

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0048-24\_

SPONSOR: Shawna Ann Claw

**TITLE: An Action Relating to Law and Order, Resources and Development, and Naabik'iyáti' Committee and the Navajo Nation Council, Approving an Amendment to 21 N.N.C § 9 (A) Replacing the Government Services Committee with the Resources and Development as the Standing Committee that Appoints Members to the Navajo Tribal Utility Authority Management Board**

*Date posted:* March 01, 2024 at 7:45PM

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**LEGISLATIVE SUMMARY SHEET**

**Tracking No. 0048-24**

**DATE:** February 22, 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 AN AMENDMENT TO 21 N.N.C. § 9 (A) REPLACING THE GOVERNMENT SERVICES COMMITTEE WITH THE RESOURCES AND DEVELOPMENT COMMITTEE AS THE STANDING COMMITTEE THAT APPOINTS MEMBERS TO THE NAVAJO TRIBAL UTILITY AUTHORITY MANAGEMENT BOARD

**PURPOSE:** The purpose of the resolution is to amend Navajo Nation Code 21 N.N.C. § 9 (A) replacing the Government Services Committee with the Resources and Development Committee as the Standing Committee that appoints members to the Navajo Tribal Utility Authority Management Board.

**Final Authority:** Navajo Nation Council

**Vote Required:** Simple Majority

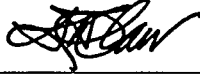
**This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.**

5-DAY BILL HOLD PERIOD 750  
Website Posting Time/Date \_\_\_\_\_  
Posting End Date: 03-06-24  
Eligible for Action: 03-07-24

Law & Order Committee  
Thence  
Resources & Development Committee  
Thence  
Naabik'iyáti' Committee  
Thence  
Navajo Nation Council

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
2 25<sup>th</sup> NAVAJO NATION COUNCIL -- Second Year, 2024

3 INTRODUCED BY

4 

5 \_\_\_\_\_  
6 (Prime Sponsor)

7  
8 TRACKING NO. 0048-24

9  
10 AN ACT  
11 RELATING TO LAW AND ORDER, RESOURCES AND DEVELOPMENT, AND  
12 NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL,  
13 APPROVING AN AMENDMENT TO 21 N.N.C. § 9 (A) REPLACING THE  
14 GOVERNMENT SERVICES COMMITTEE WITH THE RESOURCES AND  
15 DEVELOPMENT COMMITTEE AS THE STANDING COMMITTEE THAT  
16 APPOINTS MEMBERS TO THE NAVAJO TRIBAL UTILITY AUTHORITY  
17 MANAGEMENT BOARD

18  
19 BE IT ENACTED:

20 **Section One. Authority**

- 21 A. The Law and Order Committee is empowered to review and make  
22 recommendations to the Navajo Nation Council on proposed Navajo Nation Code  
23 amendments and enactments. 2 N.N.C. § 601 (B) (14).  
24 B. The Resources and Development Committee has oversight authority over public  
25 utilities. 2 N.N.C. § 500 (C).  
26 C. The Naabik'iyáti' Committee considers proposed legislation that requires final  
27 action by the Navajo Nation Council. 2 N.N.C. § 700 (A).  
28 D. The Navajo Nation Council must review and approve enactments or amendments  
29 of positive law. 2 N.N.C. § 164 (A).  
30

1       **Section Two. Findings**

- 2       A. The number of Navajo Nation Council delegates was reduced from 88 delegates
- 3       to 24 delegates in 2011. When this occurred, the Navajo Nation Council through
- 4       Resolution CO-45-12 changed the number of standing committees from eleven to
- 5       five standing committee. One of standing committees that is no longer in
- 6       existence is the Government Services Committee.
  
- 7       B. The Navajo Nation Council’s Resolution CO-45-12 Section 5 “References to
- 8       previous Standing Committees” states that *“References in the Navajo Nation*
- 9       *Code and other official documents to the Government Services and the*
- 10       *Intergovernmental Relations Committees shall mean the Naabikíyáti’ Committee*
- 11       *unless the amendments enacted herein or the context of previous law indicates*
- 12       *otherwise.”*
  
- 13       C. Currently, Title 21 Chapter 1 section 9 (A) states that the Government Services
- 14       Committee appoints the Navajo Tribal Utility Authority (NTUA) Management
- 15       Board members. 21 N.N.C. § 9 (A).
  
- 16       D. Title Two, 2 N.N.C. § 500 (C) gives the Resources and Development Committee
- 17       oversight of “communications and utilities.”
  
- 18       E. In the interest of clarity, being that the Government Services Committee is no
- 19       longer in existence, it is important to specify which standing committee is to
- 20       appoint the NTUA Management Board members.
  
- 21       F. The Resources and Development Committee has oversight authority over
- 22       communications and utilities, 2 N.N.C. § 500 (C); therefore, the Resources and
- 23       Development Committee should be specifically authorized to appoint members to
- 24       the NTUA Management Board.

25

26       **Section Three. Amendments to 21 N.N.C. § 9 (A)**

27

28       The Navajo Nation hereby amends Title 21, Navajo Nation Code as follows:

1 TITLE 21. PUBLIC UTILITIES AND COMMUNICATIONS  
2 CHAPTER 1. NAVAJO TRIBAL UTILITY AUTHORITY  
3 SUBCHAPTER 1. GENERALLY  
4

5 § 9. Membership of Board; qualifications; term of office

6 A. Number. The management board shall consist of seven persons, all of whom shall be  
7 appointed by the ~~Government Services~~ Resources and Development Committee of the  
8 Navajo Nation Council.

9  
10 \* \* \* \* \*

11  
12 **Section Four. Effective Date**

13 The Act enacted herein shall be effective upon its approval pursuant to 2 N.N.C.  
14 §221.  
15

16 **Section Five. Codification**

17 The provisions of this ordinance which amend or adopt new sections of the Navajo  
18 Nation Code shall be codified by the Office of Legislative Counsel. The Office of  
19 Legislative Counsel shall incorporate such amended provisions in the next codification  
20 of the Navajo Nation Code.  
21

22 **Section Six. Saving Clause**

23 Should any provisions of this ordinance be determined invalid by the Navajo Nation  
24 Supreme Court, or the District Courts of the Navajo Nation, without appeal to the Navajo  
25 Nation Supreme Court, those portions of this ordinance which are not determined invalid  
26 shall remain the law of the Navajo Nation.  
27  
28  
29  
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