

**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0248-17

**DATE:** June 21, 2017

**SUBJECT** AN ACT RELATING TO LAW AND ORDER, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; APPROVING AN ACT TO AMEND THE NAVAJO NATION CODE, TITLE 2, CHAPTER 3, SUBCHAPTER 2, SECTION 104 (A) INCOMPATIBLE SERVICE; REMOVING THE EXCEPTION PERMITTING THE HOLDING OF COUNTY OFFICE WHILE A NAVAJO NATION COUNCIL DELEGATE AND TITLE 11, CHAPTER 11 NAVAJO ELECTION CODE SUBCHAPTER 1, GENERAL PROVISIONS SECTION 8(B) QUALIFICATIONS FOR DELEGATES TO THE NAVAJO NATION COUNCIL

**PURPOSE:** The purpose of this legislation is to remove the exception allowing the holding of a county elected office and the office of Delegate to the Navajo Nation Council.

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

5-DAY BILL HOLD PERIOD: blank  
Website Posting Time/Date: 5:20pm 7/19/17  
Posting End Date: 7/24/2017  
Eligible for Action: 7/25/2017

Law & Order Committee

THENCE

Naabik'iyáti' Committee

THENCE

Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

23<sup>rd</sup> NAVAJO NATION COUNCIL—Third Year, 2017

INTRODUCED BY

Primary Sponsor

TRACKING NO. 0268-17

AN ACT

RELATING TO LAW AND ORDER, NAABIK'ÍYÁTI' COMMITTEE AND THE  
NAVAJO NATION COUNCIL; APPROVING AN ACT TO AMEND THE NAVAJO  
NATION CODE, TITLE 2, CHAPTER 3, SUBCHAPTER 2, SECTION 104 (A)  
INCOMPATIBLE SERVICE; REMOVING THE EXCEPTION PERMITTING THE  
HOLDING OF COUNTY OFFICE WHILE A NAVAJO NATION COUNCIL  
DELEGATE AND TITLE 11, CHAPTER 11 NAVAJO ELECTION CODE  
SUBCHAPTER 1, GENERAL PROVISIONS SECTION 8(B) QUALIFICATIONS FOR  
DELEGATES TO THE NAVAJO NATION COUNCIL

BE IT ENACTED:

**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'iyáti' Committee is a standing committee of the Navajo Nation Council. Pursuant to 2 N.N.C. § 164(A) (9), the committee reviews proposed legislation which requires final action by the Navajo Nation Council.
- C. The Navajo Nation Council enacts laws and sets policy for the Navajo Nation. 2 N.N.C. § 102.

1       **SECTION TWO. FINDINGS**

2       A. The Diné have established the Navajo Nation Council as a branch of the Navajo Nation  
3       Government. 2 N.N.C. § 101

4       B. In establishing the Navajo Nation Council the Diné have laid out specific qualifications  
5       for eligibility for holding the trusted office of Delegate to the Navajo Nation Council,  
6       among them being the requirement that the Delegate be an enrolled member of the  
7       Navajo Nation and be above the age of 25 years. 2 N.N.C. § 103

8       C. Loyalty to the sovereignty of the Navajo Nation and to fulfilling the responsibilities to the  
9       Diné as a Council Delegate are also required in that the Code expressly prohibits anyone  
10      holding elected office or in permanent employment of the United States or any state or  
11      any subdivisions thereof from also serving as elected Delegate of the Navajo Nation  
12      Council. 2 N.N.C. § 104

13     D. These prohibitions stem in part from the potential conflicts created when an elected  
14     official takes the oath of office to swear allegiance to the laws of the Navajo Nation and  
15     also to another sovereign be it Federal or State or subdivision thereof.

16     E. The Supreme Court of the Navajo Nation has held with respect to taking the oath of  
17     office that ‘...a person may not swear allegiance to obey and serve simultaneously the  
18     laws of the Nation and the State...’ *In the Matter of the Grievance of: Wagner, and*  
19     *concerning, Tsosie.* SC-CV-01-07, slip op at 7-8 (Nav.Sup.Ct. May 14 2007)

20     F. The Navajo Nation chose to include an exception to the prohibition against  
21     simultaneously holding another elected office by stating that the prohibition “...shall not  
22     apply to service on a school board or elective county office.”

