

LEGISLATIVE SUMMARY SHEET

Tracking No. 0185-14

DATE: May 26, 2016

TITLE OF RESOLUTION: AN ACTION RELATING TO LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; AMENDING 2 N.N.C. § 700, TO PROVIDE FOR A LEADERSHIP MEETING BETWEEN THE NAVAJO NATION COUNCIL AND THE PRESIDENT AND EXECUTIVE DIRECTORS BEFORE A REGULAR SESSION OF THE NAVAJO NATION COUNCIL

PURPOSE: This resolution if approved will amend 2 N.N.C. § 700.

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: 4:08pm 6/7/16
Posting End Date: 6/12/2016
Eligible for Action: 6/13/2016

Law & Order Committee

THENCE

Naa'bik'iyáti' Committee

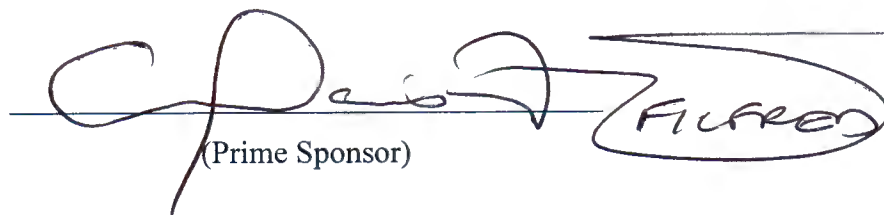
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PROPOSED NAVAJO NATION COUNCIL RESOLUTION

23rd NAVAJO NATION COUNCIL -- Second Year, 2016

Navajo Nation Council

INTRODUCED BY


(Prime Sponsor)

TRACKING NO. 0185-116

AN ACTION

RELATING TO LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES AND
NAVAJO NATION COUNCIL; AMENDING 2 N.N.C. § 700, TO PROVIDE FOR A
LEADERSHIP MEETING BETWEEN THE NAVAJO NATION COUNCIL AND THE
PRESIDENT AND EXECUTIVE DIRECTORS BEFORE A REGULAR SESSION OF
THE NAVAJO NATION COUNCIL

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation established the Law and Order Committee (LOC) as a Navajo Nation standing committee and as such empowered LOC to review and make recommendations to the Navajo Nation Council on proposed Navajo Nation Code amendments and enactments. 2 N.N.C. §§ 164 (A)(9), 600 (A), 601 (B)(14) (2015); CO-45-12.
- B. The Navajo Nation Council established the Naabik'iyáti' Committee as a Navajo Nation standing committee and as such proposed legislation that requires final action by the Navajo Nation Council shall be assigned to the Naabik'iyáti' Committee. 2 N.N.C. §§ 164 (A)(9), 700 (A) (2015); CO-45-12.
- C. The Navajo Nation Council must review and approve enactments or amendments of positive law. 2 N.N.C. § 164 (A) (2015); CO-45-12.

1 **SECTION TWO. FINDINGS**

- 2 A. The Navajo Nation Council's Naabik'íyáti' Committee rules allow for a fuller
3 discussion of issues important to the Navajo Nation, as such the State of the Navajo
4 Nation is vitally important to merit a full and complete discussion between the
5 Navajo Nation's Executive and Legislative Branches.
- 6 B. The Naabik'íyáti' Committee and the Navajo Nation President and Vice-President,
7 along with the Executive Branch Division Directors, in a Leadership meeting, should
8 have time to discuss the important issues facing the Navajo Nation; this Leadership
9 meeting should take place prior to each regular session of the Navajo Nation Council.
- 10 C. The Navajo Nation finds the following Navajo Nation Code amendments to Title 2 in
11 the best interest of the Navajo Nation.
- 12

13 **SECTION THREE. AMENDING NAVAJO NATION CODE TITLE 2**

14 The Navajo Nation amends the Navajo Nation Code, Title 2 as follows:

15

16 **NAVAJO NATION CODE ANNOTATED**
17 **TITLE 2. NAVAJO NATION GOVERNMENT**
18 **CHAPTER 3. LEGISLATIVE BRANCH**
19 **SUBCHAPTER 9. STANDING COMMITTEES**
20 **ARTICLE 5. NAABIK'ÍYÁTI'**

21
22 **§ 700. Establishment; purposes**

23 ***

- 24 H. The Naabik'íyáti' Committee shall, prior to each regular Navajo Nation Council
25 session, hold a leadership meeting with the Navajo Nation President, Vice-President
26 and Executive Directors of the Navajo Nation for a discussion on the State of the
27 Nation. This does not preclude the presentation of the State of the Nation address by
28 the President at each regular Navajo Nation Council session.

