



## The 21<sup>st</sup> Navajo Nation Council

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### **Council concludes day four of winter session, gives more authority to Chief Legislative Counsel, approves land purchase**

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**WINDOW ROCK, Ariz.** – The 21<sup>st</sup> Navajo Nation Council concluded day four of the 2010 winter session by approving legislation to empower the Chief Legislative Counsel with more authority and purchasing land in Thoreau, N.M., for economic development.

Legislation No. 0010-10, sponsored by Katherine Benally (Dennehotso), was approved by a vote of 67-6. The Council approved amendments to Titles 1 and 2 of the Navajo Nation Code to give more power to the Office of the Legislative Counsel as they exercise litigation and protect the Council, its standing committees and other organizations within the Legislative Branch of the Navajo Nation -- instead of utilizing and relying on the Navajo Attorney General for such affairs.

Benally alluded to the Attorney General being an appointed position and stated with probable cause that the current Attorney General Louis Denetsosie is biased toward the Council.

"Our legislative counsel will have a tool to represent our Council," Benally explained. "Currently, if Council seeks representation we have to go through the Office of the Attorney General."

Benally further explained that the legislative counsel will have authority to issue legal opinions with this bill – a tool necessary to help the legislative body.

In other Council action, Legislation No. 0306-09, sponsored by Edmund Yazzie (Thoreau), was also approved with a vote of 60-1. This legislation approves a \$504,106 land purchase for Thoreau Chapter for development of 352 acres for economic development in Thoreau, NM. This bill is an opportunity for Thoreau Chapter to grow economically as the local government drafted a resolution for the purchase of the land, which is valued at \$504,106.

"This property is adjacent from the railroad tracks by the 1-40 corridors and will be an outlet for economic development," Yazzie said. "There are also water rights attached to the property."

Mike Halona, department manager of the Navajo Land Department, noted the fruitful opportunity this development will offer to the Navajo Nation, and said, "The railroad track venue is ideal for future development. NAPI, for example, will be able export goods to other areas in the country with the direct route from NAPI to Thoreau."

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"There is nothing hazardous about the land we are discussing; it has been surveyed by EPA for clearance to purchase and develop. Please approve this legislation my colleagues, so we can add another piece of land to Navajo country," said Norman John II, Council delegate for Twin Lakes Chapter who enthusiastically supported the bill.

Land status was debated among the Council on whether to make the land purchase trust or restricted fee land. Trust status is said to elongate development process with BIA control. Though most Council delegates favored restricted fee land status because land will not lose value and development equity as development occurs. The ultimate decision will be based on the appraisal of the Land Administration where in which Council will determine land status.

Legislation No. 0752-09, sponsored by Roy B. Dempsey (Oak Springs/St. Michaels), reemerged by a recall vote after nearly being approved by one vote – it failed Jan. 27 with a vote of 58-0, it needed 59 votes or more to pass. The legislation was passed the second time around with a vote of 71-2. This particular legislation involves the Navajo Agricultural Products Industry (NAPI), which now officially can create and enter into a limited liability company or limited partnerships for development.

In other Council action, Legislation No. 0746-09, sponsored by LoRenzo C. Bates (Upper Fruitland) was recalled as well after being defeated Jan. 27. The legislation finally passed by a vote of 68-10. This particular legislation involves a \$60 million loan offered by Key Bank to design and construct public safety and judicial complexes. The loan has a 4.9 percent interest rate and will be financed for 20 years. However, there is also the option for the Nation to pay off the loan with a balloon payment after five years given the economic situation. The loan agreement with Key Bank will also honor Navajo Law and the Navajo Court system, which is significant. This loan is the first of its kind in Indian Country and it is the first loan ever to gain tribal government approval.

The final day of the Council's 2010 winter session will continue tomorrow, Jan. 29. You can download a copy of the full agenda at [www.navajonationcouncil.org](http://www.navajonationcouncil.org).

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