

LEGISLATIVE SUMMARY SHEET

Tracking No. 0324-18

DATE: September 28, 2018

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE AND NAABIK'YATI' COMMITTEE; SUPPORTING THE NAGEEZI CHAPTER RESOLUTION #NC 18-043 AND RESPECTFULLY REQUESTING THE NEW MEXICO DEPARTMENT OF TRANSPORTATION TO REDUCE THE SPEED LIMIT ON CERTAIN SECTIONS OF HIGHWAY 550

PURPOSE: The purpose of this resolution is to supports Nageezi Resolution # NC 18-043 and request the New Mexico Department of Transportation to address the concerns of the Nageezi residents and decrease the speed limits on U.S. Highway 550 between mile markers 126 and 128 and mile markers 112 and 116 from 70 mph to 55 mph.

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: None
Website Posting Time/Date: 10:58am 9/28/18
Posting End Date: 10-03-18
Eligible for Action: 10-04-18

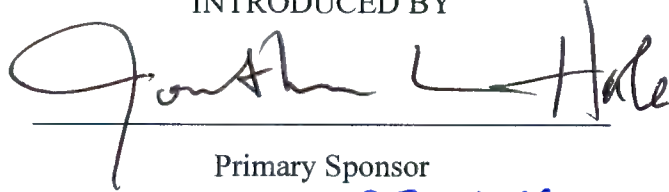
Resources & Development Committee

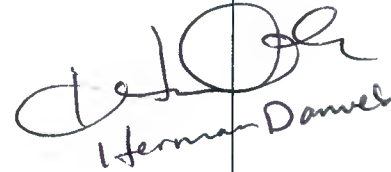
THENCE

Naa'bik'iyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION
23RD NAVAJO NATION COUNCIL—Fourth Year, 2018

INTRODUCED BY


Primary Sponsor


Herman Daniel

TRACKING NO. 0324-18

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE AND
NAABIK'YATI' COMMITTEE; SUPPORTING THE NAGEEZI CHAPTER
RESOLUTION #NC 18-043 AND RESPECTFULLY REQUESTING THE NEW
MEXICO DEPARTMENT OF TRANSPORTATION TO REDUCE THE SPEED
LIMIT ON CERTAIN SECTIONS OF HIGHWAY 550

WHEREAS:

- A. The Navajo Nation established the Resources and Development Committee as a Navajo Nation Council standing committee and as such empowered the committee "to promulgate rules and regulations governing transportation, community development, local government units, land acquisitions for the Navajo Nation, environmental protection, and the use, sale, exchange and development of Navajo Nation lands and/or resources, whether held in fee or trust status." 2 N.N.C. §§ 500 (A), 501 (B)(1).
- B. The Navajo Nation established the Naabik'iyáti' Committee as a Navajo Nation Council standing committee and as such empowered Naabik'iyáti' Committee to coordinate all state programs, i.e. New Mexico Department of Transportation, to provide efficient services to Navajo members. 2 N.N.C. §§ 164 (A)(9), 700 (A), 701 (A)(4) (2012). *See also* CO-45-12.
- C. The Navajo Nation has a government-to-government relationship with the State of New Mexico.

- 1 D. On February 2, 2018, the Nageezi Chapter of the Navajo Nation passed Resolution #
2 NC 18-043 titled "Requesting New Mexico Department of Transportation
3 ("NMDOT") to Decrease Speed Limits on U.S. Highway 550 Between Mile Markers
4 126 and 128 and Mile Markers 112 and 116 from 70 MPH to 55 MPH; and
5 Requesting New Mexico State Senator Benny Shendo, Jr. to Assist Nageezi Chapter
6 in their Request to NMDOT" and is attached hereto as **Exhibit A**.
7
8 E. The residents of the Nageezi Chapter vicinity have expressed their concerns about the
9 current speed limit and the chapter has made previous requests to the NMDOT with
10 no response or action. Residents have witnessed vehicular accidents and deaths of
11 both passengers and pedestrians along the highway and attribute the accidents and
12 deaths to the current speed limit. *Id*.
13
14 F. The Navajo Nation supports Nageezi Chapter's request as the community has
15 expressed a legitimate concern for the health, safety and welfare of their residents
16 based on their observation of the impact the current speed limit has on the
17 community.

