submitted their votes.”

The Navajo Nation Election Consolidation Act of 2010 failed to pass the Council floor, 7-65. Yazzie’s legislation would have extended the terms of current elected officials by another two years.

In other legislative action, Legislation No. 0379-10, sponsored by Hoskie Kee (Littlewater/Baca-Prewitt/Casamero Lake), failed to gain Council support and was denied passage with a vote of 27-35. Kee’s legislation would have shortened the timeframe of approving proposed resolutions going before the Navajo Nation Council from 15 days to 10 days.

Legislation No. 0310-10, sponsored by Harold Wauneka (Fort Defiance), also failed to get the proper votes for passage. The Council voted 12-36 on Wauneka’s piece of legislation, which would have demolished the Tuba City District Court.

Wauneka sponsored the legislation to make room for new construction of a justice center located on the same grounds of the district court, but most Council delegates agreed the facility could be used for additional purposes.

“When you look at the Tuba City District Court facility, it is still in a good condition,” Rex Lee Jim (Rock Point) said. “The life span of the facility can be extended another 10 years.”

“Tuba City wants to use this building for social services,” Raymond Joe (Tachee/Blue Gap/Whippoorwill) said in agreement. “The building can be reused. The community and Nation can use it for its own needs.”

By law, the Navajo Nation Council approves the demolition of Navajo Nation governmental buildings, which explains why Wauneka’s legislation went before Council for permission.

After considerable debate and lack of proper documentation, the Council referred Legislation No. 3770-10, sponsored by Young Jeff Tom (Mariano Lake/Smith Lake), to the IGR committee for further review. Tom’s legislation would have provided \$3 million in chapter discretionary funds from the Contingency Management Fund (CMF) to Navajo chapters.

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According to Mark Grant, controller for the Navajo Nation, the CMF is the source of money for the supplemental appropriations but its source is the Undesignated Unreserved Fund Balance (UUFB). He said the UUFB has a current balance of \$-24 million.

He also said the legislation to provide \$3 million in chapter discretionary funds “is not a budget line item.” Instead, he said, “It is a direct debit against the Undesignated Underserved Fund.”

The \$2 million appropriation for youth employment programs (Resolution CJN-25-10) to Navajo chapters came indirectly from the Undesignated Underserved Fund Balance, he said. From that last appropriation (Resolution CJN-25-10), the UUFD changed from a negative balance of \$22 million to \$-24 million.

“If this legislation (Legislation No.0377-10) is approved the balance would go to \$-27 million,” Grant added. “When we take out money out of the Contingency Management Fund, it comes out of the UUFB.”

On the other hand, Tom has repeatedly said there is money available to appropriate to chapters, “The president did not line-item veto the \$2 million for youth employment; thus, there is \$16 million left to use.”

The \$16 million Tom refers to is what the Navajo Nation Attorney General uses for liabilities. “Each year the Attorney General prepares a list of cases that will probably result in a claim against the Navajo Nation,” said Grant.

In order to make an informed decision, various Council members including Leonard Chee (Birdsprings/Leupp/Tolani Lake) requested for proper documentation.

“I would like to ask for a list of current cases and the price tags that go with the cases such as liabilities are concerned,” Chee said. “Secondly, a report from the Office of the Controller on the balance sheet passed out to us. Thirdly, I am requesting for a list of chapters who have surplus funding in housing assistance. Who are those chapters who have funds?”

Because of lack of proper documentation, the Council voted in favor of referring Tom’s legislation to the IGR Committee on a vote of 45-16. Tom’s other legislation (Legislation No. 0378-10) was also referred to IGR on a 49-7 vote. It would have appropriated \$3 million from the CMF to Navajo chapters for public employment programs.

Legislation (Legislation No. 0045-10) sponsored by Omer Begay (Cornfields/Greasewood Springs/Klagetoh/Wide Ruins) and legislation (Legislation No. 0006-10) sponsored by Raymond Joe were also referred to the IGR for the same reasons as Tom’s legislations.

Legislation No. 0405-10 would have appropriated \$2.5 million from the Contingency Management Fund to Navajo Nation Chapters to address drought conditions on the Navajo Nation. Legislation No. 0006-10 would have provided \$430,000 from the Undesignated Underserved Fund Balance to the Navajo Division of Public Safety’s Department of Fire and Rescue Services for operational costs.

Day three of the 2010 Summer Session will resume tomorrow. Four legislative action items remain on the agenda. For more information regarding the agenda and pieces of proposed legislation, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org).

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