

LEGISLATIVE SUMMARY SHEET

Tracking No. 0140-24

DATE: June 30, 2024

TITLE OF RESOLUTION: PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACT RELATING TO LAW AND ORDER, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL, APPROVING AMENDMENTS TO 16 N.N.C. § 1153 REGARDING THE CONTENTS OF AN APPLICATION FOR A MISSION SITE PERMIT

PURPOSE: The purpose of the resolution is to amend Navajo Nation Code 16 N.N.C. § 1153 to remove the religious site permit requirement for “An endorsement of Navajo Nation Council Delegates of the District in which the proposed site is located.”

Final Authority: Navajo Nation Council

Vote Required: Simple Majority


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 AM. 16.11
Website Posting Time/Date 08:51AM 07/02/24
Posting End Date: 07/06/24
Eligible for Action: 07/07/24

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

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION
2 25th NAVAJO NATION COUNCIL -- Second Year, 2024

3 INTRODUCED BY

4 
5
6 (Prime Sponsor)

7
8 TRACKING NO. 0140-24

9
10 AN ACT
11 RELATING TO LAW AND ORDER, RESOURCES AND DEVELOPMENT, AND
12 NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL,
13 APPROVING AMENDMENTS TO 16 N.N.C. § 1153 REGARDING THE
14 CONTENTS OF AN APPLICATION FOR A MISSION SITE PERMIT

15
16 BE IT ENACTED:

17 **Section One. Authority**

- 18 A. The Law and Order Committee is empowered to review and make
19 recommendations to the Navajo Nation Council on proposed Navajo Nation Code
20 amendments and enactments. 2 N.N.C. § 601 (B) (14).
21 B. The Resources and Development Committee has oversight authority over land,
22 and community development. 2 N.N.C. § 500 (C).
23 C. The Naabik'iyáti' Committee considers proposed legislation that requires final
24 action by the Navajo Nation Council. 2 N.N.C. § 700 (A).
25 D. The Navajo Nation Council must review and approve enactments or amendments
26 of positive law. 2 N.N.C. § 164 (A).

27
28 **Section Two. Findings**

- 29 A. The Navajo Nation Council's Resolution CO-45-12 Section 5 (B) "*References to*
30 *previous Standing Committees*" states that "*References in the Navajo Nation*

Code and other official documents to the Resources, Transportation and Community Development and Economic Development Committees shall mean the Resources and Development Committee unless the amendments enacted herein or the context of previous law indicates otherwise.”

B. Currently, Title 16, Chapter 11, Subchapter 3, Section 1153 (A) delineates the contents of the application for a mission or religious site. One of the listed requirements is “An endorsement of Navajo Nation Council Delegates of the District in which the proposed site is located.”

C. An endorsement of a Navajo Nation Council Delegate should be removed as a requirement because applications for other uses of Navajo Nation lands do not require an “endorsement” from Navajo Nation Council Delegates.

Section Three. Amendment to 16 N.N.C. § 1153

The Navajo Nation hereby amends Title 16 of the Navajo Nation Code as follows:

NAVAJO NATION CODE ANNOTATED
TITLE 16. LAND
CHAPTER 11. LAND FOR PUBLIC, CHARITABLE AND RELIGIOUS PURPOSES
SUBCHAPTER 3. MISSION RELIGIOUS SITES

~~§ 1153. Contents of applications~~ Rules and Regulations

~~A. No permit to enlarge the area of Navajo Nation land presently under permit to a missionary or mission body, and no permit to grant Navajo Nation land for a new mission site will be granted by the Resources Committee unless the application for such permit has first been reviewed by the Navajo Land Department of the Navajo Nation.~~

~~B. Such application shall contain the following information and documentation:~~

~~1. An exact description of the Navajo Nation land for which application is made.~~

~~2. A detailed statement of the purpose or purposes for which the said Navajo Nation land shall be used. If a missionary or mission body proposes to establish facilities for educational, medical, or other non-religious activities, the application shall set forth fully the extent and character thereof.~~

