

RESOLUTION OF THE
NAVAJO NATION COUNCIL

22ND NAVAJO NATION COUNCIL -- Third Year, 2013

AN ACT

RELATING TO LAW AND ORDER, RESOURCES AND DEVELOPMENT, BUDGET
AND FINANCE, AND NAABIK'ÍYÁTI'; AMENDING 12 N.N.C. §1608,
GAMING DEVELOPMENT FUND

BE IT ENACTED:

Section One. Findings

The Navajo Nation Council hereby finds that the following:

1. The Navajo Nation Council established the Gaming Development Fund to provide funding for gaming development within the Navajo Nation. 12 N.N.C. §§ 1601-1608.
2. The Navajo Nation Gaming Enterprise pursuant to 5 N.N.C. §§ 1701-1719 was created to develop and conduct gaming activities within the Navajo Nation in accordance with Navajo Law, applicable Tribal-State Gaming Compacts, and Federal Law and has successfully developed Fire Rock Navajo Casino, Flowing Water Navajo Casino, Northern Edge Navajo Casino, and Twin Arrows Navajo Casino.
3. The Arizona Gaming Compact allows for four (4) casinos within the State of Arizona, the Nation has built one (1) Casino out of four (4), the other three (3) sites are still being determined and subject to available financing.
4. The New Mexico Gaming Compact set to expire on June 30, 2015 is currently being negotiated and subject to approval by the New Mexico State Legislature and Department of the Interior. The negotiated Compact will allow for five (5) Class III Gaming Facilities. At present, the Nation has two (2) Class III Gaming Facilities. The other three (3) sites are still being determined and subject to available financing. In addition, the Nation can still build under the proposed terms a second Class II Gaming Facility.

5. Pursuant to 12 N.N.C. §1608 (as amended by CO-45-10), the Gaming Development Fund expired on May 1, 2013. The need for funds to develop the future sites and expand existing sites is necessary. The development for the number of Gaming Facilities allowed under the Tribal-State Gaming Compacts will continue for the next 20 years or longer.

6. The Navajo Nation Council finds an amendment to remove the expiration date of the Fund, May 1, 2013, which will cause the Fund to continue as of the expiration date is in the best interest of the Navajo Nation.

Section Two. Amending 12 N.N.C. §1608

The Navajo Nation Council hereby approves the following amendment:

Section 1608. Effective Period

The effective date of the Fund shall be May 1, 2006, ~~and the Fund shall remain in place until May 1, 2013. At the end of that period, all monies remaining in the Fund that have not been budgeted or encumbered at that time shall be deposited into the General Fund of the Navajo Nation.~~

Section Three. Effective date

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

Section Four. Codification

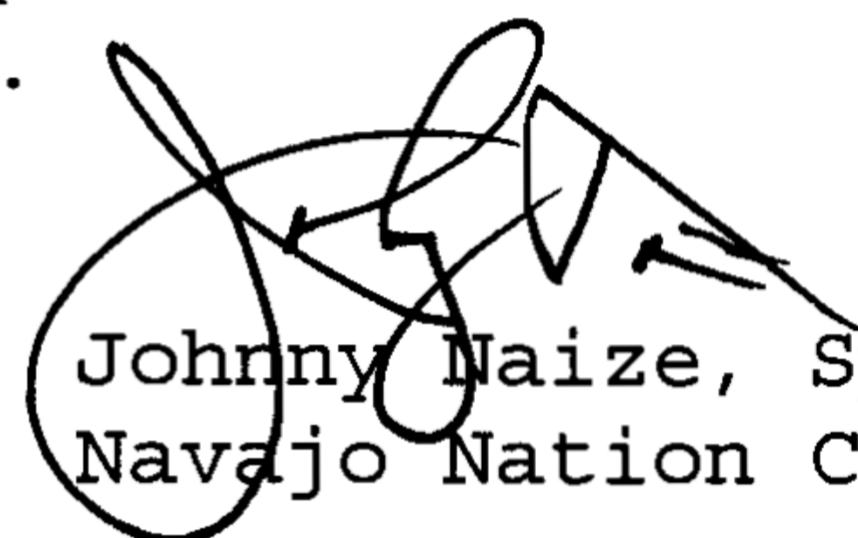
The amendment enacted herein shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such amended provision in the next codification of the Navajo Nation Code.

Section Five. Savings Clause

Should any portion of the amendment enacted herein be determined invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation without appeal to the Navajo Nation Supreme Court, the portions of the amendment which are not determined invalid shall remain the law of the 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 12 in favor and 1 opposed, this 18th day of July 2013.

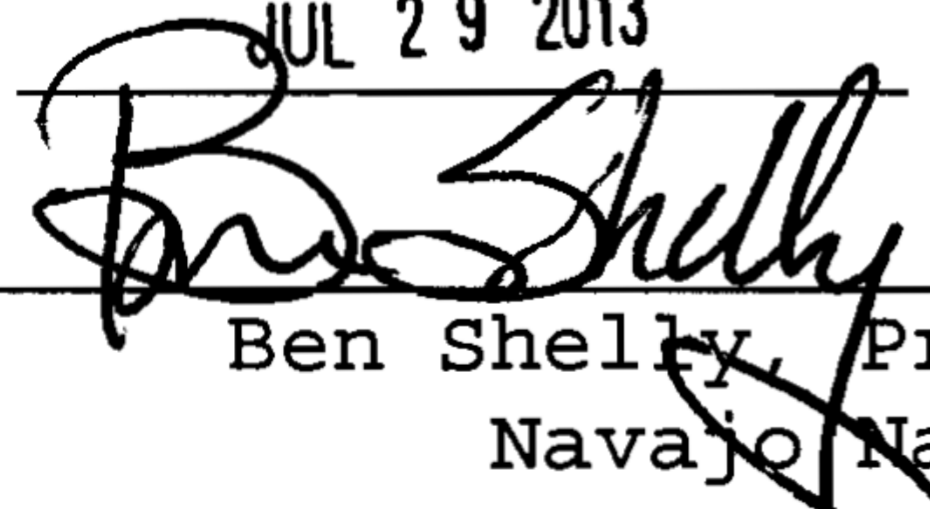

Johnny Naize, Speaker
Navajo Nation Council

July 23, 13
Date

Motion: Honorable Jonathan Hale
Second: Honorable Alton Joe Shepherd

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 29 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