



APPROVED AGENDA OF THE 24th NAVAJO NATION COUNCIL

SPECIAL SESSION

Wednesday, December 28, 2022 - 1:00 PM

Thursday, December 29, 2022 – 8:00 AM

**Navajo Nation Council Chambers
Window Rock, Navajo Nation (AZ)**

Call-in Number: (669) 900-6833

Meeting ID: 928 871 7160

Passcode: 86515

PRESIDING: Honorable Otto Tso, Speaker, 24th Navajo Nation Council

- 1. CALL MEETING TO ORDER; ROLL CALL; INVOCATION**
- 2. RECOGNIZE GUESTS AND VISITING OFFICIALS TO THE NAVAJO NATION**
- 3. REVIEW AND ADOPT THE AGENDA**

(m) Hon. Paul Begay, Jr.

(s) Hon. Edison J. Wauneka

(v) 22-0 (snv)

- 4. REPORTS: NONE**

- 5. OLD BUSINESS:**

- A. LEGISLATION 0232-21: An Action Relating to Resources and Development Committee; Naabik'iyáti' Committee, and the Navajo Nation Council; Approving Oil and Gas Operating Agreements Between the Navajo Nation and Navajo Nation Oil and Gas Company for Tohachee Wash, Beautiful Mountain, and Porcupine Dome**

SPONSOR: Honorable Seth Damon

CO-SPONSOR: Honorable Elmer P. Begay

(m) Hon. Charlaine Tso

(s) Hon. Pernell Halona

(v)

04/19/2022 – Motion to Refer Legislation 0232-21 to the Naabik'iyáti' Committee for further discussion; (M) Hon. O. Tso; (S) Hon. E. Wauneka; (V) 22-0 (Speaker ProTem Charles-Newton Not Voting)

12/27/2022 – Legislation 0232-21 is referred back to the Navajo Nation Council; (M) Hon. J. Yellowhair; (S) Hon. E. Tso; (V) 13-8 (Chairman Tso Not Voting)

- 6. NEW BUSINESS:**

- A. LEGISLATION 0182-22: An Act Relating to the Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and to the Navajo Nation Council; Approving \$970,000 from the Síhasin Fund for the Demolition and Cleanup for Four Former Business Sites Under the Chinle RBDO, and Approving the Related Expenditure Plan (2/3)**

SPONSOR: Honorable Carl R. Slater

CO-SPONSOR: Honorable Amber Kanazbah Crotty

(m) (s) (v)

- B. **LEGISLATION 0130-19:** An Action Relating to the Law and Order, Budget and Finance, Naabik'iyáti' Committees, and Navajo Nation Council; Approving and adopting the Síhasin Dilkon Justice Center Fund Expenditure Plan pursuant 12 N.N.C. §§2501-2508 (2/3)

SPONSOR: Honorable Elmer P. Begay
CO-SPONSOR: Honorable Thomas Walker, Jr.

(m) (s) (v)

- C. **LEGISLATION 0266-22:** An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Vince R. James' Delegate Region (Chapters: Jeddito, Cornfields, Ganado, Kinlichee, Steamboat) (2/3)

SPONSOR: Honorable Vince R. James

(m) (s) (v)

- D. **LEGISLATION 0267-22:** An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Kee Allen Begay, Jr.'s Delegate Region (Chapters: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain) (2/3)

SPONSOR: Honorable Kee Allen Begay, Jr.

(m) (s) (v)

- E. **LEGISLATION 0241-22:** An Action Relating to Resources and Development, and Naabik'iyáti' Committees and the Navajo Nation Council; Approving the Purchase of Property Known as the Chaves Ranch, Consisting of 6,349 Acres, More or Less, Located Near Tohajílee, Navajo Nation; Waiving 16 N.N.C. §§ 3-5, RDCO-78-16, and the Navajo Nation Land Acquisition Rules and Regulations; Approving the Expenditure of Navajo Nation Land Acquisition Trust Funds for the Purchase of the Chaves Ranch Property (2/3)

SPONSOR: Honorable Jamie Henio
CO-SPONSOR: Honorable Pernell Halona
CO-SPONSOR: Honorable Daniel E. Tso

(m) (s) (v)

- F. **LEGISLATION 0259-22:** An Action Relating to the Resources and Development, Budget and Finance, and Naabik'iyáti' Committees and the Navajo Nation Council; Approving \$8,000,000 from the Síhasin Fund for the Navajo Community Development Financial Institution to Provide Loans and Support for Small Businesses Across the Navajo Nation; Approving the Related Expenditure Plan (2/3)

SPONSOR: Honorable Jimmy Yellowhair
CO-SPONSOR: Honorable Thomas Walker, Jr.