18 **NOW THEREFORE, BE IT RESOLVED:**

- 19 A. The Navajo Nation hereby supports Nageezi Resolution # NC 18-043 titled
20 "Requesting New Mexico Department of Transportation ("NMDOT") to Decrease
21 Speed Limits on U.S. Highway 550 Between Mile Markers 126 and 128 and Mile
22 Markers 112 and 116 from 70 MPH to 55 MPH; and Requesting New Mexico State
23 Senator Benny Shendo, Jr. to Assist Nageezi Chapter in their Request to NMDOT"
24 attached hereto as **Exhibit A**.
25
26 B. The Navajo Nation respectfully requests the New Mexico Department of
27 Transportation to address the concerns of the Nageezi residents and decrease the
28 speed limits on U.S. Highway 550 between mile markers 126 and 128 and mile
29 markers 112 and 116 from 70 mph to 55 mph.
30
31 C. The Navajo Nation hereby authorizes the President of the Navajo Nation, the
Navajo Nation Washington Office, the Speaker of the Navajo Nation Council and

1 their designees, to advocate the concerns expressed herein by the Nageezi
2 Chapter.
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**NAGEEZI CHAPTER
EASTERN NAVAJO AGENCY
DISTRICT 19**



Russell Begaye, Navajo Nation President

Jonathan Nez, Navajo Nation Vice-President

**RESOLUTION OF NAGEEZI CHAPTER
EASTERN AGENCY, DISTRICT 19**

RESOLUTION # NC 18-043

REQUESTING NEW MEXICO DEPARTMENT OF TRANSPORTATION ("NMDOT") TO DECREASE SPEED LIMITS ON U.S. HIGHWAY 550 BETWEEN MILE MARKERS 126 AND 128 AND MILE MARKERS 112 AND 116 FROM 70 MPH TO 55 MPH; AND REQUESTING NEW MEXICO STATE SENATOR BENNY SHENDO, JR. TO ASSIST NAGEEZI CHAPTER IN THEIR REQUEST TO NMDOT

WHEREAS:

Pursuant to 26 N.N.C. §1(B), the Nageezi Chapter is delegated the governmental authority to make decisions over local matters consistent with Navajo Law, Custom, and Tradition and under 11 N.N.C., Part 1, Section 10, is delegated authority to make local decisions in the best interest and welfare of the community members; and

Nageezi Chapter with the population of 2500 to 3000 residents, registered and non-registered voters, is made of up of nine (09) sub-communities including and not limited to: Nageezi, Lybrook, Twin Pines, Blanco, Kimbeto, Chaco Canyon, Escavada, Betoni Wash, Kinnadiz, and Dzilth-na-o-dith-hle, being one of the largest land base chapter in the Eastern Agency of the Navajo Nation; and

Nageezi Chapter had made numerous requests to NMDOT to decrease the speed limits on U.S. Highway 550 between mile markers 126 and 128 and mile markers 112 and 116 but Nageezi Chapter doesn't receive no response from NMDOT; and

Nageezi Chapter community members have been raising concerns about the current speed limit of 70 mph between mile markers 126 and 128 and mile markers 112 and 116 due to these areas being very congested. Dzilth-na-o-dith-hle Community School, Dzilth-na-o-dith-hle Health Center, Dzilth-na-o-dith-hle Fire Station, Dzilth-na-o-dith-hle Navajo Nation Police Substation, and Navajo Housing Authority subdivision are located approximately 500 feet off of U.S. Highway 550 between mile markers 126 and 128. Nageezi Chapter, Nageezi Senior Center, Nageezi Head Start Program, Nageezi Veteran Office, and United States Post Office are located approximately 100 feet off of U.S. Highway 550 between mile markers 112 and 113. San Juan Road 7900 is off of U.S. Highway 550 between mile markers 113 and 112, which is a major access road to the Chaco Historical National Park; and

Numerous fatality auto accidents have occurred between mile markers 126 and 128 and mile markers 112 and 116 on U.S. Highway 550 due to the congestion of these areas and speed limit at 70 mph.

Very too often, Navajo pedestrians going to the above facilities have been hit by vehicles on U.S. Highway 550 between mile markers 126 and 128 and mile markers 112 and 116; and

Nageezi Chapter community members are pleading with NMDOT to decrease the speed limits from 70 mph to 55 mph on U.S. Highway 550 between mile markers 126 and 128 and mile markers 112 and 116.

