RESOLUTION OF THE
NAVAJO NATION COUNCIL

22ND NAVAJO NATION COUNCIL - First Year, 2011

AN ACT

RELATING TO NÁBIK’IYÁTI’-COMMUNITY DEVELOPMENT; CHANGING THE NAME OF LUPTON CHAPTER TO TSÉ SI’ÁNI CHAPTER; AMENDING 11 N.N.C. §10(A)

BE IT ENACTED:

Section 1. Enactment of the Change of Name from Lupton Chapter to Tsé Si’Áni Chapter

The Navajo Nation hereby approves the Change of Name from Lupton Chapter to Tsé Si’Áni Chapter.

Section 2. Codification

The provisions of this Act which delete or amend sections of the Navajo Nation Code shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such provisions in the next codification of the Navajo Nation Code.

Section 3. Savings Clause

If any provisions of this Act are determined invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation without appeal to the Navajo Nation Supreme Court, the portions of this Act which are not determined invalid shall remain the law of the Navajo Nation.
CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 18 in favor and 1 opposed, this 20th day of April 2011.

Johnny Naize, Speaker
Navajo Nation Council

Motion: Jonathan Nez
Second: Mel R. Begay

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (C)(10), on this ______ day of ________ 2011.

   Ben Shelly, President
   Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (11), this ______ day of ________ 2011 for the reason(s) expressed in the attached letter to the Speaker.

   Ben Shelly, President
   Navajo Nation
Total Population = 171,289
Ideal District Number = 7137
MEMORANDUM

TO: Larry Biltah, Chairman
    Navajo Board of Elections Supervisors

FROM: Dr. Joe Shirley, Jr., President
      THE NAVAJO NATION

DATE: June 11, 2010

SUBJECT: Option 3 - Reapportionment Plan – J4

In accordance with the May 28, Navajo Nation Supreme Court opinion in Nelson v. Initiative Committee, and in the spirit of cooperation and working to achieve consensus on the Reapportionment Plan for a Navajo Nation Council of 24 delegates, I hereby submit another Reapportionment Plan as the third option. This plan is in line with most of the comments received during the Navajo Board of Elections Supervisors work session held on June 8, 2010, and today’s meeting.

Below is a summary of the factors considered in the development of this plan as well as specific adjustments made to the J4 map.

2000 Census and Population Formula

The baseline datum used to develop this plan is the 2000 U.S. Census population count as modified by Navajo Nation Council Resolution No. CJN-50-02. The total number of Navajo people counted and according to Resolution No. CJN-50-02 is 171,289. This total number also includes Navajos residing on allotments and on Hopi Partitioned Land.

To determine the number of voters per delegate or voting precinct, the total population of 171,289 was divided by 24 which equals 7,137. The ideal voter population per voting precinct, therefore, is 7,137. The adjustments made on the J4 map are with the standard deviation.

The accompanying map and charts provide detailed chapter population information and the standard deviation per voting precinct.
Chapter Boundaries and Natural Boundaries

This plan does not cut across or divide chapter boundaries. The boundaries identified are consistent with the recognized BIA grazing management unit maps which the People are familiar with and commonly use within the Navajo Nation.

Other community of interest factors considered were the “natural boundaries” like roads, canyons, mountains, buttes, landmarks, and “natural” clusters of Navajo chapters.

One Man, One Vote Principle

Consistent with the requirements of 11 N.N.C. § 9, this plan seeks to ensure approximate equal population within each voting precinct. This provision of the Navajo Nation Code is to ensure that the number of voters represented by each Council delegate is approximately the same from precinct to precinct.

Voting Precincts

This plan recognizes voting precincts only and for this reason, there are no agency designations on the J4 map.

It should be noted however, that throughout the public input process, we received overwhelming support for the designation of a sixth agency. There are a number of tribal agency and district offices within the community of Dilkon and it is considered the hub of the Southwest Agency. Such offices include the Dilkon Judicial and Law Enforcement Districts, the Navajo Tribal Utility Authority, the Winslow Indian Health Clinic, and numerous commercial establishments.

2010 U.S. Census

The information from the 2010 U.S. Census will not be available until 2012. At such time, the 22nd Navajo Nation Council has the option to review and evaluate the information, as well as any other considerations deemed appropriate, to determine whether adjustments are needed to the reapportionment plan.

J4 Adjustments

During the NBOES work session, the Office of the President received a number of comments about the need for single representation for Ramah, Tohajilee and Alamo, commonly referred to as the “satellite communities.” In light of those comments, adjustments were made to allow for one Council delegate to represent those communities. By addressing the satellite communities, a slight impact occurred within the Eastern Navajo Agency. As such, this plan does not fully incorporate the request made by Grazing District 19. It does however maintain 4 of those 6 chapters within the voting precinct 21.