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2 **SECTION FOUR. CODIFICATION**

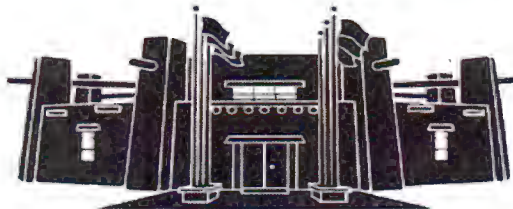
3 The provisions of the Act which amend or adopt new sections of the Navajo Nation
4 Code shall be codified by the Office of Legislative Counsel. The Office of Legislative
5 Counsel shall incorporate such amended provisions in the next codification of the Navajo
6 Nation Code.
7

8 **SECTION FIVE. SAVINGS CLAUSE**

9 Should any provision of this Act be determined invalid by the Navajo Nation
10 Supreme Court or the District Courts of the Navajo Nation, without appeal to the Navajo
11 Nation Supreme Court, the remainder of the Act shall remain the law of the Navajo Nation.
12


13 **SECTION SIX. EFFECTIVE DATE**

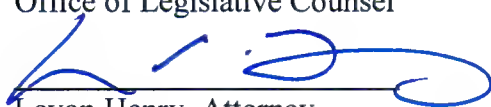
14 The Navajo Nation Code amendment enacted herein shall be effective pursuant to 2
15 N.N.C. § 221 (B).
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MEMORANDUM

TO: Honorable Davis Filfred
Navajo Nation Council

FROM: 
Rhonda L. Tuni
Office of Legislative Counsel

THRU: 
Levon Henry, Attorney
Office of Legislative Counsel

DATE: May 26, 2016

SUBJECT: AN ACT RELATING TO LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; AMENDING 2 N.N.C. § 700, TO PROVIDE FOR A LEADERSHIP MEETING BETWEEN THE NAVAJO NATION COUNCIL AND THE PRESIDENT AND EXECUTIVE DIRECTORS BEFORE A REGULAR SESSION OF 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. §§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).

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: _0185-16_____ SPONSOR: Davis Filfred

TITLE: An Action Relating to Law And Order And Naabik'iyati' Committees And Navajo Nation Council; Amending 2 N.N.C. § 700, To Provide For A Leadership Meeting Between The Navajo Nation Council And The President And Executive Directors Before A Regular Session Of The Navajo Nation Council

Date posted: June 7, 2016 at 4:08pm

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 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.: 0185-16

SPONSOR: Honorable Davis Filfred

TITLE: An Action Relating To Law And Order And Naabik'iyati' Committees And Navajo Nation Council; Amending 2 N.N.C. § 700, To Provide For A Leadership Meeting Between The Navajo Nation Council And The President And Executive Directors Before A Regular Session Of The Navajo Nation Council.

Posted: June 7, 2016 at 4:08pm

5 DAY Comment Period Ended: June 12, 2016

Digital Comments received:

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


Policy Analyst
Office of Legislative Services

6/13/16 8:38am
Date/Time

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

SECOND YEAR 2016

COMMITTEE REPORT

Mr. Speaker,

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

Legislation No. 0185-16: An Action Relating to Law and Order and Naabik'iyati' Committees and Navajo Nation Council; Amending 2 N.N.C. § 700, to provide for a Leadership Meeting between the Navajo Nation Council and the President and Executive Directors before a Regular Session of the Navajo Nation Council - Sponsor: Hon. Davis Filfred

Has had it under consideration and reports the same with the recommendation that it **NOT PASS** with no amendments

And thereafter referred to Naabik'iyati' Committee

Respectfully submitted,



Raymond Smith, Jr., Pro Tem
Law and Order Committee
23rd Navajo Nation Council

Date: June 22, 2016

Main Motion: Honorable Otto Tso
Second : Honorable Kee A. Begay, Jr.
Vote : 0-2 (Pro Tem not voting)

23rd NAVAJO NATION COUNCIL
Naabik'íyáti' Committee
Second Year 2016

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

NAVAJO LEGISLATIVE BILL #0185-16

An Action Relating Law and Order and Naabik'íyáti' Committees and Navajo Nation Council;
Amending 2 N.N.C. § 700, to Provide for a Leadership Meeting Between the Navajo Nation
Council and the President and Executive Directors before a Regular Session of the Navajo Nation
Council

Sponsored by: Honorable Davis Filfred

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

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read 'LoRenzo Bates', written over a horizontal line.

