

**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0130-19

**DATE:** May 24, 2019

AN ACTION RELATING TO THE LAW AND ORDER, BUDGET AND FINANCE,  
NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING AND  
ADOPTING THE SÍHASIN DILKON JUSTICE CENTER FUND EXPENDITURE PLAN  
PURSUANT 12 N.N.C §§ 2501 – 2508

**PURPOSE:** Approving and adopting the Sihasin Dilkon Justice Center Fund Expenditure Plan.

**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 review the proposed resolution in detail.**

5-DAY BILL HOLD PERIOD: Joseph B. [Signature]  
Website Posting Time/Date: 5:46pm 5-24-19  
Posting End Date: 5-29-19  
Eligible for Action: 5-30-19

Law & Order Committee  
Thence  
Health Education & Human Services Committee  
Thence  
Resources & Development Committee  
Thence  
Budget & Finance Committee  
Thence  
Naa'bik'iyáti' Committee  
Thence  
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24<sup>th</sup> NAVAJO NATION COUNCIL – First Year, 2019

INTRODUCED BY

[Signature]  
(Prime Sponsor)

TRACKING NO. 0130-19

AN ACTION

RELATING TO THE LAW AND ORDER, BUDGET AND FINANCE,  
NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING  
AND ADOPTING THE SÍHASIN DILKON JUSTICE CENTER FUND  
EXPENDITURE PLAN PURSUANT 12 N.N.C §§ 2501 – 2508

BE IT ENACTED:

**Section One. Authority**

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).
- B. The Naabik'iyati' Committee of the Navajo Nation Council is empowered to review all proposed legislation which requires final action by the Navajo Nation Council. 2 N.N.C. §164(A)(9).
- C. The Law and Order Committee of the Navajo Nation Council is empowered to serve as the oversight authority for the Division of Public Safety and the Judicial Branch Navajo Nation. 2 N.N.C. §§ 600 (C)(6).
- D. The Budget and Finance Committee of the Navajo Nation Council is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment, and management of all funds. 2 N.N.C. § 301 (B) (2).

1 E. The Naabik'iyáti' Committee established the Naabik'iyáti' Síhasin Fund  
2 Subcommittee to recommend to the Naabik'iyáti' Committee and Navajo Nation  
3 Council financial support and/or financing plan(s) for the purposes designated in the  
4 Síhasin Fund. NABIAP-20-15. However, approval by the Naabik'iyáti' Síhasin Fund  
5 Subcommittee is not a requirement for legislation.

6 F. The Navajo Nation Code provides the purpose of the Navajo Nation Síhasin Fund  
7 ("Síhasin Fund") is as follows:

8 § 2502 Purpose

9 A. The purposes of this Fund are to provide financial support and/or  
10 financing for:

11 1. The planning and development of economic development  
12 and regional infrastructure supporting economic development  
13 and community development, including such infrastructure  
14 as, but not limited to, housing, commercial and government  
15 buildings, waterline, solid waste management development,  
16 powerline projects, and transportation and communication  
17 systems, within the Navajo Nation; and

18 2. Education opportunities for members of the Navajo  
19 Nation.

20 B. For the Purpose in § 2502(A)(1), Fund expenditures for  
21 infrastructure shall not be limited by 12 NNC § 1310(F) or  
22 TCDCJY-77-99.

23 C. Leveraging the Fund by way of guaranteeing loans, match  
24 funding, direct funding in part, and other weighted uses of the  
25 Fund, including loan financing from the Fund, for the purposes  
26 in § 2502(A)(1), shall be favored over direct funding in whole.

27 12 N.N.C. § 2502, as amended by CJA-03-18.

28 G. The Síhasin Fund provides that "Fund Principal" shall consist of all deposits made  
29 to the Síhasin Fund and that "Fund Income" shall consist of all earnings (interest,  
30 dividends, etc.) generated and realized by the Fund Principal, and that Fund Income

1 shall be deposited in and added to Fund Principal until such time as a Fund  
2 Expenditure Plan is duly adopted. 12 N.N.C. §§ 2504 and 2505 (C).  
3

#### 4 **Section Two. Findings**

- 5 A. The Dilkon Justice Center Plan is detailed in **Exhibits A and B**.
- 6 B. As set forth in **Exhibit A**, 10 acres of land was set aside for a medium district public  
7 safety center. Phase one of the Dilkon Justice Center was completed in 2009. Phase  
8 2 of the Dilkon Justice Center will include a police station and corrections facility.
- 9 C. A budget summary and detailed budget and justification are provided in **Exhibit B**.
- 10 D. The Dilkon Chapter of the Navajo Nation through Resolution No. DIL-2019-02-  
11 130, at **Exhibit C**, has approved the Expenditure Plan for the Dilkon Justice Center  
12 Project.  
13

#### 14 **Section Three. Approval and Adoption of Expenditure Plan**

- 15 A. The Navajo Nation hereby approves and adopts the Dilkon Justice Center  
16 Expenditure Plan, attached and incorporated herein as **Exhibits A and B**.
- 17 B. The Navajo Nation hereby approves and adopts funding to Dilkon Chapter for thirty-  
18 two million, nine hundred eighty-two thousand, thirty dollars (\$32,982,030.00).
- 19 C. The Síhasin Funds allocated for the Dilkon Justice Center Expenditure Plan may be  
20 further leveraged by bond or loan financing pursuant to the Navajo Nation Bond  
21 Financing Act, 12 N.N.C. § 1300 *et seq.*, as amended, using Síhasin Fund earnings  
22 for repayment and financing costs upon the recommendation of the Budget and  
23 Finance Committee and approval by a two-thirds (2/3) vote of all members of the  
24 Navajo Nation Council.  
25

#### 26 **Section Four. Approval and Adoption of Expenditure Plan Administration**

27 The Navajo Nation hereby approves administration of the Dilkon Justice Center  
28 Expenditure Plan as follows:  
29  
30

- 1           1. The Navajo Nation Controller shall determine whether the source of the annual  
2           allocations from the total allocation of \$32,982,030.00 will be Síhasin Fund  
3           Principal or Income or a combination of both;
- 4           2. The funding for the Dilkon Justice Center shall be distributed by the end of the  
5           first quarter of the Navajo Nation Fiscal Year;
- 6           3. The funds allocated for the Dilkon Justice Center Expenditure Plan shall be used  
7           solely to design, plan, and construct the Dilkon Justice Center described in  
8           **Exhibits A and B.** Any and all cost-savings shall be returned to the to the Síhasin  
9           Fund once the Dilkon Justice Center is completed; and
- 10          4. The funds allocated for the Dilkon Justice Center Expenditure Plan shall not lapse  
11          on an annual basis pursuant to 12 N.N.C. §820 (N), however, any funds not spent  
12          or encumbered within twenty-four (24) months of the date funds are made  
13          available to Dilkon Chapter shall revert to the Síhasin Fund principal, unless  
14          recommended otherwise by the Resources and Development Committee and  
15          approved by the Naabik'íyáti' Committee.

#### 16 17   **Section Five. Effective Date**

18       The Dilkon Justice Center Expenditure Plan, as set forth above, shall become effective  
19       pursuant to 12 N.N.C. § 2505.

#### 20 21   **Section Six. Directives**

22       Dilkon Chapter and Department of Public Safety shall report the status of the Dilkon  
23       Justice Center to the Naabik'íyáti' Committee on a quarterly basis.

# History

- 10 acres of the Community Development Plan set aside 10 acres for a Medium District Public Safety Center – 1970's

EXHIBIT

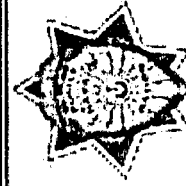
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17



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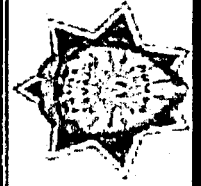
# History

- The Navajo Nation is in the process of expanding Public Safety Facilities throughout the Nation. In about 2008, the Nation commissioned a District Judicial / Public Safety Facilities Master Plan that identified the need for Police Stations, Courts, Peacemaking, Detention and Corrections Facilities. That Master Plan identified a need for Large, Medium and Small District Judicial / Public Safety Centers throughout the Nation. A new Master Plan is currently underway.
- The Dilkon District is identified as a Medium District Judicial / Public Safety Center according to the Master Plan.
- In 2008, the Judicial Branch was able to secure funding for the Phase 1-Dilkon District Court Facility, which was designed, constructed and began operations in 2009. The 10-acre site dedicated for the Dilkon Judicial / Public Safety Center is the site of the District Court and was planned so that the Police Station and Corrections Facilities can become the envisioned Medium District Judicial / Public Safety Center.

