

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0153-19_____

SPONSOR: Raymond Smith, Jr.

TITLE: An Action Relating to Budget And Finance Committee; Adopting And Approving The Amended And Restated Deferred Compensation Plan For Political Appointees And Council Delegates Of The Navajo Nation Effective April 1, 2019

Date posted: June 17, 2019 at 5:00pm

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0153-19

DATE: June 13, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO BUDGET AND FINANCE COMMITTEE; ADOPTING AND APPROVING THE AMENDED AND RESTATED DEFERRED COMPENSATION PLAN FOR POLITICAL APPOINTEES AND COUNCIL DELEGATES OF THE NAVAJO NATION EFFECTIVE APRIL 1, 2019

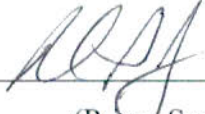
PURPOSE: The purpose of this legislation is to amend the Deferred Compensation Plan for Political Appointees and Council Delegates.

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

PROPOSED NAVAJO NATION STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL – First Year, 2019

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0153-19

AN ACTION

RELATING TO BUDGET AND FINANCE COMMITTEE; ADOPTING AND APPROVING THE AMENDED AND RESTATED DEFERRED COMPENSATION PLAN FOR POLITICAL APPOINTEES AND COUNCIL DELEGATES OF THE NAVAJO NATION EFFECTIVE APRIL 1, 2019

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Navajo Nation established the Budget and Finance Committee (“BFC”) as a Navajo Nation Council standing committee and as such empowered BFC to promulgate policies and regulations concerning wages, expenditure reimbursement, and fringe benefits for Navajo Nation officials and employees. 2 N.N.C. §§ 164 (A)(9), 300 (A), 301(B)(8).

B. The Navajo Nation Council (“Council”) created and implemented a comprehensive deferred compensation plan for elected and appointed Tribal officials and authorized the Chairman of the Navajo Tribal Council with the approval of the Budget and Finance Committee of the Navajo Nation Council to develop, implement and administer the plan, pursuant to Navajo Tribal Council Resolution CF-21-73.

1 C. The Navajo Nation may, in its sole discretion, amend the Deferred Compensation
2 Plan, defined below, at any time or from time to time, in whole or in part, pursuant to
3 Section 5.1 of the Deferred Compensation Plan.
4

5 **SECTION TWO. FINDINGS**

6 A. The Budget and Finance Committee, under the authority delegated in CF-21-73,
7 initially adopted the Deferred Compensation Plan for Certain Employees of the
8 Navajo Tribe effective January 1, 1973, pursuant to BFMY-41-73.

9 B. The Council and the Budget and Finance Committee then adopted the Deferred
10 Retirement Plan for the Council Members of the Navajo Tribe effective October 1,
11 1982 (separating the deferred retirement plan from the deferred compensation plan),
12 pursuant to BFAU-160-82 and CD-87-82.

13 C. The Budget and Finance Committee then adopted the Deferred Compensation Plan
14 for Political Appointees and Council Delegates of the Navajo Nation, Amended and
15 Restated as of January 1, 2006 (the "Deferred Compensation Plan") (merging the
16 Deferred Compensation Plan for Certain Employees of the Navajo Tribe effective
17 January 1, 1973 with the Deferred Retirement Plan for the Council Members of the
18 Navajo Tribe effective October 1, 1982), pursuant to BFMA-09-08.

19 D. The Deferred Compensation Plan Administration Committee has now approved and
20 recommended to the Budget and Finance Committee the adoption and approval of the
21 Restated Deferred Compensation Plan for Political Appointees and Council Delegates
22 of the Navajo Nation, which amends Sections 1.1, 1.5, 1.8, 1.9, 2.1, 2.2, 5.5, and A1,
23 pursuant to DCP-04-18, attached as **Exhibit A**. However, Section 1.1 was previously
24 amended in BFMA-10-18, and currently reflects the requested changes in DCP-03-18
25 and DCP-04-18.

26 E. The Budget and Finance Committee, pursuant to its authorities under 2 N.N.C. §
27 301(B)(8) and (13), its delegated authority under CF-21-73, and the authority of the
28 Navajo Nation pursuant to Section 5.1 of the Deferred Compensation Plan, finds it is
29 in the best interest of the Nation to approve and adopt the Amended and Restated
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1 Deferred Compensation Plan for Political Appointees and Council Delegates of the
2 Navajo Nation, effective as of April 1, 2019, attached as **Exhibit B**.

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4 **SECTION THREE. APPROVAL**

5 The Budget and Finance Committee hereby approves and adopts the Amended and
6 Restated Deferred Compensation Plan for Political Appointees and Council Delegates of
7 the Navajo Nation, effective as of April 1, 2019, attached as **Exhibit B**.

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