LEGISLATIVE SUMMARY SHEET

Tracking No. <u>0371-15</u>

DATE: October 27, 2015

TITLE OF RESOLUTION: AN ACT RELATING TO LAW AND ORDER COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; AMENDING 2 N.N.C §183(F), PROHIBITING THE CONDUCT OF COMMITTEE AND COMMISSION MEETINGS WHILE THE NAVAJO NATION COUNCIL IS IN SESSION OR WHILE THE NAABIK'IYÁTI' COMMITTEE IS MEETING; FURTHER, PROHIBITING PAYMENT OF STIPEND OR REIMBURSEMENT FOR ATTENDANCE AT CHAPTER MEETINGS, INCLUDING PLANNING MEETINGS, DURING NAVAJO NATION COUNCIL SESSIONS OR DURING NAABIK'ÍYÁTI' COMMITTEE MEETINGS

PURPOSE: This resolution will prohibit the scheduling of committee and commission meetings while the Navajo Nation Council is in session or while the Naabik'iyáti' Committee is meeting. The resolution will also restrict the travel of delegates during Council sessions and Naabik'iyáti' Committee meetings. In addition to this, delegates will not be paid stipends or reimbursement for attending chapter meetings, including Planning meetings, conducted during Council sessions or during Naabik'iyáti' Committee meetings.

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.

	tion: ulslows Committee
1	PROPOSED NAVAJO NATION COUNCIL RESOLUTION
2	23rd NAVAJO NATION COUNCIL – First Year, 2015 Navajo Nation Council
3	INTRODUCED BY
4	A hullo a flat
5	(Xmlerkana fun Guvpx
6	(Prime Sponsor)
7	Amber Ranazbali Crotty
8	TRACKING NO. 0371-15
9	
10	AN ACT
11	RELATING TO LAW AND ORDER COMMITTEE, NAABIK'ÍYÁTI'
12	COMMITTEE AND THE NAVAJO NATION COUNCIL; AMENDING 2 N.N.C
13	§183(F), PROHIBITING THE CONDUCT OF COMMITTEE AND COMMISSION
14	MEETINGS WHILE THE NAVAJO NATION COUNCIL IS IN SESSION OR
15	WHILE THE NAABIK'ÍYÁTI' COMMITTEE IS MEETING; FURTHER,
16	PROHIBITING PAYMENT OF STIPEND OR REIMBURSEMENT FOR
17	ATTENDANCE AT CHAPTER MEETINGS, INCLUDING PLANNING
18	MEETINGS, DURING NAVAJO NATION COUNCIL SESSIONS OR DURING
19	NAABIK'ÍYÁTI' COMMITTEE MEETINGS
20	
21	BE IT ENACTED:
22	Section One. Findings
23	A. The Law and Order Committee of the Navajo Nation Council has the authority to
24	review and make recommendations to the Navajo Nation Council on proposed
25	amendments to and enactments to the Navajo Nation Code. 2 N.N.C.
26	§601(B)(14).
27	B. Pursuant to 2 N.N.C. §164(A)(9), "a proposed resolution that requires final action
28	by the Navajo Nation Council [must] be assigned to standing committee(s) having
29	authority over the subject matter at issue and the Naabik'iyati Committee."
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15-635-4