(m) (s) (v)

- G. **LEGISLATION 0238-22:** An Action Relating to the Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and to the Navajo Nation Council; Approving \$1,875,231 from the Unreserved, Undesignated Fund Balance ("UUFb") to Replenish the 110 Chapters' Emergency Fund Accounts; Waiving 12 N.N.C. § 820(O) (2/3)

SPONSOR: Honorable Eugene Tso
CO-SPONSOR: Honorable Daniel E. Tso
CO-SPONSOR: Honorable Thomas Walker, Jr.

(m) (s) (v)

H. **LEGISLATION 0233-22:** An Action Relating to the Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and to the Navajo Nation Council; Approving \$65,000 from the Síhasin Fund for the Demolition and Cleanup of the Former Smith's Café Business Site Under the Chinle RBDO; Approving the Related Expenditure Plan (2/3)

SPONSOR: Honorable Eugene Tso

(m)

(s)

(v)

I. **LEGISLATION 0232-22:** An Action Relating to the Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and to the Navajo Nation Council; Approving \$17,513,187 from the Síhasin Fund for the Navajo Nation Shopping Centers, Inc. for NNSCI's Proposed Expansion of the Dilkon Shopping Center; Approving the Related Expenditure Plan (2/3)

SPONSOR: Honorable Elmer P. Begay

CO-SPONSOR: Honorable Thomas Walker, Jr.

(m)

(s)

(v)

J. **LEGISLATION 0271-22:** An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Nathaniel Brown's Delegate Region (Chapters: Chilchinbeto, Dennehotso, Kayenta) (2/3)

SPONSOR: Honorable Nathaniel Brown

CO-SPONSOR: Honorable Eugenia Charles-Newton

(m)

(s)

(v)

K. **LEGISLATION 0275-22:** An Action Relating to an Emergency and the Navajo Nation Council; Amending Navajo Nation Council Resolution No. CO-53-21; Extending the Deadline for the Síhasin Fund Ganado Fire District Emergency Vehicle Expenditure Plan (2/3)

SPONSOR: Honorable Vince R. James

CO-SPONSOR: Honorable Otto Tso

(m)

(s)

(v)

L. **CONSENT AGENDA**

LEGISLATION 0221-22: An Action Relating to the Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and to the Navajo Nation Council; Allocating \$150,000.00 from the Síhasin Fund for the Cornfields Chapter Veterans Organizations Courtyard; Approving the Related Expenditure Plan Pursuant to 12 N.N.C. § 2501 - § 2508 (2/3)

SPONSOR: Honorable Vince R. James

LEGISLATION 0234-22: An Act Relating to the Budget and Finance and Naabik'iyáti' Committees, and to the Navajo Nation Council; Approving \$244,749 from the Unreserved, Undesignated Fund Balance ("UUFb") for the Legislative District Assistants Program and Waiving 12 N.N.C. § 820(E), § 820(F), § 820(J), and § 820(L) (2/3)

SPONSOR: Honorable Vince R. James

LEGISLATION 0239-22: An Action Relating to the Health, Education, and Human Services, the Budget and Finance, and the Naabik'iyáti' Committees, and to the Navajo Nation Council; Approving \$111,554 from the Unreserved, Undesignated Fund Balance ("UUFb") for the Department of Diné Education for Internet Costs at 56 Sites; Waiving 12 N.N.C. § 820(E), § 820(F), § 820 (J), and § 820(L) (2/3)

SPONSOR: Honorable Carl R. Slater

LEGISLATION 0262-22: An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Sheepsprings, Beclabito, Gadiiahi/To'koi) (2/3)

SPONSOR: Honorable Amber Kanazbah Crotty
CO-SPONSOR: Honorable Thomas Walker, Jr.

