

RESOLUTION OF THE  
NAVAJO NATION COUNCIL

20<sup>th</sup> NAVAJO NATION COUNCIL - Third Year, 2005

AN ACT

RELATING TO PUBLIC SAFETY, HEALTH AND JUDICIARY; AMENDING  
TITLE SEVENTEEN OF THE NAVAJO NATION CODE, 17 N.N.C. §§394  
AND 395

BE IT ENACTED:

Section 1. Amendments to Title 17 Navajo Nation Code

The Navajo Nation Council hereby amends the Navajo  
Nation Code, Title 17, as follows:

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§394. Possession or sale of controlled substances

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~~C. Peyote. It shall not be unlawful for any members of  
the Native American Church to transport, buy, sell, possess  
or use peyote in any form in connection with recognized  
religious practices, sacraments or services of the Native  
American Church.~~ The listing of peyote (more commonly  
known as azeé in Subsection A does not apply to the use of  
azeé by an enrolled member of an Indian tribe for bona fide  
ceremonial purposes in connection with nahagha.  
Individuals who use, possess, or transport azeé for use in  
nahagha are exempt from this prohibition. Azeé is lawful  
on the Navajo Nation.

§395. Forfeiture and destruction of controlled substances

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C. The handling and disposition of azeé seized  
pursuant to this subchapter shall be regulated by  
administrative order of a district court judge of the  
Navajo Nation Courts, taking into consideration and  
accommodating the ceremonial use of azeé and following the  
guidance of the leaders of those who participate in such  
ceremony.

Section 2. Codification

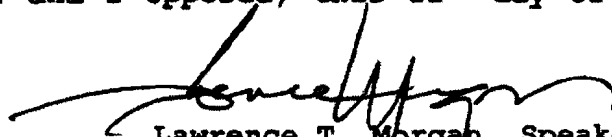
The provisions of this Act which amend or adopt new sections of the Navajo Nation Code shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such amended provisions in the next codification of the Navajo Nation Code, to the extent practicable.

Section 3. Savings Clause

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

CERTIFICATION

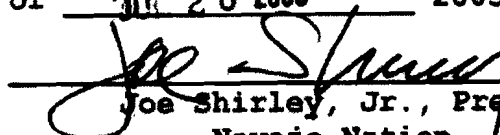
I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 63 in favor and 1 opposed, this 22<sup>nd</sup> day of July 2005.

  
Lawrence T. Morgan, Speaker  
Navajo Nation Council  
27 July 05  
Date

Motion: Young Jeff Tom  
Second: Kee Allen Begay, Jr.

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 28 2005 2005.

  
Joe Shirley, Jr., President  
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (11), this \_\_\_\_\_ day of \_\_\_\_\_ 2005 for the reason(s) expressed in the attached letter to the Speaker.

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Joe Shirley, Jr., President  
Navajo Nation

20<sup>th</sup> Navajo Nation Council

Third Year, 2005

Mr. Speaker,

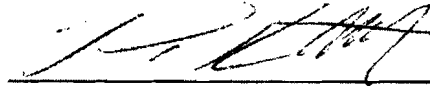
The **PUBLIC SAFETY COMMITTEE**, to whom has been assigned

**NAVAJO LEGISLATIVE BILL 0427-05**

Has had it under consideration and reports the same with the recommendation with a DO PASS, with no recommendations:

And therefore referred to the **HEALTH & SOCIAL SERVICES COMMITTEE**.

Respectfully submitted,



Pete Ken Atcitty, Vice- Chairperson

Adopted:  \_\_\_\_\_  
Advisor

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

Date: June 27, 2005

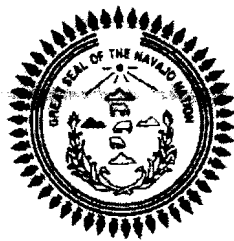
The vote was 3 in favor and 1 opposed

Excused: Hope MacDonald-LoneTree

Absent: Benjamin Curley

ORIGINAL

The Legislative Branch  
The Navajo Nation



*Lawrence T. Morgan*  
*Speaker of the Navajo Nation Council*

**20<sup>th</sup> NAVAJO NATION COUNCIL – THIRD YEAR 2005**

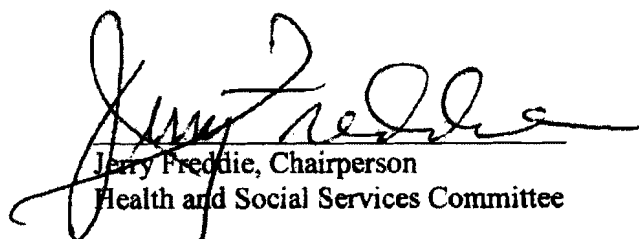
Mr. Speaker:

The **HEALTH AND SOCIAL SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL** to whom has been assigned:

**LEGISLATION NO. 0427-05**

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

And therefore referred to the same to the **JUDICIARY COMMITTEE OF THE NAVAJO NATION COUNCIL**.

  
Jerry Freddie, Chairperson  
Health and Social Services Committee

Dated: June 28, 2005

Vote: 5 in Favor and 0 Opposed

Excused: NONE

Absent: Alice Benally and Evelyn Acothley.

JUDICIARY COMMITTEE REPORT

**20<sup>th</sup> NAVAJO NATION COUNCIL – Third Year 2005**

INTRODUCED BY  
*Lorenzo Bedonie*

LEGISLATION NO. 0427-05

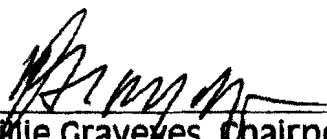
AN ACT  
RELATING TO PUBLIC SAFETY, HEALTH AND JUDICIARY;  
AMENDING TITLE SEVENTEEN OF THE NAVAJO NATION CODE,  
17 N.N.C. §§ 394 AND 395

**BE IT ENACTED:**

1. On June 30<sup>th</sup>, 2005 the Judiciary Committee of the Navajo Nation Council conducted a special meeting at which it reviewed the proposed legislation Amending Title Seventeen of the Navajo Nation Code, 17 N.N.C. §§ 394 and 395.
2. The Judiciary Committee hereby recommends **approval** of the proposed legislation **without amendments**.

And, this proposed legislation shall be referred to the **Ethics and Rules Committee**.

Herewith Submitted,

  
\_\_\_\_\_  
Willie Grayeyes, Chairperson

MOTION: Kee A. Begay, Jr.

SECOND: LeRoy L. Thomas

VOTE: 4/0.

**20<sup>th</sup> NAVAJO NATION COUNCIL**

Third Year 2005

Mr. Speaker,

The **ETHICS AND RULES COMMITTEE**, to whom has been assigned

**LEGISLATION No. 0427-05**

Has had it under consideration and reports the same with the recommendation that it **DOES PASS**, without amendments and therefore referred to the **NAVAJO NATION COUNCIL**.

Respectfully submitted,



LoRenzo C. Bates, Chairman  
Ethics and Rules Committee

Adopted: Virgil Brown, Jr.,  
(Legislative Advisor)

Not Adopted: \_\_\_\_\_  
(Advisor)

Date: July 1, 2005

The vote was 6 in favor and 0 opposed.

Excused: Council Delegate Duane S. Tsinigine

Absent: