LEGISLATIVE SUMMARY SHEET
Tracking No. 0247-18

DATE: June 29, 2018

TITLE OF RESOLUTION: AN ACTION
RELATING TO THE NAVAJO NATION COUNCIL; CONFIRMING NAVAJO NATION LAND PURCHASES AND DIRECTIVE THE NAVAJO DIVISION OF NATURAL RESOURCES

PURPOSE: This legislation will confirm the Navajo Nation's purchase of two properties in Colorado and one property in Arizona and direct the Division of Natural Resources to pursue steps to add the properties to Navajo Nation permanent holdings.

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: [illegible]
Website Posting Time/Date: 12:36pm 7/10/18
Posting End Date: 7/15/2018
Eligible for Action: 7/16/2018

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

23rd NAVAJO NATION COUNCIL – Fourth Year, 2018

INTRODUCED BY

[illegible]

(Prime Sponsor)

TRACKING NO. 0247-18

AN ACTION

RELATING TO THE NAVAJO NATION COUNCIL; CONFIRMING NAVAJO NATION LAND PURCHASES AND DIRECTIVE THE NAVAJO DIVISION OF NATURAL RESOURCES

Section One. Authority

A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).

B. The Navajo Nation Council, by Resolution CJY-54-94, established a Land Acquisition Trust Fund within the Navajo Land Department for the purchase of lands for the Navajo Nation according to the Land Acquisition Policy and Procedures and the Navajo Land Consolidation Act of 1988.

Section Two. Findings

A. The Navajo Nation Land Acquisition of Lands Act, 16 N.N.C. § 2(A), states, "The Navajo Nation's major purpose in acquiring new lands shall [include]: (5) Provid[ing] land necessary for approved Navajo Nation economic development."

B. The Navajo Nation shall acquire and dispose of real property subject to land acquisition regulations as approved by the Resources and Development Committee of the Navajo Nation Council. 16 N.N.C. § 3.

C. Through the Navajo Nation Land Acquisition Act, the Navajo Nation increased its land property holdings and increased the territory of the Navajo Nation with the purchase of land property in Colorado and Arizona. *See* NABIJY-57-17, RDCO-113-17, and NABIMY-34-18.

D. To increase the Navajo Nation land holdings, funds were made available through the Land Acquisition Trust Fund and the Navajo Land Department, pursuant to Rules and Regulations, VI, General Procedures for Purchase of Real Property, (D)(1)(a), prepared a recommendation to the approving authority and verified that funds were available for the purchases.

E. For each property holding the Navajo Division of Natural Resources and the Navajo Land Department, pursuant to the Rules and Regulations of the General Procedure for Purchase of Real Property, conducted preliminary assessments, negotiated the purchase price for the properties, and conducted preliminary inspections of the properties including title issues, inventory, and readily identifiable environmental concerns.

F. In providing additional land necessary for approved economic development and expanding the land holding of the Navajo Nation, the Navajo Nation finds it in the best interest to confirm the acquisition of land holdings in the States of Colorado and Arizona.

Section Three. Confirming Land Purchases for the Navajo Nation with Directive

A. The Navajo Nation Council, looking forward for future generations, confirms the land acquisitions made by NABIJY-57-17, RDCO-113-17 and NABIMY-34-18 through the Navajo Land Acquisition Act, 16 N.N.C. § 1 et seq., and the Land Acquisition Trust Fund principal and income, 16 N.N.C. § 204.

B. The Navajo Nation Council directs the Navajo Division of Natural Resources and its relevant Programs to ensure the Navajo Nation's land acquisition will be permanent land holdings for the Navajo Nation and its future generations.

Office of Legislative Counsel
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Honorable LoRenzo Bates
Speaker
23rd Navajo Nation Council

MEMORANDUM

TO: Hon. Benjamin Bennett
23rd Navajo Nation Council

FROM: Levon B. Henry, Chief Legislative Counsel
Office of Legislative Counsel

DATE: June 29, 2018

SUBJECT: AN ACTION RELATING TO THE NAVAJO NATION COUNCIL; CONFIRMING NAVAJO NATION LAND PURCHASES AND DIRECTIVE THE NAVAJO DIVISION OF NATURAL RESOURCES

Pursuant to your request, attached is the above-referenced proposed resolution and associated legislative summary sheet. Based on existing law, the resolution as drafted is legally sufficient. However, as with all legislation, it is subject to review by the courts in the event of a challenge. NOTE: This will take a two-thirds vote of Council to approve.

The Office of Legislative Counsel confirms the appropriate review based on the Navajo Nation Council's authority outlined in 2 N.N.C. § 102. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. § 164(A)(5).

Please review the proposed resolution to ensure it is drafted to your satisfaction. If this proposed resolution is acceptable to you, please sign it where it indicates "Prime Sponsor", and submit it to the Office of Legislative Services for the assignment of a tracking number and referral to the Speaker.

If the proposed resolution is unacceptable to you, or if you have further questions, please contact me at the Office of Legislative Counsel and advise me of changes you would like made to the proposed resolution. You may contact me at (928) 871-7166. Thank you.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0247-18_____ SPONSOR: Benjamin Bennett

TITLE: An Action Relating to the Navajo Nation Council; Confirming Navajo Nation Land Purchases and Directive the Navajo Division of Natural Resources

***Date posted*: July 10, 2018 at 12:36pm**

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. *§374 et. seq.*