



23rd Navajo Nation Council

MEMORANDUM

To : Manuel Rico, Senior Programs and Projects Specialist
OFFICE OF LEGISLATIVE SERVICES

From : 15711
Tom Platero, Executive Director
OFFICE OF LEGISLATIVE SERVICES

Date : January 9, 2019

Subject : ***23rd Navajo Nation Council Expired Legislation***

Pursuant to 2 N.N.C. § 164 (A) (1), "The last day for consideration of resolutions shall be December 31st of the year immediately preceding the swearing in of the new Council", the following legislation need to be closed out and labeled as "expired":

NAVAJO NATION COUNCIL:

| | | | |
|---------|---------|---------|---------|
| 0399-17 | 0424-17 | 0098-18 | 0136-18 |
| 0183-18 | 0224-18 | 0328-18 | 0344-18 |
| 0356-18 | 0358-18 | 0367-18 | 0373-18 |
| 0385-18 | 0393-18 | 0404-18 | 0416-18 |
| 0422-18 | | | |

NAABIK'YATI' COMMITTEE:

| | | | |
|---------|---------|---------|---------|
| 0224-15 | 0361-16 | 0341-18 | 0406-18 |
| 0418-18 | 0427-18 | | |

BUDGET AND FINANCE COMMITTEE:

| | | | |
|---------|---------|---------|---------|
| 0021-17 | 0392-17 | 0099-18 | 0261-18 |
| 0287-18 | 0398-18 | 0435-18 | 0436-18 |

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE:

| | | |
|---------|---------|---------|
| 0414-18 | 0419-18 | 0451-18 |
|---------|---------|---------|

LAW AND ORDER COMMITTEE:

| | | | |
|---------|---------|---------|---------|
| 0114-17 | 0031-18 | 0217-18 | 0307-18 |
| 0353-18 | 0360-18 | 0364-18 | 0437-18 |

RESOURCES AND DEVELOPMENT COMMITTEE:

| | | | |
|---------|---------|---------|---------|
| 0402-15 | 0104-16 | 0121-16 | 0183-16 |
| 0282-16 | 0296-16 | 0370-16 | 0384-16 |
| 0135-17 | 0176-17 | 0386-17 | 0400-17 |
| 0076-18 | 0395-18 | 0415-18 | 0443-18 |

Legislation need to be closed out as soon as possible. If you have any questions, please let me know.

CONCURRENCE:



Honorable LoRenzo C. Bates, Speaker
23rd Navajo Nation Council

COPIES: Pete K. Atcitty, Chief of Staff, Office of the Speaker
Ed McCool, Acting Chief Legislative Counsel, Office of Legislative Counsel
Files

LEGISLATIVE SUMMARY SHEET

Tracking No. 0360-18

DATE: November 5, 2018

AN ACT RELATING TO RESOURCES AND DEVELOPMENT, LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; ADOPTING "THE RANGE TECHNICIAN ACT OF 2018"; AMENDING VARIOUS SECTIONS OF THE NAVAJO NATION CODE AT TITLE 3 §878, AND TITLE 11 §§ 2, 8, 240 TO ABOLISH THE ELECTED POSITION OF DISTRICT GRAZING OFFICIAL AND REQUIRE THE DEPARTMENT OF PERSONNEL MANAGEMENT TO ESTABLISH THE PROFESSIONAL POSITION OF "RANGE TECHNICIAN" BY JANUARY 1, 2020, SAID POSITION TO ASSUME THE DUTIES AND RESPONSIBILITIES OF THE DISTRICT GRAZING OFFICIAL

PURPOSE: The purpose of this legislation is to abolish the elected position of Grazing Official and establish and replace with the professional position of Range Technician as created by the Department of Personnel Management.

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: None
Website Posting Time/Date: 4:50pm 11/13/18
Posting End Date: 11/18/2018
Eligible for Action: 11/19/2018

Resources & Development Committee
Thence
Law & Order Committee
Thence
Naabik'íyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
23rd NAVAJO NATION COUNCIL -- Fourth Year, 2018

INTRODUCED BY


(Prime Sponsor)

TRACKING NO. 0360-18

AN ACT

RELATING TO RESOURCES AND DEVELOPMENT, LAW AND ORDER AND
NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL;
ADOPTING "THE RANGE TECHNICIAN ACT OF 2018"; AMENDING VARIOUS
SECTIONS OF THE NAVAJO NATION CODE AT TITLE 3 §878, AND TITLE 11 §§
2, 8, 240 TO ABOLISH THE ELECTED POSITION OF DISTRICT GRAZING
OFFICIAL AND REQUIRE THE DEPARTMENT OF PERSONNEL MANAGEMENT
TO ESTABLISH THE PROFESSIONAL POSITION OF "RANGE TECHNICIAN" BY
JANUARY 1, 2020, SAID POSITION TO ASSUME THE DUTIES AND
RESPONSIBILITIES OF THE DISTRICT GRAZING OFFICIAL

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. 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) (2012); CO-45-12.
- B. 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 Code.
2 2 N.N.C. §§ 164(A)(1), 600(A), and 601(B)(14) (2012); CO-45-12

3 C. 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. CO-45-12.

6 D. The Navajo Nation Council must review and approve enactments or amendments of
7 positive law. 2 N.N.C. § 164(A) (2012); CO-45-12.

