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The 21st Navajo Nation Council

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Navajo Council passes Internet Sex Offenses Act, bill to include chapters in negotiation of mineral leases fails

WINDOW ROCK, Ariz. – The 21st Navajo Nation Council passed the Internet Sex Offenses Act among other legislations on its fourth day of the 2010 Spring Session at the Navajo Nation Council Chamber.

Council Delegate Hope MacDonald Lone Tree (Coalmine Canyon/Toh Nanees Dizi) sponsored the Internet Sex Offenses Act (Legislation No. 0758-09), which passed the Council floor, 73-1.

The purpose of the Act is to ensure safety and protection of children from sexual predators especially those who anonymously prey upon children using the Internet or other electronic means of communications. The Act will also close the gap of offenders who may use intrastate means to carry out predatory communications and avoid prosecution. Offenders will be subject to the Navajo Nation Sex Offender Registration and Notification Act.

"I am very happy the Council supported the legislation to continue to keep our communities safe from people who prey upon our children and destroy our communities," Lone Tree said.

"We all need to participate in educating our young people about the dangers that exist out there in the world and that the internet and electronic devices being developed can be good things but at the same time there are elements that are very dangerous," Lone Tree added. "We want to make sure we are educating our kids no matter what."

After passage of the bill, the Council made a directive to have President Joe Shirley Jr. search for funds for education and awareness to parents, children and other entities for the safety of Navajo children.

Legislation No. 0135-10 sponsored by Council Delegate Amos F. Johnson (Forest Lake), which relates to amending Title 18 of the Navajo Nation Code failed, 19-45. The legislation would have strengthened the role of impacted Navajo Nation Chapters in the approval of mineral leases and energy-related agreements.

Council Delegate Lorenzo C. Bates (Upper Fruitland) expressed concerned and said the legislation would create more bureaucracy in the negotiation of mineral leases and energy-related agreements.

"Navajo bureaucracy is slow, if you add this layer and another layer it slows it down even more," Bates explained. "If this legislation existed at the chapter level the process to negotiate would be hard because it would remain at that level. The way the legislation is written puts pressure on the chapters, Council and nation as a whole and makes it complicated."

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The Council also pointed out the lack of inclusion of other impacted chapters as the Black Mesa United group claimed to be the lead spokesmen for all other impacted chapters including those located near power plants in Page, Arizona and Fruitland, New Mexico. Proponents of the legislation claimed there was support from all impacted chapters; however, there were no official resolutions to support the legislation, which the Council disfavored.

Although Johnson's bill was defeated, he remained optimistic of the legislation's influence and said, "Not only did this legislation deal with the Peabody lease reopener, it also had to deal with constituents who live in the impacted areas of mining that really have seen these same issues for many, many years as a result of mining."

"This is why this legislation started moving forward but the Council spoke against it," Johnson said. "This is a wake up call for everyone who serves on the Council to see what is going on within their areas and to start working with people. I think this is something that woke everyone up."

In other Council action, legislation (Legislation No. 0106-10) sponsored by Council Delegate Bates passed with a vote of 62-1. Bates' legislation amends Title V of the Navajo Nation Code's Limited Liability Company Act and Limited Partnership Act. Through the amendments, Navajo Nation enterprises will be protected under the umbrella of sovereign immunity until an enterprise waives limited sovereign immunity.

The Council also passed legislation (Legislation No. 0765-09), sponsored by Council Delegate Harry Hubbard (Becenti/Lake Valley/Standing Rock/White Rock), changing the name of Standing Rock Chapter to Tsé'í'á'hí Chapter, 53-7.

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