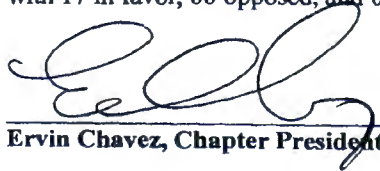
NOW THEREFORE BE IT RESOLVED THAT:

PO BOX 100, NAGEEZI NM 87037, PH: (505) 960-7200, FX: (505) 960-7201

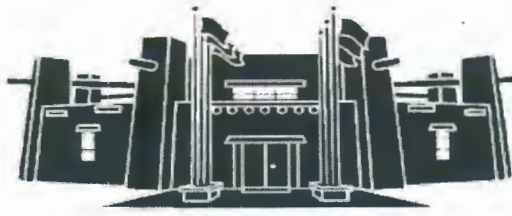
NAGEEZI CHAPTER HEREBY REQUESTS NEW MEXICO DEPARTMENT OF TRANSPORTATION ("NMDOT") TO DECREASE SPEED LIMITS ON U.S. HIGHWAY 550 BETWEEN MILE MARKERS 126 AND 128 AND MILE MARKERS 112 AND 116 FROM 70 MPH TO 55 MPH; AND REQUESTING NEW MEXICO STATE SENATOR BENNY SHENDO, JR. TO ASSIST NAGEEZI CHAPTER IN THEIR REQUEST TO NMDOT

CERTIFICATION

WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION NO. NC-18-043 was duly presented and discussed at a duly called meeting of Nageezi Chapter, Navajo Nation (New Mexico), at which a quorum was present, motioned by Ned Chavez Sr., seconded by Dorothy Lanell, was voted on with 17 in favor, 00 opposed, and 01 abstained, this 02nd day of February 2018.



Ervin Chavez, Chapter President

 21518
Jessica Platero, Secretary/Treasurer



MEMORANDUM

TO: Honorable Jonathan Hale
23rd Navajo Nation Council Delegate

FROM: 
Candace French, Attorney
Office of Legislative Counsel

DATE: September 28, 2018

RE: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE AND NAABIK'IYATI' COMMITTEE; SUPPORTING THE NAGEEZI CHAPTER RESOLUTION #NC 18-043 AND RESPECTFULLY REQUESTING THE NEW MEXICO DEPARTMENT OF TRANSPORTATION TO REDUCE THE SPEED LIMIT ON CERTAIN SECTIONS OF HIGHWAY 550

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

The Office of Legislative Counsel recommends 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 you approve, please sign as "Primary Sponsor" and submit it to the Office of Legislative Services where the proposed resolution will be given a tracking number and referred to the Office of the Speaker. If the proposed legislation is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like to make to the proposed resolution.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0324-18_____

SPONSOR: Jonathan L. Hale

TITLE: An Action Relating to Resources and Development Committee and Naabik'iyáti' Committee; Supporting the Nageezi Chapter Resolution #NC 18-043 and Respectfully Requesting the New Mexico Department of Transportation to Reduce the Speed Limit on Certain Sections of Highway 550

Date posted: September 28, 2018 at 6:59pm

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.: 0324-18

SPONSOR: Honorable Jonathan L. Hale

TITLE: An Action Relating to Resources and Development Committee and Naabik'iyáti' Committee; Supporting the Nageezi Chapter Resolution #NC 18-043 and Respectfully Requesting the New Mexico Department of Transportation to Reduce the Speed Limit on Certain Sections of Highway 550

Posted: September 28, 2018 at 6:59pm

5 DAY Comment Period Ended: October 3, 2018

Digital Comments received:

Comments Supporting (1)	1. Ed Becenti, St. Michaels Chapter Constituent
Comments Opposing	<i>None</i>
Inconclusive Comments	<i>None</i>



**Legislative Secretary II
Office of Legislative Services**

10/4/2018 8:24am
Date/Time

*Comment on LEGISLATION NO: _0324-18_____ SPONSOR: Jonathan L. Hale

Ed Becenti <rezztone@yahoo.com>

Wed 10/3/2018 7:06 PM

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

TITLE: An Action Relating to Resources and Development Committee and Naabik'íyáti' Committee; Supporting the Nageezi Chapter Resolution #NC 18-043 and Respectfully Requesting the New Mexico Department of Transportation to Reduce the Speed Limit on Certain Sections of Highway 550

My comment:

This legislation is long overdue and needs to be passed with a major YES...in addition NN Council should also look at other DANGEROUS highways within our great Navajo Nation...even within local large communities where folks seem to SPEED excessively during morning and evening traffic rush. Ahe'hee.

