Title: An Action Relating To Resources And Development; Amending RDCD-97-18 Such That Non-profit Electric Utility Companies That Provide Service To Navajo Residents On Navajo Trust Land In The Eastern Navajo Agency May Be Afforded A Waiver Of One Hundred percent (100%) of The Right-Of-Way Consideration

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DATE: September 25, 2019

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION, AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; AMENDING RDCD-97-18 TO ALLOW WAIVER OF 100% RIGHT-OF-WAY CONSIDERATION TO THE NONPROFIT ELECTRIC UTILITY COMPANIES PROVIDING SERVICE TO THE NAVAJO RESIDENTS ON NAVAJO TRUST LANDS ON THE EASTERN NAVAJO AGENCY

PURPOSE: The purpose of this legislation is to amend RDCD-97-18 such that non-profit electric utility companies that provide service to Navajo residents on Navajo Trust land in the Eastern Navajo Agency may be afforded a waiver of one hundred percent (100%) of the right-of-way consideration.

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.
PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL -- First Year, 2019

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0292-19

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; AMENDING RDCD-97-18
SUCH THAT NON-PROFIT ELECTRIC UTILITY COMPANIES THAT PROVIDE
SERVICE TO NAVAJO RESIDENTS ON NAVAJO TRUST LAND IN THE
EASTERN NAVAJO AGENCY MAY BE AFFORDED A WAIVER OF ONE
HUNDRED PERCENT (100%) OF THE RIGHT-OF-WAY CONSIDERATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

Pursuant to 2 N.N.C. Section §501 (B)(2), The Resources and Development
Committee of the Navajo Nation Council has the authority to grant final approval for
all land withdrawals, non-mineral leases, permits, licenses, rights-of-way, surface
easements and bonding requirements on Navajo Nation lands and unrestricted (fee)
land. This authority shall include subleases, modifications, assignments, leasehold
encumbrances, transfers, renewals, and terminations.

SECTION TWO. FINDINGS

A. The Resources and Development Committee through resolution RDCD-97-18 limited
the waiver of right-of-way consideration to fifty percent (50%) of assessed
consideration for utility companies. RDCD-97-18 is attached as Exhibit A.

B. The non-profit electric utility companies that provide service to Navajo residents on
Navajo Trust land in the Eastern Navajo Agency may be provided one hundred percent (100%) waiver of the right-of-way consideration because these companies are serving the needs of Navajo residents. See the Eastern Navajo Land Commission through resolution ENLCMY-02-19 attached as Exhibit B.

SECTION THREE. APPROVAL

The Resources and Development Committee of the Navajo Nation Council hereby amends RDCD-97-18 SECTION THREE. APPROVAL as follows:

The Resources and Development Committee of the Navajo Nation Council hereby limits the waiver of utility right-of-way consideration to up to fifty (50) percent of the total consideration except instances of pre-existing contracts and agreements stating otherwise and except regarding non-profit electric utility companies that provide service to Navajo residents on Navajo Trust land in the Eastern Navajo Agency for which one hundred percent (100%) of the right-of-way consideration may be waived.