

23rd NAVAJO NATION COUNCIL Second Year 2016

Mr. Speaker:

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

NAVAJO LEGISLATIVE BILL #0112-16

An Action Relating to Law and Order and Naabik'iyati' Committee and the Navajo Nation Council;
Amending 2 N.N.C. §§ 953 and 954, the Office of Legislative Services

Sponsored by: Honorable Jonathan Perry

Has had it under consideration and reports the same with the recommendation that legislation
FAILED

Respectfully Submitted,



*Honorable LoRenzo C. Bates, Chairman
Naabik'iyati' Committee*

20 APRIL 2016

MAIN MOTION:

Motioned: Honorable Jonathan L. Hale

Seconded: Honorable Tom T. Chee

VOTE: 15 in Favor, 03 Opposed (Chairman Bates not voting)

FAILED DUE TO NEEDING 16 IN FAVOR VOTES

NAVAJO NATION

RCS# 435

Spring Session

4/20/2016
01:22:48 PM

Amd# to Amd#

Legislation No. 0112-16

FAILED

MOT Hale

Amending 2 N.N.C. Section

SEC Chee

953 and 954, the Office of
Legislative Services

Yea : 15

Nay : 3

Not Voting : 5

Yea : 15

Begay, K
BeGaye, N
Brown
Chee

Crotty
Damon
Daniels
Hale

Perry
Pete
Shepherd
Slim

Tsosie
Witherspoon
Yazzie

Nay : 3

Tso

Phelps

Filfred

Not Voting : 5

Bates
Begay, NM

Bennett

Jack

Smith

LEGISLATIVE SUMMARY SHEET

Tracking No. 0112-14

DATE: April 5, 2016

TITLE OF RESOLUTION: AN ACTION RELATING TO LAW AND ORDER AND
NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL;
AMENDING 2 N.N.C. §§ 953 AND 954, THE OFFICE OF LEGISLATIVE SERVICES

PURPOSE: This resolution, if approved, will amend certain sections of the Navajo Nation Code relative to the Office of Legislative Services to include additional duties and responsibilities while reducing some duties related to monitoring and reporting on federal and state legislation.

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.

5-DAY BILL HOLD PERIOD: None
Website Posting Time/Date: 4:58pm 4/15/16
Posting End Date: 4/16/2016
Eligible for Action: 4/16/2016

Law & Order Committee

THENCE

Naa'bik'íyáti' Committee


THENCE

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

23rd NAVAJO NATION COUNCIL – Second Year, 2016

Navajo Nation Council

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0112-16

AN ACTION

RELATING TO LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES AND
THE NAVAJO NATION COUNCIL; AMENDING 2 N.N.C. §§ 953 AND 954, THE
OFFICE OF LEGISLATIVE SERVICES

Section One. Authority

- A. The Law and Order Committee of the Navajo Nation Council, pursuant to 2 N.N.C. § 601(B)(14), reviews and makes recommendations to the Navajo Nation Council on proposed amendments to and enactments in the Navajo Nation Code.
- B. The Naabik'íyáti' Committee of the Navajo Nation Council, pursuant to 2 N.N.C. § 164(A)(9), reviews proposed legislation which requires final action by the Navajo Nation Council and pursuant to 2 N.N.C. § 701(A)(5) serves as the oversight committee for the Office of Legislative Services.
- C. The Navajo Nation Council, pursuant to 2 N.N.C. § 164(A), reviews and approves, by resolution, enactments of positive law.

Section Two. Findings

- A. The Office of Legislative Services, established within the Legislative Branch, shall provide complete and full range of professional, technical and administrative support services to the Navajo Nation Council, unstaffed

1 Commissions, Task Forces or Boards of the Navajo Nation Council, Council
2 Delegates and the certified Chapters of the Navajo Nation. 2 N.N.C. §§ 951
3 and 952.

4 B. The Executive Director of the Office of Legislative Services is currently
5 responsible for program planning, staff, direction and general supervision,
6 budget preparation, implementation, management and control, and property
7 and facilities coordination and management within the Office of Legislative
8 Services. 2 N.N.C. § 953.

