

LEGISLATIVE SUMMARY SHEET

Tracking No. 0222-20

DATE: September 9, 2020

TITLE OF RESOLUTION: PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACT RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; AMENDING TITLE 17 CHAPTER 3, CONTROLLED SUBSTANCES AT 17 N.N.C. §§ 390, 394

PURPOSE: The purpose of this legislation is to amend Title 17 Chapter 3, Controlled Substances at 17 N.N.C. §§ 390, 394. An amendment would be made to the definition of "marijuana" among other purposes.

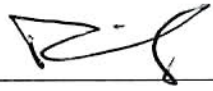

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: 3:44pm 09-10-20
Posting End Date: 09-15-20
Eligible for Action: 09-16-20

Health Education & Human Services Committee
Thence
Resources & Development Committee
Thence
Law & Order Committee
Thence
Naabik'íyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL -- Second Year, 2020

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0222-20

AN ACT

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES
AND DEVELOPMENT, LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES
AND THE NAVAJO NATION COUNCIL; AMENDING TITLE 17 CHAPTER 3,
CONTROLLED SUBSTANCES AT 17 N.N.C. §§ 390, 394

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council and is empowered to review and recommend resolutions relating to social services, health, environmental health, education, veterans and veterans services, employment and labor. 2 N.N.C. §§ 164(A) (1), 400(A) and 401(B) (6) (a).
- B. The Resources and Development Committee is a standing committee of the Navajo Nation Council and is empowered to review and make recommendations to the Navajo Nation Council for final approval resolutions requiring Navajo Nation Council approval to accomplish or impact the Committee purposes. 2 N.N.C. §§ 164(A) (1), 500(A) and 501(B) (4) (f).
- C. The Law and Order Committee is a standing committee of the Navajo Nation Council and is empowered with the authority to review and make recommendations to the

1 Navajo Nation Council on amendments to and enactments in the Navajo Nation
2 Code. 2 N.N.C. §§ 164(A)(1), 600(A), and 601(B)(14).

3 D. The Naabik'iyáti' Committee of the Navajo Nation Council, pursuant to 2 N.N.C. §
4 164 (A) (9), reviews proposed legislation which requires final action by the Navajo
5 Nation Council.

6 E. The Navajo Nation Council must review and approve enactments or amendments of
7 positive law. 2 N.N.C. § 164(A).

8
9 **SECTION TWO. FINDINGS**

10 A. The Navajo Nation is responsible for the enforcement of the Criminal Code,
11 including amendments, as may be enacted by the Navajo Nation through its Council
12 and the President.

13 B. The Navajo Nation Code, at Title 17, Chapter 3, Controlled Substances, Definitions
14 was last amended with respect to the definition of "Marijuana" on November 1, 2018
15 by Council Resolution CO-75-18.

16
17 **SECTION THREE. AMENDING TITLE 17, CHAPTER 3, SUBCHAPTER 10**

18 A. The Navajo Nation hereby amends the Title 17 as follows:

19 _____
20 **NAVAJO NATION CODE**
21 **TITLE 17. LAW AND ORDER**
22 **CHAPTER 3.**
23 **SUBCHAPTER 10. CONTROLLED SUBSTANCES**

24
25 * * * *

26 **§ 390. Definitions**

27 The following definitions apply in this subchapter:

28 A. "Coca leaves" includes cocaine and any compound, manufacture, salt, derivative,
29 mixture or preparation of coca leaves, except derivatives of coca leaves which do not
30

1 contain cocaine, ecgonine or substances from which cocaine or ecgonine may be
2 synthesized or made.

- 3 B. Marijuana” means the ~~plant Cannabis sativa L. and any part of such plant, whether~~
4 ~~growing or not, with a delta-9 tetrahydrocannabinol concentration of more than three~~
5 ~~tenths percent (0.3%) on a dry weight basis~~ all parts of the plant Cannabis sativa L.,
6 whether growing or not; the seeds thereof; the resin extracted from any part of such
7 plant; and every compound, manufacture, salt, derivative, mixture, or preparation of
8 such plant, its seeds or resin, containing any amount of delta-9 tetrahydrocannabinol.
9 Such term does not include any part of the plant Cannabis sativa L., whether growing
10 or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3
11 percent on a dry weight basis produced or delivered in strict compliance with an
12 industrial hemp regulatory system approved by the Navajo Nation Council or its
13 designee.
- 14 C. “Opium” includes morphine, codeine and heroin, and any compound, manufacture,
15 salt derivative, mixture or preparation of opium, but does not include apomorphine
16 or any of its salts.

17 * * * *

18 19 **§ 394. Possession or Sale of Controlled Substances**

- 20 A. Offense. A person commits an offense pursuant to this section if he or she
21 possesses, manufactures, transports, sells, uses, trades or delivers:

22 * * * *

- 23 3. ~~Any material, compound, mixture or preparation which contains an~~
24 ~~amount more than three tenths percent (0.3%) quantity of~~
25 ~~tetrahydrocannabinol (T.H.C.) on a dry weight basis.~~

26 *****

27 28 **SECTION FOUR. CODIFICATION**

29 The provisions of the Act which amend or adopt new sections of the Navajo Nation
30 Code shall be codified by the Office of Legislative Counsel. The Office of Legislative

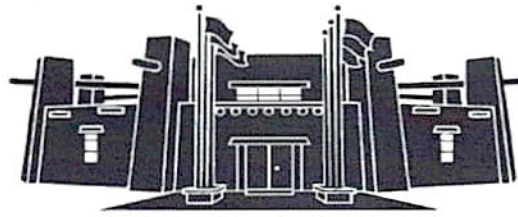
1 Counsel shall incorporate such amended provisions in the next codification of the Navajo
2 Nation Code.

3
4 **SECTION FIVE. SAVINGS CLAUSE**

5 Should any provision of this Act be determined invalid by the Navajo Nation
6 Supreme Court or the District Courts of the Navajo Nation, without appeal to the Navajo
7 Nation Supreme Court, the remainder of the Act shall remain the law of the Navajo
8 Nation.