23     G. Such an exception has proven to not be in the best interest of the Diné and at times  
24     detrimental to the effective operation and work of the Navajo Nation Council and  
25     therefore is no longer necessary.

26     H. It is in the best interest of the Diné and the Navajo Nation Council to amend the Navajo  
27     Nation Code, Title 2, Chapter 3, Subchapter 2, § 104(A) to remove the exception  
28     allowing the simultaneous holding an elective county office and the position of elected  
29     Navajo Nation Council Delegate.

1 **SECTION THREE. Amending Title 2**

2 The Navajo Nation Council hereby amends the Navajo Nation Code, 2 N.N.C. § 104 (A)  
3 as follows:

4  
5 **The NAVAJO NATION CODE**  
6 **TITLE 2 NAVAJO NATION GOVERNMENT**  
7 **Chapter 3 Legislative Branch**  
8 **Subchapter 1. Navajo Nation Council**

9 \* \* \* \*

10 **§ 104. Incompatible Service**

- 11 A. No person shall serve as a delegate if he or she is in the permanent  
12 employment of the United States or any state or any subdivisions thereof; nor  
13 shall and elected official of the Unites States or the several states thereof serve  
14 as a delegate. This Section shall not apply to service on a school board or  
15 ~~elective county office.~~
- 16 B. No person shall be eligible for election to the Navajo Nation Council if that  
17 person is permanently employed or an elected official as described in §104  
18 (A).
- 19 C. If any delegate, after his/her election, enters such service the delegate shall  
20 immediately forfeit his/her office as a Council Delegate.
- 21 D. No Council Delegate shall engage in the private practice of law while serving  
22 as a Navajo Nation Council Delegate.

23 \* \* \* \*

24 **TITLE 11 ELECTIONS**  
25 **Chapter 1. Navajo Election Code of 1990**  
26 **Subchapter 1. General Provisions**

27 \* \* \* \*

28 **§ 8 Qualifications for Office**

29 \* \* \* \*

30 **B. Qualifications for Delegate to the Navajo Nation Council:**



1. Must be at least 25 years of age on or before the date of the general election;
  2. Must be an enrolled member of the Navajo Nation on the Agency Census roll of the Bureau of Indian Affairs;
  3. Must not have been convicted of a felony within the last five years;
  4. Must not have been convicted of any misdemeanor involving crimes of deceit, untruthfulness and dishonesty, including but not limited to extortion, embezzlement, bribery, perjury, forgery, fraud, misrepresentation, false pretense, theft, conversion, or misuse of Navajo Nation funds and property, and crimes involving the welfare of children, child abuse, child neglect, aggravated assault and aggravated battery within the last five years. Must not have been found in violation by a trial court or the Ethics and Rules Committee of the Navajo Nation Council of the Navajo Ethics in Government or Election Laws;
  5. Must maintain unswerving loyalty to the Navajo Nation and must be competent and capable of upholding the oath of office;
  6. Must be a registered voter in the chapter or precinct from which elected;
  7. Candidates elected, who are employed by the Navajo Nation, must resign from such employment before taking the oath of office and shall not be employed by the Navajo Nation during their term of office;
  8. Must be able to speak and understand Navajo and/or English;
  9. Must not, if elected, serve in any other elected Navajo Nation Office with the exception of the office(s) of the school board(s);
  10. Must have permanent residence and been continually physically present within the Navajo Nation as defined in 7 N.N.C. § 254 at least three years prior to the time of election; and
  11. Must not be in the permanent employment of the United States or any state or subdivision thereof, or be an elected official of the United States or any state or subdivision thereof, with the exception of service on a school board or elective county office.
-

1 **SECTION FOUR. CODIFICATION**

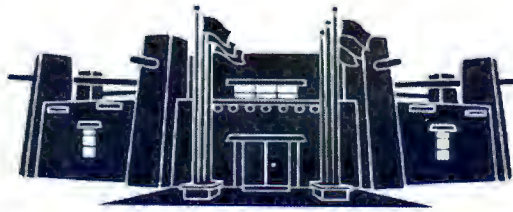
2       The provisions of the Act which amend or adopt new sections of the Navajo Nation  
3 Code shall be codified by the Office of Legislative Counsel. The Office of Legislative  
4 Counsel shall incorporate such amended provisions in the next codification of the Navajo  
5 Nation Code.  
6