8 9 **SECTION TWO. FINDINGS**

10 A. The Navajo Nation currently has the elected position of Grazing Official with
11 provisions outlining required qualifications and conditions for removal in the Navajo
12 Nation Election Code at 11 N.N.C. §§8 (D)(3) and 240(B).

13 B. As an elected position of the Navajo Nation Grazing Official's responsibilities require
14 considerable time and only modest compensation as described relative to the
15 responsibilities of the District Grazing Committee include the following:

16 1. Organize and conduct sheep and goat dipping, spraying or dusting programs,
17 branding activities, livestock disease prevention programs, surplus livestock removal
18 programs, and conduct or assist the Superintendent and his/her authorized
19 representatives in obtaining the annual livestock tally count.

20 2. Coordinate and explain the Navajo Grazing Regulations and other grazing related
21 laws to stockmen, explain and complete transfers and subletting of grazing permits,
22 cooperate with Navajo Nation and Bureau conservation programs and planning,
23 including the determination of priorities on major range improvement and development
24 projects.

25 3. Assist and advise Navajo stockmen at formal Grazing Committee meetings, and by
26 individual contact, in proper grazing practices, proper classes of productive livestock
27 to operate, ways of developing and improving range areas, and proper maintenance of
28 range improvements and developments.

29 4. Advise and inform individual Navajos of proper procedures to follow in either
30 obtaining or disposing of grazing permits.

- 1 5. Cooperate with local stockmen and Bureau personnel on all matters pertaining to
2 range water development, range re-vegetation, erosion control, and range management.
3 This will include the determination of individual or group range use areas for settling
4 range use disputes and for developing range management and improvement plans.
- 5 6. Enforce Navajo Grazing Regulations as required in such regulations.
- 6 7. Serve as mediators in adjusting and settling range difficulties between parties and
7 groups within their respective districts. In serving as mediators, the District Grazing
8 Committee will hear both sides of a dispute and attempt to get the two parties or groups
9 to agree to a mutual settlement of differences within the terms of the Navajo Grazing
10 Regulations. The Grazing Committee in serving as mediator is not to assume the role
11 of judge and jury. Difficult cases not settled in the above manner shall be referred to
12 the Office of Hearings and Appeals in an attempt to settle differences out of court.
- 13 8. Committees of adjoining districts shall hold joint meetings to resolve their inter-
14 district difficulties.
- 15 9. All Grazing Committee actions shall be conducted in formally called meetings with
16 a quorum present. This applies to grazing permit transfers and subletting as well as
17 other matters of business. The Chairperson or Vice-Chairperson shall sign all grazing
18 permit transfers and subletting agreements approved by the District Grazing Committee
19 after agreement is reached between the parties as to the method of payment.
- 20 10. Submit in writing to the Central Grazing Committee, any recommendations and
21 suggestions of general interest and any problem which the District Grazing Committee
22 is unable to solve or which is beyond its authority.
- 23 11. Perform such other duties and functions related to the purposes of the Grazing
24 Committees they may be directed to do by the Central Grazing Committee or the Office
25 of the President, Navajo Nation.
- 26 12. Preserve forage, land and water resources within the Navajo Nation and to build up
27 those resources where they have deteriorated.
- 28 13. Protect grazing interests of Navajo permittees from the encroachment of non-
29 Navajo individuals or businesses.
- 30

1 14. Adjust livestock numbers to carrying capacities of ranges in such a manner that the
2 livestock economy of the Navajo Nation is preserved.

3 15. Educate Navajo Grazing Permittees on the improvement of livestock through
4 proper breeding practices and maintenance of a sound culling policy and to recommend
5 to appropriate Navajo Nation offices, departments and the Resources Committee the
6 establishment of buck and bull pastures.

7 16. Maintain the Land Management Districts and to recommend changes in District
8 boundaries when deemed necessary to the Resources Committee and the Navajo Nation
9 pursuant to the Navajo Grazing Regulations.

10 17. Maintain livestock inventory data gathered while carrying out the various disease
11 and parasite control program and branding activities and to maintain all Grazing
12 Committee records.

13 18. Recommend to the Bureau grazing rights of bona fide livestock owners.

14 19. Recommend approval of transfer of grazing permits.

15 20. Approve subletting agreements of transfer of grazing permits provided that the
16 sublessor or Grantor will not own and operate more livestock than he or she has
17 remaining on the regular Grazing permit and provided that subletting agreements are
18 made only at District Grazing Committee meetings with a quorum present pursuant to
19 the Navajo Grazing Regulations.

20 21. Recommend construction of fences and Range Management Units or removal of
21 unauthorized existing fences and to regulate the construction of all dwelling, corrals,
22 and other structures within one-half mile of permanent livestock waters such as springs,
23 wells, and deep reservoirs.