C. The Navajo Nation Council, pursuant to 2 N.N.C. §102(A), is the "governing body of the Navajo Nation ...".

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- D. Navajo Nation Council delegates are assigned to serve on standing committees of the Navajo Nation Council. 2 N.N.C. § 180. In addition, delegates, where permitted under Navajo Nation law, may be allowed to serve on governing boards of other Navajo Nation entities.
- E. It is important that delegates attend sessions of the Navajo Nation Council and meetings of the Naabik'íyátí Committee. Title 2 of the Navajo Nation Code mandates, "[a]ll delegates to the Navajo Nation Council shall attend all regular and special meetings of the Navajo Nation Council or Committees." 2 N.N.C. § 167. The presence of delegates at Council and Naabik'íyátí Committee meetings is essential because only delegates themselves, not anyone else, can debate and cast votes on agenda items. *Rule 22(F), Navajo Nation Council Rules of Order*. Meetings of boards and commissions, upon which delegates serve, should not conflict with the time when the Council is in session or when the Naabik'íyátí Committee is meeting.
 - F. It is in the best interest of the Navajo Nation that no meetings of boards and commissions, on which delegates serve, are to be held or conducted while the Navajo Nation Council is in session or while the Naabik'íyátí Committee is meeting. Meeting times should not conflict. For the same reasons, stipends and reimbursement should not be permitted for delegate attendance at chapter meetings or planning meetings during Council sessions or during Naabik'íyátí Committee meetings.

Section Two. Amending 2 N.N.C. §183(F)

The Navajo Nation Council hereby amends 2 N.N.C. §183(F) as follows:

"No committee or commission meeting shall be held while the Navajo Nation Council is in special or regular session or while the Naabik'iyati' Committee is meeting, except to consider a matter which is already a part of the agenda for the Council session, or the Naabik'iyati' Committee meeting, then in progress and for which committee or commission action is a legal condition precedent to action by the Council or the Naabik'iyati' Committee. Nor shall t The Speaker shall not approve travel for any member of the Council which is to take place during a special or regular session of the Council requests of delegates for travel when the Council will be in session or when the Naabik'íyáti' Committee will be meeting except when such travel is to conduct a meeting with, or to give official testimony to, the government of another sovereign. Further, no delegate shall receive a stipend or reimbursement for attending a Chapter meeting, including planning meetings, conducted during a Council session or during a Naabik'íyáti' Committee meeting.

Section Three. Effective date

The amendments enacted herein shall be effective pursuant to 2 N.N.C. §221(B).

Section Four. Codification

The provisions of these amendments of the Navajo Nation Code shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such amendments in the next codification of the Navajo Nation Code.

Section Five. Savings Clause

Should any provision of these amendments be determined invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation without appeal to the Navajo Nation Supreme Court, those amendments that are not determined invalid shall remain the law of the Nation. *Office of Legislative Counsel Telephone: (928) 871-7166 Fax # (928) 871-7576*



Honorable LoRenzo Bates Speaker 23rd Navajo Nation Council

MEMORANDUM

To : Hon. Amber Crotty, Council Delegate Navajo Nation Council

From :

Ron Haven, Attorney Office of Legislative Counsel

- Date : October 27, 2015
- Re : AN ACT RELATING TO LAW AND ORDER COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; AMENDING 2 N.N.C §183(F), PROHIBITING THE CONDUCT OF COMMITTEE AND COMMISSION MEETINGS WHILE THE NAVAJO NATION COUNCIL IS IN SESSION OR WHILE THE NAABIK'ÍYÁTI' COMMITTEE IS MEETING; FURTHER, PROHIBITING PAYMENT OF STIPEND OR REIMBURSEMENT FOR ATTENDANCE AT CHAPTER MEETINGS, INCLUDING PLANNING MEETINGS, DURING NAVAJO NATION COUNCIL SESSIONS OR DURING NAABIK'ÍYÁTI' COMMITTEE MEETINGS

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 drafted is legally sufficient. However, as with all legislation, it can be subject to review by the courts in the event of proper challenge. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment.

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. Ahéhee'.