**Ed Becenti
St. Michaels Chapter Constituent**

****I had an issue with internet connection trying to submit before 6:59 pm.***



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

LEGISLATION NO.: 0324-18

SPONSOR: Honorable Jonathan L. Hale

TITLE: An Action Relating to Resources and Development Committee and Naabik'iyáti' Committee; Supporting the Nageezi Chapter Resolution #NC 18-043 and Respectfully Requesting the New Mexico Department of Transportation to Reduce the Speed Limit on Certain Sections of Highway 550

Posted: September 28, 2018 at 6:59pm

5 DAY Comment Period Ended: October 3, 2018

Digital Comments received:

Comments Supporting (1)	1. Lynda Lovejoy, Commissioner; NM Public Regulation Commission
Comments Opposing	<i>None</i>
Inconclusive Comments	<i>None</i>



**Legislative Secretary II
Office of Legislative Services**

10/11/2018 3:05 pm

Date/Time

Comments to Legislation No. 0324-18

Lynda Lovejoy <lovejoylynn1@gmail.com>

Thu 10/4/2018 1:48 PM

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

Please accept my comments to the above numbered legislation that is supporting the Nageezi Chapter Resolution NC 18-043 that requests NM Department of Transportation to reduce the speed limit on certain sections of U.S. Highway 550 as follows:

The U.S. Highway 550 runs from Bernalillo, NM to Colorado through Bloomfield, NM moves a great deal of high-speed traffic on a daily basis. Highway 550 is a highly travelled road and the travelling public include tourists, and many use it for job-related purposes in the northwest region. Due to a high increased opposite-direction fatal and tragic accidents over the years, the increased safety measures need to be taken to prevent more collisions, and to help ensure the safety of all drivers. Reducing speeds on certain areas of the highway would also prevent more accidents and maintain safety for all using and driving on the highway. I urge the Council members to support passage of Legislation No. 0324-18 sponsored by Council Delegate Jonathan Hale requesting to reduce speed limits on certain areas of Highway 550 as explained on Nageezi Chapter Resolution NC 18-043.

Thank you.

LYNDA LOVEJOY, Commissioner

NM Public Regulation Commission

**RESOURCES AND DEVELOPMENT COMMITTEE
23rd NAVAJO NATION COUNCIL**

FOURTH YEAR 2018

COMMITTEE REPORT

Mr. Speaker,

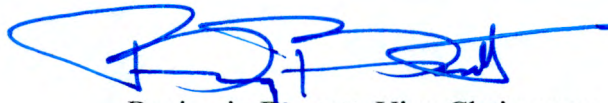
The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

LEGISLATION # 0324-18: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE AND NAABIK'IYATI COMMITTEE; SUPPORTING THE NAGEEZI CHAPTER RESOLUTION # NC 18-043 AND RESPECTFULLY REQUESTING THE NEW MEXICO DEPARTMENT OF TRANSPORTATION TO REDUCE THE SPEED LIMIT ON CERTAIN SECTIONS OF HIGHWAY 550. *Sponsor: Honorable Jonathan L. Hale*

Has had it under consideration and reports a **DO PASS** with no amendment;

And thereafter the matter was referred to Naabik'Iyati Committee.

Respectfully submitted,



Benjamin Bennett, Vice-Chairperson
Resource and Development Committee of
the 23rd Navajo Nation Council

Date: October 31, 2018 - Regular Meeting

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

MAIN MOTION: Jonathan Perry S: Walter Phelps V: 4-0-1 (VCNV)

YEAS: Alton Joe Shepherd, Jonathan Perry, Walter Phelps, Davis Filfred

NAYS:

EXCUSED: Leonard Pete

RESOURCES AND DEVELOPMENT COMMITTEE

Regular Meeting

October 31, 2018

ROLL CALL

VOTE TALLY SHEET:

LEGISLATION # 0324-18: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE AND NAABIK'IYATI COMMITTEE; SUPPORTING THE NAGEEZI CHAPTER RESOLUTION # NC 18-043 AND RESPECTFULLY REQUESTING THE NEW MEXICO DEPARTMENT OF TRANSPORTATION TO REDUCE THE SPEED LIMIT ON CERTAIN SECTIONS OF HIGHWAY 550. *Sponsor: Honorable Jonathan L. Hale*

MAIN MOTION: Jonathan Perry S: Walter Phelps V: 4-0-1 (VCNV)

YEAS: Alton Joe Shepherd, Jonathan Perry, Walter Phelps, Davis Filfred

NAYS:

EXCUSED: Leonard Pete



Benjamin Bennett, Vice-Chairperson
Resources and Development Committee



Shammie Begay, Legislative Advisor
Resources and Development Committee