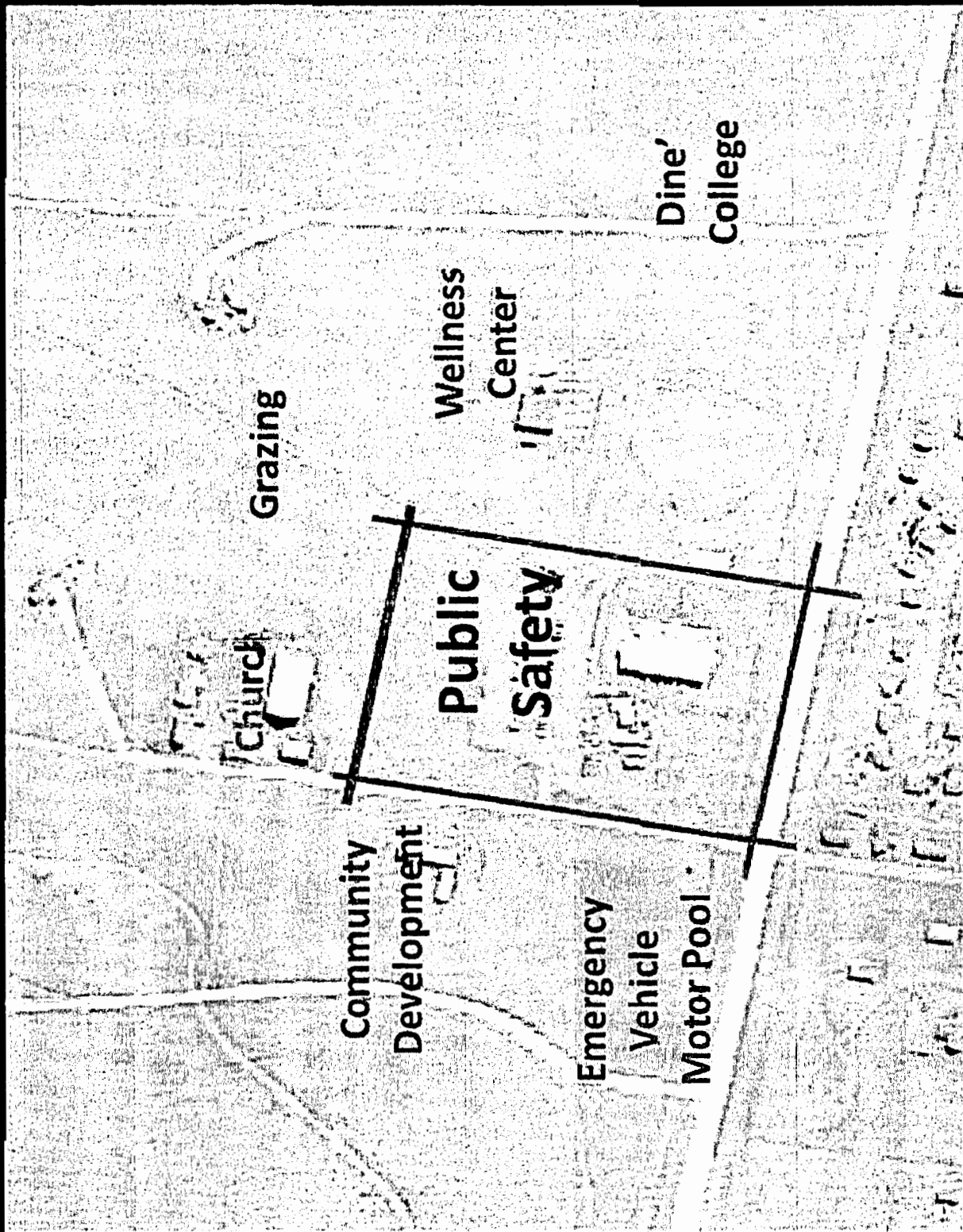


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# History



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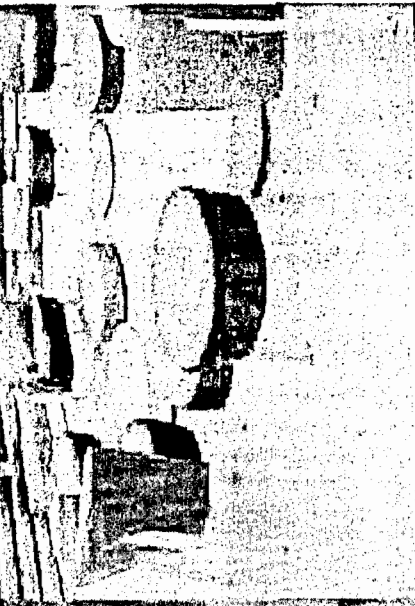
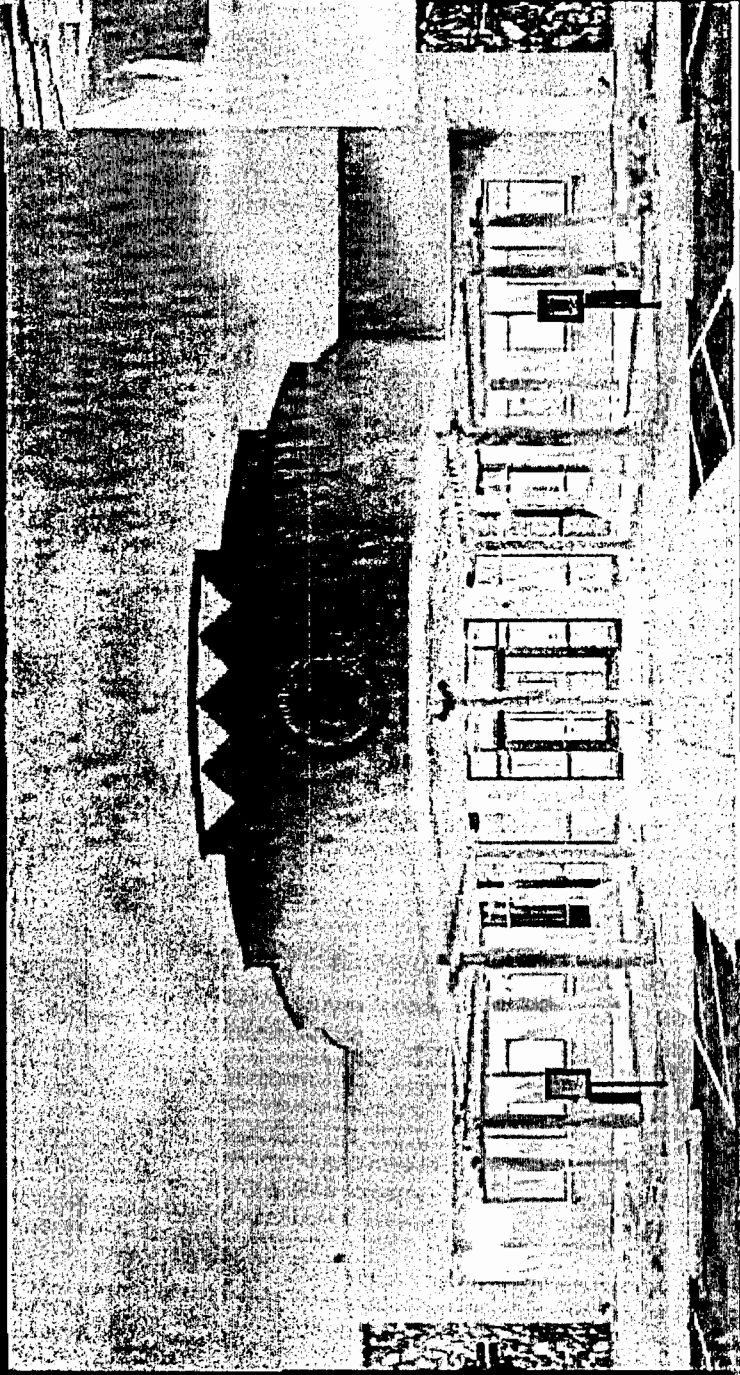
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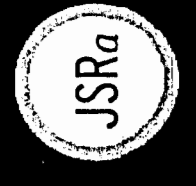
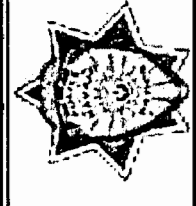


# History

- Judicial Branch secured funding for a Multi-Purpose Court Facility in 2008
- The Dilkon District Court, Phase 1 opened in 2009!



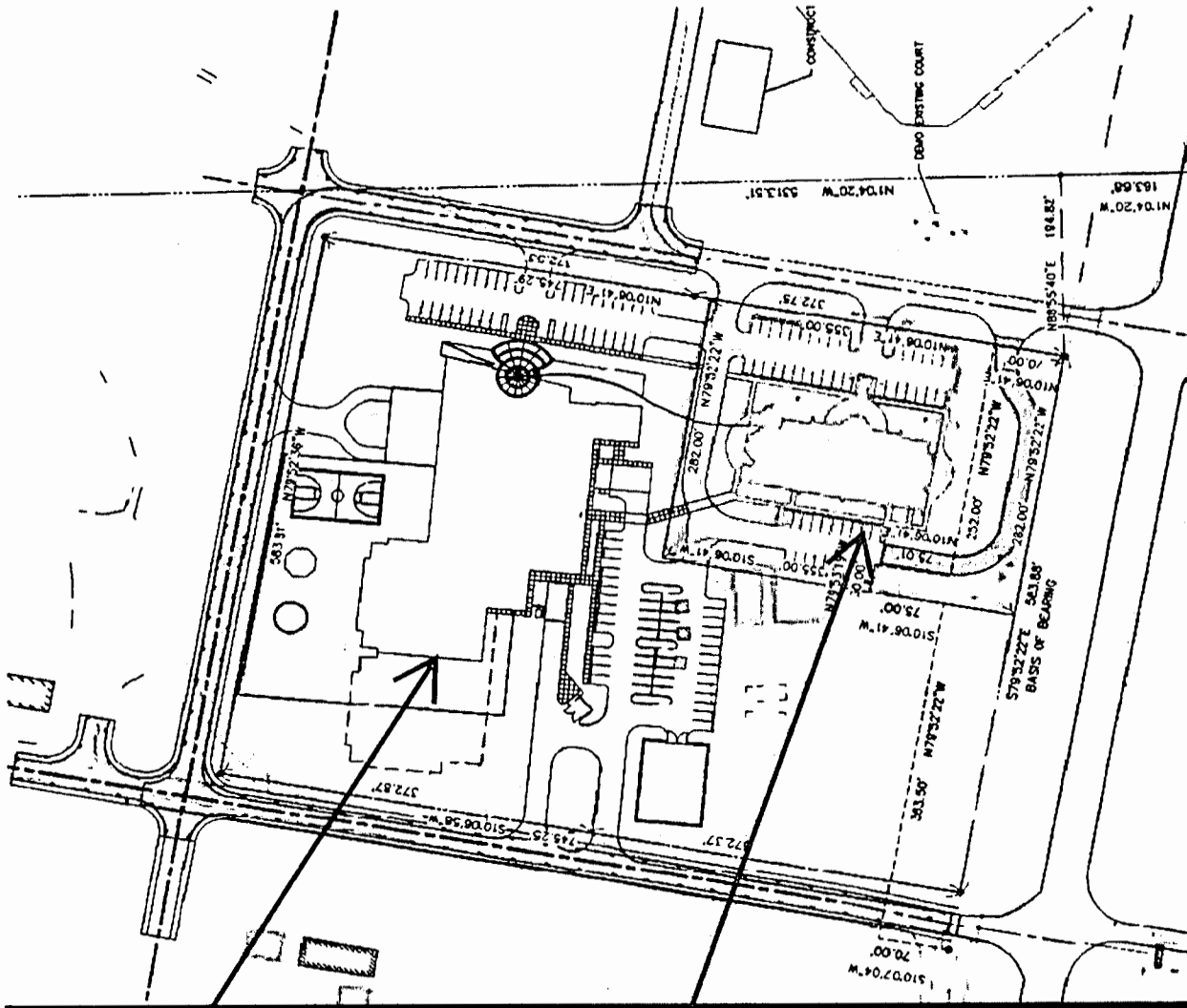
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# Current Status

## Dilkon Justice Center, Phase 2 is ready for construction.

## Dilkon Courts, Phase 1 completed in 2009.



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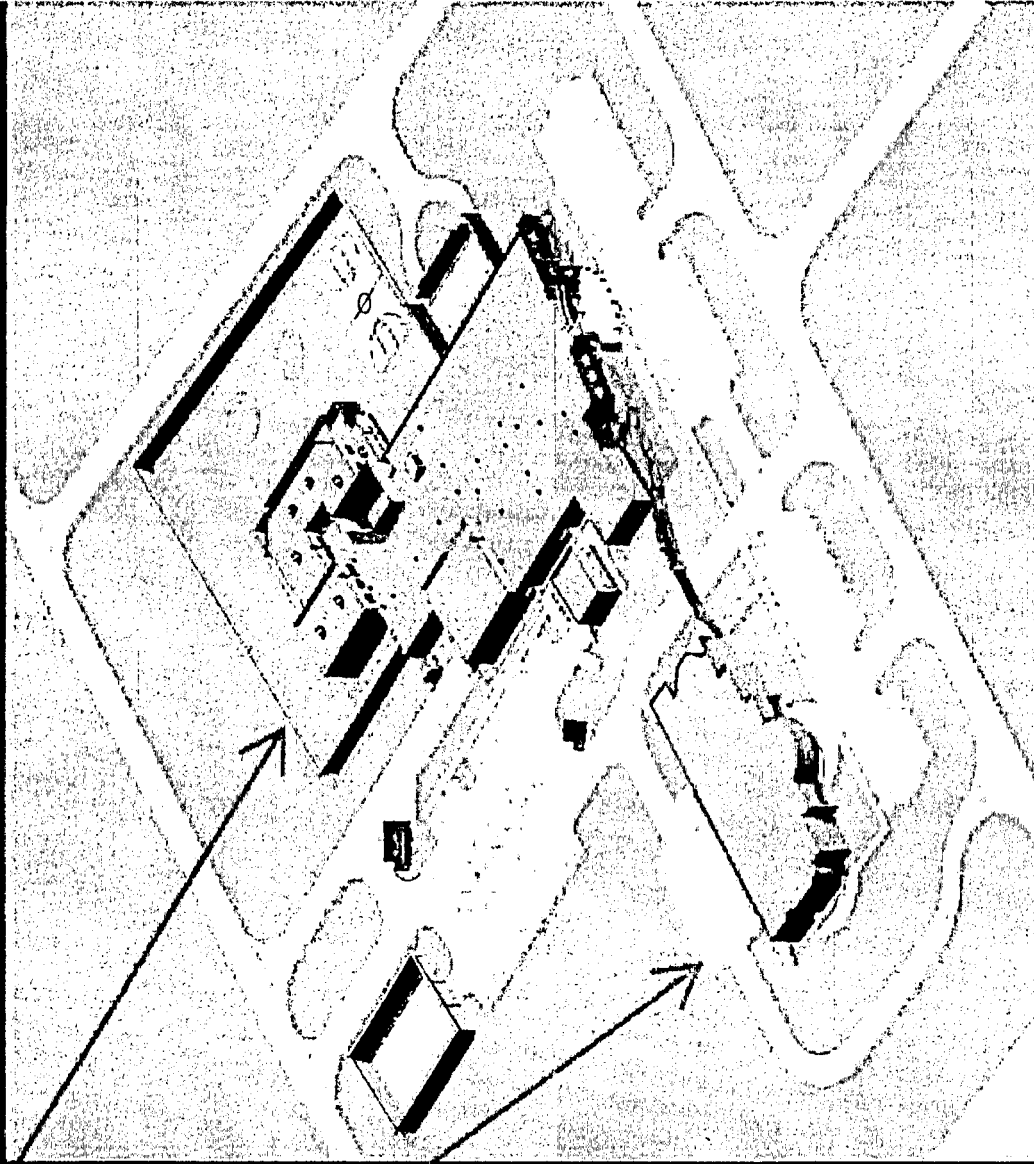
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# Current Status