24 22. Shall have transportation with full insurance coverage and valid state driver's
25 license.

26 23. Navajo Partitioned Land District Grazing Precincts shall re-issue grazing permits
27 on the Navajo Partitioned Lands, establish range unit boundaries; mediate grazing
28 disputes; inform and educate potential permittees in probating grazing permits
29 cancelled by the U.S. District Court of Arizona in October 1972; develop guidelines
30 for individual and community range management plans; coordinate with departments

1 of the Navajo Nation, the Hopi Tribe and the Bureau of Indian Affairs for effective
2 grazing enforcement; and other related matters. 3 N.N.C. § 873

3 C. The Navajo Nation finds it to be in the best interest of the Navajo People to
4 professionalize the duties and functions of the Grazing Official by establishing the
5 position of Range Technician.

6 D. The Navajo Nation finds it to be in the best interest of the Navajo People to require the
7 Navajo Department of Personnel Management to establish, by January 1, 2020, the
8 position of Range Technician, to perform all the functions and responsibilities of the
9 existing Grazing Official office as found described in the duties of the District Grazing
10 Committee. 3 N.N.C. §873

11
12 **SECTION THREE. RESOLVED**

13 A. The Navajo Nation hereby enacts “The Range Technician Act of 2018” amending the
14 Navajo Nation Code at 3 N.N.C. § 878 and 11 N.N.C. § 2, 8, 240 in order to abolish the
15 elected position of Grazing Official and hereby requires the Navajo Department of
16 Personnel Management to establish, in consultation with the Navajo Department of
17 Agriculture, the professional position of “Range Technician” by January 1, 2020, to
18 perform the duties and functions of the current Grazing Officials.

19 B. The Navajo Nation hereby amends the Navajo Nation Code Titles 3 and 11 as follows:

20 _____
21 **NAVAJO NATION CODE**
22 **TITLE 3. AGRICULTURE AND LIVESTOCK**
23 **CHAPTER 1**
24 **SUBCHAPTER 5. GRAZING COMMITTEES**
25 **ARTICLE 3.**
26 **DISTRICT GRAZING COMMITTEES**

27
28 * * * *

29 **~~§ 878. Compensation~~**
30

1 A. The Grazing Committee members shall be paid from funds provided annually in the
2 Navajo Nation budget for that purpose.

3 B. District Grazing Committee members shall be compensated at a rate of eight hundred
4 dollars (\$800.00) per month. All District Grazing Committee members shall be paid on a
5 regular basis and may be subject to appropriate payroll deduction for insurance coverage as
6 determined and approved by the Navajo Nation Insurance Commission pursuant to the
7 provisions of 2 N.N.C. § 932(a). In addition, District Grazing Committee members shall
8 receive travel allowance of two hundred dollars (\$200.00) per month.

9 C. District Grazing Committee members attending their respective Chapter, Precinct,
10 District and/or Agency meetings may be compensated for each meeting wherein official
11 business is conducted, from funds provided annually in the Navajo Nation budget. District
12 Grazing Committee members shall be paid as follows:

13 1. A stipend of one hundred twenty five dollars (\$125.00) each for attendance at regular
14 Chapter meetings and Chapter planning meeting per month;

15 2. A stipend of one hundred twenty five dollars (\$125.00) each for attendance at Agency
16 Grazing Committee meetings;

17 3. A stipend of one hundred twenty five dollars (\$125.00) each for attendance at District
18 Grazing Committee meetings;

19 4. A stipend of one hundred twenty five dollars (\$125.00) each for hosting a permittee
20 meeting.

21 D. Compensation of District Grazing Committee members may be withheld by the
22 Division of Natural Resources through the Grazing Management Office for failure to turn in
23 all tribal property at the end of his/her term, or for non-performance of prescribed duties and
24 responsibilities.

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26 * * * *

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28
29 **NAVAJO NATION CODE**
30 **TITLE 11. ELECTIONS**

CHAPTER 1
NAVAJO ELECTION CODE
SUBCHAPTER 1. GENERAL PROVISIONS
ARTICLE 2
DEFINITIONS

§ 2 Definitions

* * * *

AA. "Other elected officials"—means the collective term used to designate Land Board, ~~and~~ Farm Board, ~~and District Grazing Committee~~ members in each precinct or Chapter.