THE NAVAJO NATION LEGISLATIVE BRANCH INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0371-15____

SPONSOR: Amber Kanazbah Crotty

TITLE: An Action Relating To Law and Order Committee, Naa'bik'iyati' Committee and the Navajo Nation Council; Amending 2 N.N.C. § 183(F), Prohibiting the Conduct of Committee and Commission Meetings While the Navajo Nation Council is in Session or While the Naa'bik'iyati' Committee is Meeting; Further, Prohibiting Payment of Stipend or Reimbursement for Attendance at Chapter Meetings, Including Planning Meetings, During Navajo Nation Council Sessions or During Naa'bik'iyati' Committee Meetings

Date posted: October 30, 2015 at 3:44pm

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) 871-7590

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 Nav, ajo 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.: 0371-15

SPONSOR: Honorable Amber Kanazbah Crotty

TITLE <u>An Action Relating To Law And Order Committee, Naa'bik'iyati'</u> Committee And The Navajo Nation Council; Amending 2 N.N.C. § 183(F), Prohibiting The Conduct Of Committee And Commission Meetings While The Navajo Nation Council Is In Session Or While The Naa'bik'iyati' Committee Is Meeting; Further, Prohibiting Payment Of Stipend Or Reimbursement For Attendance At Chapter Meetings, Including Planning Meetings, During Navajo Nation Council Sessions Or During Naa'bik'iyati' Committee Meetings.

Posted: October 30, 2015 at 3:44pm

5 DAY Comment Period Ended: November 4, 2015

Digital Comments received:

Comments Supporting	None
Comments Opposing	None
Inclusive Comments (1)	1. Al Kee

Executive Director Office of Legislative Services

11/5/2015 - 9',00 mm

Date/Time

re: Council committee-board meetings prohibition

Al Kee <keealvis@hotmail.com>

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ie 100 ⇒:⊶EV
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comments <comments@navajo-nsn.gov>;

The legislation about prohibiting council or board meetings council members are on initially sounded appropriate.

But directing committees, board and/or Chapter meetings to alter their meeting dates for the convenience of council members to participate appears more of a concern for stipends.

Has the Navajo Nation leadership forgotten that "the role of a leader is to serve and not to rule"

LAW AND ORDER COMMITTEE 23rd NAVAJO NATION COUNCIL

FIRST YEAR 2015

COMMITTEE REPORT

Mr. Speaker,

The LAW AND ORDER COMMITTEE to whom has been assigned:

Legislation # 0371-15: An Act Relating to Law and Order Committee, Naabik'íyáti' Committee and the Navajo Nation Council; Amending 2 N.N.C. §183(F), Prohibiting the Conduct of Committee and Commission Meetings while the Navajo Nation Council is in Session or while the Naabik'íyáti' Committee is Meeting; Further, Prohibiting Payment of Stipend or Reimbursement for Attendance at Chapter Meetings, Including Planning Meeting, During Navajo Nation Council Sessions or During Naabik'íyáti' Committee Meetings.

Has had it under consideration and reports the matter **Tabled**, **Referring the Legislation to the** *Naabik'iyáti' Title 2 Reform Subcommittee* for Review and will subsequently return to the Law and Order Committee.

Respectfully submitted,

Kee Allen Begay, Jr., Chairperson Pro-Tempore Law and Order Committee of the 23rd Navajo Nation Council

Date: November 16, 2015

Tabling Motion: E.Yazzie Second: O. Tso Vote: 2-1

Main Motion: O. Tso Second: J. Perry Vote:

23rd NAVAJO NATION COUNCIL NAABIK'ÍYÁTI' COMMITTEE REPORT Second Year 2016

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

NAVAJO LEGISLATIVE BILL #0371-15

An Act Relating to Law and Order Committee, Naabik'íyáti' Committee, and the Navajo Nation Council; Amending 2 N.N.C. § 183 (F), Prohibiting the Conduct of Committee and Commission Meetings While the Navajo Nation Council is in Session or While the Naabik'íyáti' Committee is Meeting; Further, Prohibiting Payment of Stipend or Reimbursement for Attendance at Chapter Meetings, Including Planning Meetings, During Navajo Nation Council Sessions or During Naabik'íyáti' Committee Meetings

> Sponsored by: Honorable Amber Kanazbah Crotty Co-Sponsored by: Honorable Leonard Tsosie

Has had it under consideration and reports the same FAILED AND REFERRED TO THE NAVAJO NATION COUNCIL