## New Dilkon Justice Center, Phase 2.

## Existing Dilkon Court Building, Phase 1

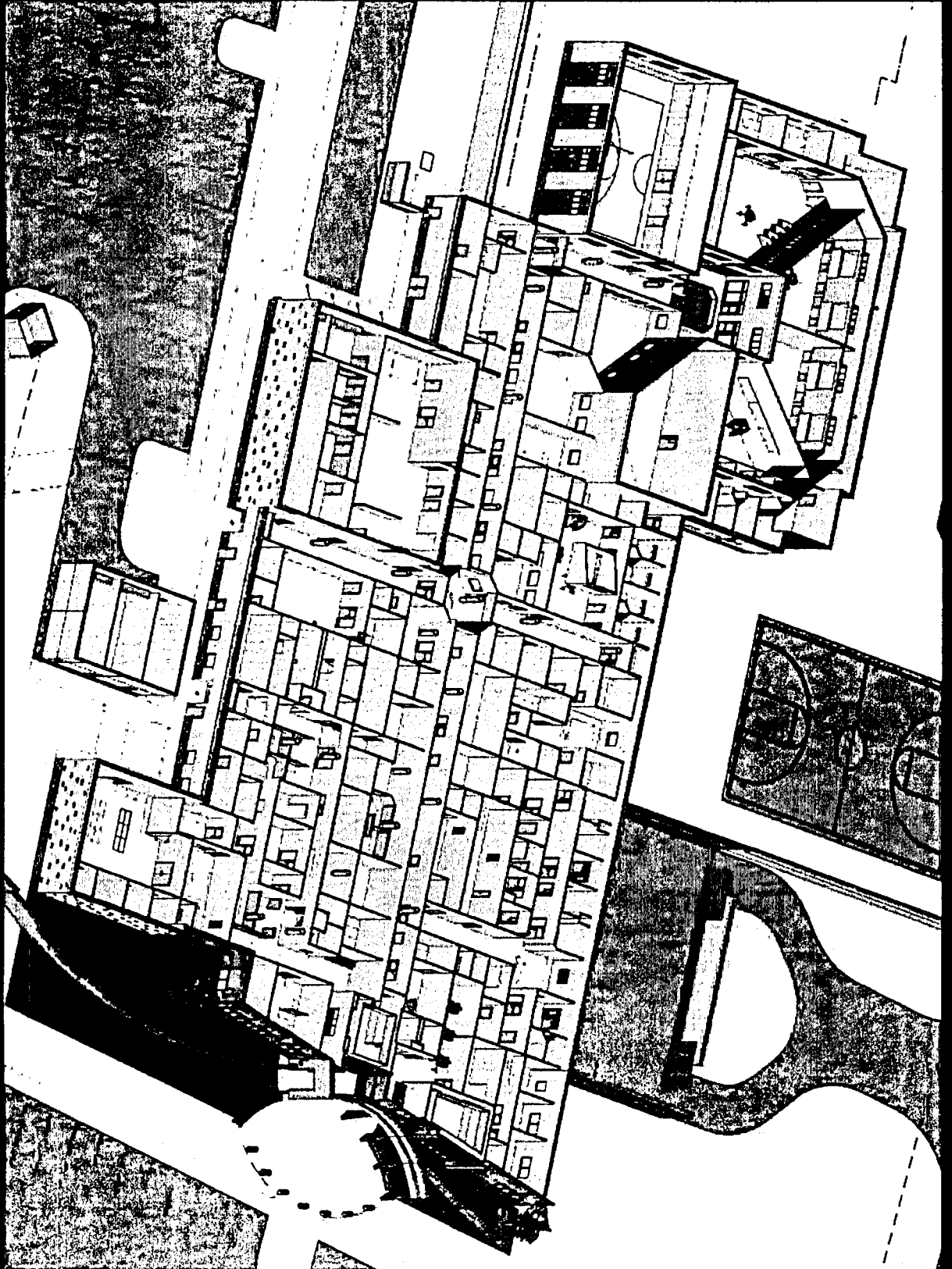


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# Current Status

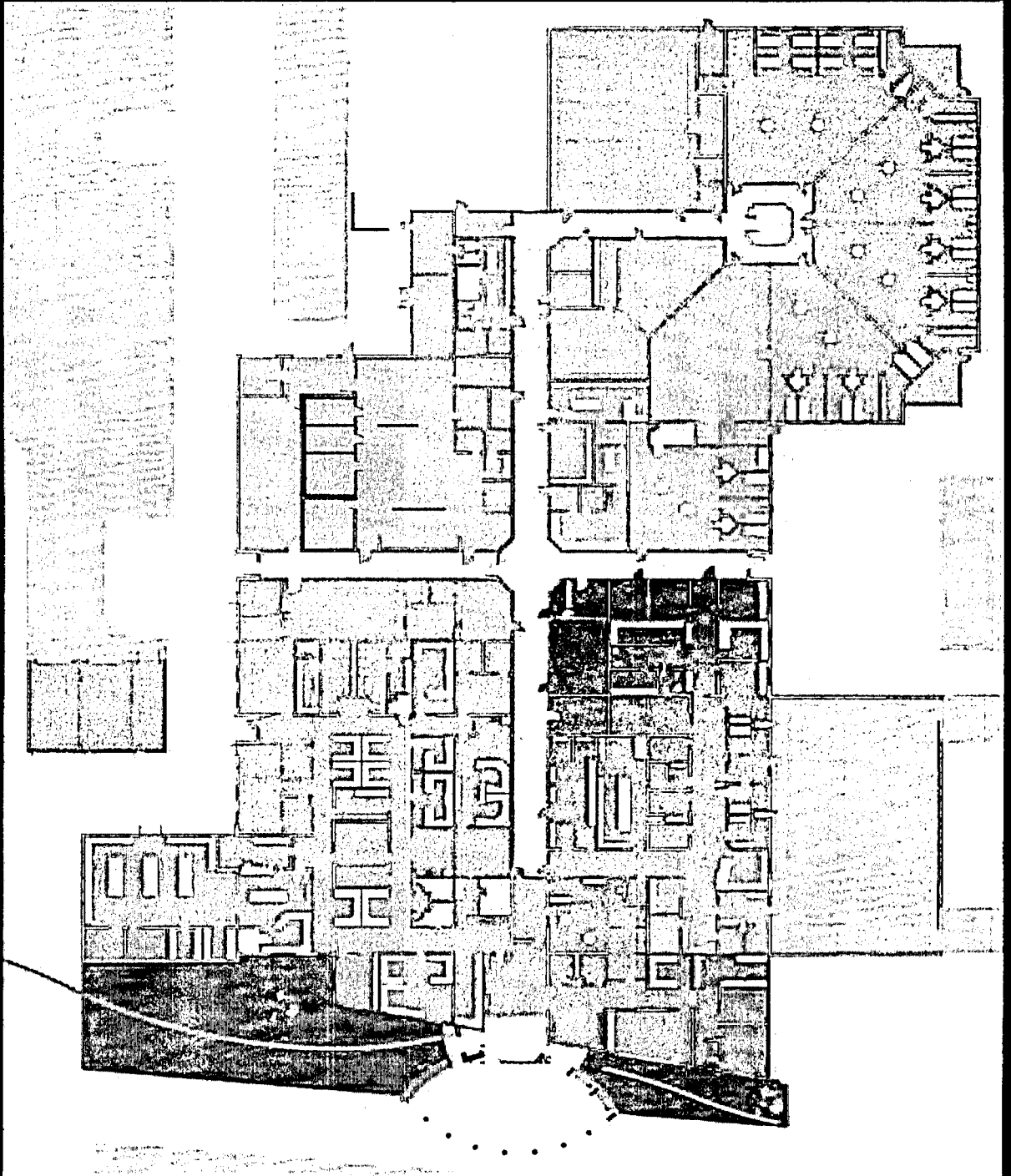


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# Current Status

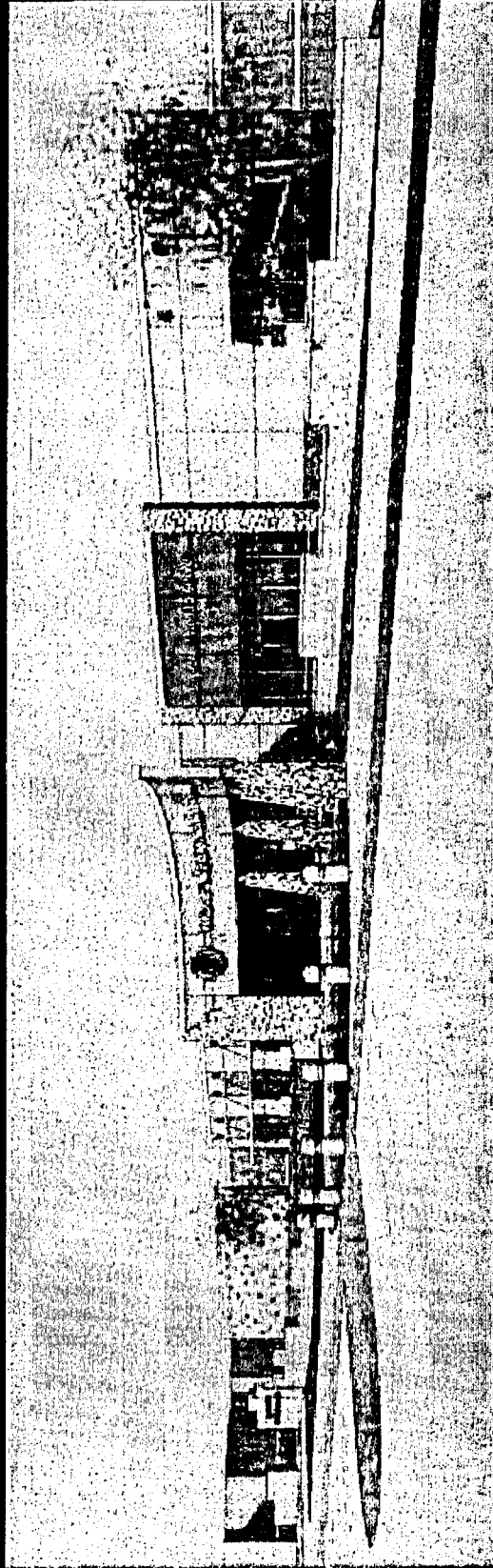


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# Current Status

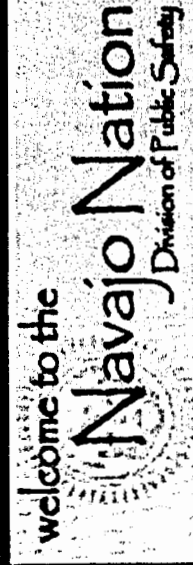


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# Current Status

- Construction is on hold, pending additional funding





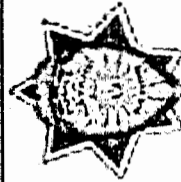
# Proposed Project Schedule

- To move the project forward ASAP, funding is the KEY!
- After funding is completed:
  - Select a CMAR to collaborate with A-E / Owner
  - Establish a Guaranteed Maximum Price (GMP) for the Site Infrastructure / Building Pad, then after approval build it
  - Establish a GMP for the construction ready Building, then after approval build it