9 C. With the changes in the composition of the Navajo Nation Council and the
10 legislative process, the responsibilities of the Office of Legislative Services
11 have expanded beyond the current general duties and responsibilities;
12 however, at the same time the responsibilities of the Office of Legislative
13 Services have diminished in some areas, such as the reliance on contractors to
14 monitor federal and state legislative actions.

15 D. It is in the best interest of the Navajo Nation Legislative Branch and the
16 Navajo Nation Council to amend the Office of Legislative Services duties and
17 responsibilities to incorporate new duties and responsibilities as well as tailor
18 the current duties and responsibilities to fit the need.

19
20 **Section Three. Amending 2 N.N.C. § 953 and 954, the Office of Legislative Services**

21
22 **TITLE 2. NAVAJO NATION GOVERNMENT**
23 **CHAPTER 3. LEGISLATIVE BRANCH**
24 **SUBCHAPTER 12. LEGISLATIVE OFFICES**
25 **ARTICLE 1. OFFICE OF LEGISLATIVE SERVICES**

26 ****

27 **§ 953. Executive Director**

28
29 A. The Office of Legislative Services shall be headed by an Executive Director, who
30 shall be recommended for appointment by the Speaker in consultation with the

1 Naabik'íyáti' Committee and subsequently confirmed by the Navajo Nation Council.
2 The Executive Director will be administratively responsible to the Speaker and serve
3 at the pleasure of the Naabik'íyáti' Committee of the Navajo Nation Council. The
4 Executive Director will be responsible for: program planning and administration; ~~staff;~~
5 Navajo Nation Council and Committee Legislative Process guidance including
6 policy recommendations to the Naabik'iyati' Committee, and the development and
7 implementation of procedures; direction and general supervision of staff; budget
8 preparation, implementation, management and control; and property and facilities
9 coordination and management within the Office of Legislative Services.

10 B. The Executive Director shall faithfully and diligently execute all duties and
11 authorities delegated by Law.

12 13 **§ 954. Organization and functions**

14 The Executive Director shall establish an organizational structure which shall provide
15 for the following primary organizational functions within the Legislative Branch:

- 16 A. General Services, which shall include processing of payroll and budget expenditures
17 for travel, supplies, equipment, etc., personnel administration and management,
18 property and facilities coordination and management;
- 19 B. Advising, Reporting and Clerical Services, which shall include recording meetings,
20 transcription and maintenance of Council and standing committee meetings and
21 resolutions, minutes and journals, resolution processing, agenda preparation and
22 provision of secretarial services to Council Delegates.
- 23 C. Legislative Research, which shall include researching ~~for preparation of Council and~~
24 ~~Committee legislation~~, monitoring and analysis of pending legislation, and providing
25 technical assistance (including English to Navajo and Navajo to English
26 interpretation) in resolution processing and discussion, and coordination with various
27 Council Delegates, Navajo Nation programs, departments, Divisions on proposed,
28 pending and approved legislation. ~~In addition, this organizational unit shall perform~~
29 ~~various intergovernmental relations functions, which shall include monitoring of~~
30 ~~federal, state and other legislative actions, providing periodic reports on these matters~~

1 ~~to the appropriate standing committees, Navajo Nation offices and officials, and the~~
2 ~~full Navajo Nation Council.~~

3 ~~D. Support services to the Office of Legislative Counsel.~~

4 ****

5
6
7 **Section Four. Effective Date**

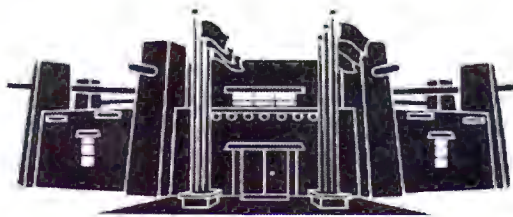
8 The Navajo Nation Code amendment enacted herein shall be effective pursuant to 2
9 N.N.C. § 221(B).

10
11 **Section Five. Codification**

12 The provisions of this Act which amend or adopt new sections of the Navajo Nation
13 Code shall be codified by the Office of Legislative Counsel. The Office of Legislative
14 Counsel shall incorporate such amended provisions in the next codification of the
15 Navajo Nation Code.

