



Motion: Honorable Davis Filfred
Second: Honorable Edmund Yazzie
VOTE: 17-00

AGENDA
OF THE
23rd NAVAJO NATION COUNCIL

FALL SESSION
October 16 - 20, 2017

Navajo Nation Council Chambers
Window Rock, Navajo Nation

PRESIDING: Honorable LoRenzo C. Bates, Speaker, Navajo Nation Council

1. CALL MEETING TO ORDER; ROLL CALL; INVOCATION
2. RECOGNIZE GUESTS AND VISITING OFFICIALS TO THE NAVAJO NATION
3. REVIEW AND ADOPT THE AGENDA
4. RECEIVE THE STATE OF THE NATION ADDRESS FROM THE PRESIDENT OF THE NAVAJO NATION
(m) (s) (v)
5. RECEIVE REPORT FROM THE SPEAKER OF THE NAVAJO NATION COUNCIL
(m) (s) (v)
6. ORAL REPORTS:
 - A. Bureau of Indian Affairs (BIA) (m) (s) (v)
 - B. Indian Health Services (IHS) (m) (s) (v)
 - C. Financial Report by the Controller (m) (s) (v)
 - D. Attorney General (m) (s) (v)

- E. Chief Justice of the Navajo Nation (m) (s) (v)
- F. Navajo Housing Authority (m) (s) (v)

7. WRITTEN REPORTS

- A. Standing Committees (m) (s) (v)
- B. Boards and Commission (m) (s) (v)
- C. Bureau of Indian Affairs (m) (s) (v)
- D. Indian Health Services Area Director (m) (s) (v)

8. OLD BUSINESS:

- (A) **LEGISLATION 0020-17:** An Action Relating to Health, Education and Human Services, Budget and Finance and Naabik'iyáti' Committees and Navajo Nation Council; Adopting the Sihasin Fund Senior Citizens Expenditure Plan Pursuant to CD-68-14 and 12 N.N.C. §§ 2501 - 2508. (2/3) **SPONSOR: Honorable Amber Kanazbah Crotty**

(m) **Honorable Jonathan Perry** (s) **Honorable Otto Tso** (v)

4/19/2017 – Motion to Table Until There is a 2/3 Quorum; (M) Honorable Jonathan L. Hale; (S) Honorable Norman M. Begay; (V) 11 in Favor, 05 Opposed (Speaker Bates Not Voting)

- (B) **LEGISLATION 0177-17:** An Action Relating to Law and Order and Naabik'iyáti' and the Navajo Nation Council; Amending Title 17 of the Navajo Nation Code.

SPONSOR: Honorable Otto Tso
CO-SPONSOR: Honorable Amber Kanazbah Crotty

(m) **Honorable Nathaniel Brown** (s) **Honorable Amber Kanazbah Crotty** (v)

7/20/2017 – Motion to Table for 30 Days; (M) Honorable Lee Jack, Sr.; (S) Honorable Benjamin Bennett; (V) 09 in Favor, 08 Opposed (Speaker Bates Not Voting); There is One (1) Pending Amendment.

9. NEW BUSINESS:

- (A) **LEGISLATION 0334-17:** An Action Relating to Law and Order, Budget and Finance, and Naabik'iyáti' Committees and Navajo Nation Council; Amending CD-68-14, the Navajo Nation Sihasin Fund. (90%) **SPONSOR: Honorable Dwight Witherspoon**

(m) (s) (v)

- (B) **LEGISLATION 0268-17:** An Action Relating to Law and Order, Naabik'iyáti' Committee, and the Navajo Nation Council; Approving an Act to Amend the Navajo Nation Code, Title 2, Chapter 3, Subchapter 2, Section 104 (A) Incompatible Service; Removing the Exception Permitting the Holding of County Office while a Navajo Nation Council Delegate and Title 11, Chapter 11, Navajo Election Code Subchapter 1, General Provisions Section 8(B) Qualifications for Delegates to the Navajo Nation Council. (2/3)

SPONSOR: Honorable Otto Tso
CO-SPONSOR: Honorable Norman M. Begay
CO-SPONSOR: Honorable Steven Begay
CO-SPONSOR: Honorable Benjamin Bennett

CO-SPONSOR: Honorable Nathaniel Brown
CO-SPONSOR: Honorable Amber Kanazbah Crotty
CO-SPONSOR: Honorable Seth Damon
CO-SPONSOR: Honorable Jonathan Perry
CO-SPONSOR: Honorable Tuchoney Slim, Jr.
CO-SPONSOR: Honorable Leonard Tsosie
CO-SPONSOR: Honorable Dwight Witherspoon
CO-SPONSOR: Honorable Edmund Yazzie

(m) (s) (v)

- (C) **LEGISLATION 0359-17:** An Action Relating to Resources and Development, Law and Order and Naabik'iyáti' Committees; and the Navajo Nation Council: Authorizing and Approving the Kayenta Township Commission to Form Wholly Owned Instrumentalities under Navajo Law; Extending the Navajo Nation Privileges and Immunities to the Formed Instrumentalities; and Authorizing the Kayenta Township Commission to Waive the Instrumentalities Privileges and Immunities, Including Limited Sovereign Immunity and the Requirements for Tribal Remedies Exhaustion. (2/3)

SPONSOR: Honorable Nathaniel Brown
CO-SPONSOR: Honorable Kee Allen Begay, Jr.
CO-SPONSOR: Honorable Herman M. Daniels
CO-SPONSOR: Honorable Otto Tso

(m) (s) (v)

- (D) **LEGISLATION 0401-17:** An Action Relating to the Law and Order and Naabik'iyáti' Committees; and the Navajo Nation Council: Amending 2 N.N.C. § 164(B), Agreements not Requiring Committee or Council Approval. (2/3)

SPONSOR: Honorable Tuchoney Slim, Jr.