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# Request

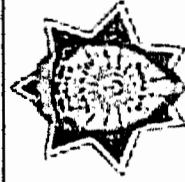
1. Request placement of the Dilkon Justice Center, Phase 2 at the top of the Priority List for Public Safety Facilities

2. Request funding for construction and equipping of the facility, Immediately

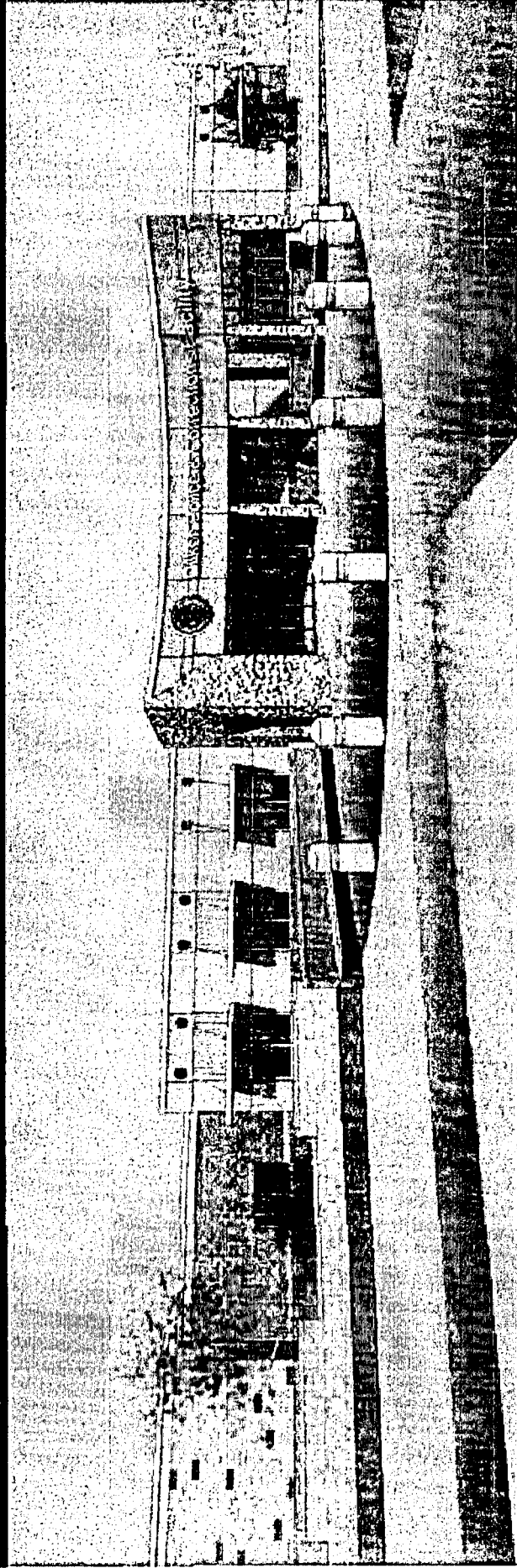


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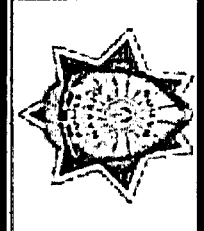
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# Dilkon Justice Center, Phase 2



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5210 E Williams Circle, Suite 600 ■ Tucson, AZ 85711 ■ v:520.547.7904 ■ f:520.547.7905 ■ [www.jsrarchinc.com](http://www.jsrarchinc.com)

March 13, 2017

Delores Greyeyes  
Navajo Nation Department of Corrections  
Division of Public Safety  
P.O. Box 3360  
Window Rock, AZ 86515

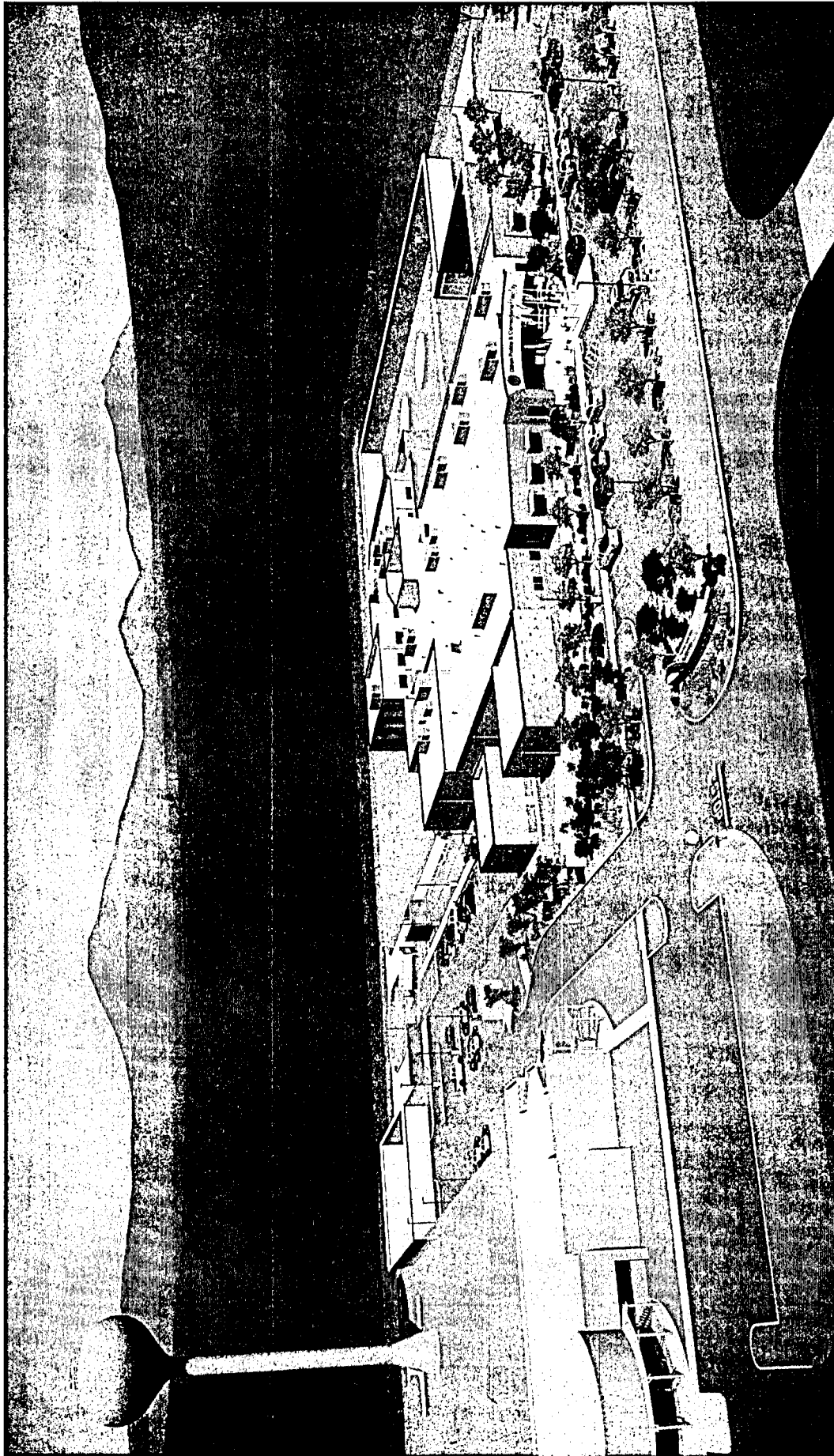
Re: Dilkon Justice Center, Phase 2  
Architectural / Engineering Services  
Contract Number- CO9415

Ms. Greyeyes,

We are happy to report that the Construction Documents are complete for the Dilkon Justice Center, Phase 2. Plan check reviews have been accomplished by all applicable agencies, and apart from the finalization of the elevated water storage tank, building permits can be issued. Accordingly, the project is *ready-for-construction*, as soon as funding becomes available.

If you have any questions, please don't hesitate to contact me at (520) 547-7904 or via email at [vrosamond@jsrarchinc.com](mailto:vrosamond@jsrarchinc.com).

Vernon Rosamond, AIA, ACHA, LEED AP  
Vice President

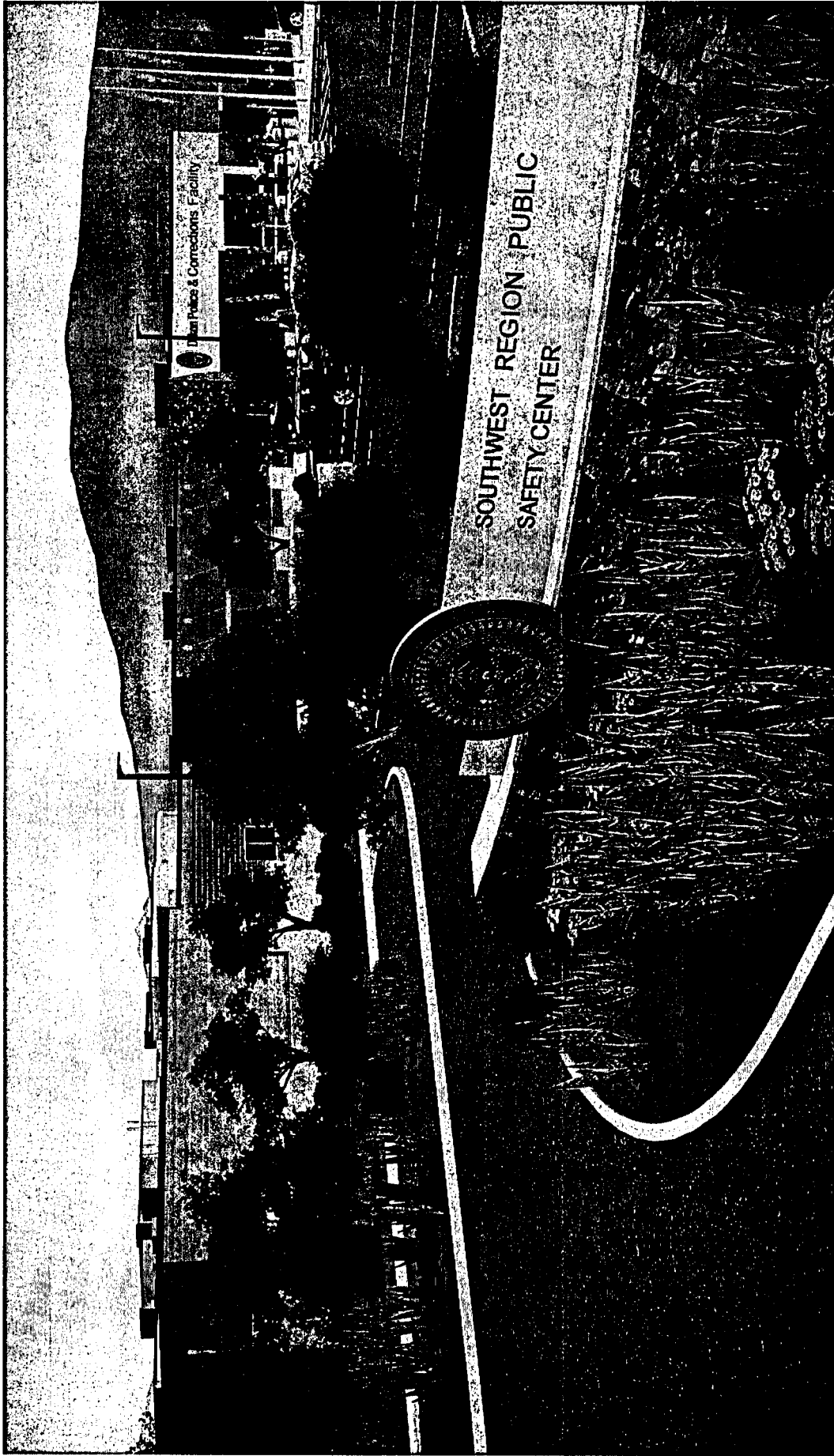


## Dilkon Police & Corrections Facility



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SOUTHWEST REGION PUBLIC  
SAFETY CENTER