16
17 **Section Six. Saving Clause**

18 Should any provisions of this ordinance be determined invalid by the Navajo Nation
19 Supreme Court, or the District Courts of the Navajo Nation, without appeal to the
20 Navajo Nation Supreme Court, those portions of this ordinance which are not
21 determined invalid shall remain the law of the Navajo Nation.



MEMORANDUM

TO: Hon. Jonathan Perry
Navajo Nation Council

FROM: 
Levon B. Henry, Chief Legislative Counsel
Office of Legislative Counsel

DATE: April 5, 2016

SUBJECT: AN ACTION RELATING TO LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; AMENDING 2 N.N.C. §§ 953 AND 954, THE OFFICE OF LEGISLATIVE SERVICES

Pursuant to your request, attached is the above-referenced proposed resolution and associated legislative summary sheet. Based on existing law, the resolution as drafted is legally sufficient. However, as with all legislation, it is subject to review by the courts in the event of a challenge.

The Office of Legislative Council confirms the appropriate standing committee(s) reviews based on the standing committees powers outlined in 2 N.N.C. §§ 301, 401, 501, 601 and 701. 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).

Please review the proposed resolution to ensure it is drafted to your satisfaction. If this proposed resolution is acceptable to you, please sign it where it indicates "Prime Sponsor", and submit it to the Office of Legislative Services for the assignment of a tracking number and referral to the Speaker.

If the proposed resolution is unacceptable to you, or if you have further questions, please contact me at the Office of Legislative Counsel and advise me of changes you would like made to the proposed resolution. You may contact me at (928) 871-7166. Thank you.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0112-16_____

SPONSOR: Jonathan Perry

TITLE: An Action Relating To Law And Order And Naabik'iyati' Committee And The Navajo Nation Council; Amending 2 N.N.C. §§ 953 And 954, The Office Of Legislative Services.

Date posted: April 5, 2016 at 4:58pm

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 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.: 0112-16

SPONSOR: Honorable Jonathan Perry

TITLE: An Action Relating To Law And Order And Naabik'iyati' Committee And The Navajo Nation Council; Amending 2 N.N.C. §§ 953 And 954, The Office Of Legislative Services

Posted: April 5, 2016 at 4:58 pm

5 DAY Comment Period Ended: April 10, 2016

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Inclusive Comments	<i>None</i>



Policy Analyst
Office of Legislative Services

4/11/16 8:57am

Date/Time

**LAW AND ORDER COMMITTEE
23RD NAVAJO NATION COUNCIL**

SECOND YEAR 2016

COMMITTEE REPORT

Mr. Speaker,

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

Legislation No. 0112-16: An Action Relating to Law and Order and Naabik'iyati' Committees and the Navajo Nation Council; Amending 2 N.N.C. §§ 953 and 954, The Office of Legislative Services – Sponsor: Hon. Jonathan Perry

Has had it under consideration and report the same with a **DO PASS** with no amendment; thereafter referred to Naabik'iyati' Committee

Respectfully submitted,



Raymond Smith, Jr., Pro Tem Chairperson
Law and Order Committee
23rd Navajo Nation Council

Date: April 11, 2016

Main Motion: Honorable Otto Tso
Second : Honorable Jonathan Perry
Vote : 2-0 (Pro Tem Chairperson not voting)

23rd NAVAJO NATION COUNCIL
Naabik'iyáti' Committee
Second Year 2016

Mr. Speaker:

The **Naabik'iyáti' Committee** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0112-16

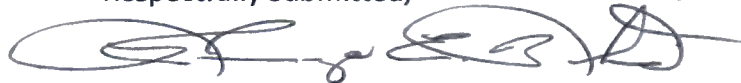
An Action Relating to Law and Order and Naabik'iyati' Committee and the Navajo Nation Council;
Amending 2 N.N.C. §§ 953 and 954, the Office of Legislative Services

Sponsored by: Honorable Jonathan Perry

Has had it under consideration and reports the same with the recommendation that legislation
PASSED WITH ONE AMENDMENT

And therefore, referred to the **NAVAJO NATION COUNCIL**

Respectfully Submitted,



Honorable LoRenzo C. Bates, Chairman
Naabik'iyáti' Committee

13 APRIL 2016

AMENDMENT #1: Page 4 line 3, keep language same, remove strikeover: "D. Support services to the Office of Legislative Counsel."