1 ~~3. A signed petition of a substantial number of Navajos residing in the vicinity of the~~
2 ~~proposed site endorsing the proposed permit.~~

3 ~~4. An endorsement of Navajo Nation Council Delegates of the District in which the~~
4 ~~proposed site is located.~~

5 ~~5. A description of buildings and improvements to be placed on Navajo Nation lands and~~
6 ~~an estimate of the cost thereof.~~

7
8 The Resources and Development Committee shall approve rules and regulations for
9 Religious Land Use Permits. The Rules and Regulations shall not require an endorsement
10 of the Navajo Nation Council Delegate of the District in which the proposed religious site
11 is located.

12 * * * * *

13
14 **Section Four. Effective Date**

15 The Act enacted herein shall be effective upon its approval pursuant to 2 N.N.C.
16 §221 (B).

17
18 **Section Five. Codification**

19 The provisions of this ordinance which amend or adopt new sections of the Navajo
20 Nation Code shall be codified by the Office of Legislative Counsel. The Office of
21 Legislative Counsel shall incorporate such amended provisions in the next codification
22 of the Navajo Nation Code.

23
24 **Section Six. Saving Clause**

25 Should any provisions of this ordinance be determined invalid by the Navajo Nation
26 Supreme Court, or the District Courts of the Navajo Nation, without appeal to the Navajo
27 Nation Supreme Court, those portions of this ordinance which are not determined invalid
28 shall remain the law of the Navajo Nation.



MEMORANDUM

TO: Honorable Casey Allen Johnson
Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidii To'ii Chapters

FROM: Mariana Kahn
Mariana Kahn, Attorney
Office of Legislative Counsel

DATE: June 30, 2024

SUBJECT: PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACT RELATING TO LAW AND ORDER, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL, APPROVING AMENDMENTS TO 16 N.N.C. § 1153 REGARDING THE CONTENTS OF AN APPLICATION FOR A MISSION SITE PERMIT

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government, however, it can be subject to review by the courts in the event of proper challenge. Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0140-24__

SPONSOR: Casey Allen Johnson

TITLE: Approving amendments to 16 N.N.C. § 1153 Regarding the Contents of an Application for a Mission Site Permit

Date posted: July 02, 2024 at 8:51AM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0140-24

SPONSOR: Honorable Casey Allen Johnson

TITLE: An Act Relating to the Law and Order, Resources and Development, and Naabik'íyáti' Committees and the Navajo Nation Council, Approving amendments to 16 N.N.C. § 1153 Regarding the Contents of an Application for a Mission Site Permit.

Posted: July 02, 2024 at 8:51 AM

5 DAY Comment Period Ended: July 06, 2024

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Comments/Recommendations	<i>None</i>



Legislative Secretary II
Office of Legislative Services

July 08, 2024; 8:00 AM

Date/Time

**LAW AND ORDER COMMITTEE
25TH NAVAJO NATION COUNCIL**

SECOND YEAR 2024

COMMITTEE REPORT

Madame Speaker,

The **LAW AND ORDER COMMITTEE** to whom has been assigned:

Legislation No. 0140-24: An Act Relating to Law and Order, Resources and Development, and Naabik'iyati Committees and the Navajo Nation Council, Approving Amendments to 16 N.N.C. § 1153 Regarding the Contents of an Application for a Mission Site Permit – Sponsor: Honorable Casey Allen Johnson

Has had it under consideration and reports a DO PASS with no amendment.

And thereafter referred to Resources and Development Committee.