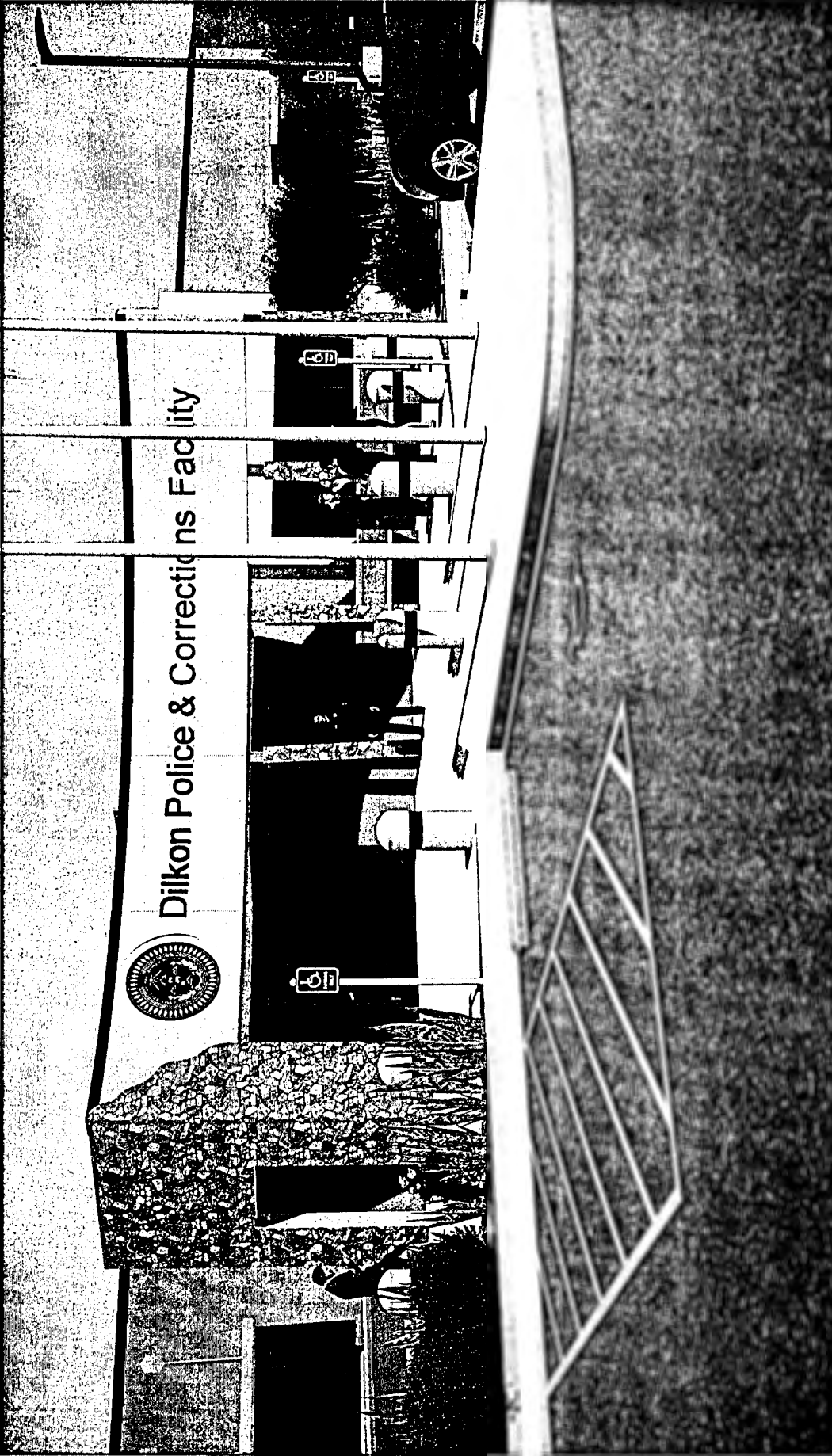


Dillon Police & Corrections Facility



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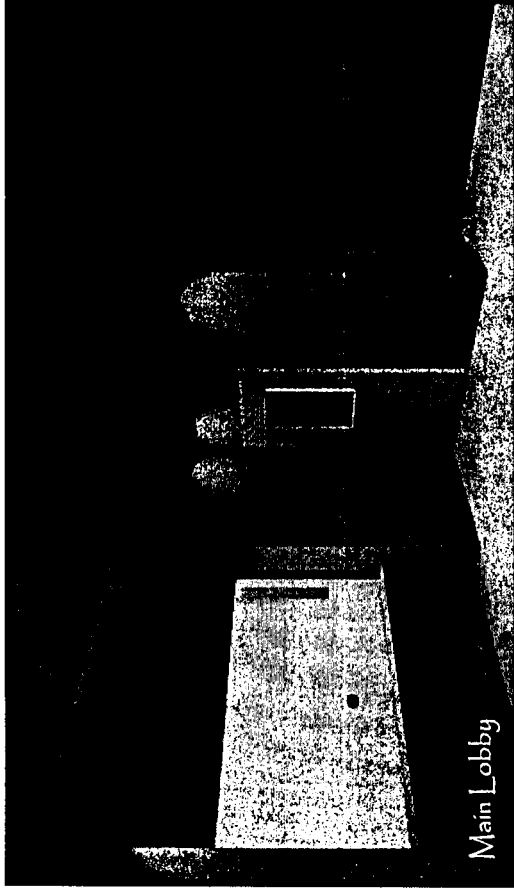
## Dilkon Police & Corrections Facility



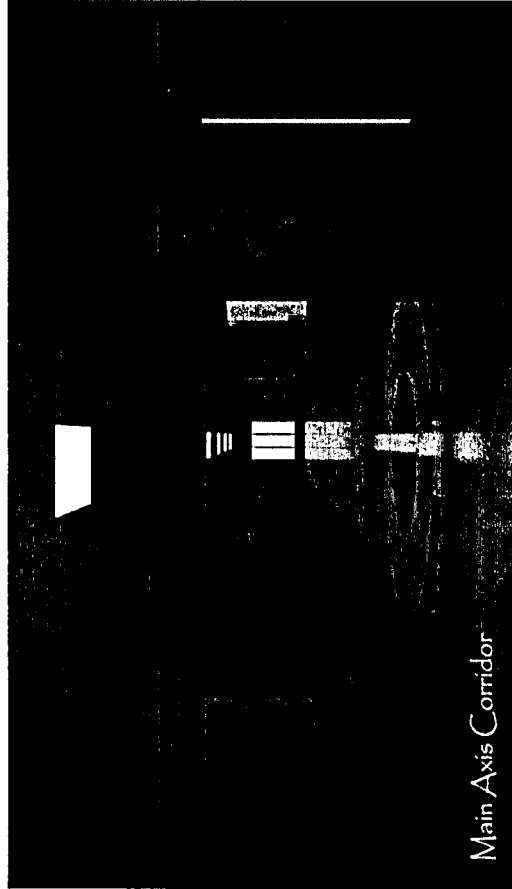
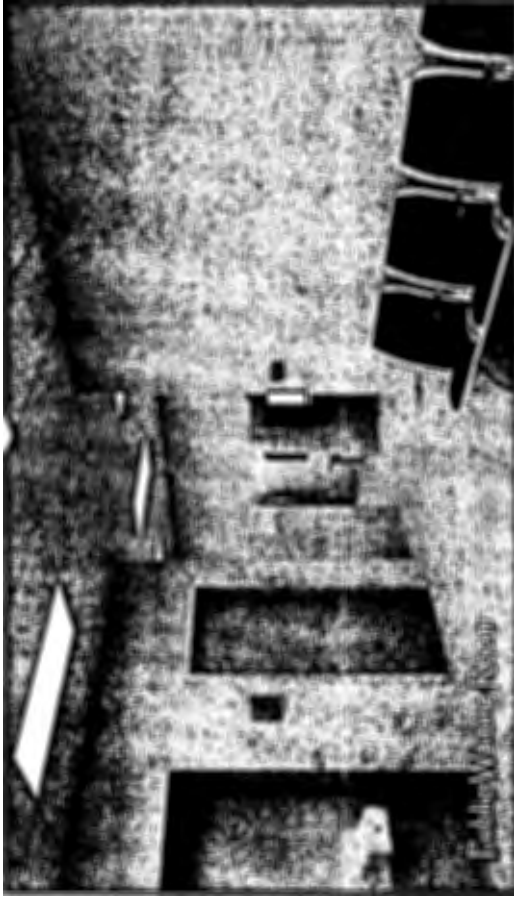
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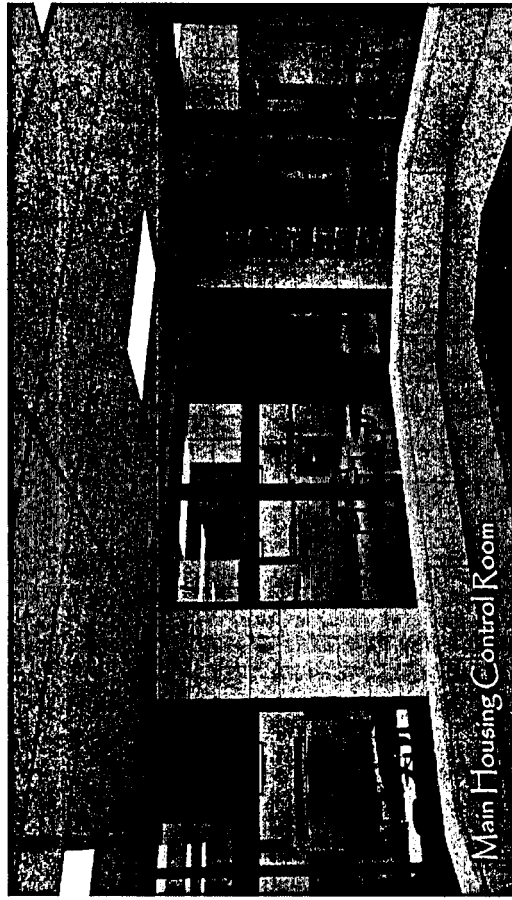