(m) (s) (v)

- (E) **LEGISLATION 0101-17:** An Action Relating to Law and Order, Health, Education and Human Services, Naabik'iyáti' Committee and the Navajo Nation Council; Amending "The Navajo Preference in Employment Act" at 15 N.N.C. §§ 603,604 (B) (8) to Provide for the Addition of Program Managers of the Executive Branch as a Class of Employees Exempt from the Just Cause Provisions of the Act

SPONSOR: Honorable Dwight Witherspoon

(m) (s) (v)

- (F) **LEGISLATION 0103-17:** An Action Relating to Law and Order, Resources and Development, Naabik'iyáti' Committee and the Navajo Nation Council; Amending 3 N.N.C. §§ 64, 66, 67; Enacting Amendments to Subchapter 4. Major Irrigation Projects Farm Boards Plan of Operation.

SPONSOR: Honorable Alton Joe Shepherd
CO-SPONSOR: Honorable Nelson S BeGaye
CO-SPONSOR: Honorable Steven Begay

(m) (s) (v)

- (G) **LEGISLATION 0136-17:** An Action Relating to Resources and Development, Law and Order, Budget and Finance, and Naabik'íyáti' Committees and the Navajo Nation Council; Approving Amendments to 24 N.N.C. § 620 of the Navajo Nation Sales Tax to Allow for an Emergency Reserve Fund and a Replacement Reserve Fund for the Navajo Tribal Utility Authority.

SPONSOR: Honorable Alton Joe Shepherd

(m)

(s)

(v)

- (H) **LEGISLATION 0343-17:** An Action Relating to Law and Order, Health, Education and Human Services, Budget and Finance, and Naabik'íyáti' Committees and the Navajo Nation Council; Approving Amendments to 12 N.N.C. § 1176 of the Navajo Nation Veterans Trust Fund.

SPONSOR: Honorable Seth Damon

CO-SPONSOR: Honorable Kee Allen Begay, Jr.

CO-SPONSOR: Honorable Tom T. Chee

CO-SPONSOR: Honorable Amber Kanazbah Crotty

CO-SPONSOR: Honorable Raymond Smith, Jr.

(m)

(s)

(v)

- (I) **LEGISLATION 0244-17:** An Action Relating to Health, Education and Human Services, Naabik'íyáti' Committees and Navajo Nation Council; Declaring the Third Friday in May to be Known as "Navajo Nation Law Enforcement Day" within the Navajo Nation.

SPONSOR: Honorable Edmund Yazzie

CO-SPONSOR: Honorable Kee Allen Begay, Jr.

CO-SPONSOR: Honorable Amber Kanazbah Crotty

CO-SPONSOR: Honorable Herman M. Daniels

(m)

(s)

(v)

- (J) **LEGISLATION 0264-17:** An Action Relating to Naabik'íyáti' Committee and Navajo Nation Council; Confirming the Appointment of Ms. Mae Franklin to the Dine Uranium Remediation Advisory Commission.

SPONSOR: Honorable Walter Phelps

(m)

(s)

(v)

- (K) **LEGISLATION 0266-17:** An Action Relating to Law and Order and Naabik'íyáti'; Confirming the Probationary Appointment of Tina Tsinigine as Navajo Nation District Court Judge.

SPONSOR: Honorable Edmund Yazzie

CO-SPONSOR: Honorable Otto Tso

(m)

(s)

(v)

- (L) **LEGISLATION 0271-17:** An Action Relating to Law and Order, Naabik'íyáti' and Navajo Nation Council; Confirming the Honorable Malcom P. Begay as Permanent Navajo Nation District Court Judge.

SPONSOR: Honorable Edmund Yazzie

CO-SPONSOR: Honorable Kee Allen Begay, Jr.

CO-SPONSOR: Honorable Herman M. Daniels
CO-SPONSOR: Honorable Otto Tso
CO-SPONSOR: Honorable Raymond Smith, Jr.

(m) (s) (v)

- (M) **LEGISLATION 0384-17:** An Action Relating to the Naabik'íyáti' Committee and the Navajo Nation Council: Confirming the Appointment of LeTanya Thinn, as the Student Representative, to the Commission on Navajo Government Development for a Term of Two Years.

SPONSOR: Honorable Nelson S. BeGaye

(m) (s) (v)

- (N) **LEGISLATION 0179-17:** An Action Relating to Health, Education and Human Services, Naabik'íyáti' and Navajo Nation Council; Approving the Reinstatement of Juanita M. Dutton as a Member of the Navajo Nation. *SPONSOR: Honorable Jonathan L. Hale*

(m) (s) (v)

- (O) **LEGISLATION 0406-17:** An Action Relating to an EMERGENCY; Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of Seven Hundred Thousand Dollars (\$700,000.00) for the Dine School Accountability Plan of the Department of Dine Education

SPONSOR: Honorable Jonathan L. Hale

(m) (s) (v)

- (P) **LEGISLATION 0415-17:** An Action Relating to the Navajo Nation Council; Ratifying the Federal Charter for the Naat'áanii Development Corporation.

SPONSOR: Honorable Alton Joe Shepherd

CO-SPONSOR: Honorable Walter Phelps

(m) (s) (v)

10. CLOSE OF SESSION; ANNOUNCEMENTS; ADJOURNMENT