



The Navajo Nation Council — Office of the Speaker

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FOR IMMEDIATE RELEASE

Navajo Nation Council conclude day two of their 2009 Fall Session

"I am not brave enough to go back to my chapter and say I voted to extend my term."

– Leonard Tsosie, Navajo Nation Council delegate

WINDOW ROCK, Ariz. — Legislation to extend the terms of the Navajo Nation President and Navajo Nation Council delegates for two more years in order to align Navajo Nation elections into one main election was defeated and the passage of the To'Nanees'Dizi Local Government Tax Code were just a couple of highlights today as the Council concluded day two of their 2009 Fall Session.

The Council began with old business. Legislation No. 0740-08, sponsored by Bobby Robbins and Raymond Maxx, passed by a vote of 43-26. The legislation is related to community development and finance approving the To'Nanees'Dizi Local Government Tax Code. In February 2009 during the Council's Winter Session, the legislation was tabled to allow the Council the opportunity to learn more about the legislation through a work session held on March 10.

Also in old business was Legislation No. 0590-08, sponsored by George Arthur, Norman John and Curran Hannon, passed by a vote of 72-3. The legislation is related to resources to enact the Navajo Partitioned Land District Grazing Precincts Act of 2008. This legislation seeks to amend Title 3 of the Navajo Nation Code, Sections 832, 852, 870, 871, 872, 875, 876 and 878.

In July 2009, this legislation was tabled to this session, so additional work can be done to address concerns regarding stipends. The legislation was recalled by a vote of 76-0.

"This legislation will give guidance to our grandmas and grandpas and to those individuals that rely on the grazing of their livestock," said Arthur.

Legislation No. 0267-09, also sponsored by George Arthur, failed by a vote of 6-68. This legislation is related to resources to approve the sale of 16.66 acres--more or less--of Navajo Nation Fee Land located in Seligman, Ariz., to Yavapai Country for use as a safety buffer zone and expansion for the Seligman Airport.

On July 22, this legislation was tabled by a vote of 50-19 to this current session so further studies can be done and involved agencies were told to work with the Resources Committee of the Navajo Nation Council.

Arthur encouraged his fellow Council delegates to vote this measure down, because according to a Sept. 29 letter to Mike Halona, department manager for the Navajo Land Department, Yavapai County expressed their decision not to pursue the purchase of the land.

In new business, Legislation No. 0409-09, sponsored by Orlanda Smith-Hodge, is related to intergovernmental relations and ethics to enact the Standing Committee Video/Teleconference Meeting Act of 2009 failed by a vote of 18-46. This legislation needed 59 votes or more of the Council. This legislation required the amendment of Title 2 of the Navajo Nation Code—2 N.N.C. §§ 106, 167 and 183—and to amend the Standing Committee Rules of Order.

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Legislation No. 0381-09, sponsored by Katherine Benally and cosponsored by Willie Begay, acquired the 2/3 votes or more of the Council to pass with a vote of 60-13. This legislation relates to community development to approve the extension of the limited waiver of sovereign immunity to allow the Navajo Nation to be sued in federal district court regarding compliance with the National Environmental Policy Act in carrying out grants from the U.S. Department of Housing and Urban Development. The legislation also proposes to authorize the Navajo Nation President and the division director of the Navajo Nation Division of Community Development to sign form 7015.15 through FY 2012 and to approve an effective date retroactive to Oct. 1, 2008.

Council delegate Thomas Walker made an unsuccessful motion to delete Legislation No. 0312-09 off the Fall Session agenda and wait to hear the legislation during the next regular session. The Council voted 52-19 to delete the time, but if failed, it needed 59 votes. As a result, the item will remain on the Council's Fall Session agenda as an action item. This legislation relates to health, public safety and government services, judiciary, economic development and finance. This legislation seeks to enact the Navajo Nation Commercial Tobacco-Free Act of 2009.

Legislation No. 0506-09, sponsored by Ernest D. Yazzie Jr. and Orlanda Smith-Hodge, failed by a vote of 17-53 and it needed 59 votes or more for passage. The legislation relates to intergovernmental relations to enact the Navajo Nation Election Consolidation Act of 2009. This legislation seeks to amend Title 11 of the Navajo Nation Code to combine Navajo Nation general and Chapter elections into one main Navajo Nation election.

This particular legislation received criticism from several members of the Council.

Omer Begay explained, "We are speaking of cost cutting measures, but I do not believe it will reduce any costs. I believe the costs may actually be the same. The justification is really hard to swallow at this point in time, especially with how things are right now. There is conflicting information on this legislation and I really don't support this issue. It is simple, you do your job and you get reelected again."

Leonard Tsosie spoke against the legislation as well.

"I am not brave enough to go back to my chapter and say I voted to extend my term," Tsosie said. "I suggest we keep it [elections] the way it is and I urge the body to vote against this."

Legislation No. 0523-09, sponsored by Tom LaPahe, is related to social services and finance to approve and accept a grant proposal from the Hoosh Dooh Dii To' Development Inc. to the Navajo Nation Council for Undesignated, Unreserved Funds in the amount of \$200,975 was tabled to the next regular Council session by a vote of 38-16. This legislation required waiving 12 N.N.C. § 820 and other applicable Navajo Nation laws, which requires a 2/3 vote of the Council.

Questions regarding the available balance in the Undesignated, Unreserved Fund prompted the tabling of the legislation. Currently, the fund is in the negative \$18 million. Navajo Controller Mark Grant explained the closing of the financial books is occurring now and it should be completed by this Friday, Oct. 23. Regardless, the fund will still be short on revenue projections.

"At this point in time, it is premature to say the Undesignated, Unreserved Fund Balance will change in a significant manner," said Grant.

The Council will continue with day three of the 2009 Fall Session tomorrow. A copy of the full agenda can be downloaded by accessing the Navajo Nation Council's website at www.navajonationcouncil.org.