

Motion: Honorable Steven Begay
 Second: Honorable Davis Filfred
 Vote: 15-00

**NAABIK'ÍYÁTI' COMMITTEE OF THE
 23rd NAVAJO NATION COUNCIL**

REGULAR MEETING

**Navajo Nation Council Chambers
 Window Rock, Navajo Nation**



Thursday, June 28, 2018 - 10:00 AM

AGENDA

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

Hon. LoRenzo C. Bates, Speaker				
BUDGET & FINANCE COMMITTEE	RESOURCES & DEVELOPMENT COM.	HEALTH, EDUCATION & HUMAN SERVICES COM	LAW AND ORDER COMMITTEE	
Hon. Seth Damon (C)	Hon. Alton Joe Shepherd (C)	Hon. Jonathan L. Hale (C)	Hon. Edmund Yazzie (C)	
Hon. Dwight Witherspoon (VC)	Hon. Benjamin L. Bennett (VC)	Hon. Norman M. Begay (VC)	Hon. Raymond Smith, Jr. (VC)	
Hon. Tom T. Chee	Hon. Davis Filfred	Hon. Steven Begay	Hon. Kee Allen Begay, Jr.	
Hon. Lee Jack, Sr.	Hon. Leonard H. Pete	Hon. Nelson S. BeGaye	Hon. Herman M. Daniels	
Hon. Tuchoney Slim, Jr.	Hon. Jonathan Perry	Hon. Nathaniel Brown	Hon. Otto Tso	
Hon. Leonard Tsosie	Hon. Walter Phelps	Hon. Amber Kanazbah Crotty		

1. CALL MEETING TO ORDER; ROLL CALL; INVOCATION; ANNOUNCEMENTS

2. RECOGNIZE GUESTS AND VISITING OFFICIALS

3. REVIEW AND ADOPT THE AGENDA:

4. REVIEW AND ADOPT THE JOURNALS:

May 10, 2018

May 24, 2018

(m)

(s)

(v)

5. RECEIVE REPORTS:

A. US Environmental Protection Agency/Region 9 Report by Will Duncan, Assistant Director - US EPA/Region 9

(m)

(s)

(v)

B. Navajo Women's Commission Report by Charlotte Jane Begaye, Vice Chair of Navajo Women's Commission

(m) (s) (v)

6. OLD BUSINESS:

A. **LEGISLATION 0152-18:** An Action Relating to Health, Education and Human Services and Naabik'iyáti' Committees; Affirming the Constitutionally Recognized Political Distinctions "Native American" "Indian" and "Indian Tribe(s)" and Such Related Terms as being Political and Not Racial Classifications; Directing the Attorney General of the Navajo Nation to Enter a Formal Response to the Centers for Medicaid and Medicare Services (CMS) on behalf of the Navajo Nation; Directing the President and Speaker of the Navajo Nation to Coordinate with the Navajo Washington Office to Provide an Appropriately Directed Response

SPONSOR: Honorable Jonathan L. Hale

CO-SPONSOR: Honorable Steven Begay

(m) *Honorable Davis Filfred* (s) *Honorable Jonathan Perry* (v)

24 MAY 2018: Tabling Motion – Motion to Table Legislation 0152-18 to Naabik'iyáti' Special Meeting to be May 31, 2018 at 9:00 AM and with the directive for Department of Justice to have pending amendment ready; (M) Honorable Davis Filfred, (S) Honorable Nelson S. BeGaye, (V) 08 in Favor, 01 Opposed (Chairman Pro Tem Seth Damon Not Voting) – Two (2) from each Standing Committee – PENDING AMENDMENT

7. NEW BUSINESS:

A. **LEGISLATION 0388-17:** An Act Relating to Law and Order and Naabik'iyáti' Committees and the Navajo Nation Council; Amending the Navajo Nation Code Title 2 and Enacting the Navajo Nation Open Meetings Act

SPONSOR: Jonathan L. Hale

(m) (s) (v)

B. **LEGISLATION 0155-18:** An Action Relating to Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and Navajo Nation Council; Approving and Adopting the Síhasin Road Projects Fund Expenditure Plan Pursuant 12 N.N.C. §§ 2501 – 2508

SPONSOR: Honorable Nelson S. BeGaye

(m) (s) (v)

C. **LEGISLATION 0164-18:** An Action Relating to Health, Education and Human Services; Naabik'iyáti' Committees; Supporting the Navajo Department of Health's Issues and Recommendations to be Presented to the U.S. Department of Health and Human Services Navajo Regional Tribal Consultation on June 25-27, 2018