9
10 **SECTION SIX. EFFECTIVE DATE**

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



MEMORANDUM

TO: Honorable Rick Nez
T'iistoh Sikaad, Nenahnezad, Upper Fruitland, Tse' Daa' Kaan, Newcomb, San
Juan Chapters

FROM: Mariana Kahn
Mariana Kahn, Attorney
Office of Legislative Counsel

DATE: September 9, 2020

SUBJECT: PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACT
RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES,
RESOURCES AND DEVELOPMENT, LAW AND ORDER AND
NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL;
AMENDING TITLE 17 CHAPTER 3, CONTROLLED SUBSTANCES AT 17
N.N.C. §§ 390, 394

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting.

Please ensure that his 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.

Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient as to formatting. As with any action of government however, it can be subject to review by the courts in the event of proper challenge. The Office of Legislative Counsel confirms the appropriate standing committee(s) 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).

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0220-20_

SPONSOR: Rickie Nez

TITLE: An Action Relating To Health, Education And Human Services, Resources And Development, Law And Order And Naabik'íyáti' Committees And The Navajo Nation Council; Amending Title 17 Chapter 3, Controlled Substances At 17 N.N.C. §§ 390, 394

Date posted: September 10, 2020 at 3:44 PM

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) 871-7586

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.: 0222-20

SPONSOR: Honorable Rickie Nez

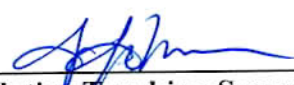
TITLE: An Action Relating To Health, Education And Human Services, Resources And Development, Law And Order And Naabik'iyáti' Committees And The Navajo Nation Council; Amending Title 17 Chapter 3, Controlled Substances At 17 N.N.C. §§ 390, 394

Posted: September 10, 2020 at 3:44 PM

5 DAY Comment Period Ended: September 15, 2020

Digital Comments received:

Comments Supporting	1) Tammie Simpson
Comments Opposing	<i>None</i>
Inconclusive Comments	1) Natalie Beyale 2) Yolanda Benally 3) Kenneth Littletree 4) Carmen McKenzie 5) Roy Hosteen 6) Cynthia Frank 7) Sylvia McKinley


 Legislative Tracking Secretary
 Office of Legislative Services

09/16/20 10:33am
 Date/Time

Legislation 0222-20

Tammie Simpson <tamisimpson14@gmail.com>

Mon 9/14/2020 9:34 AM

To: comments <comments@navajo-nsn.gov>;

I am in support for this Legislation 0222-20 to be more STRICT on Marijuana/Hemp laws.

Illegal production has definitely made the Northern Agency very unsafe! Never would I have imagined that our Dine people would have to defend themselves within Dine'tah especially from non-Dine. We need to protect our land, our Dine!!

-Tammie Simpson

Tse'Daa'Kaan Community Member

WARNING: External email. Please verify sender before opening attachments or clicking on links.

Fwd: format to change and use for public comment

Natalie Beyale <nbeyale87420@yahoo.com>

Wed 9/16/2020 10:12 AM

To: comments <comments@navajo-nsn.gov>;

This was sent to me anonymous due to fear of retaliation from hemp neighbors.

Begin forwarded message:

From: a concerned farmer

Date: September 14, 2020 at 3:00:36 PM MDT

To: nbeyale87420@yahoo.com

Subject: format to change and use for public comment

Please accept my public comment that I am submitting on 9/14 or 15/2020.

LEGISLATION NO: 0220-20, An Action Relating to Health, Education and Human Services, Resources and Development, Law and Order and Naabik'iyati' Committees and the Navajo nation Council; Amending Title 17 Chapter 3, Controlled Substances at 17 N.N.C. §§390, 394; Posted on September 10, 2020; Page 2 of 4 and Page 3 of 4

My name is Dezbah Against-Hemp, I am a farmer, who holds a farm permit issued by BIA. My contact information is PO Box XXX, Shiprock, NM 87420 and live within Shiprock Chapter at Mile marker XXX within farming area along the San Juan River on the Navajo Reservation. My email address is _____

My interest in the regulation is a direct result of the irreparable harm my family has suffered. I have been personally affected by the cultivation of illegal hemp and the operations that have emerged on farmlands XX mile of my farmland plot located on the Navajo Nation. The hemp farms have limited my family the use and enjoyment of our homesite lease and assigned farm plot. We have not had a safe and peaceful environment while tending to our crops, meaningful time outdoors with our children, and are inability to properly farm and harvest this season.

Foreign workers working on the illegal hemp farms, as well as local illegal hemp farmers are firing weapons at all times during the night hours and this firing of dangerous weapons has caused stress and anxiety to my children and myself. The foreign workers have taken up residence in two farm plots within ¼ mile of the Land Use Permit area and our home. We are no longer able to work on our farm; we are no longer able to enjoy outdoor physical activities with our children within our permitted area due to the fear that has been incited by the firing of weapons so close to our living space and agriculture on the farm. Myself and my children are in fear for our lives, in fear of the safety livestock, and our way of life. The mental stress and anxiety have and is causing irreparable harm to myself and my family by impacting our ability to harvest and farm this season.

The recommendations I am submitting pertains to: In Controlled Substances at 17 N.N.C. §§ 394. Possession or Sale of Controlled Substances. I recommend that the following be amended to include in regulations that are up for public comment.

- A person who commits an offence as mention in §§394 should be held criminally liable.
- A person who aids, assists and/or encourages another of the offence mention in §§394 should be held criminally liability.
- A person who commits an offence who are found guilty of §§394 within a School Safety zone should have penalty increased time in jail and increased fines or both.
- Elected official found committing the offence in §§394 should be banned from holding office in any capacity. People interested in holding an official office should be prohibited from cultivating, harvesting, selling, distribution of a controlled substance as part of a requirement for holding office.
- Any person holding a land use permit who are found guilty of cultivating, harvesting, selling, distribution of a controlled

substance Hemp, should lose the privileges of holding a land use permit intended for agriculture as defined by Navajo law. Navajo Nation would make recommendations to BIA to revoke the permit.

- Any person holding a land use permit who are found guilty of building infrastructure for the sole use of cultivating, harvesting, selling, distribution of a controlled substance should lose the privileges of holding a land use permit intended for agriculture as defined by Navajo law. Navajo Nation would make recommendations to BIA to revoke the permit.

