

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0292-19

SPONSOR: Mark A Freeland

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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LEGISLATIVE SUMMARY SHEET

Tracking No. 0292-19

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.

5-DAY BILL HOLD PERIOD: [Signature]
Website Posting Time/Date: _____
Posting End Date: 10-1-19
Eligible for Action: 10-2-19

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 24th NAVAJO NATION COUNCIL -- First Year, 2019

3 INTRODUCED BY

4
5 [Signature]

6 (Prime Sponsor)

7
8 TRACKING NO. 0292-19

9
10 AN ACTION

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

16
17 BE IT ENACTED:

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19 **SECTION ONE. AUTHORITY**

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

26
27 **SECTION TWO. FINDINGS**

28 A. The Resources and Development Committee through resolution RDCD-97-18 limited
29 the waiver of right-of-way consideration to fifty percent (50%) of assessed
30 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

1 Navajo Trust land in the Eastern Navajo Agency may be provided one hundred
2 percent (100%) waiver of the right-of-way consideration because these companies are
3 serving the needs of Navajo residents. See the Eastern Navajo Land Commission
4 through resolution ENLCMY-02-19 attached as **Exhibit B**.

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6 **SECTION THREE. APPROVAL**

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

9
10 The Resources and Development Committee of the Navajo Nation Council hereby limits
11 the waiver of utility right-of-way consideration to up to fifty (50) percent of the total
12 consideration except instances of pre-existing contracts and agreements stating otherwise
13 and except regarding non-profit electric utility companies that provide service to Navajo
14 residents on Navajo Trust land in the Eastern Navajo Agency for which one hundred
15 percent (100%) of the right-of-way consideration may be waived.
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