LEGISLATION 0263-22: An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Wilson C. Stewart, Jr.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) **(2/3)**

SPONSOR: Honorable Wilson C. Stewart, Jr.
CO-SPONSOR: Honorable Thomas Walker, Jr.

LEGISLATION 0265-22: An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Elmer P. Begay's Delegate Region (Chapters: Dilkon, Indian Wells, Teesto, Whitecone, Greasewood Springs) **(2/3)**

SPONSOR: Honorable Elmer P. Begay
CO-SPONSOR: Honorable Thomas Walker, Jr.

LEGISLATION 0268-22: An Action Relating to the Naabik'iyáti' Committee and the Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Eugene Tso's Delegate Region (Chapter: Chinle) **(2/3)**

SPONSOR: Honorable Eugene Tso

LEGISLATION 0188-22: An Action Relating to Resources and Development and Naabik'iyáti' Committees and Navajo Nation Council; Confirming Michele T. Jones as the Navajo Gaming Regulatory Office Executive Director

SPONSOR: Honorable Nathaniel Brown
CO-SPONSOR: Honorable Pernell Halona

LEGISLATION 0193-22: An Act Relating to Law and Order, Budget and Finance, and Naabik'iyáti' Committees, and Navajo Nation Council; Amending 12 N.N.C. § 820(N) to Change the Lapse of Certain Appropriations

SPONSOR: Honorable Otto Tso
CO-SPONSOR: Honorable Eugenia Charles-Newton

LEGISLATION 0201-22: An Act Relating to Law and Order, Resources and Development, Health, Education and Human Services, and Naabik'iyáti' Committees, and the Navajo Nation Council; Amending Navajo Nation Code 13 N.N.C. §§ 1901, 1902, 1903, 1905, 1906, 1951, 1952, and 1953

SPONSOR: Honorable Rickie Nez
CO-SPONSOR: Honorable Wilson C. Stewart, Jr.

LEGISLATION 0223-22: An Action Relating to the Health, Education and Human Services, and Naabik'iyáti' Committees, and the Navajo Nation Council; Approving the Reinstatement of Halle A. Lizer as a Member of the Navajo Nation

SPONSOR: Honorable Edison J. Wauneka

LEGISLATION 0231-22: An Action Relating to the Resources and Development Committee, Budget and Finance, and Naabik'iyáti' Committees and the Navajo Nation Council; Approving a Memorandum of Agreement between the Navajo Nation and the Office of Navajo and Hopi Indian Relocation ("ONHIR") for the Lower Highway 89 Development; Authorizing the President of the Navajo Nation to Accept a Gift of the Lower Highway 89 Land from the Navajo Nation Gaming Enterprise and Submit an Application to place the Lower Highway 89 Land into Trust Under Public Law 96-305

SPONSOR: Honorable Otto Tso
CO-SPONSOR: Honorable Raymond Smith, Jr.

(m)

(s)

(v)

M. **LEGISLATION 0040-22:** An Act Relating to Resources and Development, Health, Education and Human Services, Law and Order, Budget and Finance, and Naabik'iyáti' Committees and the Navajo Nation Council; Establishing the San Juan River Mitigation Fund; Directing that Monies Received from

In Re: Gold King Mine Release In San Juan County, Colorado, on August 5, 2015, NO. 1:18-md-02824 (D.N.M.) and Underlying and Related Actions Be Deposited in the San Juan River Mitigation Fund After Reimbursement of Litigation Costs

SPONSOR: Honorable Rickie Nez
CO-SPONSOR: Honorable Seth Damon

(m) (s) (v)

- N. **LEGISLATION 0108-22:** An Act Relating to the Health, Education and Human Services, Law and Order, Budget and Finance, and Naabik'iyáti' Committees and the Navajo Nation Council; Repealing 9 N.N.C. § 2(C) of the Diné Marriage Act of 2005, to Equally Recognize all Marriages within the Navajo Nation; and Amending Other Provisions in Title 9 Related to Marriage within the Navajo Nation

SPONSOR: Honorable Eugene Tso
CO-SPONSOR: Honorable Nathaniel Brown

(m) (s) (v)

- O. **LEGISLATION 0157-22:** An Action Relating to Law and Order, Health Education and Human Services, Resources and Development, Budget and Finance and Naabik'iyáti' Committee and Navajo Nation Council; Amending CAP-35-18, Síhasin Fund Powerline and Chapter Projects Expenditure Plan, to Extend Project Completion Deadlines for an Additional Twenty-Four Months

SPONSOR: Honorable Raymond Smith, Jr.
CO-SPONSOR: Honorable Pernell Halona
CO-SPONSOR: Honorable Wilson C. Stewart, Jr.

