

RESOLUTION OF THE  
NAVAJO NATION COUNCIL

22<sup>nd</sup> NAVAJO NATION COUNCIL - Third Year, 2013

AN ACT

RELATING TO LAW AND ORDER, HEALTH, EDUCATION AND  
HUMAN SERVICES, AND NAABIK'ÍYÁTI'; APPROVING THE  
AMENDMENT OF 2 N.N.C. §401(C)

BE IT ENACTED:

Section 1. Findings

A. The Navajo Technical College is a wholly owned non-profit corporation of the Navajo Nation to provide post-secondary vocational education; and

B. The Board of Trustees of Navajo Technical College is responsible for the administration, operations, and development of policy as stated in the Navajo Nation Code at 15 N.N.C. §§1201 et seq.; and

C. Since 2006, Navajo Technical College has increased its academic offerings and the growth envisioned for the college to provide academic excellence require that its Enabling Legislation be updated to enable the Navajo Technical College to meet the needs of its students and the Navajo Nation community as an institution of higher learning; and

D. Navajo Technical College has developed six (6) baccalaureate degrees, the Navajo Nation's first Registered Nurse program, and several new academic and vocational, technical and career programs that put students to work in the fields of Science, Technology, Engineering and Mathematics (STEM), health and vocational, technical and career trades; and

E. Navajo Technical College is now in the process of developing additional academic programs that will provide its students the opportunity to obtain post-graduate degrees (i.e., masters and Ph.D.); and

F. The Board of Trustees of Navajo Technical College has determined that it is in the best interest of Navajo Technical College to amend the Navajo Technical College Enabling Legislation in order that the codified provisions of the Navajo Technical College Enabling Legislation correlate with its development towards a university; and

G. Title 2 N.N.C. §401(C) currently authorizes the Health, Education and Human Services Committee of the Navajo Nation Council oversight powers over the Navajo Nation Board of Education and colleges; and

H. The Navajo Nation Council finds it is in the best interest of the Navajo Nation to amend Title 2 N.N.C. §401(C) to include universities within the oversight powers of the Health, Education and Human Services Committee of the Navajo Nation Council.

**Section 2. Amendment to Title 2 of the Navajo Nation Code.**

The Navajo Nation hereby amends the Navajo Nation Code, Title 2, §401(C), as follows:

**TITLE 2. NAVAJO NATION GOVERNMENT  
CHAPTER 3. LEGISLATIVE BRANCH  
ARTICLE 2. HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE**

\*\*\*\*

**§401. Powers**

\*\*\*\*

**C. Oversight**

\*\*\*\*

3. To serve as the oversight Committee of the Navajo Nation Board of Education, ~~and colleges,~~ and universities within the Navajo Nation.

**Section 3. Accepting the Recommendation of the Board of Trustees**

The Navajo Nation hereby accepts the recommendation of the Board of Trustees of the Navajo Technical College, attached hereto as Exhibit A, to amend Title 2.

**Section 4. Effective Date.**

The amendment enacted herein shall be effective pursuant to 2 N.N.C. §221(B).

**Section 5. Codification**

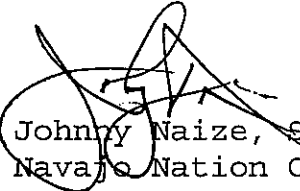
The provisions of the Act which amend sections of the Navajo Nation Code shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such amended provisions in the next codification of the Navajo Nation Code.

**Section 6. Savings Clause**

Should any portion of the amendment enacted herein be determined invalid by the Navajo Nation Supreme Court, or the District Court of the Navajo Nation, without appeal to the Navajo Nation Supreme Court, those portions not determined invalid shall remain the law of the Navajo Nation.

**CERTIFICATION**

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 19 in favor and 1 opposed, this 16<sup>th</sup> day of July 2013.