Respectfully Submitted,

Honorable LoRenzo Bates, Chairman NAABIK'ÍYÁTI' COMMITTEE

10 NOVEMBER 2016

MAIN MOTION:

Motioned by:Honorable Seth DamonSeconded by:Honorable Jonathan Perry

Vote: 07 in Favor, 10 Opposed (Chairman Bates not voting)

FAILED AMENDMENT:

AMENDMENT #1:

On Page 3, Line 9, insert the words after, "including planning meetings", and reimbursement for travel

MAIN MOTION:

Motioned by:Honorable Norman M. BegaySeconded by:Honorable Seth Damon

Vote: 08 in Favor, 09 Opposed (Chairman Bates not voting)

.

DATE: _	Naal	bik'iya Nov.	Nation Council ti' Committee 10,2016	(19
Legislation 0371-15			tion)	
Motion	SD	man		
Motion Second	SP	~~~		-
	01.	1		_
ALL DELEGATES:			BY COMMITTEE:	
	Yea	Nay		Yea Nay TOTAL
BATES, LoRenzo	100	100	BFC:	
BEGAY, Kee Allen Jr.	and and		CHEE, Tom T.	all takes
BEGAY, Norman M.	Ø	2	DAMON, Seth	THE ST
BEGAYE, Nelson	V	1012.54	JACK, Lee Sr.	and the second second
BENNETT, Benjamin L.	V	39.23	SLIM, Tuchoney Jr.	1000 C
BROWN, Nathaniel		V	WITHERSPOON, Dwight	and the second states of the
CHEE, Tom T.		V	TSOSIE, Leonard	22.2120
CROTTY, Amber K.			HEHSC:	
DAMON, Seth	V	1000	BEGAY, Norman M.	
DANIELS, Herman		1.1	BEGAYE, Nelson	
FILFRED, Davis		10	BROWN, Nathaniel	
HALE, Jonathan L.		1.	CROTTY, Amber K.	
JACK, Lee Sr.	ngawiyes (4	V	HALE, Jonathan L.	94. 3. ⁴
PERRY, Jonathan		V.	YAZZIE, Peterson	1
PETE, Leonard H.		V	LOC:	
PHELPS, Walter	1	V	BEGAY, Kee Allen Jr.	
SHEPHERD, Alton Joe		11	DANIELS, Herman	
SLIM, Tuchoney Jr.		6	SMITH, Raymond Jr.	11
SMITH, Raymond Jr.	. ,	V	TSO, Otto	
TSO, Otto	V	Co al a	YAZZIE, Edmund	22.5
TSOSIE, Leonard	V.	100.000	RDC:	
WITHERSPOON, Dwight	V	1220	BENNETT, Benjamin L.	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
YAZZIE, Edmund	100	12.20	FILFRED, Davis	100
YAZZIE, Peterson	1		PERRY, Leonard	
	M	D	PETE, Leonard H.	and the second second
	1	IV	PHELPS, Walter	and the second sec
	6		SHEPHERD, Alton Joe	20. 24
			SPEAKER:	
		4	BATES, LoRenzo	
GRAND TOTAL	M	N	(Votes only in a tie)	
	1	1		
CERTIFICATION:				
Honorable LoRenzo Bates			5 C	
Speaker				