Another adjustment made to the J4 map includes the designation of Chilchinbito Chapter within voting precinct 16, along with Kayenta and Dennehotso.
Finally, one adjustment was made within the Central Navajo Agency. Upon requests made during the Fort Defiance Agency meeting on June 4, and the NBOES work session on June 8, Many Farms Chapter has been adjusted and is now within voting precinct 2 and Wheatfields/Tsailé Chapter is now within voting precinct 4.

Conclusion

I thank the NBOES for giving me the opportunity to discuss and formally present to you the J4 Reapportionment Plan (Option 3). Certainly, if NBOES does not agree with the adjustments in the J4 Reapportionment Plan, then consideration should be given to either the J2 or J3 Reapportionment Plans previously submitted. Your immediate approval is greatly appreciated.

Thank you, and should you have any questions, please do not hesitate to contact me or my office.

ATTACHMENTS:

J4 Map
J4 Standard Deviation Chart Per Voting Precinct

cc: Navajo Board of Election Supervisors
Edison Wauneka
Louis Denetsosie
Frank Seanae
Ran Haven
Resolution of the Lupton Chapter
Lupton, Arizona

APPROVING AND ADOPTING THE COMMUNITY NAME CHANGE FROM 'LUPTON' TO EITHER Tse' Si Ani
or Tse' Da Si Ani', ACCORDING TO THE VOTE OF THE COMMUNITY

WHEREAS:

1. Pursuant to the Local Governance Act (LGA), 26 NNC, Chapter 1, Sub-Chapter 1, Section 3.1(a),
the Lupton Chapter was established as a chapter of the Navajo Nation Government by the
Navajo Nation Council CAP-34-98, AND;

2. The Lupton Chapter is Local Governance Act certified pursuant to 26 NNC, Section 102 (b),
which permits the Chapter to exercise authorities contained within 26 NNC, Section 103,
including land administration authority, AND;

1. The Lupton Chapter is desirous of identifying the community in a manner that would reflect
the local community, AND;

2. The Lupton Chapter is traditionally recognized by the name of Tse Si Ani, or Tse' Da Si Ani',
which identifies a particular notable sandstone rock formation within the community.

BE IT THEREFORE RESOLVED:

1. The Lupton Chapter adopts and approves the spelling of the name \textit{Tse' Si Ani}\ as
the official name of the community, AND;

2. The name and spelling of \textit{Tse' Si Ani}\ is to be utilized on all official Community
documents and communications, printed and electronic, beginning February 1, 2011,
with the exception of pre-printed stock items such as checks and letterheads, which stock shall be used
until consumed and subsequent re-orders to indicate the adopted and approved name change.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Lupton Chapter at a duly
called meeting Lupton, AZ, at which a quorum was present and the same was passed by a vote of 25
in favor, 0 opposed and 0 abstained this 8th day of \textit{January}, 2011.

Motion: \textit{Alice Haswood} \hspace{1cm} Second: \textit{Nellie Shirley}

Jackie Yazzie, Jr.,
Chapter President

Raymond Smith, Jr.
Chapter Vice President
Regan Hawthorne
Secretary/Treasurer

Honorable Tim Goodluck
Council Delegate

Honorable Lorenzo Curley
Council Delegate

Freddie Nelson
Grazing Official

LUPT-2011-01-002
APPROVING CHAPTER NAME CHANGE
NABIK’IYATI’ COMMITTEE REPORT
22ND NAVAJO NATION COUNCIL – First Year 2011

Mr. Speaker:

The NABIK’IYATI’ COMMITTEE, to whom has been assigned:

LEGISLATION NO. 0093-11
Introduced by Hon. Lorenzo Curley

AN ACTION

Relating to Nabik’iyati’; Community Development; Changing the Name of Lupton Chapter to Tse’ Ánt’i’ Chapter; Amending 11NMC §10(A)

has had it under consideration and reports the same with a DO PASS with NO AMENDMENTS.

And thence referred to the Navajo Nation Council.

CERTIFICATION

I, hereby certify that the foregoing legislation was duly considered by the Nabik’iyati’ Committee of the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed with a vote of 13 in favor and 0 opposed this 3rd day of March 2011.

Mr. Johnny Naize, Chairperson
Nabik’iyati’ Committee

MOTION: Leonard Pete
SECOND: Dwight Witherspoon