7 **SECTION FIVE. SAVING CLAUSE**

8       Should any provision of this Act be determined invalid by the Navajo Nation Supreme  
9 Court or the District Courts of the Navajo Nation, without appeal to the Navajo Nation  
10 Supreme Court, the remainder of the Act shall remain the law of the Navajo Nation.  
11


12 **SECTION SIX. EFFECTIVE DATE**

13       The provisions of this Act shall become effective upon the occurrence of the next  
14 scheduled elections for Navajo Nation Council.  
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30



**MEMORANDUM**

**TO:** Honorable Otto Tso  
Navajo Nation Council

**FROM:**   
Edward A. McCool, Principal Attorney  
Office of Legislative Counsel

**DATE:** June 21, 2017

**SUBJECT:** AN ACT RELATING TO LAW AND ORDER, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; APPROVING AN ACT TO AMEND THE NAVAJO NATION CODE, TITLE 2, CHAPTER 3, SUBCHAPTER 2, SECTION 104 (A) INCOMPATIBLE SERVICE; REMOVING THE EXCEPTION PERMITTING THE HOLDING OF COUNTY OFFICE WHILE A NAVAJO NATION COUNCIL DELEGATE AND TITLE 11, CHAPTER 11 NAVAJO ELECTION CODE SUBCHAPTER 1, GENERAL PROVISIONS SECTION 8(B) QUALIFICATIONS FOR DELEGATES TO THE NAVAJO NATION COUNCIL

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

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

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

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0268-17\_\_\_\_\_ SPONSOR: Otto Tso

**TITLE: An Action Relating To Law And Order, Naabiki'iyati' Committee, And The Navajo Nation Council; Approving An Act To Amend The Navajo Nation Code, Title 2, Chapter 3, Subchapter 2, Section 104 (A) Incompatible Service; Removing The Exception Permitting The Holding Of County Office While A Navajo Nation Council Delegate And Title 11, Chapter 11, Navajo Election Code Subchapter 1, General Provisions Section 8(B) Qualifications For Delegates To The Navajo Nation Council**

**Date posted: July 19, 2017 at 5:20pm**

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

**Written comments may be mailed to:**

**Executive Director  
Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515  
(928) 871-7590**

**Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.**

**Please note:** This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*



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

**LEGISLATION NO.:** 0268-17

**SPONSOR:** Honorable Otto Tso


**TITLE: An Action Relating To Law And Order, Naabiki'iyati' Committee, And The Navajo Nation Council; Approving An Act To Amend The Navajo Nation Code, Title 2, Chapter 3, Subchapter 2, Section 104 (A) Incompatible Service; Removing The Exception Permitting The Holding Of County Office While A Navajo Nation Council Delegate And Title 11, Chapter 11, Navajo Election Code Subchapter 1, General Provisions Section 8(B) Qualifications For Delegates To The Navajo Nation Council.**

**Posted:** July 19, 2017 at 5:20pm

**5 DAY Comment Period Ended:** July 24, 2017

**Digital Comments received:**

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

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

7/25/2017 8:32am  
\_\_\_\_\_  
**Date/Time**

**LAW AND ORDER COMMITTEE  
23<sup>RD</sup> NAVAJO NATION COUNCIL**

**THIRD YEAR 2017**

**COMMITTEE REPORT**

Mr. Speaker,

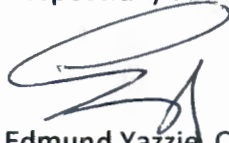
The **LAW AND ORDER COMMITTEE** to whom has been assigned:

**Legislation No. 0268-17:** An Action Relating to Law and Order, Naabik'iyati' Committee and the Navajo Nation Council; Approving an Act to Amend the Navajo Nation Code, Title 12, Chapter 3, Subchapter 2, Section 2014 (A) Incompatible Service; Removing the Exception Permitting the Holding of County Office While a Navajo Nation Council Delegate and Title 11, Chapter 11, Navajo Election Code Subchapter 1, General Provisions Section 8(B) Qualifications for Delegates to the Navajo Nation Council - Sponsors: Hon. Otto Tso/Hon. Edmund Yazzie/Hon. Nathaniel Brown/Hon. Tom Chee/Hon. Seth Damon/Hon. Herman M. Daniels/Hon. Tuchoney Slim, Jr./Hon. Jonathan Perry/Hon. Dwight Witherspoon/Hon. Benjamin Bennett/Hon. Amber Kanazbah Crotty/Hon. Leonard Tsosie/Hon. Nelson BeGaye/Hon. Norman M. Begay