- Any person holding a homesite lease permit who are found guilty of cultivating, harvesting, selling, distribution of a controlled substance Hemp, should lose the privileges of holding a homesite lease permit intended for residence as defined by Navajo law. Navajo Nation would make recommendations to BIA to revoke the permit.

- A person who found guilty of committing the offence in §§ 394 during an imposed curfew of Navajo Nation should have penalty increased time in jail and increased fines or both.

- A person who found guilty of committing the offence in §§394 during an imposed curfew of Navajo Nation should have as penalty loss of business license and increased regulations.

Within the last three years, four of the six elected farm board officials in the San Juan River Farm Board are cultivating hemp illegally on their Land Use Permit areas and benefitting financially from these operations, which is clearly a conflict of interest and illegal. This is clearly unacceptable and illegal. Change the laws to prohibit our elected officials from illegally benefitting financially from these illegal operations.

Thank you for considering my recommendation,
Sincerely,

Dezbah Against-Hemp

WARNING: External email. Please verify sender before opening attachments or clicking on links.

Public comment regarding LEGISLATION NO: 0220-20

Yo Benally <ybenally@yahoo.com>

Mon 9/14/2020 2:28 PM

To: comments <comments@navajo-nsn.gov>;

Cc: yolanda Benally <ybenally@yahoo.com>; Ken Littletree <klittlet@gmail.com>;

Please accept my public comment that I am submitting on 9/14/2020.

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My name is Yolanda Benally, I am a mother and a farmer, who holds a farm permit issued by BIA. I hold a BS in Engineering and a MS in Environmental Law. My contact information is PO Box Kirtland, NM 87417 and live within San Juan Chapter boundaries north of within farming area along the San Juan River on the Navajo Reservation. My email address is ybenally@yahoo.com.

My interest in the regulation is a direct result of the irreparable harm my family has suffered. I have been personally affected by the cultivation of illegal hemp and the operations that have emerged on farmlands ¼ mile of my farmland plot located on the Navajo Nation. The hemp farms have limited myself, my husband, and my children the use and enjoyment of our homesite lease and assigned farm plot. We have not had a safe and peaceful environment while tending to our crops, meaningful time outdoors with our children, and are inability to properly farm and harvest this season.

Foreign workers working on the illegal hemp farms, as well as local illegal hemp farmers are firing weapons at all times during the night hours and this firing of dangerous weapons has caused stress and anxiety to my children and myself. The foreign workers have taken up residence in two farm plots within ¼ mile of the Land Use Permit area and our home. We are no longer able to work on our farm; we are no longer able to enjoy outdoor physical activities with our children within our permitted area due to the fear that has been incited by the firing of weapons so close to our living space and agriculture on the farm. Myself and my husband are in fear for our lives, in fear of the safety of our children, and our way of life. The mental stress and anxiety have and is causing irreparable harm to myself and my family by impacting our ability to harvest and farm this season, thereby losing some of our crop and source of food.

The recommendations I am submitting pertains to: In Controlled Substances at 17 N.N.C. §§ 394. Possession or Sale of Controlled Substances. I recommend that the following be amended to include in regulations that are up for public comment.

- ***A person who commits an offence as mention in §§394 should be held criminally liable.***
- ***A person who aids, assists and/or encourages another of the offence mention in §§394 should be held criminally liability.***
- ***A person who commits an offence who are found guilty of §§394 within a School Safety zone should have penalty increased time in jail and increased fines or both.***
- ***Elected official found committing the offence in §§394 should be banned from holding office in any capacity. People interested in holding an official office should be prohibited from cultivating, harvesting, selling, distribution of a controlled substance as part of a requirement for holding office.***
- ***Any person holding a land use permit who are found guilty of cultivating, harvesting, selling, distribution of a controlled substance Hemp, should lose the privileges of holding a land use permit intended for agriculture as defined by Navajo law. Navajo Nation would make recommendations to BIA to revoke the permit.***
- ***Any person holding a land use permit who are found guilty of building infrastructure for the sole use of cultivating, harvesting, selling, distribution of a controlled substance should lose the privileges of holding a land use permit intended for agriculture as defined by Navajo law. Navajo Nation would make recommendations to BIA to revoke the permit.***
- ***Any person holding a homesite lease permit who are found guilty of cultivating, harvesting, selling, distribution of a controlled substance Hemp, should lose the privileges of holding a homesite lease permit intended for residence as***

defined by Navajo law. Navajo Nation would make recommendations to BIA to revoke the permit.

· *A person who found guilty of committing the offence in §§ 394 during an imposed curfew of Navajo Nation should have penalty increased time in jail and increased fines or both.*

· *A person who found guilty of committing the offence in §§394 during an imposed curfew of Navajo Nation should have as penalty loss of business license and increased regulations.*

Our neighboring farmer cultivated hemp last year, this year his operations have increased, he is now constructing a new building on the farm plot in violation of farm land use regulations and homesite lease regulations. This year my neighboring farmer who is illegally cultivating hemp has brought into our community Non-Native American, Non-Navajo employees to work in these hemp greenhouses and on the farms. These foreign workers have settled and reside in our communities doing construction, driving recklessly on farm roads, illegally growing hemp, and have moved a used trailer to the farm plot to house these workers. Construction of greenhouses and other structures are done by these hemp workers. Foreign workers drive around during curfew hours, disregarding Navajo Nation Laws.

Within the last three years, four of the six elected farm board officials in the San Juan River Farm Board are now cultivating hemp **illegally** on their Land Use Permit areas and benefiting financially from these operations, which is clearly a conflict of interest and **illegal**. This is clearly unacceptable and illegal.

Thank you for considering my recommendation,

Sincerely, Yolanda Benally

WARNING: External email. Please verify sender before opening attachments or clicking on links.

Public comment regarding LEGISLATION NO: 0220-20

Ken Littletree <klittlet@gmail.com>

Wed 9/16/2020 10:12 AM

To: comments <comments@navajo-nsn.gov>;

Please accept my public comment that I am submitting on 9/15/2020.