Main Lobby



Main Axis Corridor



Main Housing Control Room



## Diklon Police & Corrections Facility



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EXHIBIT

B

**THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY**

FY 2019

BUDGET FORM 1

<b>PART I.</b> Business Unit No.: <u>NEW</u>		Program Title: <u>DILKON JUSTICE CENTER</u>		Division/Branch: <u>Public Safety</u>	
Prepared By: <u>Juanita Begay</u>		Phone No.: <u>928-871-7555</u>		Email Address: <u>jibegay@navajo-nsn.gov</u>	

PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY			Fund Type Code		(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
Shasin Fund		7/11/05	32,982,030.00	\$1.00								0
					2001 Personnel Expenses							0
					3000 Travel Expenses							0
					3500 Meeting Expenses							0
					4000 Supplies							0
					5000 Lease and Rental							0
					5500 Communications and Utilities							0
					6000 Repairs and Maintenance							0
					6500 Contractual Services					2,575,000		2,575,000
					7000 Special Transactions							0
					8000 Public Assistance							0
					9000 Capital Outlay					30,407,030		30,407,030
					9500 Matching Funds							0
					9500 Indirect Cost							0
					<b>TOTAL</b>					\$0.00	32,982,030.00	32,982,030

PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:		0	0
Total # of Permanently Assigned Vehicles:			

**PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.**

<u>Delores Greyyeyes</u> SUBMITTED BY: Program Manager's Printed Name <u>10-18-18</u> SUBMITTED BY: Program Manager's Signature and Date	<u>Jesse Delmar</u> APPROVED BY: Division Director <u>10-18-18</u> APPROVED BY: Division Director/Branch Chief's Signature and Date
---------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------



<b>PART I. PROGRAM INFORMATION:</b>		
Business Unit No.: _____	New	Program Name/Title: <u>Dilkon Justice Center</u>
<b>PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:</b>		
Legislation Number: <u>BF-S-37-07 Fund Management Plan and LOC-JY-07-13 Priority Listing</u>		
<b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>		
<b>1. Goal Statement:</b>		
<u>Prepare Bid Package for site development and construction.</u>		
<b>Program Performance Measure:</b>		
Select a Construction contract for site development and construction		
<b>2. Goal Statement:</b>		
<u>Bidding and Award services for General Contractors.</u>		
<b>Program Performance Measure:</b>		
Execute contract with successful bidders.		
<b>3. Goal Statement:</b>		
<u>To begin Construction Phase by May, 2019.</u>		
<b>Program Performance Measure:</b>		
Start construction by May, 2019		
<b>4. Goal Statement:</b>		
<u>Hire additional consultants for materials testing, special inspection, and code inspection.</u>		
<b>Program Performance Measure:</b>		
Execute successful contract with qualified firms.		
<b>5. Goal Statement:</b>		
<u>Program Performance Measure:</u>		

<b>PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b>											
Delores Greyeyes      10-18-18 Program Manager's Printed Name      Program Manager's Signature and Date						Jesse Delmar, Division Director Division Director/Branch Chief's Printed Name      10/18/18 Division Director/Branch Chief's Signature and Date					

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

<b>PART I. PROGRAM INFORMATION:</b> Program Name/Title: <u>Dilkon Justice Center</u> Business Unit No.: <u>NEW</u>			
<b>PART II. DETAILED BUDGET:</b>			
(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)	(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
	<b>Begin construction phase for a Medium District Public Safety, where 10 acres have been set aside for this project. This includes site development, roads, water and sewer lines, and construction.</b>		
6520	Professional Services - Project Management Construction Phase Services 6530 - Fees                      \$    1,100,000.00 6540 - Expenses            \$    150,000.00 <b>Total</b> \$    1,250,000.00	1,250,000	1,250,000
6810	Architecture/Design 6813 - Fees                    \$    700,000.00 6814 - Expenses            \$    50,000.00 <b>Total</b> \$    750,000.00	750,000	750,000
6830	Other Technical Services 6840 - Feasibility Services 6845 - Environmental Assessment/Survey 6850 - Diagnostics/Testing/Evaluation 6855 - Inspection/Appraisal Fees 6865 - Technical Services Expenses <b>Total</b> \$    575,000.00	575,000	575,000
9050	Building - Construction Phase 9052 - Building	30,407,030	30,407,030
<b>TOTAL</b>		32,982,030	32,982,030

# History

- The Dilkon Chapter, Cheezhin Dilkaan (the "Smooth Butte"), set aside 700 acres designated for community development.
- Trust land within the Dilkon Chapter
- Cultural Resources Inventory done 1979
- Environmental Assessment done 1994



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**Navajo Nation**  
Division of Public Safety



Elmer P. Begay, Council Delegate  
Lorenzo Lee, Sr., President  
Felix Tsinjinnie, Vice President  
Elizabeth Yazzie, Secretary Treasurer  
Jonathan Manyoats, Grazing Committee Officer  
Marge Barton, Chapter Manager  
Charmayne Billie, Administrative Assistant

**DILKON CHAPTER**  
HCR 63 BOX E • WINSLOW, AZ • 86047

EXHIBIT

tabbles

C

THE NAVAJO NATION

Jonathan Nez  
PRESIDENT

Myron Lizer  
VICE PRESIDENT

RESOLUTION NUMBER: DIL-2019-02-130 AMENDED

## RESOLUTION OF THE DILKON CHAPTER OF THE NAVAJO NATION

**APPROVING REQUEST TO HONORABLE ELMER P. BEGAY, MEMBER OF THE 24<sup>TH</sup> NAVAJO NATION COUNCIL TO IMMEDIATELY SPONSOR LEGISLATION APPROVING THE EXPENDITURE PLAN IN THE AMOUNT OF THIRTY-TWO MILLION, NINE HUNDRED EIGHTY-TWO THOUSAND, THIRTY DOLLARS (\$32,982,030.00) FROM THE SIHASIN FUND FOR THE DILKON JUSTICE CENTER PROJECT**

### WHEREAS:

1. Pursuant to 26 N.N.C. Section 3 (A) the Dilkon Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed at 11 N.N.C., part 1, section 10; and
2. Pursuant to 26 N.N.C. Section 1 (B) Dilkon Chapter is vested with the authority to review all matters affecting the community; and
3. Dilkon Chapter is vested with the authority to request funds on behalf of the chapter when necessary and to make recommendation to the Navajo Nation and other agencies for appropriate actions; and
4. Dilkon Justice Center Project is a priority project listed on the Navajo Nation Infrastructure Capital Improvement Project (ICIP) for Dilkon Chapter, and
5. Dilkon Justice Center Project land clearances and legal surveys are complete; and
6. Dilkon Justice Center Project architectural and engineering plans are complete, which brings the project to a "construction ready" status; and
7. Dilkon Police Department was recently relocated to Twin Arrows due to the unsafe and unsanitary condition of their current buildings in Dilkon leaving our area unsecure, and
8. Dilkon Chapter request support from the Navajo Nation District Seven Council and the Fort Defiance Agency Council members, and
9. Dilkon Chapter is vested with the authority to request Honorable Elmer P. Begay, Council Delegate representing Dilkon Chapter to sponsor legislation for the approval of the Dilkon Justice Center Project Expenditure Plan, and
10. Dilkon Chapter is vested with the authority to request the Navajo Nation Budget and Finance Committee, Resource Development Committee, Law and Order Committee, Health, Education & Human Services Committee, the Naabik'i'yati' Committee, and the 24<sup>th</sup> Navajo Nation Council to approve Sihasin Funds for the construction of the Dilkon Justice Center.

### NOW THEREFORE BE IT RESOLVED THAT:

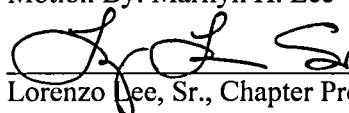
Dilkon Chapter hereby approves request to the Honorable Elmer P. Begay, member of the 24<sup>th</sup> Navajo Nation Council to immediately sponsor legislation approving the Expenditure Plan in the amount of Thirty-Two Million, Nine Hundred Eighty-Two Thousand, Thirty Dollars (\$32,982,030.00) from the Sihasin Fund for the Dilkon Justice Center Project.

### CERTIFICATION

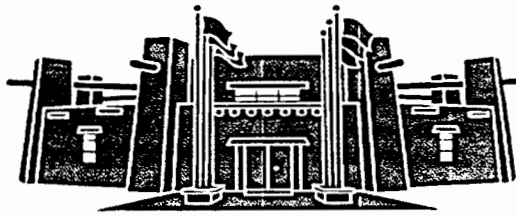
The Dilkon Chapter hereby approves the foregoing resolution was considered by the Dilkon Chapter at a duly called meeting in Dilkon, Navajo Nation, Arizona at which a quorum was present and that the same was passed by a vote of 30 in favor, 0 opposed, and 5 abstained, that 10<sup>TH</sup> day of February, 2019.

Motion By: Marilyn H. Lee

Second By: Cecilia Gonnie

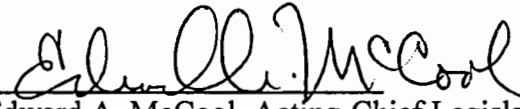


Lorenzo Lee, Sr., Chapter President, Presiding Official



**MEMORANDUM**

**TO:** Honorable Elmer Begay  
24<sup>th</sup> Navajo Nation Council

**FROM:**   
Edward A. McCool, Acting-Chief Legislative Counsel  
Office of Legislative Counsel

**DATE:** May 24, 2019

AN ACTION RELATING TO THE LAW AND ORDER, BUDGET AND FINANCE,  
NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING AND  
ADOPTING THE SÍHASIN DILKON JUSTICE CENTER FUND EXPENDITURE PLAN  
PURSUANT 12 N.N.C §§ 2501 – 2508

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§500, 501. Nevertheless, “the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration.” 2 N.N.C. §164(A)(5).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0130-19\_\_\_\_\_ SPONSOR: Elmer Begay

**TITLE: An Action Relating To The Law And Order, Budget And Finance, Naabik'iyáti' Committees, And Navajo Nation Council; Approving And Adopting The Síhasin Dilkon Justice Center Fund Expenditure Plan Pursuant 12 N.N.C. §§2501-2508**

*Date posted:* May 24, 2019 at 5:46pm

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto: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) 871-7590

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.*

**THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY**

**LEGISLATION NO.: 0130-19**

**SPONSOR: Honorable Elmer Begay**

**TITLE: An Action Relating To The Law And Order, Budget And Finance, Naabik'iyáti' Committees, And Navajo Nation Council; Approving And Adopting The Sihasin Dilkon Justice Center Fund Expenditure Plan Pursuant 12 N.N.C. §§2501-2508**

**Posted: May 24, 2019 at 5:46 PM**

**5 DAY Comment Period Ended: May 29, 2019**

**Digital Comments received:**

<b>Comments Supporting</b>	<i>None</i>
<b>Comments Opposing</b>	<i>None</i>
<b>Inconclusive Comments</b>	<i>None</i>

  
\_\_\_\_\_  
**Legislative Tracking Secretary  
Office of Legislative Services**

5-30-19 11:35am  
**Date/Time**

**LAW AND ORDER COMMITTEE  
24<sup>TH</sup> NAVAJO NATION COUNCIL**

**FIRST YEAR 2019**

**COMMITTEE REPORT**

Mr. Speaker,

The **LAW AND ORDER COMMITTEE** to whom has been assigned:

**Legislation No. 0130-19:** An Act Relating to Law and Order, Naabik'iyati' Committees, and Navajo Nation Council; Approving and Adopting the Sihasin Dilkon Justice Center Fund Expenditure Plan Pursuant 12 N.N.C. §§2501 – 2508 – Sponsor: Honorable Elmer Begay

Has had it under consideration and reports the same with the recommendation that it DO PASS with no amendment

