

## LEGISLATIVE SUMMARY SHEET

Tracking No. 0371-15

**DATE:** October 27, 2015

**TITLE OF RESOLUTION:** AN ACT RELATING TO LAW AND ORDER COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; AMENDING 2 N.N.C §183(F), PROHIBITING THE CONDUCT OF COMMITTEE AND COMMISSION MEETINGS WHILE THE NAVAJO NATION COUNCIL IS IN SESSION OR WHILE THE NAABIK'ÍYÁTI' COMMITTEE IS MEETING; FURTHER, PROHIBITING PAYMENT OF STIPEND OR REIMBURSEMENT FOR ATTENDANCE AT CHAPTER MEETINGS, INCLUDING PLANNING MEETINGS, DURING NAVAJO NATION COUNCIL SESSIONS OR DURING NAABIK'ÍYÁTI' COMMITTEE MEETINGS

**PURPOSE:** This resolution will prohibit the scheduling of committee and commission meetings while the Navajo Nation Council is in session or while the Naabik'iyáti' Committee is meeting. The resolution will also restrict the travel of delegates during Council sessions and Naabik'iyáti' Committee meetings. In addition to this, delegates will not be paid stipends or reimbursement for attending chapter meetings, including Planning meetings, conducted during Council sessions or during Naabik'iyáti' Committee meetings.

**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: 3:44 PM 6/30/15  
Posting End Date: 11/4/2015  
Eligible for Action: 11/5/2015

Law & Order Committee

THENCE

Naa'bik'iyáti' Committee

THENCE

Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

23rd NAVAJO NATION COUNCIL – First Year, 2015

INTRODUCED BY



(Prime Sponsor)



TRACKING NO. 0371-15

AN ACT

RELATING TO LAW AND ORDER COMMITTEE, NAABIK'ÍYÁTI'  
COMMITTEE AND THE NAVAJO NATION COUNCIL; AMENDING 2 N.N.C  
§183(F), PROHIBITING THE CONDUCT OF COMMITTEE AND COMMISSION  
MEETINGS WHILE THE NAVAJO NATION COUNCIL IS IN SESSION OR  
WHILE THE NAABIK'ÍYÁTI' COMMITTEE IS MEETING; FURTHER,  
PROHIBITING PAYMENT OF STIPEND OR REIMBURSEMENT FOR  
ATTENDANCE AT CHAPTER MEETINGS, INCLUDING PLANNING  
MEETINGS, DURING NAVAJO NATION COUNCIL SESSIONS OR DURING  
NAABIK'ÍYÁTI' COMMITTEE MEETINGS

BE IT ENACTED:

**Section One. Findings**

- A. The Law and Order Committee of the Navajo Nation Council has the authority to review and make recommendations to the Navajo Nation Council on proposed amendments to and enactments to the Navajo Nation Code. 2 N.N.C. §601(B)(14).
- B. Pursuant to 2 N.N.C. §164(A)(9), "a proposed resolution that requires final action by the Navajo Nation Council [must] be assigned to standing committee(s) having authority over the subject matter at issue and the Naabik'iyáti' Committee."

1 C. The Navajo Nation Council, pursuant to 2 N.N.C. §102(A), is the "governing  
2 body of the Navajo Nation ...".

3 D. Navajo Nation Council delegates are assigned to serve on standing committees of  
4 the Navajo Nation Council. 2 N.N.C. § 180. In addition, delegates, where  
5 permitted under Navajo Nation law, may be allowed to serve on governing boards  
6 of other Navajo Nation entities.

7 E. It is important that delegates attend sessions of the Navajo Nation Council and  
8 meetings of the Naabik'iyáti Committee. Title 2 of the Navajo Nation Code  
9 mandates, "[a]ll delegates to the Navajo Nation Council shall attend all regular  
10 and special meetings of the Navajo Nation Council or Committees." 2 N.N.C. §  
11 167. The presence of delegates at Council and Naabik'iyáti Committee meetings  
12 is essential because only delegates themselves, not anyone else, can debate and  
13 cast votes on agenda items. *Rule 22(F), Navajo Nation Council Rules of Order*.  
14 Meetings of boards and commissions, upon which delegates serve, should not  
15 conflict with the time when the Council is in session or when the Naabik'iyáti  
16 Committee is meeting.

17 F. It is in the best interest of the Navajo Nation that no meetings of boards and  
18 commissions, on which delegates serve, are to be held or conducted while the  
19 Navajo Nation Council is in session or while the Naabik'iyáti Committee is  
20 meeting. Meeting times should not conflict. For the same reasons, stipends and  
21 reimbursement should not be permitted for delegate attendance at chapter  
22 meetings or planning meetings during Council sessions or during Naabik'iyáti  
23 Committee meetings.