23nd Navajo Nation Council				
Naabik'iyati' Committee				â
DATE: NOV. 10,2016				
Legislation $0371-5$	_ (Am	endm	ent #)	
Motion:	Ν	MBeg	ay	- Pg 3 lim 9, usertin
Second:	-	James)
			<u>~</u>	—
ALL DELEGATES:			BY COMMITTEE:	
	Yea	Nay		Yea Nay TOTAL
BATES, LoRenzo		and the	BFC:	
BEGAY, Kee Allen Jr.			CHEE, Tom T.	2,42,65
BEGAY, Norman M.	V	Lacin's	DAMON, Seth	
BEGAYE, Nelson	V	100	JACK, Lee Sr.	100 and
BENNETT, Benjamin L.	V	1.7.1.23	SLIM, Tuchoney Jr.	and the second se
BROWN, Nathaniel		V	WITHERSPOON, Dwight	
CHEE, Tom T.		V	TSOSIE, Leonard	
CROTTY, Amber K.	1. 12	and the second	HEHSC:	
DAMON, Seth	V	1000	BEGAY, Norman M.	
DANIELS, Herman		0.25219	BEGAYE, Nelson	214-30-
FILFRED, Davis		1.13	BROWN, Nathaniel	
HALE, Jonathan L.		No.	CROTTY, Amber K.	
JACK, Lee Sr.	Ange oper to Spectrum and a strand are part	-1-	HALE, Jonathan L.	
PERRY, Jonathan	6	In the second	YAZZIE, Peterson	
PETE, Leonard H.	1	12 12 12 12	LOC:	
PHELPS, Walter	1	11	BEGAY, Kee Allen Jr.	
SHEPHERD, Alton Joe		V	DANIELS, Herman	
SLIM, Tuchoney Jr.		1	SMITH, Raymond Jr.	and the second
SMITH, Raymond Jr.		1	TSO, Otto	
TSO, Otto	12	V	YAZZIE, Edmund	
TSOSIE, Leonard	1		RDC:	
the second se	4			
WITHERSPOON, Dwight		V	BENNETT, Benjamin L.	
YAZZIE, Edmund			FILFRED, Davis	
YAZZIE, Peterson	1	16	PERRY, Leonard	
	8	191	PETE, Leonard H.	
	0	L	PHELPS, Walter	
			SHEPHERD, Alton Joe	
			SPEAKER:	
	0.00	9	BATES, LoRenzo	and the second s
GRAND TOTAL	0		(Votes only in a tie)	- Alder St
K				All Andrews and
CERTIFICATION				
		1.1		
Honorable LoRenzo Bates				
Speaker		1		

23rd NAVAJO NATION COUNCIL COMMITTEE REPORT Third Year 2017

The NAVAJO NATION COUNCIL to whom has been assigned:

NAVAJO NATION LEGISLATION #0371-15

An Act Relating to Law and Order Committee, Naabik'íyáti' Committee, and the Navajo Nation Council; Amending 2 N.N.C. § 183 (F), Prohibiting the Conduct of Committee and Commission Meetings While the Navajo Nation Council is in Session or While the Naabik'íyáti' Committee is Meeting; Further, Prohibiting Payment of Stipend or Reimbursement for Attendance at Chapter Meetings, Including Planning Meetings, During Navajo Nation Council Sessions or During Naabik'íyáti' Committee Meetings

> Sponsored by: Honorable Amber Kanazbah Crotty Co-Sponsored by: Honorable Leonard Tsosie

Has had it under consideration and reports the same FAILED (2/3 OF FULL COUNCIL NOT MET)

Respectfully Submitted,

Honorable LoRenzo Bates, Speaker NAVAJO NATION COUNCIL

24 JANUARY 2017

AMENDMENT #1:

On Page 2, Line 30, insert new language after the words "which is" an emergency matter or

Motioned by: Honorable Leonard Tsosie Seconded by: Honorable Otto Tso

Vote: 13 in Favor, 7 Opposed (Speaker Bates not voting)

MAIN MOTION: FAILED - NEEDED 16 IN FAVOR VOTES

Motioned by: Honorable Leonard Tsosie Seconded by: Honorable Leonard Pete

Vote: 11 in Favor, 10 Opposed (Speaker Bates not voting)

FAILED MOTIONS:

MOTION: Refer to Naabik'íyáti' Committee who will refer to Title Two Subcommittee to be considered at the next regular session

Motioned by: Honorable Edmund Yazzie Seconded by: Honorable Herman M. Daniels

Vote: 9 in Favor, 11 Opposed (Speaker Bates not voting)

