THE NAVAJO NATION LEGISLATIVE BRANCH INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0140-24__

SPONSOR: Casey Allen Johnson

<u>TITLE:</u> Approving amendments to 16 N.N.C. § 1153 Regarding the Contents of an Application for a Mission Site Permit

Date posted: July 02, 2024 at 8:51AM

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LEGISLATIVE SUMMARY SHEET Tracking No. <u>0140-24</u>

DATE: June 30, 2024

TITLE OF RESOLUTION: PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACT RELATING TO LAW AND ORDER, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL, APPROVING AMENDMENTS TO 16 N.N.C. § 1153 REGARDING THE CONTENTS OF AN APPLICATION FOR A MISSION SITE PERMIT

PURPOSE: The purpose of the resolution is to amend Navajo Nation Code 16 N.N.C. § 1153 to remove the religious site permit requirement for "An endorsement of Navajo Nation Council Delegates of the District in which the proposed site is located."

Final Authority: Navajo Nation Council

Vote Required: Simple Majority

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

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Eligible for	Kesources & Development Committee
1	PROPOSED NAVAJO NATION COUNCIL RESOLUTION Naabik'iyáti' Committee
2	25 th NAVAJO NATION COUNCIL Second Year, 2024 Navajo Nation Counci
3	INTRODUCED BY
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5	Carey allen John
6	(Prime Sponsor)
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8	TRACKING NO. <u>0140-24</u>
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10	AN ACT
11	RELATING TO LAW AND ORDER, RESOURCES AND DEVELOPMENT, AND
12	NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL,
13	APPROVING AMENDMENTS TO 16 N.N.C. § 1153 REGARDING THE
14	CONTENTS OF AN APPLICATION FOR A MISSION SITE PERMIT
15	
16	BE IT ENACTED:
17	Section One. Authority
18	A. The Law and Order Committee is empowered to review and make
1 9	recommendations to the Navajo Nation Council on proposed Navajo Nation Code
20	amendments and enactments. 2 N.N.C. § 601 (B) (14).
21	B. The Resources and Development Committee has oversight authority over land,
22	and community development. 2 N.N.C. § 500 (C).
23	C. The Naabik'íyáti' Committee considers proposed legislation that requires final
24	action by the Navajo Nation Council. 2 N.N.C. § 700 (A).
25	D. The Navajo Nation Council must review and approve enactments or amendments
26	of positive law. 2 N.N.C. § 164 (A).
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28	Section Two. Findings
29	A. The Navajo Nation Council's Resolution CO-45-12 Section 5 (B) "References to
30	previous Standing Committees" states that "References in the Navajo Nation

Code and other official documents to the Resources, Transportation and Community Development and Economic Development Committees shall mean the Resources and Development Committee unless the amendments enacted herein or the context of previous law indicates otherwise."

- B. Currently, Title 16, Chapter 11, Subchapter 3, Section 1153 (A) delineates the contents of the application for a mission or religious site. One of the listed requirements is "An endorsement of Navajo Nation Council Delegates of the District in which the proposed site is located."
- C. An endorsement of a Navajo Nation Council Delegate should be removed as a requirement because applications for other uses of Navajo Nation lands do not require an "endorsement" from Navajo Nation Council Delegates.

Section Three. Amendment to 16 N.N.C. § 1153

The Navajo Nation hereby amends Title 16 of the Navajo Nation Code as follows:

NAVAJO NATION CODE ANNOTATED TITLE 16. LAND CHAPTER 11. LAND FOR PUBLIC, CHARITABLE AND RELIGIOUS PURPOSES

SUBCHAPTER 3. MISSION RELIGIOUS SITES

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§ 1153. Contents of applications Rules and Regulations

A. No permit-to-enlarge-the-area-of Navajo-Nation-land-presently-under-permit-to-a missionary or mission body, and no permit to grant Navajo Nation land for a new mission site will be granted by the Resources_Committee unless the application for such permit has first been reviewed by the Navajo Land Department of the Navajo Nation.
B. Such application shall-contain the following information and documentation:
An exact description of the Navajo Nation land for which application is made.

- 1. An exact description of the Navajo Nation land for which application is made.
- 2. A detailed statement of the purpose or purposes for which the said Navajo Nation land

shall-be-used. If a-missionary or mission body proposes to establish facilities for educational, medical, or other non-religious activities, the application shall set forth fully

the extent-and character-thereof.

3. A signed petition of a substantial number of Navajos residing in the vicinity of the proposed site endorsing the proposed permit.

4. An endorsement of Navajo Nation Council Delegates of the District in which the proposed site is located.

5. A description of buildings and improvements to be placed on Navajo Nation lands and an estimate of the cost thereof.

The Resources and Development Committee shall approve rules and regulations for Religious Land Use Permits. The Rules and Regulations shall not require an endorsement of the Navajo Nation Council Delegate of the District in which the proposed religious site is located.

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Section Four. Effective Date

The Act enacted herein shall be effective upon its approval pursuant to 2 N.N.C. §221 (B).

Section Five. Codification

The provisions of this ordinance which amend or adopt new 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 Six. Saving Clause

Should any provisions of this ordinance 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 ordinance which are not determined invalid shall remain the law of the Navajo Nation.