

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0054-23_

SPONSOR: Otto Tso

TITLE: An Action Relating to Law and Order and Naabik'iyáti' Committees and the Navajo Nation Council; Amending 2 N.N.C. § 852 to Increase the Navajo-Hopi Land Commission Membership to add Representation for the Chilchinbeto Community

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0054-23

DATE: April 4, 2023

TITLE OF RESOLUTION: AN ACTION RELATING TO THE LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; AMENDING 2 N.N.C. § 852 TO INCREASE THE NAVAJO-HOPI LAND COMMISSION MEMBERSHIP TO ADD REPRESENTATION FOR THE CHILCHINBETO COMMUNITY

PURPOSE: The purpose of this legislation is to add a member to the Navajo-Hopi Land Commission to represent the Chilchinbeto community.

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.

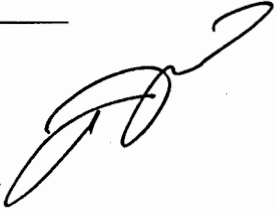
5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: _____
Posting End Date: 04-09-23
Eligible for Action: 04-10-23

Law & Order Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION
2 25th NAVAJO NATION COUNCIL – First Year, 2023

3 INTRODUCED BY

4
5 _____
6 (Prime Sponsor)

7
8 TRACKING NO. 0054-23 

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10 AN ACTION
11 RELATING TO THE LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES
12 AND NAVAJO NATION COUNCIL; AMENDING 2 N.N.C. § 852 TO INCREASE
13 THE NAVAJO-HOPI LAND COMMISSION MEMBERSHIP TO ADD
14 REPRESENTATION FOR THE CHILCHINBETO COMMUNITY
15

16 BE IT ENACTED:

17
18 SECTION ONE. AUTHORITY

- 19 A. The Law and Order Committee is a Standing Committee of the Navajo Nation
20 Council with authority to "review and make recommendations to the Navajo Nation
21 Council on proposed amendments to and enactments in the Navajo Nation Code." 2
22 N.N.C. §601(B)(14).
23 B. The Naa'bik'iyáti' Committee is a Standing Committee of the Navajo Nation Council,
24 2 N.N.C. § 700(A), and all proposed legislations requiring final action by the Navajo
25 Nation Council are assigned to the Committee. 2 N.N.C. § 164 (A)(9).
26 D. The Naa'bik'iyáti' Committee is specifically empowered as the oversight committee
27 for commissions under the Legislative Branch of the Navajo Nation, including the
28 Navajo-Hopi Land Commission. 2 N.N.C. § 701 (5).
29 C. The Navajo Nation Council is the governing body of the Navajo Nation with the
30 authority to enact positive law of the Navajo Nation. 2 N.N.C. § 102 (A) and 164 (A).

1
2 **SECTION TWO. FINDINGS**

- 3 A. The Navajo Nation Council established the Navajo-Hopi Land Commission within the
4 Legislative Branch as a commission of the Navajo Nation Council. 2 N.N.C. § 851 (A).
5 B. The Navajo-Hopi Land Commission was established to address matters relating to
6 land use conflicts between the Navajo Nation and the Hopi Tribe; and to advocate on
7 behalf of Navajo members for issues related to Navajo Partitioned Lands, Hopi
8 Partitioned Lands, Former Bennet Freeze Area, and lands acquired using P.L. 96-305.
9 C. To ensure that all affected Navajos are represented, the Navajo-Hopi Land
10 Commission needs to increase its membership to add a Commissioner to represent the
11 Chilchinbeto community.
12

13 **SECTION THREE. AMENDING 2 N.N.C. §§ 852**

14 The Navajo Nation hereby amends Title 2, Chapter 3, Subchapter 11, Article 1 of the
15 Navajo Nation Code as follows:
16

17
18 Title 2. Navajo Nation Government
19 Chapter 3. Legislative Branch
20 Subchapter 11. Boards and Commissions
21 Article 1. Navajo-Hopi Land Commission
22

23 ****

24 **§ 852. Membership; selection; Chairperson and Vice-Chairperson; term of office;**
25 **ex-officio members**

- 26 A. The Commission shall consist of ~~nine (9)~~ ten (10) regular voting members and two
27 (2) ex-officio members who shall be appointed by the Speaker of the Navajo
28 Nation Council with the approval of the Naabik'iyáti' Committee of the Navajo
29 Nation Council. The Commission shall have the authority to establish
30

1 subcommittees as deemed appropriate to provide advisory input from citizens,
2 professionals, federal and other non-elected sources.

3 B. The Commission shall consist of:

4 1. ~~Nine~~ Ten voting members of the Navajo Nation Council representing areas
5 affected by the Navajo-Hopi Land Dispute—from each of the following areas:

- 6 a. To' Nanees Dizi
- 7 b. Nahata Dziil
- 8 c. Teesto, Whitecone
- 9 d. Coppermine, K'aibii'to, Tonalea, Bodaway/Gap
- 10 e. Tsah Bii Kin, Shonto
- 11 f. Jeddito
- 12 g. Cameron, Coalmine Canyon, Leupp, Tolani Lake
- 13 h. Hard Rock, Forest Lake, Pinon, Black Mesa, Whippoorwill
- 14 i. Tachee/Blue Gap, Low Mountain
- 15 j. Chilchinbeto

16 2. All members of the Commission shall be appointed by the Speaker of the
17 Navajo Nation Council and shall serve at the pleasure of the Naabik'iyáti'
18 Committee of the Navajo Nation Council.

19 ****

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21 **SECTION FOUR. EFFECTIVE DATE**

22 This action of the Navajo Nation Council herein shall be effective pursuant to 2 N.N.C. §
23 221(B).

24
25 **SECTION FIVE. CODIFICATION**

26 The provisions of these amendments to the Navajo Nation Code shall be codified by the
27 Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such
28 amendments in the next codification of the Navajo Nation Code.

29
30 **SECTION SIX. SAVINGS CLAUSE**

1 Should any provision of these amendments be determined invalid by the Navajo Nation
2 Supreme Court, or the District Courts of the Navajo Nation without appeal to the Navajo
3 Nation Supreme Court, those amendments that are not determined invalid shall remain
4 the law of the Nation.
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