`	23nd Navajo Nation Council
1	Winter Session
	DATE: January 24, 2017
Legislation _	0371-15 (Amendment # 1)

Motion: Tsosie Second: Tso

ALL DELEGATES:

	Yea	Nay
BATES, LoRenzo		
BEGAY, Kee Allen Jr.	V	5. A.
BEGAY, Norman M.	V	- 1995
BEGAYE, Nelson	V	2200
BENNETT, Benjamin L.	12	V
BROWN, Nathaniel	V	11124
CHEE, Tom T.		V
CROTTY, Amber K.	V	15/12
DAMON, Seth	V	. 24
DANIELS, Herman	1.52.5	V
FILFRED, Davis	V	
HALE, Jonathan L.	V	1
JACK, Lee Sr.		3.4
PERRY, Jonathan	1-32	1.5.0-
PETE, Leonard H.		V
PHELPS, Walter	~	With the
SHEPHERD, Alton Joe	V	200 T
SLIM, Tuchoney Jr.	21000	V
SMITH, Raymond Jr.	1.2.2	V
TSO, Otto	V	1214.8
TSOSIE, Leonard	V	12.50
WITHERSPOON, Dwight	6.5	
YAZZIE, Edmund	200	V
YAZZIE, Peterson	V	25152

GRAND TOTAL

13 7 17

CERTIFICATION:

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Honorable LoRenzo Bates Speaker

23nd Navajo Nation Council

Winter Session

DATE: January 24, 2017

REFER to Naabik'iyati Committee who will refer to T2 Subcommittee

MOTION:	Elazzie
SECOND:	Daniels

ALL DELEGATES:

	Yea	Nay
BATES, LoRenzo		
BEGAY, Kee Allen Jr.	V	
BEGAY, Norman M.		
BEGAYE, Nelson		V
BENNETT, Benjamin L.		V
BROWN, Nathaniel	V	
CHEE, Tom T.	V	
CROTTY, Amber K.		レ
DAMON, Seth		1
DANIELS, Herman	V	
FILFRED, Davis	V	
HALE, Jonathan L.		V
JACK, Lee Sr.		
PERRY, Jonathan		
PETE, Leonard H.	V	
PHELPS, Walter		V
SHEPHERD, Alton Joe		V
SLIM, Tuchoney Jr.		V
SMITH, Raymond Jr.	V	
TSO, Otto		V
TSOSIE, Leonard		~
WITHERSPOON, Dwight		~
YAZZIE, Edmund	V	
YAZZIE, Peterson	V	

GRAND TOTAL



CERTIFICATION:

Honorable LoRenzo Bates

23nd Navajo Nation Council

W	inter	Session
	IIICCI.	26331011

DATE: _____ January 24, 2017

Legislation _	0371-15	🧕 (Main Motion)	
	Motion:	ISOSIE	
	Second:	Pete	

ALL DELEGATES:

1 G

	Yea	Nay
BATES, LoRenzo		
BEGAY, Kee Allen Jr.	V	
BEGAY, Norman M.	V	
BEGAYE, Nelson	V	See
BENNETT, Benjamin L.	V	132
BROWN, Nathaniel	V	
CHEE, Tom T.		レ
CROTTY, Amber K.	V	
DAMON, Seth	V	
DANIELS, Herman		V
FILFRED, Davis		V
HALE, Jonathan L.	V	
JACK, Lee Sr.		
PERRY, Jonathan		
PETE, Leonard H.		5
PHELPS, Walter		V
SHEPHERD, Alton Joe	V	
SLIM, Tuchoney Jr.	12200	V
SMITH, Raymond Jr.		ア
TSO, Otto		200
TSOSIE, Leonard	V	2015
WITHERSPOON, Dwight		V
YAZZIE, Edmund		V
YAZZIE, Peterson		V

GRAND TOTAL

0



CERTIFICATION:

0 Honorable LoRenzo Bates

Honorable LoRenzo Bate Speaker