* * * *

§ 8. Qualifications for office

* * * *

D. Qualifications for other elected officials

* * * *

~~3. Qualifications for District Grazing Committee candidates~~

- ~~—— a. Must be a member of the Navajo Nation;~~
- ~~—— b. Must be a registered voter of the Chapter which candidate seeks to represent;~~
- ~~—— c. Must be at least twenty one (21) years of age at the time of filing;~~
- ~~—— d. Should be able to read, write and speak the English language;~~
- ~~—— e. Must be able to converse fluently in the Navajo language;~~
- ~~—— f. Must have demonstrated interest or experience in livestock and range management;~~
- ~~—— g. Must have knowledge of grazing rules and regulations;~~
- ~~—— h. Must not, if elected, serve in any other Navajo Nation elective offices, including a Navajo Nation Council seat or appointment to any commission, board, committee or office that is an entity of the Navajo Nation or the United States government, with the exception of the office(s) of School Board(s);~~
- ~~—— i. Must not have been convicted of a felony within the last five (5) years; and~~

1 ~~_____j. Must not have been convicted of any misdemeanor in any court involving crimes of~~
2 ~~deceit, untruthfulness and dishonesty, including but not limited to extortion, embezzlement,~~
3 ~~bribery, perjury, forgery, fraud, misrepresentation, false pretense, theft, conversion, or misuse of~~
4 ~~Navajo Nation funds and property, and crimes involving the welfare of children, child abuse,~~
5 ~~child neglect, aggravated assault and aggravated battery within the last five (5) years. Must not~~
6 ~~have been found in violation by a trial court or the Ethics and Rules Committee of the Navajo~~
7 ~~Nation Council of the Navajo Ethics in Government or Election Laws.~~

8 ****

9 **§ 240. Removal and placement on administrative leave.**

10 * * * *

11 ~~B. The District Grazing Committee Members are subject to removal by the Navajo~~
12 ~~Nation Council for just cause.~~

13 ~~1. Just cause shall include, but shall not be necessarily limited to:~~

14 ~~a. Insanity, when judicially or medically determined.~~

15 ~~b. Failure to attend three (3) consecutive District Grazing Committee meetings:~~

16 ~~c. Absence for three (3) consecutive months without permission of the District Grazing~~
17 ~~Committee:~~

18 ~~d. Habitual indulgence in alcoholic beverage.~~

19 ~~e. Breach of fiduciary trust of the Navajo People:~~

20 ~~f. Malfeasance or misfeasance of office.~~

21 ~~2. Such official can be removed by at least two thirds (2/3) vote of the Navajo Nation~~
22 ~~Council.~~

23 _____
24 **SECTION FOUR. CODIFICATION**

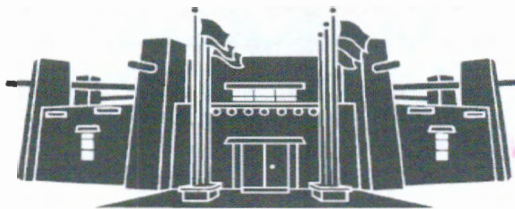
25 The provisions of the Act which amend or adopt new sections of the Navajo Nation
26 Code shall be codified by the Office of Legislative Counsel. The Office of Legislative
27 Counsel shall incorporate such amended provisions in the next codification of the Navajo
28 Nation Code.

29 **SECTION FIVE. SAVINGS CLAUSE**

1 Should any provision of this Act be determined invalid by the Navajo Nation Supreme
2 Court or the District Courts of the Navajo Nation, without appeal to the Navajo Nation
3 Supreme Court, the remainder of the Act shall remain the law of the Navajo Nation.
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5 **SECTION SIX. EFFECTIVE DATE**

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

TO: Honorable Jonathan Hale
Navajo Nation Council

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

DATE: November 5, 2018

SUBJECT: AN ACT RELATING TO RESOURCES AND DEVELOPMENT, LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; ADOPTING "THE RANGE TECHNICIAN ACT OF 2018"; AMENDING VARIOUS SECTIONS OF THE NAVAJO NATION CODE AT TITLE 3 §878, AND TITLE 11 §§ 2, 8, 240 TO ABOLISH THE ELECTED POSITION OF DISTRICT GRAZING OFFICIAL AND REQUIRE THE DEPARTMENT OF PERSONNEL MANAGEMENT TO ESTABLISH THE PROFESSIONAL POSITION OF "RANGE TECHNICIAN" BY JANUARY 1, 2020, SAID POSITION TO ASSUME THE DUTIES AND RESPONSIBILITIES OF THE DISTRICT GRAZING OFFICIAL

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: _0360-18__

SPONSOR: Jonathan L. Hale

TITLE: An Action Relating To Resources And Development, Law And Order And NAABIK'IYATI Committees And The Navajo Nation Council; Adopting "The Range Technician Act Of 2018" Amending Various Sections Of The Navajo Nation Code At Title 3 §878, And Title 11 §§2, 8, 240 To Abolish The Elected Position Of District Grazing Official And Require The Department Of Personnel Mangement To Establish The Professional Position Of "Range Technician" By January 1, 2020, Said Position To Assume The Duties And Responsibilities Of The District Grazing Official

Date posted: November 13, 2018 at 4:50 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.: 0360-18

SPONSOR: Honorable Jonathan L. Hale

TITLE: An Action Relating To Resources And Development, Law And Order And NAABIK'IYATI Committees And The Navajo Nation Council; Adopting "The Range Technician Act Of 2018" Amending Various Sections Of The Navajo Nation Code At Title 3 §878, And Title 11 §§2, 8, 240 To Abolish The Elected Position Of District Grazing Official And Require The Department Of Personnel Mangement To Establish The Professional Position Of "Range Technician" By January 1, 2020, Said Position To Assume The Duties And Responsibilities Of The District Grazing Official

