

LEGISLATIVE SUMMARY SHEET

Tracking No. 063-17

DATE: April 28, 2017

TITLE OF RESOLUTION: AN ACTION RELATING TO NAABIK'ÍYÁTI' COMMITTEE;
RESPECTFULLY REQUESTING THE OFFICE OF THE PRESIDENT AND VICE-
PRESIDENT TO REPLACE THE EXECUTIVE DIRECTOR FOR THE NAVAJO-HOPI
LAND COMMISSION OFFICE

PURPOSE: This resolution if approved will request the Office of the President and Vice-President hire a new Executive Director for the Navajo-Hopi Land Commission Office.

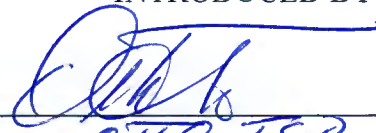
This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed legislation in detail.

5-DAY BILL HOLD PERIOD: None
Website Posting Time/Date: 3:15pm 5/3/17
Posting End Date: 5/8/2017
Eligible for Action: 5/9/2017

Naa'bik'íyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION
23RD NAVAJO NATION COUNCIL—Third Year, 2017

INTRODUCED BY



Otto Tso
Primary Sponsor

TRACKING NO. 0163-17

AN ACTION

RELATING TO NAABIK'ÍYÁTI' COMMITTEE; RESPECTFULLY REQUESTING
THE OFFICE OF THE PRESIDENT AND VICE-PRESIDENT TO REPLACE THE
EXECUTIVE DIRECTOR FOR THE NAVAJO-HOPI LAND COMMISSION
OFFICE

BE IT ENACTED:

SECTION ONE: AUTHORITY

- A. The Navajo Nation established the Naabik'íyáti' Committee as a Navajo Nation Council standing committee and has the authority to oversee the conduct and operations of entities of the Navajo Nation not otherwise under the oversight authority of other standing committees, except that such oversight shall not interfere with the prerogative or business decisions of management governing boards. 2 N.N.C. §§ 164 (A)(9), 700 (A) and 701 (A)(2) (2012).
- B. The Naabik'íyáti' Committee also has the enumerated power to serve as the oversight committee for the Office of Legislative Services and other offices, programs, commissions, boards or task forces under the Legislative Branch of the Navajo Nation government, unless otherwise designated by Navajo Nation law.

SECTION TWO: FINDINGS

- A. The Navajo-Hopi Land Commission Office operates under the direction of the President of the Navajo Nation. The President of the Navajo Nation shall appoint a staff assistant

1 who shall head the Land Commission Office who shall serve at the pleasure of the
2 President of the Navajo Nation; and the Commission shall utilize the Navajo-Hopi Land
3 Commission Office in performing its assigned functions. 2 N.N.C. § 856(A)-(B).

4 B. Wenona Benally, Executive Director for the Navajo-Hopi Land Commission Office
5 (NHLCO) has been elected and currently serving on the State of Arizona House of
6 Representatives, Fifty-third Legislature for District 7.

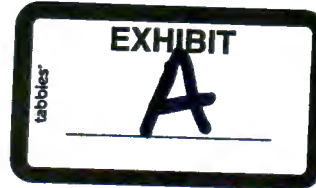
7 C. The Voices of the People has requested the current Executive Director be replaced and
8 expressed that the NHLCO Executive Director is a very critical position by working with
9 the residents of the Hopi Partition Land, Former Bennett Freeze Area, New Lands and
10 legal issues with the Hopi Tribe and United States Federal Government. The letter to the
11 President is attached as **Exhibit A**.

12 D. Due to Ms. Benally now serving on the Arizona State Legislature the work being
13 conducted by the NHLCO has been impacted.

14 E. The Navajo Nation hereby finds it is in the best interest of the Navajo People to direct the
15 Navajo Nation President and Vice-President to replace the Executive Director for the
16 NHLCO.