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

And thereafter referred to Naabik'iyati' Committee

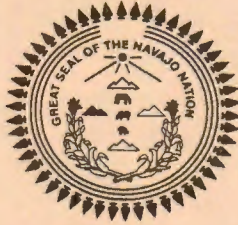
Respectfully submitted,



Edmund Yazzie, Chairperson  
Law and Order Committee  
23<sup>rd</sup> Navajo Nation Council

Date: July 31, 2017

Main Motion: Honorable Otto Tso  
Second : Honorable Kee A. Begay, Jr.  
Vote : 2-1 (Chairperson not voting)



## 23<sup>rd</sup> NAVAJO NATION COUNCIL LEGISLATION CO-SPONSORSHIP WITHDRAWAL

I, Herman Daniels, Co-Sponsor of  
proposed legislation hereby withdraw my co-  
sponsorship of the proposed legislation. The legislation  
tracking number is 268-17.

CO-SPONSOR SIGNATURE:

A handwritten signature in blue ink, appearing to read "Herman Daniels", written over a horizontal line.

DATE:

8-03-17





23<sup>rd</sup> NAVAJO NATION COUNCIL  
LEGISLATION CO-SPONSORSHIP WITHDRAWAL

I, Tom Chee, Co-Sponsor of  
proposed legislation hereby withdraw my co-  
sponsorship of the proposed legislation. The legislation  
tracking number is 0268-17.

CO-SPONSOR SIGNATURE:

Tom Chee

DATE:

8-3-2017



**23<sup>rd</sup> NAVAJO NATION COUNCIL  
NAABIK'ÍYÁTI' COMMITTEE REPORT  
Third Year 2017**

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

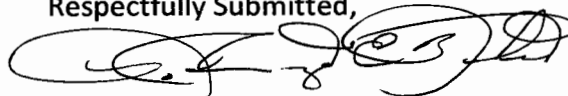
**NAVAJO LEGISLATIVE BILL #0268-17**

An Act Relating to Law and Order, Naabik'iyáti' Committee and the Navajo Nation Council; Approving an Act to Amend the Navajo Nation Code, Title 2, Chapter 3, Subchapter 2, Section 104 (A) Incompatible Service; Removing the Exception Permitting the Holding of County Office While a Navajo Nation Council Delegate and Title 11, Chapter 11 Navajo Election Code Subchapter 1, General Provisions Section 8 (B) Qualifications for Delegates to the Navajo Nation Council

*Sponsored by: Honorable Otto Tso  
Co-Sponsored by: Honorable Amber Kanazbah Crotty  
Co-Sponsored by: Honorable Benjamin L. Bennett  
Co-Sponsored by: Honorable Dwight Witherspoon  
Co-Sponsored by: Honorable Edmund Yazzie  
Co-Sponsored by: Honorable Jonathan Perry  
Co-Sponsored by: Honorable Leonard Tsosie  
Co-Sponsored by: Honorable Nathaniel Brown  
Co-Sponsored by: Honorable Norman M. Begay  
Co-Sponsored by: Honorable Seth Damon  
Co-Sponsored by: Honorable Tuchoney Slim, Jr.*

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

Respectfully Submitted,



*Honorable LoRenzo C. Bates, Chairman  
NAABIK'ÍYÁTI' COMMITTEE*

**03 AUGUST 2017**

**TABLING MOTION:**

*Motion to Table.*

*Motioned by: Honorable Dwight Witherspoon*

*Seconded by: Honorable Walter Phelps*

*Vote: 04 in Favor, 03 Opposed, 1 Abstained (Delegate Lee Jack, Sr. Abstained – Chairman Bates Not Voting)*

**MAIN MOTION:**

*Motioned by: Honorable Walter Phelps*

*Seconded by: Honorable Herman M. Daniels*

*Vote:*

(19)

# 23rd Navajo Nation Council Naabik'iyati' Committee

Date: August 3, 2017

0268-17-TABLE - MOVES ON TO NNC

Motion: D. WitherspoonSecond: W. Phelps

## ALL DELEGATES:

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

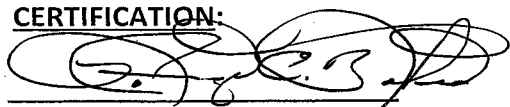
## BY COMMITTEE:

	Yea	Nay	TOTAL
<b>BFC:</b>			
CHEE, Tom T.			ABSTAIN
DAMON, Seth			
JACK, Lee Sr.			
SLIM, Tuchoney Jr.			
WITHERSPOON, Dwight	1		
TSOSIE, Leonard			1
<b>HEHSC:</b>			
BEGAY, Norman M.			2
BEGAY, Steven			
BEGAYE, Nelson		1	
BROWN, Nathaniel	1		
CROTTY, Amber K.			
HALE, Jonathan L.			2
<b>LOC:</b>			
BEGAY, Kee Allen Jr.			2
DANIELS, Herman			
SMITH, Raymond Jr.		1	
TSO, Otto		1	
YAZZIE, Edmund			
<b>RDC:</b>			
BENNETT, Benjamin L.	1		2
FILFRED, Davis			
PERRY, Jonathan			
PETE, Leonard H.			
PHELPS, Walter	1		
SHEPHERD, Alton Joe			2
<b>SPEAKER:</b>			
BATES, LoRenzo			(Votes only in a tie)

GRAND TOTAL

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## CERTIFICATION:


Honorable LoRenzo C. Bates  
Speaker

GRAND TOTAL

4	3
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DELEGATE L JACK SR - ABSTAIN

# 23rd Navajo Nation Council Naabik'iyati' Committee

Date: August 3, 2017

Legislation No. 0268-17

Motion: W. Phelps

Second: H. Daniels

## ALL DELEGATES:

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

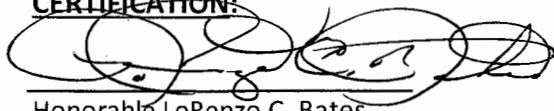
## BY COMMITTEE:

	Yea	Nay	TOTAL
<b>BFC:</b>			
CHEE, Tom T.			
DAMON, Seth			
JACK, Lee Sr.			
SLIM, Tuchoney Jr.			
WITHERSPOON, Dwight			
TSOSIE, Leonard			
<b>HEHSC:</b>			
BEGAY, Norman M.			
BEGAY, Steven			
BEGAYE, Nelson			
BROWN, Nathaniel			
CROTTY, Amber K.			
HALE, Jonathan L.			
<b>LOC:</b>			
BEGAY, Kee Allen Jr.			
DANIELS, Herman			
SMITH, Raymond Jr.			
TSO, Otto			
YAZZIE, Edmund			
<b>RDC:</b>			
BENNETT, Benjamin L.			
FILFRED, Davis			
PERRY, Jonathan			
PETE, Leonard H.			
PHELPS, Walter			
SHEPHERD, Alton Joe			
<b>SPEAKER:</b>			
BATES, LoRenzo C.			
(Votes only in a tie)			

GRAND TOTAL

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## CERTIFICATION:



Honorable LoRenzo C. Bates  
Speaker

GRAND TOTAL

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# 23<sup>rd</sup> NAVAJO NATION COUNCIL

## Action Report

### Fourth Year 2018

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

#### **NAVAJO LEGISLATIVE BILL #0268-17**

An Act Relating to Law and Order, Naabik'iyáti' and the Navajo Nation Council; Approving an Act to Amend the Navajo Nation Code, Title 2, Chapter 3, Subchapter 2, Section 104 (A) Incompatible Service; Removing the Exception Permitting the Holding of County Office While a Navajo Nation Council Delegate and Title 11, Chapter 11, Navajo Election Code Subchapter 1, General Provisions Section 8 (B) Qualifications for Delegates to the Navajo Nation Council

*Sponsored by: Honorable Otto Tso*

*Co-Sponsored by: Honorable Norman M. Begay*

*Co-Sponsored by: Honorable Benjamin Bennett*

*Co-Sponsored by: Honorable Nathaniel Brown*

*Co-Sponsored by: Honorable Amber Kanazbah Crotty*

*Co-Sponsored by: Honorable Seth Damon*

*Co-Sponsored by: Honorable Jonathan Perry*

*Co-Sponsored by: Honorable Tuchoney Slim, Jr.*

*Co-Sponsored by: Honorable Leonard Tsosie*

*Co-Sponsored by: Honorable Dwight Witherspoon*

*Co-Sponsored by: Honorable Edmund Yazzie*

Has had it under consideration and reports the same **FAILED WITH ONE AMENDMENT (NEEDED 16 IN FAVOR VOTES)**