Posted: November 13, 2018 at 4:50 PM

5 DAY Comment Period Ended: November 18, 2018

Digital Comments received:

| | |
|----------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| Comments Supporting | <i>None</i> |
| Comments Opposing (1) | <ol style="list-style-type: none"> 1. Lee Yazzie, Jr. DGCM of Bodaway/Gap Chapter. 2. Kris Benally |
| Inconclusive Comment | <i>None</i> |


**Legislative Secretary II
Office of Legislative Services**

11/17/18 8:24am
Date/Time



Lee Yazzie, Jr Bodaway/Gap-Grazing Member

District III Unit III

PO Box 1546

The Gap, AZ 86020

Cell Phone: (928)-280-5141

"Representing the Diné People of Hidden Springs, Bodaway, The Gap, Cedar Ridge, Bitter Springs, and Navajo Springs area"

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586
Email: comments@navajo-nsn.gov

Name: Lee Yazzie, Jr
Position Title: Bodaway/Gap Grazing Committee Member District III Unit III
P.O. Box 2095 Tuba City AZ, 86045
Email: lyazziejr@navajo-nsn.gov

RE: LEGISLATION NO: 0360-18

Yá'át'ééh,

I am against An Action Relating To Resources And Development, Law And Order And NAABIK'İYATI Committees And The Navajo Nation Council; Adopting "The Range Technician Act Of 2018" Amending Various Sections Of The Navajo Nation Code At Title 3 §878, And Title 11 §52, 8, 240 To Abolish The Elected Position Of District Grazing Official And Require The Department Of Personnel Management To Establish The Professional Position Of "Range Technician" By January 1, 2020, Said Position To Assume The Duties And Responsibilities Of The District Grazing Official. Many of own people are not ready for a range technician they ask the same questions almost every meetings relating HSL, livestock issues, range issues we have to refresh their memories. We the District Grazing Committee have the highest elected seat of the Navajo Nation we deal with almost everything relating lands with the permit holders too, We were elected by the people in our Chapters they put their trust in us Grazing Official to be their eyes, and ears during Reservation Wide Meetings, Agency Meetings, District Meetings, Permittee's Meetings, Planning & Chapter Meetings. If the 23rd Navajo Council abolish District Grazing Official seat that means the Navajo Nation will lose a precious Official in the Navajo Nation we were placed in by resolution. If they do so the Navajo Nation Council will spend more of the Navajo People's dollars on trip, exhaust the P Cards for their own use like what Navajo Nation Vice-President Nez, and other Council Delegates have done in the past and will do that into the future of their terms.

Please consider my letter. If any question please feel free to contact me at (928)-280-5141

Ahéhee'

Lee Yazzie, Jr

Lee Yazzie, Jr DGCM of Bodaway/Gap Chapter

0360-18

kris benally <cyb8@hotmail.com>

Sun 11/18/2018 9:46 AM

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

Cc: Elouise Brown <thebrownmachine@hotmail.com>; JERRY <JAYMOONER@msn.com>; Etta Arviso <bitahnii06@yahoo.com>; Anna Rondon <Annarondon@msn.com>; Amber K. Crotty <acrotty@navajo-nsn.gov>; Leonard Gorman <leonardgorman@navajo-nsn.gov>;

Keep the grazing officials. Don't need rangers. Grazing officials are in the 25 CFR 167 to over see grazing. If you take them away, you are in violation of the US code.

What good are the rangers? They don't write reports. They don't respond. They don't enforce the laws.

We had our cattle stolen. They didn't do any thing. We waiting a year to get the report. The only person who tried to help was our grazing official, Elouise Brown.

Yes, previous officials were negligent, but not all are.

They need performance evaluation.

This needs approval by the permittees. You can't just disregard them.

I know you are trying to eliminate the officials so you can disregard the permittees to get to the ground and what is below. We want to protect it for our grandchildren, 7 generations and more, out, not for your wallets.

What you are doing is a crime; stealing from and frauding the people.

Sent via the Samsung Galaxy S8, an AT&T 4G LTE smartphone

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

LEGISLATION NO.: 0360-18

SPONSOR: Honorable Jonathan L. Hale

TITLE: An Action Relating To Resources And Development, Law And Order And NAABIK'IYATI Committees And The Navajo Nation Council; Adopting "The Range Technician Act Of 2018" Amending Various Sections Of The Navajo Nation Code At Title 3 §878, And Title 11 §§2, 8, 240 To Abolish The Elected Position Of District Grazing Official And Require The Department Of Personnel Management To Establish The Professional Position Of "Range Technician" By January 1, 2020, Said Position To Assume The Duties And Responsibilities Of The District Grazing Official

Posted: November 13, 2018 at 4:50 PM

5 DAY Comment Period Ended: November 18, 2018

Digital Comments received:

| | |
|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Comments Supporting | <i>None</i> |
| Comments Opposing (3) | <ol style="list-style-type: none"> 1. Northern Navajo Agency Grazing Committee District 9, 12 & 13 2. Kris Benally 3. Jerry Moon |
| Inconclusive Comment | <i>None</i> |



