

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
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LEGISLATION NO: \_0037-20\_\_

SPONSOR: Kee Allen Begay Jr.

**TITLE: An Action Relating To Resources And Development Committee;  
Amending Resources And Development Committee Resolution No. RDCS-96-17**

***Date posted:*** February 20, 2020 at 4:16 PM

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**LEGISLATIVE SUMMARY SHEET**  
Tracking No. 0037-20

**DATE:** February 12, 2020

**TITLE OF RESOLUTION: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE; AMENDING RESOURCES AND DEVELOPMENT COMMITTEE RESOLUTION NO. RDCS-96-17**

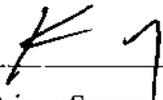
**PURPOSE:** This resolution, if approved, will amend the General Land Development Department Rules and Regulations concerning approval of Utility Access and Service Agreements and the Utilities and Service-Line Agreement between the Nation and NTUA and establish the five-year plan to expend Permanent Fund Income from 2021-2025.

**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 resolution in detail.**

5-DAY BILL HOLD PERIOD: 358  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 2/25/20  
Eligible for Action: 2/26/20

1 PROPOSED STANDING COMMITTEE RESOLUTION  
2 24<sup>th</sup> NAVAJO NATION COUNCIL – Second Year, 2020

3 INTRODUCED BY

4  
5   
6 (Prime Sponsor) *Kean Allan Begay, Jr.*

7  
8 TRACKING NO. 0037-20

9  
10 AN ACTION  
11 RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE;  
12 AMENDING RESOURCES AND DEVELOPMENT COMMITTEE RESOLUTION NO.  
13 RDCS-96-17

14  
15 BE IT ENACTED:

16  
17 **Section One. Authority**

- 18 A. The Resources and Development Committee is a standing committee of the Navajo  
19 Nation Council empowered to exercise oversight authority on matters involving  
20 communication and utilities, economic and community development, rights-of-ways,  
21 public utilities, telecommunication and housing. 2 N.N.C. §§ 500 (A) and (C).  
22 B. The Resource and Development Committee is further empowered to exercise oversight  
23 authority over land and the power to grant final approval for non-mineral leases and  
24 rights-of-way within the Navajo Nation. 2 N.N.C. §§ 500 (C) and 501 (B) (2) (a).

25  
26 **Section Two. Findings**

- 27 A. The Navajo Nation lacks utility infrastructure; for example, even though Navajo Tribal  
28 Utility Authority (NTUA) connects an average of 474 homes per year to the electrical  
29 grid and has connected over 5,500 Navajo families since 2008, over 15,000 Navajo  
30 families still lack access to electricity.

- 1 B. In 2019, NTUA created an innovative project called Light Up Navajo! wherein sister  
2 public power utilities from across the United States send employees to install electric  
3 lines to Navajo homes and the cost of labor is at no charge to NTUA or the Navajo  
4 people.
- 5 C. In 2019, 223 homes were lit up for the first time through Light Up Navajo!; NTUA  
6 desires to continue this project in 2020 as Light Up Navajo II and anticipates that an  
7 additional 300 homes will be lit up through the project.
- 8 D. The Resources and Development Committee and NTUA have determined that the  
9 committee can assist Light Up Navajo II by improving the terms of the Service Line  
10 Agreement (SLA) and the process for obtaining an SLA from the Nation.
- 11 E. In 2000, the Resources Committee approved a delegation of authority to the Director  
12 of the Navajo Land Department to approve Utility Access and Service Line  
13 Agreements; the most recent version of the delegation is found in Resolution No.  
14 RDCS-96-17, attached as **Exhibit 1**.
- 15 F. The Resources and Development Committee finds that the proposed amendments to  
16 RDCS-96-17 will go far in expediting the connection of Navajo families to the  
17 electrical grid and are in the best interests of the Navajo Nation  
18

19 **Section Three. Purposes of Amendment(s)**

- 20 A. The Departmental Administrative Rules and Regulations, attached to RDCS-96-17, are  
21 amended as shown in **Exhibit 2** attached hereto; the purpose(s) of the amendments are:
- 22 1. Include structures other than homes; NTUA is evaluating if structures other than  
23 homes can benefit from Light Up Navajo II.
  - 24 2. Extend the maximum length of an SLA from one (1) mile to five (5) miles; this  
25 change is to assist families who live more than one mile from the power-line that  
26 is being fed off of.
  - 27 3. Allow for the Land Department to permit an SLA off of an SLA; this change will  
28 expedite the electrification of Navajo homes.
  - 29 4. Allow the Director of the Land Department to delegate their authority to sign SLAs;  
30 this change will help streamline the processing of SLAs.

1 B. The Utilities Access and Service Line Agreement between the Navajo Nation and  
2 Navajo Tribal Utility Authority, attached to RDCS-96-17, is amended as shown in  
3 **Exhibit 3** attached hereto; the purpose(s) of the amendments are:

- 4 1. Delete the twenty (20) year term of the SLA and replace it with a term co-terminus  
5 with the homesite lease; this change is necessary to eliminate unnecessary  
6 paperwork and reduce cost for the homesite lessee, NTUA, and the Nation.
- 7 2. Clarify that a family who lives in an existing home and who has applied for a  
8 Homesite Lease can obtain a utility hookup; this change is to assist in bringing  
9 Navajo families into compliance.
- 10 3. Adds fiber as a utility; this change adds fiber to the list of utilities included in the  
11 SLA, e.g., water, waste-water, natural gas, and electric.
- 12 4. Deletes consideration language; this change is consistent with the Resources and  
13 Development Committee's approach to SLAs for homes.
- 14 5. Updates language and corrects typos as necessary.

15  
16 **Section Four. Approval**

- 17 A. The Navajo Nation, through the Resource & Development Committee, hereby adopts  
18 the amendments to RDCS -96-17 as set forth in **Exhibits 1** and **2** attached hereto.
- 19 B. These Amendments will sunset (expire) on December 31, 2023, unless the Resources  
20 & Development Committee makes these Amendments permanent in advance of that  
21 expiration.