LEGISLATION NO: 0220-20, An Action Relating to Health, Education and Human Services, Resources and Development, Law and Order and Naabik'iyati' Committees and the Navajo nation Council; Amending Title 17 Chapter 3, Controlled Substances at 17 N.N.C. §§390, 394; Posted on September 10, 2020; Page 2 of 4 and Page 3 of 4

My name is Kenneth Littletree and I'm a father and husband. My wife holds a farm permit issued by BIA. My contact information is P.O. Box 6000, Cortland NM 87417 and we live within San Juan Chapter boundaries north on within a farming area along the San Juan River on the Navajo Reservation. My email address is klittlet@gmail.com

Illegal hemp growing has negatively affected the quality of life of my family and has reduced our feeling of safety. Foreign people who are working the hemp farms have moved in. Discharge of firearms from the farm has caused us to keep our children inside. We fear to be outside for normal activities. The peace and quiet, and level of safety we used to enjoy have been greatly diminished.

The recommendations I am submitting pertains to: In Controlled Substances at 17 N.N.C. §§ 394. Possession or Sale of Controlled Substances. I recommend that the following be amended to include in regulations that are up for public comment.

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- ***Elected official found committing the offence in §§394 should be banned from holding office in any capacity. People interested in holding an official office should be prohibited from cultivating, harvesting, selling, distribution of a controlled substance as part of a requirement for holding office.***
- ***Any person holding a land use permit who is found guilty of cultivating, harvesting, selling, distribution of a controlled substance Hemp, should lose the privileges of holding a land use permit intended for agriculture as defined by Navajo law. Navajo Nation would make recommendations to BIA to revoke the permit.***
- ***Any person holding a land use permit who is found guilty of building infrastructure for the sole use of cultivating, harvesting, selling, distribution of a controlled substance should lose the privileges of holding a land use permit intended for agriculture as defined by Navajo law. Navajo Nation would make recommendations to BIA to revoke the permit.***
- ***Any person holding a homesite lease permit who is found guilty of cultivating, harvesting, selling, distribution of a controlled substance Hemp, should lose the privileges of holding a homesite lease permit intended for residence as defined by Navajo law. Navajo Nation would make recommendations to BIA to revoke the permit.***
- ***A person who found guilty of committing the offence in §§ 394 during an imposed curfew of Navajo Nation should have penalty increased time in jail and increased fines or both.***

· *A person who found guilty of committing the offence in §§394 during an imposed curfew of Navajo Nation should have as penalty loss of business license and increased regulations.*

Thank you for considering the above recommendations.

Sincerely,

Kenneth Littletree

WARNING: External email. Please verify sender before opening attachments or clicking on links.

Please accept my public comment that I am submitting on 9/15/2020.

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My name is Carmen McKenzie, I am a farmer, who holds a farm permit issued by BIA. My contact information is PO Box Shiprock, NM 87420 and live within Shiprock Chapter Mesa Farm, 1st lane South, within farming area along the San Juan River on the Navajo Reservation. My email address is: cyndi424@hotmail.com

My interest in the regulation is a direct result of the irreparable harm my family has suffered. I have been personally affected by the cultivation of illegal hemp and the operations that have emerged on farmlands .25 mile from my farmland plot located on the Navajo Nation. The hemp farms have limited my family the use and enjoyment of our homesite lease and assigned farm plot. We have not had a safe and peaceful environment while tending to our crops, meaningful time outdoors with my grandchildren, and are inability to properly farm and harvest this season.

Foreign workers working on the illegal hemp farms, as well as local illegal hemp farmers have been observed drinking at times during the night hours and this activity has caused stress and anxiety to my children, grandchildren and myself. It has been announced by the land plot owner, Lula Sandoval on plot 127, that foreign workers will be taking up residence on the farm plot 127, which is .25 mile from our Land Use Permit area (126) and our home. We are limited in our ability to work on our farm; we are no longer able to enjoy outdoor physical activities with our grandchildren within our permitted area due to the fear that has been incited by the possible firing of weapons and possible abduction so close to our living space and agriculture on the farm. Myself and my grandchildren are in fear for our lives, in fear of the safety to our domestic animals, and our way of life. The mental stress and anxiety have and is causing irreparable harm to myself and my family by impacting our ability to sleep, be at peace, harvest and farm this season.

The recommendations I am submitting pertains to: In Controlled Substances at 17 N.N.C. §§ 394. Possession or Sale of Controlled Substances. I recommend that the following be amended to include in regulations that are up for public comment.

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- Elected official found committing the offence in §§394 should be banned from holding office in any capacity. People interested in holding an official office should be prohibited from cultivating, harvesting, selling, distribution of a controlled substance as part of a requirement for holding office.
- **Any person holding a land use permit who are found guilty of cultivating, harvesting, selling, distribution of a controlled substance Hemp, should lose the privileges of holding a land use permit intended for agriculture as defined by Navajo law. Navajo Nation would make recommendations to BIA to revoke the permit.**
- **Any person holding a land use permit who are found guilty of building infrastructure for the sole use of cultivating, harvesting, selling, distribution of a controlled substance should lose the privileges of holding a land use permit intended for agriculture as defined by Navajo law. Navajo Nation would make recommendations to BIA to revoke the permit.**
- **Any person holding a homesite lease permit who are found guilty of cultivating, harvesting, selling, distribution of a controlled substance Hemp, should lose the privileges of holding a homesite lease permit intended for residence as defined by Navajo law. Navajo Nation would make recommendations to BIA to revoke the permit.**
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should have penalty increased time in jail and increased fines or both.

· A person who found guilty of committing the offence in §§394 during an imposed curfew of Navajo Nation should have as penalty loss of business license and increased regulations.

Within the last three years, four of the six elected farm board officials in the San Juan River Farm Board are cultivating hemp illegally on their Land Use Permit areas and benefitting financially from these operations, which is clearly a conflict of interest and illegal. This is clearly unacceptable and illegal. Change the laws to prohibit our elected officials from illegally benefitting financially from these illegal operations.