**Legislative Secretary II
Office of Legislative Services**

12/7/18 5:02 PM
Date/Time

OPPOSING AND RECOMMENDING TO TABLE: AN ACTION RELATING TO RESOURCES DEVELOPMENT, LAW AND ORDER AND NAABIK'YATI COMMITTEES AND THE NAVAJO NATION COUNCIL: ADOPTING "THE RANGE TECHNICIAN ACT OF 2018" AMENDING VARIOUS SECTIONS OF THE NAVAJO NATION CODE AT TITLE 3 §878, AND TITLE 11 §§2, 8, 240 TO ABOLISH THE ELECTED POSITION OF DISTRICT GRAZING OFFICIAL AND REQUIRE THE DEPARTMENT OF PERSONNEL MANAGEMENT TO ESTABLISH THE PROFESSIONAL POSITION OF "RANGE TECHNICIAN" BY JANUARY 1, 2020, SAID POSITION TO ASSUME THE DUTIES AND RESPONSIBILITIES OF THE DISTRICT GRAZING OFFICIAL

WHEREAS:

1. Pursuant to the Navajo Nation Council Resolution CAP-38-98, approving amendments to Title NNC, Chapter 5 Subchapter 5 § 871 and 11 N.N.C. § 558 and 240 of the Navajo Nation Election Code et. Seq. giving authority and duties to the District Grazing Committee to conduct business regulate Grazing and Livestock issues on the Navajo Land; and
2. The District Grazing Committee is hereby continued as the administrative body within the Navajo Nation Government with the primary responsibility of managing rangelands, livestock, range issues, enforcing the Navajo Nation Grazing Regulation and other related issues on the Navajo Nation; and
3. The Legislation oppresses the District Grazing Official solely and vaguely attacks, and does not address as a whole, including the Farm Board and Eastern Joint Land Board; and
4. The "Range Technician" duties and responsibilities has no reviews, purposes, or impacts, or other consequence, or other findings and attachments to the legislation; and
5. The financial impacts with reviews comparative, or alternative studies has not been done, and the consultation to the District Grazing Committee not have been considered since they became employees of the Navajo Nation, they are an asset to the People who elected them; and
6. The District Grazing Officials strongly oppose the legislation and the position of the Range Technician role as an Official Liaison between the people and the government, and as a mediator on issues, or addressing disputes; and
7. The District Grazing Committee recognize the abolishment may be due to programs departments, and division not doing their duties in enforcement recommended by the District Grazing Committees and unjustifiable way to get rid of the District Grazing Committee Members; and
8. The legislation also need to hear from the people (permit holders) on the legislation not the non-permit holders, impacts, and careful review and studies need to be conducted; and
9. A Range Technician will be restricted in working hours for the reason that they will be controlled by the "clock"; regular working hours (8 to 5). They will unable to assist and provide the unnecessary services to the livestock owners after regular working hours. The current system allows the Grazing Official to be on a 24/7-hour basis; and
10. The Northern Agency District Grazing Committee recommends tabling indefinitely the propose legislation 0360-18 at this time and oppose it.

NOW THEREFORE, BE IT RESOLVED THAT:

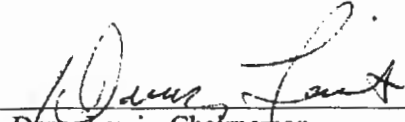
The Northern Navajo Agency Grazing Committees Recommend the Opposition of Legislation No. 0360-18 sponsored by Johnathan L. Hale and to be tabled indefinitely

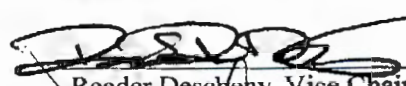
CERTIFICATION

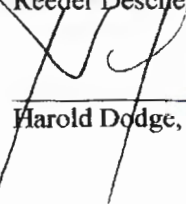
We, hereby certify that the foregoing Resolution was duly considered by the Northern Navajo Agency District Grazing Committee at a duly called Meeting at Sheepsprings Chapterhouse which time a quorum was present and that the Resolution was approved by a vote of 14 in favor, 0 opposed and 1 abstained this 16th day of November 2018.

Motion by: Elouise Brown

Second by: Curtis Yanito


Derry Lewis, Chairperson


Reeder Descheny, Vice Chairperson


Harold Dodge, Secretary

0360-18

kris benally <cyb8@hotmail.com>

Sun 11/18/2018 9:46 AM

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

Cc: Elouise Brown <thebrownmachine@hotmail.com>; JERRY <JAYMOONER@msn.com>; Etta Arviso <bitahnii06@yahoo.com>; Anna Rondon <Annarondon@msn.com>; Amber K. Crotty <acrotty@navajo-nsn.gov>; Leonard Gorman <leonardgorman@navajo-nsn.gov>;

Keep the grazing officials. Don't need rangers. Grazing officials are in the 25 CFR 167 to over see grazing. If you take them away, you are in violation of the US code.

