LEGISLATION NO: _0066-21__        SPONSOR: Jimmy Yellowhair

TITLE: An Action Relating to the Naabik’íyáti Committee; Confirming the Appointment of Mr. Phillip Etsitty as the Kayenta Chapter Representative to the Black Mesa Review Board to Serve a Term of Four (4) Years

Date posted: __April 6, 2021 at 5:17PM

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DATE: April 5, 2021

TITLE OF RESOLUTION: AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; CONFIRMING THE APPOINTMENT OF MR. PHILLIP ETSITTY AS THE KAYENTA CHAPTER REPRESENTATIVE TO THE BLACK MESA REVIEW BOARD TO SERVE A TERM OF FOUR (4) YEARS

PURPOSE: To appoint Mr. Phillip Etsitty as the Kayenta Chapter Representative to the Black Mesa Review Board to serve a term of four (4) years.

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 to review each proposed resolution in detail.
PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL — Third Year, 2021

INTRODUCED BY

(Sponsor)

TRACKING NO. D00666-21

AN ACTION
RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; CONFIRMING THE
APPOINTMENT OF MR. PHILLIP ETSITTY AS THE KAYENTA CHAPTER
REPRESENTATIVE TO THE BLACK MESA REVIEW BOARD TO SERVE A TERM
OF FOUR (4) YEARS

SECTION ONE. FINDINGS

A. The purpose of the Black Mesa Review Board shall be to advocate for fair and just
compensation for Navajo families within the five Navajo Nation chapters whose
socio-economic and environmental interests are adversely affected or impacted by
cook mining and related operations of Peabody Western Coal Company (“PWCC”). 2
N.N.C. § 902.

B. The Board shall consist of seven members, one of whom shall be a resident of the
PWCC Lease area and shall be appointed by the Kayenta Chapter. 2 N.N.C. §
903(A); see also Kayenta Chapter Resolution attached as Exhibit A.

C. Within 30 days of their appointment, each Board appointee shall be presented to the
Government Services Committee of the Navajo Nation Council for confirmation. 2
N.N.C. § 903(B). References in the Navajo Nation Code to the Government Services
Committee shall mean the Naabik'íyáti' Committee, unless the amendments enacted
herein or the context of previous law indicates otherwise. See CO-45-12, Section 5(A).

D. If so confirmed, a Board member’s term shall not commence until he or she is administered an oath of office by a judge or justice of the Navajo Nation courts. 2 N.N.C. § 903(B).

E. The term of appointment for all Board members shall be four years. 2 N.N.C. § 903(H).

F. The terms of the Board members shall be staggered. 2 N.N.C. § 903(A).

G. Any Board member may be appointed for consecutive terms, but shall be limited to two consecutive terms. 2 N.N.C. § 903(H).

H. Mr. Phillip Etsitty has been appointed by the Kayenta Chapter, as referenced by Kayenta Chapter Resolution KY20-035-11, and letter of support authored by Fern Benally as Exhibit B.

SECTION TWO. APPROVAL OF APPOINTMENT

The Naabik'iyáti' Committee of the Navajo Nation Council hereby confirms the appointment of Mr. Phillip Etsitty to serve on the Black Mesa Review Board as a representative of the Kayenta Chapter for a term of four (4) years.