(m) (s) (v)

- P. **LEGISLATION 0190-22:** An Act Relating to the Budget and Finance, Resources and Development, and Naabik'iyáti' Committees, and the Navajo Nation Council; Approving \$200,000 from the Unreserved, Undesignated Fund Balance ("UUFb") for the Sawmill Chapter Renovation Project

SPONSOR: Honorable Wilson C. Stewart, Jr.

(m) (s) (v)

- Q. **LEGISLATION 0224-22:** An Act Relating to the Law and Order and Naabik'iyáti' Committees and the Navajo Nation Council; Amending the Navajo Nation Criminal Code at 17 N.N.C. § 320 by Recognizing Concealed Weapon Carry Permits Issued by States

SPONSOR: Honorable Edmund Yazzie
CO-SPONSOR: Honorable Carl R. Slater
CO-SPONSOR: Honorable Eugene Tso

(m) (s) (v)

- R. **LEGISLATION 0228-22:** An Action Relating to the Resources and Development Committee, Naabik'iyáti' Committee and the Navajo Nation Council; Approving the Oil and Gas Operating Agreement Between the Navajo Nation and EOG Resources, Inc., for Certain Trust Lands in the Upper Fruitland Chapter and the Nenahnezad Chapter, Navajo Nation (San Juan County, New Mexico)

SPONSOR: Honorable Rickie Nez
CO-SPONSOR: Honorable Elmer P. Begay

(m) (s) (v)

- S. **LEGISLATION 0227-22:** An Action Relating to Resources and Development; Naabik'iyáti' Committees and the Navajo Nation Council; Adopting the Latest International Building Code (ICC'S 2021 International Building Code) as Applicable to Commercial and Government Buildings Constructed by the Navajo Nation Government and its Entities and Political Subdivisions

SPONSOR: Honorable Eugenia Charles-Newton

(m) (s) (v)

T. **LEGISLATION 0240-22:** An Act Relating to the Law and Order, and Naabik'iyáti' Committees and the Navajo Nation Council; Amending Title 17 of the Navajo Nation Code

SPONSOR: Honorable Eugenia Charles-Newton

CO-SPONSOR: Honorable Otto Tso

(m)

(s)

(v)

U. **LEGISLATION 0260-22:** An Act Relating to Budget and Finance, Health, Education and Human Services, and Naabik'iyáti' Committees and the Navajo Nation Council; Establishing the “Opioid Litigation Settlement Funding” Directing that Monies Received from In Re: National Prescription Opiate Litigation, On August 5, 2015, MLD No. 2804; Case No. 17-md-02804 and Related Actions be Deposited in the Opioid Litigation Settlement Fund; Reimbursing the Fixed Cost Litigation Account for Litigation Costs

SPONSOR: Honorable Eugene Tso

CO-SPONSOR: Honorable Wilson C. Stewart, Jr.

(m)

(s)

(v)

V. **LEGISLATION 0251-22:** An Act Relating to the Budget and Finance, Resources and Development, and Naabik'iyáti' Committees, and to the Navajo Nation Council; Amending CMY-54-18 to Extend Through Crop Year 2028 the Sihasin Fund Guarantee for the Navajo Nation's Annual Premiums for the “Rainfall Index Pasture, Rangeland and Forage Pilot Insurance Program” Administered by the U.S. Department of Agriculture

SPONSOR: Honorable Wilson C. Stewart, Jr.

CO-SPONSOR: Honorable Jamie Henio

(m)

(s)

(v)

7. CLOSE OF SESSION; ANNOUNCEMENTS; ADJOURNMENT

Livestream will be available online at:

VIMEO: www.vimeo.com/navajonationcouncil

YouTube: www.youtube.com/navajonationcouncil

NNC Facebook: <http://www.facebook.com/navajonationcouncil/>