What good are the rangers? They don't write reports. They don't respond. They don't enforce the laws.

We had our cattle stolen. They didn't do any thing. We waiting a year to get the report. The only person who tried to help was our grazing official, Elouise Brown.

Yes, previous officials were negligent, but not all are.

They need performance evaluation.

This needs approval by the permittees. You can't just disregard them.

I know you are trying to eliminate the officials so you can disregard the permittees to get to the ground and what is below. We want to protect it for our grandchildren, 7 generations and more, out, not for your wallets.

What you are doing is a crime; stealing from and frauding the people.

Sent via the Samsung Galaxy S8, an AT&T 4G LTE smartphone

NOVEMBER 18, 2018

JERRY MOON
PERMITTEE UNDER DISTRICT 9
PO BOX 2842
KIRTLAND, NM 87417

**RE: CONCERNS WITH LEGISLATION 0360-18, ELIMINATING ELECTED POSISTION, TITLE
GRAZING COMMITTEES**

I am register voter under precinct of Teec Nos Pos Chapter, within the boundaries of Navajo Nation, a recognized Tribe with Treaty since 1868. I am Grazing Permit Holder coming from my forefathers, with the Congress of United States approval and being known by and through the Office of Indian Affairs, Department of the Secretary of Interior. This intent of eliminating the Title, **Grazing Committees** originates all the way back from 1953, and approved by Secretary of the Interior to **exist**. I have come to learn with this legislation above, "Names of Committees" that are behind wanting to eliminate this **"Elected Position"** and replace with Range Technician. I have strong **opposition** to this.

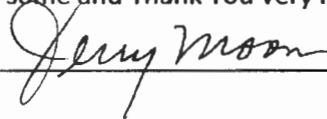
This is very misleading without proper, and being transparent with your very people, the Permittees. This should be base on our **"Red Book"** that desribes, informes, and also highlights the purposes of our Grazing Committees as mediator. An **authorizes officials** coming from Secretary of Interior approval, and they are the ones truly interrelates with us as Permit Holders, not the legislators and that are behind with this legislation. Our voices are heard through these Grazing Committees. Again **"NO"** to this Legislation that is above.

When you start taking and depriving of our **"Rights"**, which are coming from our forefathers and granted by our Superior, and this is our livelihood and known with our territorial reality called **"Ancestral Lands"**, and being Natives. We express our Rights through these Grazing Committees and that is intent of taking from us. We are authorized to continue practice of our livelihood with our property called "Livestock" on Federal Trust Land. This is reality between two differences, one (**Dine**) as without and the other with livestock and the interest on the same lands, fed with two different titles. To eliminate our representatives, the Grazing Officials is wrong and violation of our "Rights". Our representatives been deprived of advocacy, when legal opinion were sought and this went on these many years where we could been strenghten as Permittees. It does not exist again NO to this Legislation.

There was Lawsuit with settlement in the year of 2014 with 554 million dollars before all fees. I come to learned this Federal Document, our Grazing Permits were included in this and up to now no one is talking and these Legislators were involved then, some still here and behind this Legislation that is before us as innocents. You need to come forth and tell us what were of the Lawsuit. My **prayer** before you all with this Legislation need of withdrawal.

We as Ranchers have been victimized with our property, taking and trafficking our cattle where they know **"There Is No Laws"** against these evil behaviors. Relaying our cattle unto non-Navajo as "Racketeering Practice", against our interest and within where there is no help. That still have come no resolution and with Legislation. There are thousand of cattle missing and some needs prosecution yet there is "No Law and Order". For sure we need help against these kind of illegal activities and by removing our Representatives, Grazing Committees will only take away our **"Freedom of Speech"** and our **"Votes"**. That is a NO NO. Again I have strong opposition to this Legislation and I am praying to strongly consider my opposition. There are many can be said and here are some and Thank You very much.

Sincerely Forward by Jerry Moon,

A handwritten signature in cursive script that reads "Jerry Moon". The signature is written in dark ink and is positioned over a horizontal line that serves as a signature line.

**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 # 0360-18: An Action Relating to the Resources and Development Committee, Law and Order and Naabik'Iyati Committees and the Navajo Nation Council; Adopting the "Range Technician Act of 2018"; Amending Various Sections of the Navajo Nation Code at Title 3, §878, and Title 11 §2, 8, 240 to Abolish The Elected Position of District Grazing Officials and Require the Department of Personnel Management to Establish the Professional Position of "Range Technician" By January 1, 2020, Said Position to Assume the Duties and Responsibilities of the District Grazing Officials. *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 Law and Order Committee.

