

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0128-24_

SPONSOR: Rickie Nez

TITLE: An Action Relating to Resources and Development Committee; Approving the Delegation of Authority to the Department Manager of the Navajo Land Department, Division of Natural Resources, to Approve Religious Land Use Permits; Approving Departmental Administrative Rules and Regulations for Religious Land Use Permits for Application Requests on Navajo Nation Trust and Fee Lands, Including the Eastern Navajo Agency Applicants; and, Approving the Terms and Conditions for Religious Land Use Permits

Date posted: June 13, 2024 at 5:50PM

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Office of Legislative Services
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Window Rock, AZ 86515
(928) 871-7586

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LEGISLATIVE SUMMARY SHEET
Tracking No. 0128-24

DATE: June 12, 2024

TITLE OF RESOLUTION: A PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING THE DELEGATION OF AUTHORITY TO THE DEPARTMENT MANAGER OF THE NAVAJO LAND DEPARTMENT, DIVISION OF NATURAL RESOURCES, TO APPROVE RELIGIOUS LAND USE PERMITS; APPROVING DEPARTMENTAL ADMINISTRATIVE RULES AND REGULATIONS FOR RELIGIOUS LAND USE PERMITS FOR APPLICATION REQUESTS ON NAVAJO NATION TRUST AND FEE LANDS, INCLUDING THE EASTERN NAVAJO AGENCY APPLICANTS; AND, APPROVING THE TERMS AND CONDITIONS FOR RELIGIOUS LAND USE PERMITS

PURPOSE: This resolution, if approved, will approve a delegation of authority to the Department Manager of the Navajo Land Department, Division of Natural Resources, to approve Religious Land Use Permits; approve Departmental Administrative Rules and Regulations for Religious Land Use Permits for application requests on Navajo Nation trust and fee lands, including the Eastern Navajo Agency applicants; and, approve the Terms and Conditions for Religious Land Use Permits.

Final Authority: Resources and Development Committee

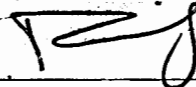
Vote Required: Simple Majority

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed legislation in detail.

5-DAY BILL HOLD PERIOD 5-50
Website Posting Time/Date 5:50 PM 06-13-24
Posting End Date: 06-18-24
Eligible for Action: 06-19-24

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 25th NAVAJO NATION COUNCIL – Second Year, 2024

3 INTRODUCED BY

4 
5 _____
6 *Carly Johnson* (Prime Sponsor) *Ricki Lee*

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8 TRACKING NO. 0128-24

9
10 AN ACTION

11 RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING
12 THE DELEGATION OF AUTHORITY TO THE DEPARTMENT MANAGER OF THE
13 NAVAJO LAND DEPARTMENT, DIVISION OF NATURAL RESOURCES,
14 TO APPROVE RELIGIOUS LAND USE PERMITS; APPROVING DEPARTMENTAL
15 ADMINISTRATIVE RULES AND REGULATIONS FOR RELIGIOUS LAND USE
16 PERMITS FOR APPLICATION REQUESTS ON NAVAJO NATION TRUST AND FEE
17 LANDS, INCLUDING THE EASTERN NAVAJO AGENCY APPLICANTS; AND,
18 APPROVING THE TERMS AND CONDITIONS FOR RELIGIOUS LAND USE
19 PERMITS

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22 BE IT ENACTED:

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24 **Section One. Authority**

25 A. The Resources and Development Committee is established as a standing committee of
26 the Navajo Nation Council with oversight authority over land and community
27 development, to promulgate rules and regulations for the development of Navajo
28 Nation lands, and to provide final approval for land permits. 2 N.N.C. §§ 500 (A), 501
29 (B) (1) and 501 (B) (2).
30

1 B. The Resources and Development Committee serves as the Legislative oversight
2 authority for the Division of Natural Resources. 2 N.N.C. § 501 (C) (1).

3 C. The Resources and Development Committee is authorized to delegate its
4 responsibilities and authorities as appropriate for efficiency and streamlining of
5 government process to the Standing Committee, divisions, Chapters, and appropriate
6 entities, provided that the Committee first approves rule and regulations governing such
7 delegations and to rescind delegations. 2 N.N.C § 501 (B)(11).

8
9 **Section Two. Findings**

10 A. The Resources and Development Committee's delegation of authority to grant
11 Religious Land Use Permit on Navajo Nation trust and fee lands to the Department
12 Manager of the Navajo Nation Land Department would shorten the amount of time
13 religious organizations to obtain the Religious Land Use Permits.

14 B. The Religious Land Use Permit Regulations 2024 are attached as **Exhibit A**. The
15 Religious Land Use Permit Regulations Table of Contents is comprised of sixteen (16)
16 Sections: Authority; Purpose; Eligibility; Term; Application Requirements; Available
17 Land; Temporary Religious Use Permit; Terms and Conditions; Residential Homes in
18 Religious land use; Trespass and Trespass Fees; Abandonment; Filing and Annual
19 Fees; Cancellation of Permits; Modifications; Record Keeping and Definitions.

20 C. The Terms and Conditions for Religious Land Use Permit is attached as **Exhibit B**.

21 D. The Executive Official Review Document No. 022002 is attached as **Exhibit C**.

22
23 **Section Three. Approval of Delegation of Authority, Approval of Rules and**
24 **Regulations; and Approval of Terms and Conditions**

25 A. The Resources and Development Committee of the Navajo Nation Council hereby
26 approves the delegation of authority to the Department Manager of the Navajo Land
27 Department, Division of Natural Resources, to grant Religious Land Use Permit on
28 Navajo Nation trust and fee lands, including Eastern Navajo Agency.

29 B. This delegation of authority shall not be re-delegated to any other tribal official or
30 entity without the approval of the Resources and Development Committee.

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Section Four. Approval of Religious Land Use Permits Rules and Regulations

- A. The Resources and Development Committee hereby approves the departmental administrative rules and regulations for the delegation of authority to the Department Manager of the Navajo Land Department to approve Religious Land Use Permits, attached as **Exhibit A**.
- B. The Resources and Development Committee hereby approves the Terms and Conditions for Religious Land Use Permits, attached as **Exhibit B**.

Section Five. Saving Clause

Should any provision of this Act 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, those portions of this Action, which are not determined invalid, shall remain the law of the Navajo Nation.