Motioned: Honorable Otto Tso

Seconded: Honorable Leonard Tsosie

Vote: 13 in Favor, 00 Opposed (Chairman Bates not voting)

MAIN MOTION:

Motioned: Honorable Jonathan L. Hale

Seconded: Honorable Norman Begay

VOTE: 12 in Favor, 01 Opposed (Chairman Bates not voting)

22nd Navajo Nation Council - Naabik'iyati' Committee

Naabik'iyati' Committee

Wednesday, April 13, 2016

0112-16 - Amendment 1 - M: Tso; S: Tsosie

ALL DELEGATES:

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

GRAND TOTAL

13 0

BY COMMITTEE:

BFC:

	Yea	Nay	TOTAL
BEGAY, Mel R.	0	0	
CHEE, Tom T.	1	0	
DAMON, Seth	1	0	
JACK, Lee Sr.	1	0	
SLIM, Tuchoney	1	0	
WITHERSPOON, Dwight	1	0	5

HEHSC:

	Yea	Nay	TOTAL
BEGAY, Norman M.	1	0	
BEGAYE, Nelson	1	0	
BROWN, Nathaniel	0	0	
CROTTY, Amber K.	0	0	
DANIEL, Herman Jr.	1	0	
HALE, Jonathan L.	1	0	4

LOC:

	Yea	Nay	TOTAL
BEGAY, Kee Allen Jr.	0	0	
PERRY, Jonathan	1	0	
SMITH, Raymond Jr.	0	0	
TSO, Otto	1	0	
YAZZIE, Edmund	0	0	2

RDC:

	Yea	Nay	TOTAL
BENNETT, Benjamin L.	0	0	
FILFRED, Davis	1	0	
PETE, Leonard H.	0	0	
PHELPS, Walter	0	0	
SHEPHERD, Alton Joe	0	0	
TSOSIE, Leonard	1	0	2

SPEAKER:

	Yea	Nay	TOTAL
BATES, LoRenzo	0	0	
	13	0	

CERTIFICATION:



Honorable LoRenzo Bates
Speaker

22nd Navajo Nation Council - Naabik'iyati' Committee

Naabik'iyati' Committee

Wednesday, April 13, 2016

0112-16 - Main Motion - M: Hale; S: NorBegay

ALL DELEGATES:

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

GRAND TOTAL

12 1

BY COMMITTEE:

BFC:

BEGAY, Mel R.
CHEE, Tom T.
DAMON, Seth
JACK, Lee Sr.
SLIM, Tuchoney
WITHERSPOON, Dwight

Yea	Nay	TOTAL
0	0	
1	0	
1	0	
1	0	
1	0	
1	0	5

HEHSC:

BEGAY, Norman M.
BEGAYE, Nelson
BROWN, Nathaniel
CROTTY, Amber K.
DANIEL, Herman Jr.
HALE, Jonathan L.

Yea	Nay	TOTAL
1	0	
1	0	
0	0	
0	0	
1	0	
1	0	4

LOC:

BEGAY, Kee Allen Jr.
PERRY, Jonathan
SMITH, Raymond Jr.
TSO, Otto
YAZZIE, Edmund

Yea	Nay	TOTAL
0	0	
1	0	
0	0	
1	0	
0	0	2

RDC:

BENNETT, Benjamin L.
FILFRED, Davis
PETE, Leonard H.
PHELPS, Walter
SHEPHERD, Alton Joe
TSOSIE, Leonard

Yea	Nay	TOTAL
0	0	
0	1	
0	0	
0	0	
0	0	
1	0	2

SPEAKER:

BATES, LoRenzo

Yea	Nay	TOTAL
0	0	

12 1

CERTIFICATION:



Honorable LoRenzo Bates
Speaker