Respectfully submitted,



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

Date: November 28, 2018 - Regular Meeting
Meeting Location: NNC Chambers, Window Rock, Arizona

MAIN MOTION:

M: Leonard Pete S: Jonathan Perry Vote: 3-0-1 (VCNV)
YEAS: Leonard Pete, Walter Phelps and Jonathan Perry
NAYS:
EXCUSED: Alton Joe Shepherd and Davis Filfred

RESOURCES AND DEVELOPMENT COMMITTEE
Regular Meeting – November 28, 2018

ROLL CALL
VOTE TALLY SHEET:

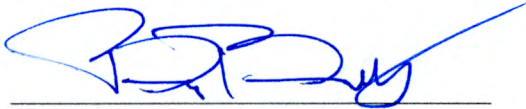
Legislation # 0360-18: An Action Relating to the Resources and Development Committee, Law and Order and Naabik'Iyati Committees and the Navajo Nation Council; Adopting the "Range Technician Act of 2018"; Amending Various Sections of the Navajo Nation Code at Title 3, §878, and Title 11 §2, 8, 240 to Abolish The Elected Position of District Grazing Officials and Require the Department of Personnel Management to Establish the Professional Position of "Range Technician" By January 1, 2020, Said Position to Assume the Duties and Responsibilities of the District Grazing Officials. *Sponsor: Honorable Jonathan L. Hale*

MAIN MOTION: Leonard Pete S: Jonathan Perry V: 3-0-1(VCNV)

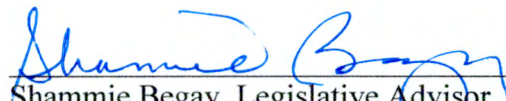
YEAS: Leonard Pete, Walter Phelps and Jonathan Perry

NAYS:

EXCUSED: Alton Joe Shepherd and Davis Filfred



Honorable Benjamin Bennett,
Presiding Chairman
Resources and Development Committee



Shammie Begay, Legislative Advisor
Office of Legislative Services

**LAW AND ORDER COMMITTEE
23RD NAVAJO NATION COUNCIL**

FOURTH YEAR 2018

COMMITTEE REPORT

Mr. Speaker,


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

Legislation No. 0360-18: An Act Relating to Resources and Development, Law and Order and Naabik'iyati' Committees and the Navajo Nation Council; Adopting "The Range Technician Act of 2018"; Amending Various Sections of the Navajo Nation Code at Title 3 §878, and Title 11 §§ 2, 8, 240 to abolish the elected position of District Grazing Official and Require the Department of Personnel Management to establish the Professional Position of "Range Technician" by January 1, 2020, Said Position to Assume the Duties and Responsibilities of the District Grazing Official – *Sponsors: Honorable Jonathan L. Hale/Honorable Benjamin Bennett*

Has had it under consideration and reports the same with the recommendation that it **DO NOT PASS** and with a directive motion:

A directive was made to the Director, Department of Agriculture and Division Director for Division of Natural Resources to do a specific outline plan and have a direct input from the Grazing Officials first before the Committee takes action.

Respectfully submitted,



Edmund Yazzie, Chairperson
Law and Order Committee
23rd Navajo Nation Council

Date: December 10, 2018

DIRECTIVE MOTION:

Motion: Honorable Kee A. Begay, Jr.

Second: Honorable Herman M. Daniels

Vote: 3-0-1 (Chairperson not voting)

LAW AND ORDER COMMITTEE

**Regular Meeting
December 10, 2018**

VOTE TALLY SHEET:

Legislation No. 0360-18: An Act Relating to Resources and Development, Law and Order and Naabik'iyati' Committees and the Navajo Nation Council; Adopting "The Range Technician Act of 2018"; Amending Various Sections of the Navajo Nation Code at Title 3 §878, and Title 11 §§ 2, 8, 240 to abolish the elected position of District Grazing Official and Require the Department of Personnel Management to establish the Professional Position of "Range Technician" by January 1, 2020, Said Position to Assume the Duties and Responsibilities of the District Grazing Official – *Sponsors: Honorable Jonathan L. Hale/Honorable Benjamin Bennett*

NO MAIN MOTION WAS MADE ON THIS LEGISLATION, ONLY A DIRECTIVE MOTION.

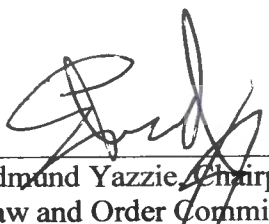
DIRECTIVE MOTION:

YEAS: Kee A. Begay, Jr./Herman M. Daniels/Raymond Smith, Jr.

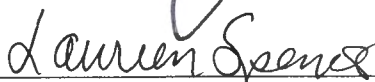
NAYS:

NOT VOTING: Edmund Yazzie

EXCUSE: Otto Tso



Edmund Yazzie, Chairperson
Law and Order Committee



Laureen Spencer, Legislative Advisor
Law and Order Committee

NAVAJO NATION

RCS# 42

12/10/2018

LOC Regular Meeting

01:13:49 PM

Amd# to Amd#

Directive on Legis. No. 0360-18

PASSED

MOT Begay, K

To Division Director to have

SEC Daniels

specific outline plan/direct

in put from Grazing Officials

Yea : 3

Nay : 0

Excused : 1

Not Voting : 1

Yea : 3

Begay, K

Daniels

Smith

Nay : 0

Excused : 1

Tso

Not Voting : 1

Yazzie