## 24 25 **Section Two. Amending 2 N.N.C. §183(F)**

26 The Navajo Nation Council hereby amends 2 N.N.C. §183(F) as follows:

27  
28 "No committee or commission meeting shall be held while the Navajo Nation  
29 Council is in ~~special or regular~~ session or while the Naabik'iyati' Committee is  
30 meeting, except to consider a matter which is already a part of the agenda for the

1 Council session, or the Naabik'iyati' Committee meeting, then in progress and for  
2 which committee or commission action is a legal condition precedent to action by the  
3 Council or the Naabik'iyati' Committee. ~~Not shall~~ The Speaker shall not approve  
4 travel ~~for any member of the Council which is to take place during a special or~~  
5 ~~regular session of the Council~~ requests of delegates for travel when the Council will  
6 be in session or when the Naabik'iyati' Committee will be meeting except when such  
7 travel is to conduct a meeting with, or to give official testimony to, the government of  
8 another sovereign. Further, no delegate shall receive a stipend or reimbursement for  
9 attending a Chapter meeting, including planning meetings, conducted during a  
10 Council session or during a Naabik'iyati' Committee meeting.  
11 \_\_\_\_\_  
12

### 13 **Section Three. Effective date**

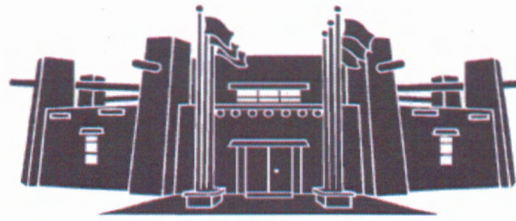
14 The amendments enacted herein shall be effective pursuant to 2 N.N.C. §221(B).  
15

### 16 **Section Four. Codification**

17 The provisions of these amendments of the Navajo Nation Code shall be codified  
18 by the Office of Legislative Counsel. The Office of Legislative Counsel shall  
19 incorporate such amendments in the next codification of the Navajo Nation Code.  
20


### 21 **Section Five. Savings Clause**

22 Should any provision of these amendments be determined invalid by the Navajo  
23 Nation Supreme Court, or the District Courts of the Navajo Nation without appeal to  
24 the Navajo Nation Supreme Court, those amendments that are not determined invalid  
25 shall remain the law of the Nation.  
26  
27  
28  
29  
30



## MEMORANDUM

To : Hon. Amber Crotty, Council Delegate  
Navajo Nation Council

From :   
Ron Haven, Attorney  
Office of Legislative Counsel

Date : October 27, 2015

Re : AN ACT RELATING TO LAW AND ORDER COMMITTEE,  
NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL;  
AMENDING 2 N.N.C §183(F), PROHIBITING THE CONDUCT OF  
COMMITTEE AND COMMISSION MEETINGS WHILE THE NAVAJO  
NATION COUNCIL IS IN SESSION OR WHILE THE NAABIK'ÍYÁTI'  
COMMITTEE IS MEETING; FURTHER, PROHIBITING PAYMENT OF  
STIPEND OR REIMBURSEMENT FOR ATTENDANCE AT CHAPTER  
MEETINGS, INCLUDING PLANNING MEETINGS, DURING NAVAJO  
NATION COUNCIL SESSIONS OR DURING NAABIK'ÍYÁTI'  
COMMITTEE MEETINGS

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 drafted is legally sufficient. However, as with all legislation, it can be subject to review by the courts in the event of proper challenge. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment.

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. Ahéhee'.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0371-15\_\_\_\_\_

SPONSOR: Amber Kanazbah Crotty

**TITLE: An Action Relating To Law and Order Committee, Naa'bik'iyati' Committee and the Navajo Nation Council; Amending 2 N.N.C. § 183(F), Prohibiting the Conduct of Committee and Commission Meetings While the Navajo Nation Council is in Session or While the Naa'bik'iyati' Committee is Meeting; Further, Prohibiting Payment of Stipend or Reimbursement for Attendance at Chapter Meetings, Including Planning Meetings, During Navajo Nation Council Sessions or During Naa'bik'iyati' Committee Meetings**

***Date posted: October 30, 2015 at 3:44pm***

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 Nav, ajo 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.: 0371-15**

**SPONSOR: Honorable Amber Kanazbah Crotty**

**TITLE An Action Relating To Law And Order Committee, Naa'bik'iyati' Committee And The Navajo Nation Council; Amending 2 N.N.C. § 183(F), Prohibiting The Conduct Of Committee And Commission Meetings While The Navajo Nation Council Is In Session Or While The Naa'bik'iyati' Committee Is Meeting; Further, Prohibiting Payment Of Stipend Or Reimbursement For Attendance At Chapter Meetings, Including Planning Meetings, During Navajo Nation Council Sessions Or During Naa'bik'iyati' Committee Meetings.**

**Posted: October 30, 2015 at 3:44pm**

**5 DAY Comment Period Ended: November 4, 2015**

**Digital Comments received:**

<b>Comments Supporting</b>	<i>None</i>
<b>Comments Opposing</b>	<i>None</i>
<b>Inclusive Comments (1)</b>	<b>1. Al Kee</b>

*L. J. P. II*

**Executive Director  
Office of Legislative Services**

*11/5/2015 - 9:00 am*

**Date/Time**

## re: Council committee-board meetings prohibition

Al Kee <keealvis@hotmail.com>

re: 11/3/2015 10:44 PM

comments <comments@navajo-nsn.gov>;

The legislation about prohibiting council or board meetings council members are on initially sounded appropriate.