17
18 **SECTION THREE: DIRECTIVE TO SELECT THE CHIEF OF POLICE**

19 A. The Navajo Nation Naabik'íyáti' Committee hereby directs the Navajo Nation President
20 and Vice-President to replace the Executive Director for the Navajo-Hopi Land
21 Commission Office.
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SCANNED

3/20/17 363206170320

E-MAILED

3/20/17

VOICES OF THE PEOPLE

DINE BIKE YAH BIL NILIIGO, ADA YALTI

"HONORING THE LAND"

POST OFFICE BOX 1016, HOTEVILLA, ARIZONA 86030



March 7, 2017

Honorable Russell Begay
President of the Navajo Nation
Office of President
Window Rock, AZ 86515

**RE: Follow-Up Letter Dated November 9, 2016 – NHLCO Executive Director**

Dear Mr. President:

This is a follow-up letter dated November 9, 2016 in regards to Wenona Benally, Executive Director of the Navajo-Hopi Land Commission Office (NHLCO), who was elected as the U.S. State House of Representative, District #7 for the State of Arizona. The Voices of the People (VOP) Organization and members of the Hopi Partition Land (HPL) are concern with Ms. Benally is not working on Navajo and Hopi Issues at 100% as the NHLCO Executive Director. The Navajo Nation is also paying her salary while she is working and conducting business as the State House of Representative, where she is also being paid from the State at the same time. She is being paid double from both governments.

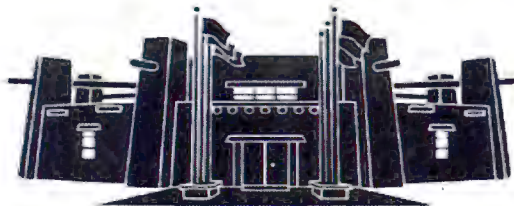
The NHLCO Executive Director is a very critical position by working with the residents of HPL, Former Bennett Freeze Area (FBFA), New Lands, Navajo Partition Land (NPL) and legal issues with the Hopi Tribe and U.S. Federal Government. Also, since she was appointed as the NHLCO Executive Director, she has not come out to meet with the residents or communities. She is not familiar with our issues, history, needs and laws relating to the dispute, and she is not fluent in our Navajo language to communicate to our grass-root communities.

Therefore, the VOP members respectfully request that Roman Bitsuie be appointed as the NHLCO Executive Director. He is very knowledgeable of the people living in the impacted areas, laws, history, and he works very well with the Hopi Tribal government. Your consideration in appointing Mr. Bitsuie is appreciated. If you have any questions, please contact Mr. Tim Johnson at telephone number (928) 725-3730.

Respectfully,


Tim Johnson, VOP President
Pauline Hunter, VOP Vice President
Lugredita Ashike, VOP Grazing Official
Mary Katherine Smith, VOP Member

CC: Navajo-Hopi Land Commissioners



MEMORANDUM

TO:

Hon. Otto Tso
23rd Navajo Nation Council

FROM:


Rhonda L. Tuni, Attorney
Office of Legislative Counsel

DATE:

April 28, 2017

SUBJECT:

AN ACTION RELATING TO NAABIK'ÍYÁTI' COMMITTEE;
RESPECTFULLY REQUESTING THE OFFICE OF THE PRESIDENT
AND VICE-PRESIDENT TO REPLACE THE EXECUTIVE
DIRECTOR FOR THE NAVAJO-HOPI LAND COMMISSION OFFICE

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

The Office of Legislative Council confirms the appropriate standing committee(s) reviews based on the standing committees powers outlined in 2 N.N.C. §§ 301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. § 164(A)(5).

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

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

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0163-17_____

SPONSOR: Otto Tso, Dwight Witherspoon,
Tuchoney Slim, Jr.

TITLE: An Action Relating to Naabik'iyati' Committee; Respectfully Requesting the
Office of the President and Vice- President to Replace The Executive Director for the
Navajo- Hopi Land Commission Office

Date posted: May 3, 2017 at 3:15pm

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.*