And thereafter referred to Health, Education and Human Services Committee

Respectfully submitted,



Eugenia Charles-Newton, Chairwoman  
Law and Order Committee  
24<sup>th</sup> Navajo Nation Council

Date: June 17, 2019

Main Motion: Honorable Vince James  
Second : Honorable Eugene Tso  
Vote : 3-1-1 (CNV)



**LAW AND ORDER COMMITTEE**  
**Regular Meeting**  
**June 17, 2019**

**VOTE TALLY SHEET:**

**Legislation No. 0130-19:** An Act Relating to Law and Order, Naabik'iyati' Committees, and Navajo Nation Council; Approving and Adopting the Sihasin Dilkon Justice Center Fund Expenditure Plan Pursuant 12 N.N.C. §§2501 – 2508 – Sponsor: Honorable Elmer Begay

**Main Motion:** Vince James

**Second:** Eugene Tso

**Vote:** 3-1-1

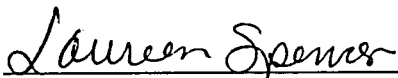
**VOTE TALLY:**

Yea: VJames/ETso/EYazzie

Nay: OTso

Not Voting: ECNewton

  
\_\_\_\_\_  
Eugenia Charles-Newton, Chairwoman

  
\_\_\_\_\_  
Laureen Spencer, Legislative Advisor  
Law and Order Committee

Committee Report

THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL to whom has been assigned;

LEGISLATION NO. 0130-19

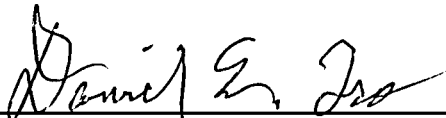
AN ACTION RELATING TO THE LAW AND ORDER, BUDGET AND FINANCE, NAABIK'IYATI COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING AND ADOPTING THE SIHASIN DILKON JUSTICE CENTER FUND EXPENDITURE PLAN PURSUANT TO 12 N.N.C. §§ 2501 - 2508

(Note: Eligible for Committee Action May 30, 2019)

Sponsor: Honorable Elmer P. Begay

Has had under consideration and report the same with the recommendation that Legislation 0130-19 PASS with no Amendment and no Directive; and therefore referred the same to the RESOURCES AND DEVELOPMENT COMMITTEE OF THE NAVAJO NATION COUNCIL

Respectfully Submitted,



---

Daniel E. Tso, Chairperson  
Health, Education and Human Services Committee

July 08, 2019 - Main Motion

Motion by: Honorable Pernell Halona

Seconded by: Honorable Paul Begay, Jr.

Vote: 4 in favor; 0 Opposed; Chairperson Not Voting

Yeas: Pernell Halona; Paul Begay, Jr.; Edison J. Wauneka; Charlaine Tso

Nays: None

Absent (excused): Nelson S. BeGaye

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE  
Regular Meeting  
July 08, 2019

Roll Call  
Vote Tally Sheet

LEGISLATION NO. 0130-19

AN ACTION RELATING TO THE LAW AND ORDER, BUDGET AND FINANCE,  
NAABIK'IYATI COMMITTEES, AND NAVAVJO NATION COUNCIL; APPROVING AND  
ADOPTING THE SIHASIN DILKON JUSTICE CENTER FUND EXPENDITURE PLAN  
PURSUANT TO 12 N.N.C. §§ 2501 - 2508

(Note: Eligible for Committee Action May 30, 2019)

Sponsor: Honorable Elmer P. Begay

July 08, 2019 - Main Motion

Motion by: Honorable Pernell Halona

Seconded by: Honorable Paul Begay, Jr.

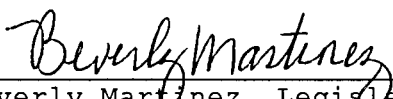
Vote: 4 in favor; 0 Opposed; Chairperson Not Voting

Yeas: Pernell Halona; Paul Begay, Jr.; Edison J. Wauneka; Charlaine Tso

Nays: None

Absent (excused): Nelson S. BeGaye

  
\_\_\_\_\_  
Daniel E. Tso, Chairperson  
Health, Education and Human Services Committee

  
\_\_\_\_\_  
Beverly Martinez, Legislative Advisor  
Health, Education and Human Services Committee

**RESOURCES AND DEVELOPMENT COMMITTEE  
24th NAVAJO NATION COUNCIL**

**FIRST YEAR 2019**

**COMMITTEE REPORT**

Mr. Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

**Legislation # 0130-19:** An Action Relating to the Law and Order, Budget and Finance, Naabik'Iyati Committees, and Navajo Nation Council; Approving and Adopting the Sihasin Dilkon Justice Center Fund Expenditure Plan Pursuant to 12 N.N.C. §§2501-2508     *Sponsor: Honorable Elmer Begay*

Has had it under consideration and reports a **DO PASS** with the following amendments

1.     Page 3, Line 20 and 21, Section Three. Paragraph "B" as follows:

B.     The Navajo Nation hereby approves and adopts funding to Dilkon Chapter for ~~thirty two million, nine hundred eighty two thousand, thirty dollars (\$32,982,030.00)~~ thirty-five million, nine hundred twenty-eight thousand, eight hundred and ninety dollars (\$35,928,980).

2.     Page 4, Line 5, Section Four, Paragraph "1" as follows:

1.     The Navajo Nation Controller shall determine whether the source of the annual allocations from the total allocation of ~~\$32,982,980.00~~ \$35,928,890.00 will be Sihasin Fund Principal or Income or a combination of both;

3.     Exchange the Exhibit B which has the total of \$32,982,030 to the new **Exhibit B** with the new total of \$35,928,890.

And thereafter the legislation was referred to Budget and Finance Committee.

Respectfully submitted,



Rickie Nez, Presiding Chairperson  
Resource and Development Committee of  
the 24th Navajo Nation Council

Date: November 20, 2019 – Regular Meeting

Meeting Location: NNC Chambers,  
Window Rock, Arizona

**MAIN MOTION:**

M: Mark A. Freeland      S: Herman M. Daniels      Vote: 3-0-1(CNV)

YEAS: Mark A. Freeland, Wilson C. Stewart, Jr., and Herman M. Daniels

EXCUSED: Kee Allen Begay, Jr. and Thomas Walker, Jr.

**AMENDMENT # 1:**

M: Mark A. Freeland      S: Wilson C. Stewart, Jr.      Vote: 3-0-1(CNV)

YEAS: Mark A. Freeland, Wilson C. Stewart, Jr., and Herman M. Daniels

EXCUSED: Kee Allen Begay, Jr. and Thomas Walker, Jr.

## THE NAVAJO NATION PROGRAM BUDGET SUMMARY

[illegible]

THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

FY 2020

PART I. PROGRAM INFORMATION:		Business Unit No.: <u>New</u>		Program Name/Title: <u>Dilkon Justice Center</u>					
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:									
Legislation Number: BF-S-37-07 Fund Management Plan and LOC-JY-07-13 Priority Listing									
PART III. PROGRAM PERFORMANCE CRITERIA:									
1. Goal Statement:									
<u>Prepare Bid Package for site development and construction.</u>									
Program Performance Measure:									
<u>Select a Construction contract for site development and construction</u>									
2. Goal Statement:									
<u>Bidding and Award services for General Contractors.</u>									
Program Performance Measure:									
<u>Execute contract with successful bidders.</u>									
3. Goal Statement:									
<u>To begin Construction Phase by May, 2020.</u>									
Program Performance Measure:									
<u>Start construction by May, 2020</u>									
4. Goal Statement:									
<u>Hire additional consultants for materials testing, special inspection, and code inspection.</u>									
Program Performance Measure:									
<u>Execute successful contract with qualified firms.</u>									
5. Goal Statement:									
Program Performance Measure:									
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.									
					Delores Greyeyes 11.15.19 Program Manager's Signature and Date				
					Jesse Delmar, Division Director Division Director/Branch Chief's Printed Name 11/15/19 Division Director/Branch Chief's Signature and Date				

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

FY 2020

PART I. PROGRAM INFORMATION:		Business Unit No.:		NEW	
Program Name/Title:		Dilkon Justice Center			
PART II. DETAILED BUDGET:					
(A)	(B)	(C)	(D)		
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)		
	Begin construction phase for a Medium District Public Safety, where 10 acres have been set aside for this project. This includes site development, roads, water and sewer lines, and construction.				
6520	Professional Services - Project Management Construction Phase Services		1,916,250	1,916,250	
	6530 - Fees \$ 1,766,250.00				
	6540 - Expenses \$ 150,000.00				
	Total \$ 1,916,250.00				
6810	Architecture/Design		787,500	787,500	
	6813 - Fees \$ 737,500.00				
	6814 - Expenses \$ 50,000.00				
	Total \$ 787,500.00				
6830	Other Technical Services		2,185,000	2,185,000	
	6840 - Feasibility Services				
	6845 - Environmental Assessment/Survey				
	6850 - Diagnostics/Testing/Evaluation				
	6855 - Inspection/Appraisal Fees				
	6865 - Technical Services Expenses				
	Total \$ 2,185,000.00				
9050	Building - Construction Phase		31,040,140	31,040,140	
	9052 - Building				
TOTAL			35,928,890	35,928,890	



# THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



## MEMORANDUM

TO : TO WHOM IT MAY CONCERN

FROM:

Jesse Delmar  
Jesse Delmar, Division Director  
Division of Public Safety

DATE: October 15, 2019

SUBJECT: STANDING DELEGATION OF AUTHORITY

This is notification that the following personnel have signature authority for Navajo Division of Public Safety, in my absence. They shall have the authority to administer, oversee, and monitor routine tasks in carrying all the duties and responsibilities associated with this office. This delegation is not transferable and shall not be sub-delegated.

### ACKNOWLEDGED:

1.

Phillip B. Francisco  
Phillip B. Francisco, Chief of Police  
Navajo Police Department

2.

Delores Greeyes  
Delores Greeyes, PhD, Director  
Department of Corrections

3.

Michael Henderson  
Michael Henderson, Director of Criminal Investigations  
Department of Criminal Investigations

If you have any questions, please contact our office at 928-871-6581.

DISTRIBUTION  
cc file

**RESOURCES AND DEVELOPMENT COMMITTEE**  
**24<sup>th</sup> Navajo Nation Council**  
**FIRST YEAR**

**ROLL CALL**  
**VOTE TALLY SHEET:**

**Legislation # 0130-19:** An Action Relating to the Law and Order, Budget and Finance, Naabik'Iyati' Committees, and Navajo Nation Council; Approving and Adopting the Sihasin Dilkon Justice Center Fund Expenditure Plan Pursuant to 12 N.N.C. §§2508. *Sponsor: Honorable Elmer Begay*

**November 20, 2019 – Regular Meeting**

**Meeting Location: Navajo Nation Council Chambers**  
**Window Rock, Arizona**

**MAIN MOTION:**

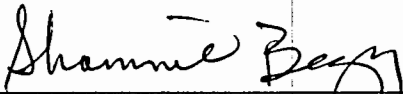
M: Mark A. Freeland S: Herman M. Daniels Vote: 3-0-1(CNV)  
YEAS: Mark A. Freeland, Wilson C. Stewart, Jr., and Herman M. Daniels  
EXCUSED: Kee Allen Begay, Jr. and Thomas Walker, Jr.

**AMENDMENT # 1:**

M: Mark A. Freeland S: Wilson C. Stewart, Jr. Vote: 3-0-1(CNV)  
YEAS: Mark A. Freeland, Wilson C. Stewart, Jr., and Herman M. Daniels  
EXCUSED: Kee Allen Begay, Jr. and Thomas Walker, Jr.