Thank you for considering my recommendation,
Sincerely,

Carmen McKenzie

Against Hemp

Roy Hosteen <rlhosteen3@gmail.com>

Wed 9/16/2020 10:13 AM

To: comments <comments@navajo-nsn.gov>;

Please accept my public comment that I am submitting on 9/14 or 15/2020.

LEGISLATION NO: 0220-20, An Action Relating to Health, Education and Human Services, Resources and Development, Law and Order and Naabik'iyati' Committees and the Navajo nation Council; Amending Title 17 Chapter 3, Controlled Substances at 17 N.N.C. §§390, 394; Posted on September 10, 2020; Page 2 of 4 and Page 3 of 4

My name is Roy Hosteen, I am a farmer, who holds a farm permit issued by BIA. My contact information is PO Box Kirtland, NM 87417 and live within Upper Fruitland Chapter. I live west of the Upper Fruitland Chapter house, down first lane and farming area along the San Juan River on the Navajo Reservation. My email address is RLHosteen3@gmail.com

My interest in the regulation is a direct result of the irreparable harm my family has suffered. I have been personally affected by the cultivation of illegal hemp and the operations that have emerged on farmlands XX mile of my farmland plot located on the Navajo Nation. The hemp farms have limited my family the use and enjoyment of our homesite lease and assigned farm plot. We have not had a safe and peaceful environment while tending to our crops, meaningful time outdoors with our children, and are inability to properly farm and harvest this season.

Foreign workers working on the illegal hemp farms, as well as local illegal hemp farmers are firing weapons at all times during the night hours and this firing of dangerous weapons has caused stress and anxiety to my children and myself. The foreign workers have taken up residence in two farm plots within ¼ mile of the Land Use Permit area and our home. We are no longer able to work on our farm; we are no longer able to enjoy outdoor physical activities with our children within our permitted area due to the fear that has been incited by the firing of weapons so close to our living space and agriculture on the farm. Myself and my children are in fear for our lives, in fear of the safety livestock, and our way of life. The mental stress and anxiety have and is causing irreparable harm to myself and my family by impacting our ability to harvest and farm this season.

The recommendations I am submitting pertains to: In Controlled Substances at 17 N.N.C. §§ 394. Possession or Sale of Controlled Substances. I recommend that the following be amended to include in regulations that are up for public comment.

- A person who commits an offence as mention in §§394 should be held criminally liable.
- A person who aids, assists and/or encourages another of the offence mention in §§394 should be held criminally liability.
- A person who commits an offence who are found guilty of §§394 within a School Safety zone should have penalty increased time in jail and increased fines or both.
- Elected official found committing the offence in §§394 should be banned from holding office in any capacity. People interested in holding an official office should be prohibited from cultivating, harvesting, selling, distribution of a controlled substance as part of a requirement for holding office.

- Any person holding a land use permit who are found guilty of cultivating, harvesting, selling, distribution of a controlled substance Hemp, should lose the privileges of holding a land use permit intended for agriculture as defined by Navajo law. Navajo Nation would make recommendations to BIA to revoke the permit.
- Any person holding a land use permit who are found guilty of building infrastructure for the sole use of cultivating, harvesting, selling, distribution of a controlled substance should lose the privileges of holding a land use permit intended for agriculture as defined by Navajo law. Navajo Nation would make recommendations to BIA to revoke the permit.
- Any person holding a homesite lease permit who are found guilty of cultivating, harvesting, selling, distribution of a controlled substance Hemp, should lose the privileges of holding a homesite lease permit intended for residence as defined by Navajo law. Navajo Nation would make recommendations to BIA to revoke the permit.
- A person who found guilty of committing the offence in §§ 394 during an imposed curfew of Navajo Nation should have penalty increased time in jail and increased fines or both.
- A person who found guilty of committing the offence in §§394 during an imposed curfew of Navajo Nation should have as penalty loss of business license and increased regulations.

Within the last three years, four of the six elected farm board officials in the San Juan River Farm Board are cultivating hemp illegally on their Land Use Permit areas and benefitting financially from these operations, which is clearly a conflict of interest and illegal. This is clearly unacceptable and illegal. Change the laws to prohibit our elected officials from illegally benefitting financially from these illegal operations.

Thank you for considering my recommendation,

Sincerely,

Roy Hosteen

WARNING: External email. Please verify sender before opening attachments or clicking on links.

Please accept my public comment that I am submitting on 9/15/2020.

LEGISLATION NO: 0220-20, An Action Relating to Health, Education and Human Services, Resources and Development, Law and Order and Naabik'iyati' Committees and the Navajo nation Council; Amending Title 17 Chapter 3, Controlled Substances at 17 N.N.C. §§390, 394; Posted on September 10, 2020; Page 2 of 4 and Page 3 of 4

My name is Cynthia Frank, I am a farmer, who holds a farm permit issued by BIA. My contact information is PO Box 1 Shiprock, NM 87420 and live within Shiprock Chapter Mesa Farm, 1st lane South, within farming area along the San Juan River on the Navajo Reservation. My email address is: cyndi42481@gmail.com

My interest in the regulation is a direct result of the irreparable harm my family has suffered. I have been personally affected by the cultivation of illegal hemp and the operations that have emerged on farmlands .04 mile from my farmland plot located on the Navajo Nation. The hemp farms have limited my family the use and enjoyment of our homesite lease and assigned farm plot 126. We have not had a safe and peaceful environment while tending to our crops, meaningful time outdoors with my children, and have had an inability to properly farm and harvest this season.

Foreign workers working on the illegal hemp farms, as well as local illegal hemp farmers have been observed drinking at times during the night hours and this activity has caused stress and anxiety to my children and myself. It has been announced by the land plot owner, Lula Sandoval on plot 127, that foreign workers will be taking up residence on the farm plot 127, which is .04 mile from our Land Use Permit area (126) and our home. We are limited in our ability to work on our farm; we are no longer able to enjoy outdoor physical activities with our children within our permitted area due to the fear that has been incited by the possible firing of weapons and possible abduction so close to our living space and agriculture on the farm. Myself and my children are in fear for our lives, in fear of the safety to our domestic animals, and our way of life. The mental stress and anxiety have and is causing irreparable harm to myself and my family by impacting our ability to sleep, be at peace, harvest and farm this season.