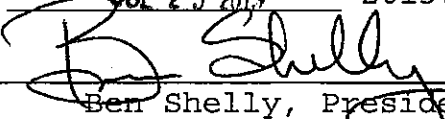
  
Johnny Naize, Speaker  
Navajo Nation Council

July 19, 13  
Date

Motion: Honorable Walter Phelps  
Second: Honorable Leonard Pete

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C) (10), on this \_\_\_\_\_ day of JUL 25 2013 2013.

  
\_\_\_\_\_  
Ben Shelly, President  
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (11), this \_\_\_\_\_ day of \_\_\_\_\_ 2013, for the reason(s) expressed in the attached letter to the Speaker.

\_\_\_\_\_  
Ben Shelly, President  
Navajo Nation

**EXHIBIT "A"**

NTC-JUN-1181-13

**RESOLUTION OF THE  
BOARD OF TRUSTEES OF THE  
NAVAJO TECHNICAL COLLEGE**



Recommending the Navajo Nation Council Amend Title 2 N.N.C. §401(C)  
to Include Universities within the Oversight Powers of the Health,  
Education and Human Services Committee of the Navajo Nation Council

**WHEREAS:**

1. The Navajo Technical College is a wholly owned nonprofit corporation of the Navajo Nation established to provide post-secondary vocational education; and
2. The Board of Trustees of Navajo Technical College is responsible for the administration, operations, and development of policy as stated in the Navajo Nation Council Resolution CN-58-06, which approved the Navajo Technical College Act of 2006, 15 N.N.C. §§ 1201-1209; and
3. The Navajo Technical College Act of 2006 is the enabling legislation for Navajo Technical College, codified at 15 N.N.C. §§ 1201-1209, which govern Navajo Technical College. Upon passage of the Act, the Navajo Technical College filed amended corporate Articles of Incorporation, consistent with the statutory amendments of the Navajo Technical College Act of 2006, as authorized by the Navajo Nation Council; and
4. The enabling legislation and Articles of Incorporation for Navajo Technical College have not been amended since November 2006; and
5. Since 2006, Navajo Technical College has increased its academic offerings and the process to continue to improve academic excellence and achieve continued growth requires that its enabling legislation, codified at 15 N.N.C. §§ 1201-1209, be updated to enable Navajo Technical College to meet the needs of its students and the Navajo Nation community as an institution of high learning; and
6. Navajo Technical College has developed six (6) baccalaureate degrees, the Navajo Nation's first Registered Nurse program, and several new academic and vocational, technical and career programs that put students to work in the fields of Science, Technology, Engineering and Mathematics (STEM), health and vocational, technical and career trades; and
7. Navajo Technical College is now in the process of developing additional academic programs that will provide its students the opportunity to obtain post-graduate degrees (i.e., masters and Ph.D.); and
8. The Board of Trustees of Navajo Technical College has determined that it is in the best interest of Navajo Technical College that Title 15 N.N.C. §§1201-1209 be amended by the Navajo Nation Council in order that the codified provisions of the enabling legislation of the Navajo Technical College correlate with its development towards a University; and

9. Among the amendments that the Board of Trustees of Navajo Technical College recommends be made to the codified provisions of its enabling legislation is a change in name from Navajo Technical College to Navajo Technology University; and

10. Title 2 N.N.C. §401(C) currently authorizes the Health, Education and Human Services Committee of the Navajo Nation Council oversight powers over the Navajo Nation Board of Education and colleges; and

11. Title 2 N.N.C. §401(C) should be amended to include Universities within the oversight powers of the Health, Education and Human Services Committee of the Navajo Nation Council to ensure that all Navajo Nation institutions of higher learning are included within the Committee's oversight powers; and

12. The Board of Trustees of Navajo Technical College recommends the Navajo Nation Council amend Title 2 N.N.C. §401(C) to include Universities within the oversight powers of the Health, Education and Human Services Committee of the Navajo Nation Council.

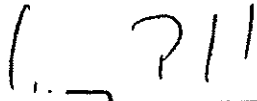
**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Board of Trustees of Navajo Technical College hereby recommends the Navajo Nation Council amend Title 2 N.N.C. §401(C) to include Universities within the oversight powers of the Health, Education and Human Services Committee of the Navajo Nation Council.