SPONSOR: Honorable Jonathan L. Hale

CO-SPONSOR: Honorable Steven Begay

(m) (s) (v)

D. **LEGISLATION 0168-18:** An Action Relating to Law and Order Committee, Budget and Finance Committee, Naabik'iyáti' Committee and the Navajo Nation Council; *Amending CJA-07-18, Amending 24 N.N.C. § 620 of the Navajo Nation Sales Tax, Allocating a Percentage of the Sales Tax to the Navajo Nation Fire and Rescue Services; Amending Effective Date*

SPONSOR: Honorable Seth Damon

(m)

(s)

(v)

E. **LEGISLATION 0170-18:** An Action Relating to Health, Education and Human Services and Naabik'iyáti'; Supporting S.B. 1239, A Bill Introduced in the Arizona State Legislature Entitled "An Act Appropriating Monies to the Department of Veterans' Services"

SPONSOR: Honorable Jonathan L. Hale

CO-SPONSOR: Honorable Kee Allen Begay, Jr.

(m)

(s)

(v)

F. **LEGISLATION 0171-18:** An Action Relating to Health, Education and Human Services and Naabik'iyáti'; Supporting S.B. 1377, "An Act Amending Sections 32-1201, 32-1201.01, 32-1207, 32-1231, 32-1235, 32-1263, 32-1263.02 and 32-1264, Arizona Revised Statutes; Amending Title 32, Chapter 11, Arizona Revised Statutes, by Adding Article 3.1; Amending Sections 32-1299, 41-619.51, 41-1758 and 41-1758.01, Arizona Revised Statutes; Relating to the State Board of Dental Examiners

SPONSOR: Honorable Jonathan L. Hale

(m)

(s)

(v)

G. **LEGISLATION 0173-18:** An Action Relating to Health, Education and Human Services, Naabik'iyáti' Committees; Requesting the Commissioners for McKinley County establish a moratorium on Uranium Development and Conduct Public Hearings on the Potential Impact of such Mining

SPONSOR: Honorable Jonathan L. Hale

(m)

(s)

(v)

H. **LEGISLATION 0175-18:** An Action Relating to Health, Education and Human Services and Naabik'iyáti'; Supporting H.B. 2324, "An Act Amending Title 36, Chapter 6, Arizona Revised Statutes, by adding Article 7.1: Relating to Public Health"

SPONSOR: Honorable Jonathan L. Hale

(m)

(s)

(v)

I. **LEGISLATION 0183-18:** An Action Relating to Resources and Development, Budget and Finance, and Naabik'iyáti' Committees and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of Two Million Twenty-Two Thousand, Four Hundred Fifty-Two Dollars (\$2,022,452) to Coalmine Canyon Chapter for Telecommunication Services

SPONSOR: Honorable Walter Phelps

CO-SPONSOR: Honorable Lee Jack, Sr.

(m) (s) (v)

- J. **LEGISLATION 0185-18:** An Action Relating to Naabik'iyáti'; Recommending that the State of New Mexico Mandate that all Small Loan Businesses Disclose and Explain to all Native American Borrowers, in their Native Language, the Terms, Details and Conditions of all Small Loan Agreements, Including Tax Refund Anticipation Loans and Short Term Installment Loans

SPONSOR: Honorable Jonathan L. Hale

(m) (s) (v)

- K. **LEGISLATION 0186-18:** An Act Relating to Health, Education and Human Services, Law and Order, Naabik'iyáti' and the Navajo Nation Council; Amending 17 N.N.C. § 411 to Require Mandatory Imprisonment and Fine for Illegal Sale of Alcohol

SPONSOR: Honorable Nelson S. BeGaye

CO-SPONSOR: Honorable Amber Kanazbah Crotty

CO-SPONSOR: Honorable Herman M. Daniels

CO-SPONSOR: Honorable Otto Tso

(m) (s) (v)

- L. **LEGISLATION 0188-18:** An Action Relating to Health, Education and Human Services, Naabik'iyáti' Committees; Supporting the Foundation to Improve Care Access for Native Americans (FICANA) in its Initiatives to Reduce the Need for Amputation on the Navajo Nation through Intervention Care in the Areas of Limb Preservation and other Disease States Best Treated by Minimally-Invasive Care

SPONSOR: Honorable Jonathan L. Hale

(m) (s) (v)

- M. **LEGISLATION 0191-18:** An Action Relating to Resources and Development, Naabik'iyáti' Committees; Authorizing the Speaker of the Navajo Nation or his Designee to Initiate Contact with the Respective Agricultural Departments of the States of Colorado, Utah, New Mexico and Arizona to Establish Navajo Nation Participation in the Growth and Production of Industrial Hemp Pursuant to the Respective State Protocols and the Agricultural Act of 2014 (Federal Farm Bill)

SPONSOR: Honorable Lee Jack, Sr.