The recommendations I am submitting pertains to: In Controlled Substances at 17 N.N.C. §§ 394. Possession or Sale of Controlled Substances. I recommend that the following be amended to include in regulations that are up for public comment.

- A person who commits an offence as mention in §§394 should be held criminally liable.
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- **Any person holding a land use permit who are found guilty of cultivating, harvesting, selling, distribution of a controlled substance Hemp, should lose the privileges of holding a land use permit intended for agriculture as defined by Navajo law. Navajo Nation would make recommendations to BIA to revoke the permit.**
- **Any person holding a land use permit who are found guilty of building infrastructure for the sole use of cultivating, harvesting, selling, distribution of a controlled substance should lose the privileges of holding a land use permit intended for agriculture as defined by Navajo law. Navajo Nation would make recommendations to BIA to revoke the permit.**
- **Any person holding a homesite lease permit who are found guilty of cultivating, harvesting, selling, distribution of a controlled substance Hemp, should lose the privileges of holding a homesite lease permit intended for residence as defined by Navajo law. Navajo Nation would make recommendations to BIA to revoke the permit.**
- A person who found guilty of committing the offence in §§ 394 during an imposed curfew of Navajo Nation should have penalty increased time in jail and increased fines or both.

· A person who found guilty of committing the offence in §§394 during an imposed curfew of Navajo Nation should have as penalty loss of business license and increased regulations.

Within the last three years, four of the six elected farm board officials in the San Juan River Farm Board are cultivating hemp illegally on their Land Use Permit areas and benefitting financially from these operations, which is clearly a conflict of interest and illegal. This is clearly unacceptable and illegal. Change the laws to prohibit our elected officials from illegally benefitting financially from these illegal operations.

Thank you for considering my recommendation,
Sincerely,

Cynthia Frank

From: Sylvia McKinley

Smckinley46@hotmail.com

Regards to LEGISLATION NO: 0220-20: An Action Relating to Health, Education & Human Services, Resources & Development, Law and Order and Naabik'iyati Committees and the Navajo Nation Council; Amending Title 17 N.N.C. dd 390.394.

My name is Sylvia McKinley I am an active community member and advocate for my Navajo people, my mailing address is PO Box Fruitland, New Mexico 87416, I am a San Juan Chapter community member, whom lives East of San Juan Chapter, Lower Fruitland, NM, I am the Vice President of San Juan Chapter Community Land Use Planning Committee (CLUPC) as well as the Vice President to NN Advisory Council on Disability. My email address is smckinley46@hotmail.com where you may contact me at.

As a lifelong resident that lives in the San Juan Chapter area, I am 100% against the activities that is presently happening with the hemp cultivation and the NN laws not being taken into consideration. This letter is to inform of my concerns and the happenings in my own community of San Juan Chapter.

As the hemp cultivation structures of green houses are beginning to grow and the disturbances have escalated there is more negative outcomes within our San Juan Chapter community then good. This is because of the visibility of the illegal activities that are present. These illegal activities are also putting families in danger that have their farms adjacent to the hemp location in our community. The activities that go on have families feeling unsafe and having to constantly be on the lookout within our community. This discontent was never present before the hemp greenhouse structures.

The establishment of the hemp greenhouses is totally against the NN laws and other entities within the Federal Government. It is time to have actual legal actions take place on all illegal activities that have been brought to your attention in regards to Dineh Benally and these hemp greenhouses, as well as the workers involved. If not stopped now, confrontation will escalate to people being harmed or even killed, because we are still dealing with a drug problem. When there is a

law and it is not followed, it is not a law anymore, and this is why Dineh Benally continues to keep going forward with the illegal planting of hemp and the misuse of land from the Navajo people.

I asked that from our Navajo leaders to take into account the many comments against the hemp cultivation and the actual protesting of many Navajo people showing their refusal of these activities to take action. There are now many non-Navajo residents within our midst that are working on these hemp farms who have become bold as to offer cash and ask to rent a room, and do not take the word, "No". There is so much to share about this major problem. Please listen and take action to rid this cultivation of the illegal hemp operations. Do not take our concerns lightly and think it will blow away, there is too much at stake. Stand firmly and boldly to follow the rules of the NN Laws. This step to cancel the permits will show others that this will not be allowed within our Navajo Nation and what you have shared on the Radio Information Forum will send a message to all listeners. There needs to be no more of just talk but to take some bold actions to apply the laws.

Our Farm Board representative, Harrison Cly is one that is not following the laws and who swore in as a representative to do so. At Farm Board meetings I have attended Mr. Cly has continued to show attitude of "resist and obstruct". He has had many complaints during his time as a farm board representative and now shows openly of his stand against our NN Laws. By this, he now has one of these hemp greenhouses up with workers residing on his farm land.

In Closing, again I stress the laws must be followed and the Navajo Nation Leaders must take a bold stand to cancel permits and remove the illegal cultivation and housing that have been set up without homesite leases on the NN reservation due to hemp.

Thank you for your time to hear out my comment.

Sylvia McKinley

Committee Report

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

LEGISLATION NO. 0222-20

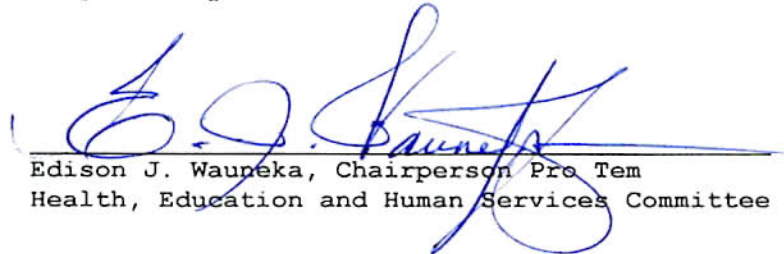
AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE,
RESOURCES AND DEVELOPMENT, LAW AND ORDER AND NAAKBIK'IYATI' COMMITTEES
AND NAVAJO NATION COUNCIL; AMENDING TITLE 17 CHAPTER 3, CONTROLLED
SUBSTANCES AT 17 N.N.C. §§ 390, 394

Sponsor: Honorable Rickie Nez; Honorable Wilson Stewart, Jr.