Honorable LoRenzo Bates, CHAIRMAN
NAABIK'ÍYÁTI' COMMITTEE

13 JULY 2016

MAIN MOTION:

Motioned by: Honorable Otto Tso

Seconded by: Honorable Leonard Tsosie

VOTE: *05 in Favor, 06 Opposed (Speaker Bates not voting)*

NAVAJO NATION

RCS# 493

Naa'bik'iyati Committee

7/13/2016

03:50:34 PM

Amd# to Amd#

Legislation No. 0185-16

FAILED

MOT Tso

Amending 2 N.N.C. Section 700

SEC Tsosie

to provide for a Leadership mtg
between NNC & President/Exec.Dir

Yea : 5

Nay : 6

Not Voting : 11

Yea : 5

Filfred
Hale

Perry

Slim

Smith

Nay : 6

Begay, NM
BeGaye, N

Brown
Daniels

Tso

Tsosie

Not Voting : 11

Bates
Begay, K
Bennett
Chee

Crotty
Damon
Jack

Pete
Phelps
Shepherd

Vacant
Witherspoon
Yazzie

23rd NAVAJO NATION COUNCIL Second Year 2016

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

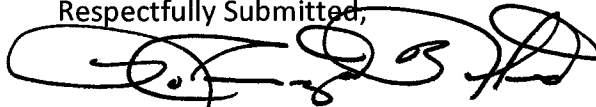
NAVAJO LEGISLATIVE BILL #0185-16

An Action Relating Law and Order and Naabik'íyáti' Committees and Navajo Nation Council;
Amending 2 N.N.C. § 700, to Provide for a Leadership Meeting Between the Navajo Nation
Council and the President and Executive Directors before a Regular Session of the Navajo Nation
Council

Sponsored by: Honorable Davis Filfred

Has had it under consideration and reports the same was **TABLED**

Respectfully Submitted,



Honorable LoRenzo Bates, *SPEAKER*
NAVAJO NATION COUNCIL

20 JULY 2016

MOTION TO TABLE:

Motion to Table to no later than the end of Fall Session 2016

Motioned by: Honorable Seth Damon

Seconded by: Honorable Lee Jack, Sr.

VOTE: 12 in Favor, 03 Opposed (*Speaker Bates not voting*)

MAIN MOTION:

Motioned by: Honorable Dwight Witherspoon

Seconded by: Honorable Leonard Pete

VOTE:

NAVAJO NATION

RCS# 523

Summer Session

7/20/2016

12:39:03 PM

Amd# to Amd#

Table Legislation No. 0185-16

PASSED

MOT Damon

no later than fall session

SEC Jack

2016

Yea : 12

Nay : 3

Not Voting : 5

Yea : 12

Begay, K
BeGaye, N
Damon

Filfred
Hale
Jack

Phelps
Shepherd
Slim

Smith
Tso
Witherspoon

Nay : 3

Yazzie

Pete

Tsosie

Not Voting : 5

Bates
Begay, NM

Bennett
Brown

Chee
Crotty

Daniels
Perry

23rd NAVAJO NATION COUNCIL Second Year 2016

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

NAVAJO LEGISLATIVE BILL #0185-16

An Action Relating Law and Order and Naabik'iyáti' Committees and Navajo Nation Council; Amending 2 N.N.C. § 700, to Provide for a Leadership Meeting Between the Navajo Nation Council and the President and Executive Directors before a Regular Session of the Navajo Nation Council

Sponsored by: Honorable Davis Filfred

Has had it under consideration and reports the same **EXPIRED**

Respectfully Submitted,



Honorable LoRenzo Bates, SPEAKER
NAVAJO NATION COUNCIL

19 OCTOBER 2016

Legislation 0185-16 was tabled by the Navajo Nation Council on July 20, 2016 by a vote of 12 in favor and 03 opposed. The tabling motion stated, "Motion to Table to no later than the end of Fall Session 2016". Per Navajo Nation Council Rule 19. E., "Any legislation not taken from the table in the manner provided herein or at the time directed by the Council shall be deemed to be expired and shall be eliminated from the agenda of the Council." Legislation 0185-16 was not acted on during the 2016 Navajo Nation Council Fall Session and is therefore "expired and shall be eliminated from the agenda of the Council." As such, Legislation 0185-16 will be closed out.