2. The President of Navajo Technical College is hereby authorized and directed to do all things necessary to effectuate the purpose of this resolution.

**CERTIFICATION**

I hereby confirm that this resolution was discussed and considered by the Board of Trustees of Navajo Technical College at a duly called meeting held in Albuquerque, New Mexico at which a quorum was present, and that this resolution was passed by a vote of 6 in favor, 0 opposed and 0 abstained, this 1st day of June, 2013.

  
\_\_\_\_\_  
Tom Platero, Chairperson  
Board of Trustees  
Navajo Technical College

**LAW AND ORDER COMMITTEE  
22<sup>nd</sup> NAVAJO NATION COUNCIL**

**THIRD YEAR 2013**

**COMMITTEE REPORT**

Mr. Speaker,

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

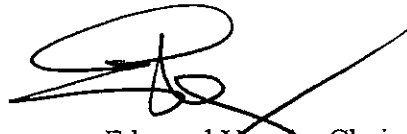
**Legislation # 0155-13:**

An Action Relating to Law and Order, Health, Education and Human Services, and Naabikiyati: Approving the Amendment of 2 N.N.C. §401(C). (*Prime Sponsor: Danny Simpson. Co-Sponsors: Edmund Yazzie, George Apachito, Charles Damon II, and Elmer P. Begay*)

Has had it under consideration and report the same with a **DO PASS**, with no amendment:

and therefore referred to **Health, Education and Human Services Committee**.

Respectfully submitted,



Edmund Yazzie, Chairperson  
Law and Order Committee of the  
22<sup>nd</sup> Navajo Nation Council

Date: June 10, 2013

The vote was 3 in favor and 0 opposed

Motion: Elmer P. Begay

Second: Duane S. Tsinigine

22nd NAVAJO NATION COUNCIL - THIRD YEAR 2013

COMMITTEE REPORT

THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL to whom has been assigned;

LEGISLATION NO. 0155-13

AN ACTION RELATING TO LAW AND ORDER, HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE AND NAABIK' IYATI'; APPROVING THE AMENDMENT OF 2 N.N.C. §401(C) (Prime Sponsor: Danny Simpson; Co-Sponsors: Edmund Yazzie, George Apachito, Charles Damon II, Elmer P. Begay and Jonathan L. Hale)

Has had under consideration and report the same with the recommendation that it **DO PASS** with no amendment:

And therefore referred the same to **NAABIK' IYATI' COMMITTEE OF THE NAVAJO NATION COUNCIL**



Honorable Walter Phelps, Chairperson Pro Tem  
Health, Education and Human Services  
Committee

Dated: June 12, 2013

Motion: by: Honorable Kenneth Maryboy

Seconded by: Honorable Joshua Butler

Vote: 3 in favor: 0 Opposed and 0 Abstain



**NAA'BIK'IYATI COMMITTEE  
22<sup>nd</sup> NAVAJO NATION COUNCIL**

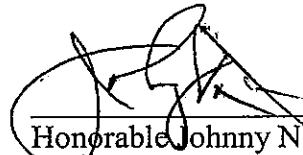
**THIRD YEAR 2013**

**Legislation # 0155-13:**

**Legislation No. 0155-13:** Relating to Law and Order, Health, Education and Human Services, and Naabik'iyati'; Approving the Amendment of 2 N.N.C. §401(C) (*Sponsors: Honorable Danny Simpson, Honorable George Apachito, Honorable Edmund Yazzie, Honorable Charles Damon II, Honorable Elmer P. Begay, Honorable Jonathan L. Hale*)

Has had it under consideration and report the same with a **DO PASS**, with no amendments and therefore referred to **NAVAJO NATION COUNCIL**.

Respectfully submitted,



Honorable Johnny Naize, Chairperson  
22<sup>nd</sup> Navajo Nation Council

Adopted 12/11

Not Adopted: \_\_\_\_\_

Date: June 27, 2013

The vote was 12 in favor and 0 opposed

Main Motion: Joshua Lavar Butler

Second: Mel R. Begay