(Eligible for Committee Action September 16, 2020)

Has had under consideration and report the same with the recommendation that
Legislation 0222-20 **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,



Edison J. Wauneka, Chairperson Pro Tem
Health, Education and Human Services Committee

September 16, 2020 - Main Motion

Motion by: Honorable Carl R. Slater

Seconded by: Honorable Pernell Halona

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

Yeas: none

Nays: Carl R. Slater; Pernell Halona; Charlaine Tso; Daniel E. Tso

Not Voting: Paul Begay, Jr.

Absent (excused): all present

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
Regular Meeting
September 16, 2020

Roll Call
Vote Tally Sheet

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

LEGISLATION NO. 0222-20

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE,
RESOURCES AND DEVELOPMENT, LAW AND ORDER AND NAAKBIK'IYATI' COMMITTEES
AND NAVAJO NATION COUNCIL; AMENDING TITLE 17 CHAPTER 3, CONTROLLED
SUBSTANCES AT 17 N.N.C. §§ 390, 394

Sponsor: Honorable Rickie Nez; Honorable Wilson Stewart, Jr.

(Eligible for Committee Action September 16, 2020)

September 16, 2020 - Main Motion

Motion by: Honorable Carl R. Slater

Seconded by: Honorable Pernell Halona

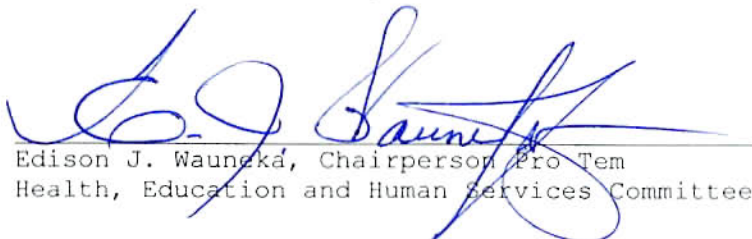
Vote: 4 in favor; 0 Opposed; Chairperson Pro Tem Not Voting

Yeas: none

Nays: Carl R. Slater; Pernell Halona; Charlaine Tso; Daniel E. Tso

Not Voting: Paul Begay, Jr.

Absent (excused): all present


Edison J. Wauneka, Chairperson Pro Tem
Health, Education and Human Services Committee


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

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

SECOND YEAR 2020

COMMITTEE REPORT

Mr. Speaker,

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

LEGISLATION # 0222-20: AN ACT RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, LAW AND ORDER AND NAABIK'IYATI COMMITTEES AND THE NAVAJO NATION COUNCIL; AMENDING TITLE 17 CHAPTER 3, CONTROLLED SUBSTANCES AT 17 N.N.C. §§ 390, 394. *Sponsor: Honorable Rickie Nez Co-Sponsor: Honorable Wilson C. Stewart, Jr,*

Has had it under consideration and reports a DO PASS with no amendments

and thereafter the legislation was referred to Law and Order Committee.

Respectfully submitted,



Mark A. Freeland, Pro Temp Chairperson
Resources and Development Committee of
the 24th Navajo Nation Council

Date: September 16, 2020 - Regular Meeting (Teleconference)
Meeting Location: (RDC members called in via teleconference from their location within the boundary of the Navajo Nation.)

Main Motion:

Motion: Thomas Walker, Jr. S: Kee Allen Begay, Jr. Vote: 5-0-1 (PTCNV)

In Favor: Wilson C. Stewart, Jr., Herman M. Daniels, Kee Allen Begay, Jr., Thomas Walker, Jr., and Rickie Nez

Oppose: NONE

Excuse: NONE

Not Voting: Presiding Pro Tem Chairperson Mark A. Freeland,

(NOTE: Vote Tally attached.)

RESOURCES AND DEVELOPMENT COMMITTEE
24th Navajo Nation Council

SECOND YEAR 2020

ROLL CALL
VOTE TALLY SHEET:

LEGISLATION # 0222-20: AN ACT RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, LAW AND ORDER AND NAABIK'IYATI COMMITTEES AND THE NAVAJO NATION COUNCIL; AMENDING TITLE 17 CHAPTER 3, CONTROLLED SUBSTANCES AT 17 N.N.C. §§ 390, 394. *Sponsor: Honorable Rickie Nez Co-Sponsor: Honorable Wilson C. Stewart, Jr.*

Date: September 16, 2020 - Regular Meeting (Teleconference)
Meeting Location: (RDC members called in via teleconference from their location within the boundary of the Navajo Nation.)

Main Motion:

Motion: Thomas Walker, Jr. S: Kee Allen Begay, Jr. Vote: 5-0-1 (PTCNV)

In Favor: Wilson C. Stewart, Jr., Herman M. Daniels, Kee Allen Begay, Jr., Thomas Walker, Jr. and Rickie Nez

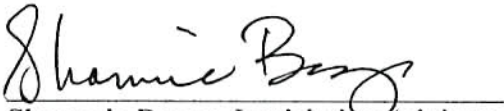
Oppose: NONE

Excuse: NONE

Not Voting: Presiding Pro Tem Chairperson Mark A. Freeland



Honorable Mark A. Freeland, Pro Tem Chairperson
Resources and Development Committee



Shammie Begay, Legislative Advisor
Office of Legislative Services

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

LEGISLATION NO.: 0222-20

SPONSOR: Honorable Rickie Nez

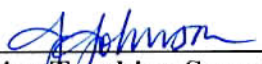
TITLE: An Action Relating To Health, Education And Human Services, Resources And Development, Law And Order And Naabik'iváti' Committees And The Navajo Nation Council; Amending Title 17 Chapter 3, Controlled Substances At 17 N.N.C. §§ 390, 394

Posted: September 10, 2020 at 3:44 PM

5 DAY Comment Period Ended: September 15, 2020

Digital Comments received:

Comments Supporting	1) Gary Montoya, Central Consolidated School Board
Comments Opposing	<i>None</i>
Inconclusive Comments	<i>None</i>