But directing committees, board and/or Chapter meetings to alter their meeting dates for the convenience of council members to participate appears more of a concern for stipends.

Has the Navajo Nation leadership forgotten that *"the role of a leader is to serve and not to rule"*



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

**FIRST YEAR 2015**

**COMMITTEE REPORT**

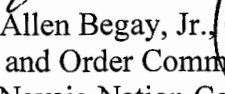
Mr. Speaker,

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

Legislation # 0371-15: An Act Relating to Law and Order Committee, Naabik'iyáti' Committee and the Navajo Nation Council; Amending 2 N.N.C. §183(F), Prohibiting the Conduct of Committee and Commission Meetings while the Navajo Nation Council is in Session or while the Naabik'iyáti' Committee is Meeting; Further, Prohibiting Payment of Stipend or Reimbursement for Attendance at Chapter Meetings, Including Planning Meeting, During Navajo Nation Council Sessions or During Naabik'iyáti' Committee Meetings.

Has had it under consideration and reports the matter **Tabled, Referring the Legislation to the Naabik'iyáti' Title 2 Reform Subcommittee for Review** and will subsequently return to the **Law and Order Committee.**

Respectfully submitted,

  
Kee Allen Begay, Jr., Chairperson Pro-Tempore  
Law and Order Committee of the  
23<sup>rd</sup> Navajo Nation Council

Date: November 16, 2015

Tabling Motion: E. Yazzie

Second: O. Tso

Vote: 2-1

Main Motion: O. Tso

Second: J. Perry

Vote:

**23<sup>rd</sup> NAVAJO NATION COUNCIL  
NAABIK'ÍYÁTI' COMMITTEE REPORT  
Second Year 2016**

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

**NAVAJO LEGISLATIVE BILL #0371-15**

An Act Relating to Law and Order Committee, Naabik'íyáti' Committee, and the Navajo Nation Council; Amending 2 N.N.C. § 183 (F), Prohibiting the Conduct of Committee and Commission Meetings While the Navajo Nation Council is in Session or While the Naabik'íyáti' Committee is Meeting; Further, Prohibiting Payment of Stipend or Reimbursement for Attendance at Chapter Meetings, Including Planning Meetings, During Navajo Nation Council Sessions or During Naabik'íyáti' Committee Meetings

*Sponsored by: Honorable Amber Kanazbah Crotty*

*Co-Sponsored by: Honorable Leonard Tsosie*

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

Respectfully Submitted,



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

**10 NOVEMBER 2016**

**MAIN MOTION:**

*Motioned by: Honorable Seth Damon*

*Seconded by: Honorable Jonathan Perry*

*Vote: 07 in Favor, 10 Opposed (Chairman Bates not voting)*

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**FAILED AMENDMENT:**

**AMENDMENT #1:**

On Page 3, Line 9, insert the words after, "including planning meetings" , and reimbursement for travel

**MAIN MOTION:**

*Motioned by: Honorable Norman M. Begay*

*Seconded by: Honorable Seth Damon*

*Vote: 08 in Favor, 09 Opposed (Chairman Bates not voting)*

# 23rd Navajo Nation Council

## Naabik'iyati' Committee

DATE: Nov. 10, 2016

(10)

Legislation 0371-15 (Main Motion)

Motion: S. Damon

Second: S. Perry

### ALL DELEGATES:

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

7 10

### 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.			
BEGAYE, Nelson			
BROWN, Nathaniel			
CROTTY, Amber K.			
HALE, Jonathan L.			
YAZZIE, Peterson			
<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, Leonard			
PETE, Leonard H.			
PHELPS, Walter			
SHEPHERD, Alton Joe			
<b>SPEAKER:</b>			
BATES, LoRenzo			
(Votes only in a tie)			

GRAND TOTAL

11 10

### CERTIFICATION:



Honorable LoRenzo Bates  
Speaker



# 23rd Navajo Nation Council

## Naabik'iyati' Committee

DATE: Nov. 10, 2016

⑨

Legislation 0371-15 (Amendment # 1)

Motion: NM Begay

pg 3 line 9, insert...

Second: Damon

### ALL DELEGATES:

	Yea	Nay
BATES, LoRenzo		
BEGAY, Kee Allen Jr.		
BEGAY, Norman M.	✓	
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		
YAZZIE, Peterson		

### 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.			
BEGAYE, Nelson			
BROWN, Nathaniel			
CROTTY, Amber K.			
HALE, Jonathan L.			
YAZZIE, Peterson			
<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, Leonard			
PETE, Leonard H.			
PHELPS, Walter			
SHEPHERD, Alton Joe			
<b>SPEAKER:</b>			
BATES, LoRenzo			
(Votes only in a tie)			

GRAND TOTAL

8 9

CERTIFICATION:

Honorable LoRenzo Bates  
Speaker