Honorable Rickie Nez, Presiding Chairperson  
Resources and Development Committee



Shammie Begay, Legislative Advisor  
Office of Legislative Services

**24<sup>th</sup> NAVAJO NATION COUNCIL**

First Year 2019

Mr. Speaker:

The **BUDGET & FINANCE COMMITTEE** to whom has been assigned

**NAVAJO LEGISLATIVE BILL # 0130-19:**

An Action Relating to the Law and Order, Budget and Finance, Naabikiyati Committees and Navajo Nation Council; Approving and adopting the Shihasin Dilkon Justice Center Fund Expenditure Plan Pursuant 12 N.N.C. §§ 2501-2508 *Sponsored by Elmer P. Begay, Council Delegate*

has had it under consideration and reports the same with the recommendation that It **Do Pass** without amendment.

And thereafter referred to the **NAABIKIYATI COMMITTEE**

Respectfully submitted,

  
\_\_\_\_\_  
Jamie Henio, Chairman

Adopted: 

Legislative Advisor

Not Adopted: \_\_\_\_\_

Legislative Advisor

**3 December 2019**

The vote was **4** in favor **1** opposed yeas: *Jimmy Yellowhair, Raymond Smith, Jr., Nathaniel Brown, Elmer P. Begay* nays: *Amber K. Crotty*  
Main Motion: *Jimmy Yellowhair*  
Second: *Nathaniel Brown*

## BUDGET AND FINANCE COMMITTEE

3 December 2019

Regular Meeting

### VOTE TALLY SHEET:

#### Legislation No. 0130-19:

An Action Relating to the Law and Order, Budget and Finance, Naabikiyati Committees and Navajo Nation Council; Approving and adopting the Shihasin Dilkon Justice Center Fund Expenditure Plan Pursuant 12 N.N.C. §§ 2501-2508 *Sponsored by Elmer P. Begay, Council Delegate*

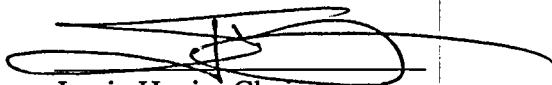
*Motion: Jimmy Yellowhair*

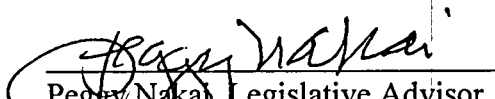
*Second: Nathaniel Brown*

*Vote: 4-1, Chairman not voting*

#### Vote Tally:

Jamie Henio		
Jimmy Yellowhair	yea	
Raymond Smith Jr.	yea	
Elmer P. Begay	yea	
Amber K. Crotty		nay
Nathaniel Brown	yea	

  
Jamie Henio, Chairman  
Budget & Finance Committee

  
Peggy Nakai, Legislative Advisor  
Budget & Finance Committee

**24<sup>th</sup> NAVAJO NATION COUNCIL  
NAABIK'ÍYÁTI' COMMITTEE REPORT  
Second Year 2020**

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

**NAVAJO LEGISLATIVE BILL #0130-19**

An Action Relating to the Law and Order, Budget and Finance, Naabik'iyáti' Committees, and Navajo Nation Council; Approving and Adopting the Síhasin Dilkon Justice Center Fund Expenditure Plan pursuant 12 N.N.C. §§ 2501 - 2508

*Sponsored by: Honorable Elmer P. Begay*

*Co-Sponsored by: Honorable Thomas Walker, Jr.*

Has had it under consideration and reports the same that the legislation **WAS REFERRED BACK TO THE LAW AND ORDER COMMITTEE.**

Respectfully Submitted,

  
*Honorable Seth Damon, Chairman*  
**NAABIK'ÍYÁTI' COMMITTEE**

**13 February 2020**

**REFERRAL MOTION**

*Motion to Refer Legislation 0130-19 back to the Law and Order Committee.*

*Motioned by: Honorable Thomas Walker, Jr.*

*Seconded by: Honorable Amber Kanazbah Crotty*

*Vote: 12 in Favor, 00 Opposed (Chairman Damon Not Voting)*

## NAVAJO NATION

2020 WINTER SESSION

2/13/2020

03:25:12 PM

Amd# to Amd#

Refer Legislation 0130-19

PASSED

MOT Walker, T

back to LOC

SEC Crotty

Yeas : 12

Nays : 0

Excused : 9

Not Voting : 2

Yea : 12

Begay, E

Brown

Nez, R

Tso, D

Begay, K

Charles-Newton

Stewart, W

Walker, T

Begay, P

Crotty

Tso, C

Wauneka, E

Nay : 0

Excused : 9

Daniels

Henio, J

Slater, C

Tso, E

Freeland, M

James, V

Smith

Yellowhair

Halona, P

Not Voting : 2

Tso, O

Yazzie

Presiding Speaker: Damon

**LAW AND ORDER COMMITTEE  
24<sup>TH</sup> NAVAJO NATION COUNCIL**

**FOURTH YEAR 2022**

**COMMITTEE REPORT**

Mr. Speaker,

The **LAW AND ORDER COMMITTEE** to whom has been assigned:

**Legislation No. 0130-19:** An Action Relating to the Law and Order, Budget and Finance, Naabik'iyati' Committees; and Navajo Nation Council; Approving and Adopting the Sihasin Dilkon Justice Center Fund Expenditure Plan Pursuant 12 N.N.C. §§ 2501 – 2508 – *Sponsors: Honorable Elmer Begay/Honorable Thomas Walker, Jr.*

Has had it under consideration and reports the same with the recommendation that it stay with Law and Order Committee.

This legislation is tabled for 15 days until all documents pertaining to the legislation and all required documents be provided by the agent. The legislation stays with Law and Order Committee until the task is completed.

(Per Section 164. Navajo Nation Council and Committee Legislative Process

A. 11. A legislation that was tabled by a committee with final approval authority over the matter shall remain with the committee until removed from table status. A legislation that was tabled by a committee without final approval authority over the matter shall move forward to subsequent assigned committee(s) or Navajo Nation Council).

And thereafter refer to Navajo Nation Council.

Respectfully submitted,



Eugenia Charles-Newton, Chairwoman  
Law and Order Committee  
24<sup>th</sup> Navajo Nation Council

Date: September 29, 2022

**Main Motion:**

Motion : Honorable Otto Tso  
Second : Honorable Edmund Yazzie  
Vote : 0-0-0 (Vote not taken)

## LAW AND ORDER COMMITTEE

**Special Meeting  
September 29, 2022**

**Legislation No. 0130-19:** An Action Relating to the Law and Order, Budget and Finance, Naabik'iyati' Committees; and Navajo Nation Council; Approving and Adopting the Sihasin Dilkon Justice Center Fund Expenditure Plan Pursuant 12 N.N.C. §§ 2501 – 2508 – *Sponsors: Honorable Elmer Begay/Honorable Thomas Walker, Jr.*

### **VOTE TALLY SHEET:**

#### **Main Motion:**

Motion: Honorable Otto Tso

Second: Honorable Edmund Yazzie

Vote: 0-0-0 (Vote not taken)

#### **Tabling Motion:**

Motion: Honorable Vince James

Second: Honorable Eugene Tso

Vote: 3-1-1


Yea: Honorable Vince James/Honorable Otto Tso/Honorable Eugene Tso

Nay: Honorable Edmund Yazzie

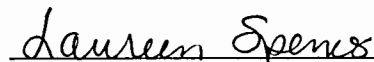
Not Voting: Honorable Eugenia Charles-Newton

Excused: None

Absent: None



Eugenia Charles-Newton, Chairwoman  
Law and Order Committee  
24<sup>th</sup> Navajo Nation Council



Laureen Spencer, Legislative Advisor  
Office of Legislative Services



# **24<sup>th</sup> NAVAJO NATION COUNCIL NAABIK'ÍYÁTI' COMMITTEE REPORT Fourth Year 2022**

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

## **NAVAJO LEGISLATIVE BILL #0130-19**

An Action Relating to the Law and Order, Budget and Finance, Naabik'íyáti' Committees, and Navajo Nation Council; Approving and adopting the Síhasin Dilkon Justice Center Fund Expenditure Plan pursuant 12 N.N.C. §§ 2501-2508

*Sponsored by: Honorable Elmer P. Begay*

*Co-Sponsored by: Honorable Thomas Walker, Jr.*

Has had it under consideration and reports the same that the legislation **PASSED AND IS REFERRED TO THE NAVAJO NATION COUNCIL.**

Respectfully Submitted,



*Honorable Jamie Henio, Chairman Pro Tem  
NAABIK'ÍYÁTI' COMMITTEE*

**19 December 2022**

### **MAIN MOTION**

*Motioned by: Honorable Thomas Walker, Jr.*

*Seconded by: Honorable Rickie Nez*

*Vote: 15 In Favor, 03 Opposed (Chairman Pro Tem Henio Not Voting)*

# NAVAJO NATION

1405

12/19/2022

Naa'bik'iyati' Committee Special Meeting

11:16:40 AM

Amd# to Amd#

Old Business: Item A.

PASSED

MOT Walker, T

-Legislation 0130-19: Approving

SEC Nez, R

and Adopting the Sihasin Dilkon

Justice Center Fund Expendi. . .

**Yeas : 15**

**Nays : 3**

**Excused : 2**

**Not Voting : 3**

## **Yea : 15**

Begay, E

Daniels

Smith

Walker, T

Begay, K

Freeland, M

Stewart, W

Wauneka, E

Begay, P

James, V

Tso, D

Yellowhair

Crotty

Nez, R

Tso, E

## **Nay : 3**

Charles-Newton

Slater, C

Halona, P

## **Excused : 2**

Tso, O

Damon

## **Not Voting : 3**

Brown

Tso, C

Yazzie

**Presiding Speaker: Henio, J**

# **24<sup>th</sup> NAVAJO NATION COUNCIL ACTION REPORT Fourth Year 2022**

The **NAVAJO NATION COUNCIL** to whom has been assigned:

## **NAVAJO LEGISLATIVE BILL #0130-19**

An Action Relating to the Law and Order, Budget and Finance, Naabik'iyáti' Committees, and Navajo Nation Council; Approving and adopting the Síhasin Dilkon Justice Center Fund Expenditure Plan pursuant 12 N.N.C. §§ 2501-2508

*Sponsored by: Honorable Elmer P. Begay*

*Co-Sponsored by: Honorable Thomas Walker, Jr.*

Has had it under consideration and reports the same that the legislation **FAILED (LEGISLATION DID NOT RECEIVE THE REQUIRED 16 IN FAVOR VOTES).**

Respectfully Submitted,



*Honorable Otto Tso, Speaker*

*24<sup>th</sup> NAVAJO NATION COUNCIL*

**29 December 2022**

### **MAIN MOTION**

*Motioned by: Honorable Elmer P. Begay*

*Seconded by: Honorable Thomas Walker, Jr.*

*Vote: 08 in Favor, 08 Opposed (Speaker Tso Not Voting)*

# NAVAJO NATION

1265

Navajo Nation Council Special Session

12/29/2022

02:56:18 PM

Amd# to Amd#

New Business: Item B.

FAILED

MOT Begay, E

-Legislation 0130-19: Approving

SEC Walker, T

and Adopting the Sihasin Dilkon

Justice Center Fund Expendi. . .

Yeas : 8

Nays : 8

Excused : 3

Not Voting : 4

Yea : 8

Begay, E

Brown

Henio, J

Walker, T

Begay, K

Daniels

Tso, E

Yazzie

Nay : 8

Begay, P

Crotty

James, V

Stewart, W

Charles-Newton

Halona, P

Nez, R

Yellowhair

Excused : 3

Tso, C

Slater, C

Freeland, M

Not Voting : 4

Damon

Smith

Wauneka, E

Tso, D

Presiding Speaker: Tso