Legislative Tracking Secretary
Office of Legislative Services

09/16/20 4:42pm

Date/Time

**COMMENTS FROM THE CENTRAL CONSOLIDATED SCHOOL BOARD IN
SUPPORT OF PROPOSED NAVAJO NATION COUNCIL LEGISLATION**

RESOLUTION TRACKING NO. 0222-20

TITLE: An Action Relating To Health, Education And Human Services, Resources And Development, Law And Order And Naabik'íyáti' Committees And The Navajo Nation Council; Amending Title 17 Chapter 3, Controlled Substances At 17 N.N.C. §§ 390, 394

SPONSOR: Council Delegate Rickie Nez

Comments Submitted Electronically September 16, 2020

by Gary Montoya, President of the CCSD School Board

The Central Consolidated School Board (CCSD) provides the following comments regarding current or proposed unregulated hemp operations in the San Juan Chapter as follows:

- In recent Board Meetings, the CCSD Board has discussed its growing concerns over reports it has received about unregulated and unauthorized hemp operations being located within CCSD's boundaries and in close proximity to schools. Examples of these reports and concerns include:
 - The aggressive nature of security guards associated with these hemp operations towards CCSD students and community members for being in close proximity to the hemp operations, but still in public spaces, such as roads or even on their own property.
 - Reports of underage workers being employed by the hemp operations.
 - Reports of workers being disoriented and not knowing or understanding where they are or how to get back to the hemp operations when in public facilities, like the market.
 - Reports of disregard for neighbors and their property, including cutting down trees, taking liberties with property, or leaving trash or waste behind.
 - Flagrant disregard for the impacts of the hemp operations on students, the elderly, or families and flagrant disregard for the law.
 - The social and emotional impacts to CCSD students concerning the situation.
 - Heavy traffic on roads that students are walking to and from home to school.
 - Heavy traffic that CCSD buses and parents will encounter accessing the school with children;
 - The interaction of CCSD staff and students with questionable workers and aggressive security.

- Reports of makeshift right-of-way access points onto state and other roadways are very concerning and dramatically increase the likelihood of accidents along these already congested roadways.
- Increased congestion, especially of heavy vehicles, damages the roadways. A mechanism needs to be in place for this industry to help pay for the damage their heavy vehicles cause to roadways and other infrastructure.

As a result of these concerns for the safety and welfare of our students, their families, our staff and our community, CCSD supports the following:

1. **CCSD supports the Northern Navajo Agency Council Resolution – NNAC-138-091220:**
REQUESTING THE UNITED STATES DEPARTMENT OF AGRICULTURE SECRETARY HONORABLE SONNY PURDUE, NAVAJO NATION OFFICE OF THE PRESIDENT AND VICE PRESIDENT, THE NAVAJO NATION ATTORNEY GENERAL, NAVAJO NATION AGRICULTURE DEPARTMENT, AND THE NAVAJO NATION LAND DEPARTMENT TO INVESTIGATE THE CULTIVATION SELF-LICENSING, SELF-REGULATING AND DISTRIBUTION OF CANNABIS ON FEDERAL LANDS WITH THE NAVAJO NATION AND ENFORCE AN IMMEDIATE CEASE AND DESIST ORDER.
2. **CCSD supports and intends to join any actions aimed at closing down unregulated and unauthorized hemp operations within or near CCSD's boundaries.**
3. **CCSD Supports the legislation proposed by Council Delegate Rickie Nez – Tracking No. 0222-20 as modified below:**

Proposed Legislation Tracking No. 0222-20, Sponsored by Council Delegate Rickie Nez:

The proposed legislation modifies the definition of “marijuana” to include hemp. It does this by defining Marijuana as any part of the Cannabis Sativa L plant containing any amount of THC (delta-9 tetrahydrocannabinol – the psychotropic (mood altering) component of the plant). Typically hemp is defined as not having more than .3 % THC and is considered as being non-psychotropic. The definition of marijuana and hemp are consistent with federal law. See, Defining Hemp, a Fact Sheet, Updated March 22, 2019, Congressional Research Service, <https://crsreports.congress.gov/R44742>.

The proposed legislation also proposes to change the definition of marijuana to exclude hemp (Cannabis Sativa L containing no more than .3% THC) from the definition of marijuana if it is “produced or delivered in strict compliance with an industrial hemp regulatory system approved by the Navajo Nation Council or its designee.”

Problem: The proposed legislation deletes in its entirety reference to any material containing more than .3% THC in Section 394 of Title 17, Chapter 3, Subchapter 10. In Section 394, the law prohibits a person from possessing, manufacturing, transporting, selling, using, trading or delivering various controlled substances including any material containing more than .3% THC. Removal of this language without any reference to marijuana as a defined term or the current

language describing any product containing .3% THC is dangerous because such deletion would be construed as allowing persons to possess, manufacture, transport, sell, use, or trade marijuana, hemp (regardless of having a regulatory system in place) or any other substance containing THC. Removal of this language also creates conflict and uncertainty regarding other sections of the Controlled Substances Code that prohibit the possession, production and other activities associated with marijuana.

Solution: The language referring to “any material” containing more than .3% THC is important because this language includes things like vapes or other materials that add THC to get around the Controlled Substances Code. In order to include the new definition of marijuana so that unregulated hemp is included in this prohibition we recommend the following language in bold and underlined below be added to the proposed legislation:

§ 394. Possession or Sale of Controlled Substances

A. Offense. A person commits an offense pursuant to this section if he or she possesses, manufactures, transports, sells, uses trades, or delivers:

.....

3. Marijuana or any material, compound, mixture or preparation which contains an amount more than three tenths percent (0.3%) quantity of tetrahydrocannabinol (THC) on a dry weight basis.

.....

Conclusion: The proposed legislation, as modified above, will be beneficial to increase and clarify the Navajo Nation’s sovereign jurisdiction over the regulation of industrial hemp operations within the Navajo Nation. This language would also help with the current situation and resolve the very serious concerns that CCSD is observing: **Adoption of this language as modified above would mean that since no industrial hemp regulatory system has been approved, the current hemp operation would not be allowed because hemp cannot be produced or delivered pursuant to Section 392 of Title 17, Chapter 3, Subchapter 10. CCSD is in full support of this outcome.**