Respectfully submitted,



Eugenia Charles-Newton, Chairperson
Law and Order Committee
25th Navajo Nation Council

Date: July 08, 2024

Main Motion:

Motion : Honorable Steven Arviso

Second : Honorable Nathan Notah

Vote : 3-0-2

**LAW AND ORDER COMMITTEE
25TH NAVAJO NATION COUNCIL**

**Regular Meeting
July 08, 2024**

Legislation No. 0140-24: An Act Relating to Law and Order, Resources and Development, and Naabik'iyati Committees and the Navajo Nation Council, Approving Amendments to 16 N.N.C. § 1153 Regarding the Contents of an Application for a Mission Site Permit – Sponsor: Honorable Casey Allen Johnson

VOTE TALLY SHEET:

Main Motion:

Motion: Honorable Steven Arviso

Second: Honorable Nathan Notah

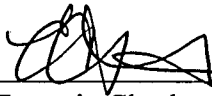
Yea: Honorable Steven Arviso, Honorable Cherilyn Yazzie, Honorable Nathan Notah

Nay: None

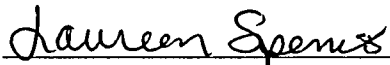
Not Voting: None

Excused: Honorable Herman M. Daniels, Jr.

Absent: None



Eugenia Charles-Newton, Chairwoman
Law and Order Committee
25th Navajo Nation Council



Laureen Spencer, Legislative Advisor
Office of Legislative Services

**RESOURCES AND DEVELOPMENT COMMITTEE
25th NAVAJO NATION COUNCIL**

SECOND YEAR 2024

**COMMITTEE REPORT
(CONSENT AGENDA)**

Madam Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

LEGISLATION #0140-24: AN ACT RELATING TO THE LAW AND ORDER, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL, APPROVING AMENDMENTS TO 16 N.N.C. § 1153 REGARDING THE CONTENTS OF AN APPLICATION FOR A MISSION SITE PERMIT. Sponsor: Honorable Casey Allen Johnson

Has had it under consideration and reports a **DO PASS** with no amendments.

And thereafter the legislation was referred to the Naabik'íyáti' Committee.

Respectfully submitted,



Casey Allen Johnson, *Vice-Chairperson*
Resources and Development Committee of
the 25th Navajo Nation Council

Date: July 08, 2024 – Regular Meeting (Mentmore, New Mexico)

Location: Navajo Division of Transportation – #16 Old Coalmine Road – Mentmore, New Mexico 87319

Consent Agenda Motion:

M: Otto Tso

S: Rickie Nez

V: 4-0-1

In Favor: Shawna Ann Claw; Rickie Nez; Danny Simpson; Otto Tso

Opposition: None

Excused: Brenda Jesus

Not Voting: Casey Allen Johnson, *Vice-Chairperson*

(NOTE: VOTE TALLY attached hereto)

**RESOURCES AND DEVELOPMENT COMMITTEE
25th NAVAJO NATION COUNCIL**

SECOND YEAR 2024

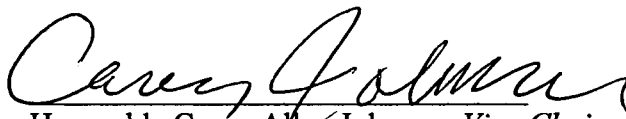
**ROLL CALL
VOTE TALLY SHEET
(CONSENT AGENDA)**

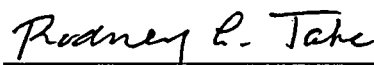
LEGISLATION #0140-24: AN ACT RELATING TO THE LAW AND ORDER, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL, APPROVING AMENDMENTS TO 16 N.N.C. § 1153 REGARDING THE CONTENTS OF AN APPLICATION FOR A MISSION SITE PERMIT. *Sponsor: Honorable Casey Allen Johnson*

Date: July 08, 2024 – Regular Meeting (Mentmore, New Mexico)
Location: Navajo Division of Transportation – #16 Old Coalmine Road – Mentmore, New Mexico 87319

Consent Agenda Motion:

M: Otto Tso
S: Rickie Nez
V: 4-0-1
In Favor: Shawna Ann Claw; Rickie Nez; Danny Simpson; Otto Tso
Opposition: None
Excused: Brenda Jesus
Not Voting: Casey Allen Johnson, *Vice-Chairperson*


Honorable Casey Allen Johnson, *Vice-Chairperson*
Resources and Development Committee


Rodney L. Taha, *Legislative Advisor*
Office of Legislative Services