Respectfully Submitted,

  
*Honorable Edmund Yazzie, Speaker Pro Tem*  
**NAVAJO NATION COUNCIL**

**17 OCTOBER 2018**

**AMENDMENT #1:**

Page 1 of 5, Line 15, after "Holding of" insert new language "School Board and"

Page 3 of 5, Line 14, strike "~~This Section shall not apply to service on a school board or~~"

Page 4 of 5, Line 28, strike "~~with the exception of service on a school board~~"

Page 4 of 5, Line 22, strike "~~with the exception of the office(s) of the school board(s)~~"

*Motioned by: Honorable Kee Allen Begay, Jr.*

*Seconded by: Honorable Dwight Witherspoon*

*Vote: 13 in Favor, 05 Opposed (Speaker Pro Tem Yazzie Not Voting)*

**MAIN MOTION:**

*Motioned by: Honorable Davis Filfred*

*Seconded by: Honorable Norman M. Begay*

*Vote: 08 in Favor, 11 Opposed (Speaker Pro Tem Yazzie Not Voting)*

-----  
**FAILED AMENDMENT:**

**Amendment #2:**

Page 5 of 5, Line 13, after the word "effective" insert "for the election of the 25<sup>th</sup>", strike "~~upon the occurrence of the next~~"

Page 5 of 5, Line 14, strike "~~scheduled election for~~"

*Motioned by: Honorable Raymond Smith, Jr.*

*Seconded by: Honorable Dwight Witherspoon*

*Vote: 04 in Favor, 13 Opposed (Speaker Pro Tem Yazzie Not Voting)*

# NAVAJO NATION

RCS# 1286

2018 Fall Session

10/17/2018

01:33:21 PM

Amd#1 to Amd#  
MOT Begay, K  
SEC Witherspoon

On Page 1 of 5, line 15, after  
"Holding of" insert new language  
"School board and" Page 3 of 5,  
line 14, strike language...

PASSED

**Yea : 13**

**Nay : 5**

**Excused : 0**

**Not Voting : 5**

## **Yea : 13**

Bates  
Begay, K  
Begay, NM  
BeGaye, N

Damon  
Daniels  
Filfred

Pete  
Phelps  
Slim

Smith  
Tso  
Witherspoon

## **Nay : 5**

Bennett  
Brown

Chee

Perry

Tsosie

## **Excused : 0**

## **Not Voting : 5**

Crotty  
Hale

Jack

Shepherd

Yazzie

# NAVAJO NATION

RCS# 1287

2018 Fall Session

10/17/2018

02:25:46 PM

Amd#2 to Amd#

Insert Effective Date

FAILED

MOT Smith

SEC Witherspoon

**Yea : 4**

**Nay : 13**

**Excused : 0**

**Not Voting : 6**

**Yea : 4**

Perry

Phelps

Smith

Witherspoon

**Nay : 13**

Bates

Brown

Daniels

Slim

Begay, K

Chee

Filfred

Tso

Begay, NM

Damon

Pete

Tsosie

BeGaye, N

**Excused : 0**

**Not Voting : 6**

Bennett

Hale

Shepherd

Yazzie

Crotty

Jack



# NAVAJO NATION

RCS# 1288

2018 Fall Session

10/17/2018

02:43:19 PM

Amd# to Amd#  
MOT Filfred  
SEC Begay, NM  
Legislation 0268-17: Approving  
an Act to Amend the Navajo  
Nation Code, Title 2, Chapter 3  
Subchapter 2, Section 104 (A)...

FAILED

**Yea : 8**

**Nay : 11**

**Excused : 0**

**Not Voting : 4**

**Yea : 8**

Begay, K  
Begay, NM

BeGaye, N  
Daniels

Filfred  
Phelps

Tso  
Tsosie

**Nay : 11**

Bates  
Bennett  
Brown

Chee  
Damon  
Jack

Perry  
Pete  
Slim

Smith  
Witherspoon

**Excused : 0**

**Not Voting : 4**

Crotty

Hale

Shepherd

Yazzie