(m) (s) (v)

- N. **LEGISLATION 0195-18:** An Action Relating to Health, Education and Human Services, Naabik'iyáti' Committees; Pursuant to the Recommendation of the Navajo Nation Board of Education and 25 U.S.C. § 2502(f), Retroceding Administrative Control of the Alamo Navajo School System from the Alamo Navajo School Board, Inc. to the Bureau of Indian Education for Continued Operation as a Bureau Operated School

SPONSOR: Honorable Jonathan L. Hale

CO-SPONSOR: Honorable Seth Damon

(m) (s) (v)

- O. **LEGISLATION 0196-18:** An Action Relating to Health, Education and Human Services and Naabik'iyáti' Committees; Supporting as the Navajo Nation Position, Opposing the Streamlining or Elimination of the 2016 Adoption and Foster Care Analysis and Reporting System-Indian Child Welfare Act (AFCARS-ICWA) Data Elements, the Proposed Two Year Delay of Implementation and Objecting to the Lack of Sufficient Tribal consultation by the U.S. Department of Health and Human Services, Administration for Children and Families

SPONSOR: Honorable Jonathan L. Hale

(m) (s) (v)

- P. **LEGISLATION 0197-18:** An Action Relating to Health, Education and Human Services, Naabik'iyáti' Committees and the Navajo Nation Council; Restoring "Navajo Nation Code Talkers Day" as a paid Navajo Nation Holiday by Rescinding CAP-30-17

SPONSOR: Honorable Raymond Smith, Jr.

(m) (s) (v)

- Q. **LEGISLATION 0199-18:** An Action Relating to Health, Education and Human Services; Naabik'iyáti' Committees; Supporting the Navajo Division of Social Services' Issues and Recommendations to be Presented to the U.S. Department of Health and Human Services Navajo Regional Tribal Consultation on June 25-27, 2018

SPONSOR: Honorable Jonathan L. Hale

(m) (s) (v)

- R. **LEGISLATION 0203-18:** An Action Relating to Health, Education and Human Services and Naabik'iyáti' Committees; Supporting the Position Statement of the Navajo Independent Service Providers in their Efforts to Reduce the Disparity Between Rural and Urban Reimbursement Rate for Services to Individuals with Developmental and Physical Disabilities in Northeastern Arizona, New Mexico, Colorado and Utah

SPONSOR: Honorable Jonathan L. Hale

(m) (s) (v)

- S. **LEGISLATION 0204-18:** An Action Relating to Health, Education and Human Services and Naabik'iyáti' Committees; Opposing the Proposed Plans of the Trump Administration to Eliminate Funding for Numerous Education Related Programs including the Higher Education Grant Program

SPONSOR: Honorable Jonathan L. Hale

(m) (s) (v)

- T. **LEGISLATION 0206-18:** An Action Relating to Naabik'iyáti' Committee; Establishing a Navajo Managed Care Task Force

SPONSOR: Honorable Leonard Tsosie

(m)

(s)

(v)

- U. **LEGISLATION 0211-18:** An Action Relating to Naabik'iyati' Committee; Reaffirming the Navajo Nation's Support of Responsible Transition to Renewable Energy by Opposing "The Clean Energy for a Healthy Arizona" Initiative

SPONSOR: Honorable LoRenzo C. Bates

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(v)

- V. **LEGISLATION 0122-18:** An Act Relating to Resources and Development and Naabik'iyati' Committees, and the Navajo Nation Council; Amending 5 N.N.C. §1707, Navajo Nation Gaming Enterprise Board Composition, Qualification and Confirmation

SPONSOR: Honorable Alton Joe Shepherd

CO-SPONSOR: Honorable Seth Damon

(m)

(s)

(v)

- W. **LEGISLATION 0198-18:** An Act Relating to Law and Order, Resources and Development, Naabik'iyati' and the Navajo Nation Council; Amending 2 N.N.C. §§ 1060 - 1067 and 17 N.N.C. §§ 101 - 104 by Enacting the Navajo Nation Peace Officer Standards and Training Certification Act

SPONSOR: Honorable Raymond Smith, Jr.

CO-SPONSOR: Honorable Kee Allen Begay, Jr.

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(s)

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8. CLOSE OF MEETING; ANNOUNCEMENTS; ADJOURNMENT