

LEGISLATIVE SUMMARY SHEET

Tracking No. 0013-20

DATE: January 14, 2020

TITLE OF RESOLUTION: AN ACT RELATING TO LAW AND ORDER, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL, AMENDING 21 N.N.C. §503(N) OF THE NAVAJO TELECOMMUNICATIONS REGULATORY ACT

PURPOSE: This resolution, if approved, will amend 21 N.N.C. § 503(N) of the Navajo Telecommunications Regulatory Act.

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: 9/1/20
Website Posting Time/Date: 01/15/20 6:56 AM
Posting End Date: 01-20-20
Eligible for Action: 01-21-20

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

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL -- Second Year, 2020
INTRODUCED BY

K7
(Prime Sponsor)

TRACKING NO. 0013-20

AN ACT
RELATING TO LAW AND ORDER, RESOURCES AND DEVELOPMENT, AND
NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL,
AMENDING 21 N.N.C. §503(N) OF THE NAVAJO TELECOMMUNICATIONS
REGULATORY ACT

BE IT ENACTED:

Section One. Authority

- A. The Navajo Nation Council established the Resources and Development Committee as a Navajo Nation standing committee and was delegated oversight authority over communications and utilities to establish Navajo Nation policy with respect to optimum utilization of all Navajo Nation resources. 2 N.N.C. § 500(C)(1).
- B. The Navajo Nation Council established the Law and Order Committee as a Navajo Nation standing committee and was delegated authority to review and make recommendations to the Navajo Nation Council on proposed amendments to and enactments to the Navajo Nation Code. 2 N.N.C. §§ 600(C) and 601(B)(14).
- C. The Navajo Nation Council established the Naabik'íyáti' Committee as a Navajo Nation standing committee and as such proposed legislation that requires final

1 action by the Navajo Nation Council shall be assigned to the Naabik'íyáti'
2 Committee. 2 N.N.C. § 700 (A).

3 D. The Navajo Nation Council must review and approve enactments or amendments
4 of positive law. 2 N.N.C. § 164 (A).

5
6 **Section Two. Findings**

7 A. The Navajo Nation Telecommunication Regulatory Commission ("NNTRC")
8 was established to regulate telecommunications within the Navajo Nation and
9 delegated the power to perform any and all acts necessary and convenient to
10 supervise, monitor, and regulate telecommunication and those persons providing
11 telecommunications service within the Navajo Nation. 21 N.N.C. §§ 504 and 505
12 (A).

13 B. In order for the NNTRC to effectively carry out its duties, Title 21 must be
14 amended.

15
16 **Section Three. Amendment to 21 N.N.C. § 503(N) of the Telecommunications**
17 **Regulatory Act**

18
19 The Navajo Nation hereby amends Title 21, Navajo Nation Code as follows:

20 _____
21 NAVAJO NATION CODE ANNOTATED
22 TITLE 21. PUBLIC UTILITIES AND COMMUNICATIONS
23 CHAPTER 5. TELECOMMUNICATION
24 SUBCHAPTER 1. NAVAJO TELECOMMUNICATIONS REGULATORY ACT

25
26 § 503. Definitions

27
28 * * *

29 N. "Person" means a natural person, either a Navajo or non-Navajo individual, sole
30 proprietorship, partnership, corporation, joint venture, trust, estate, unincorporated

1 association, government (other than the government of the Navajo Nation and any wholly
2 owned subdivision ~~or enterprise~~ of that government), public or private organization, and
3 any part, division or agency of any of the foregoing or any other entity.
4

5
6 * * *

7 8 9 **Section Four. Effective Date**

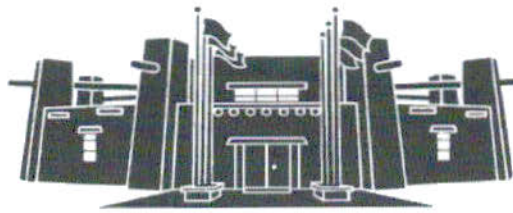
10 The Act enacted herein shall be effective upon its approval pursuant to 2 N.N.C.
11 §221.
12

13 **Section Five. Codification**

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

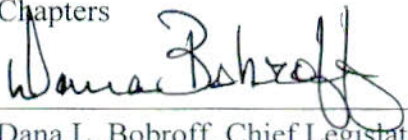
19 **Section Six. Saving Clause**

20 Should any provisions of this ordinance be determined invalid by the Navajo Nation
21 Supreme Court, or the District Courts of the Navajo Nation, without appeal to the Navajo
22 Nation Supreme Court, those portions of this ordinance which are not determined invalid
23 shall remain the law of the Navajo Nation.
24
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30



MEMORANDUM

TO: Honorable Kee Allen Begay, Jr.
Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, and Low Mountain
Chapters

FROM: 
Dana L. Bobroff, Chief Legislative Counsel
Office of Legislative Counsel

DATE: January 14, 2020

SUBJECT: AN ACT RELATING TO LAW AND ORDER, RESOURCES AND
DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO
NATION COUNCIL, AMENDING 21 N.N.C. §503(N) OF THE NAVAJO
TELECOMMUNICATIONS REGULATORY ACT

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. 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 ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0013-20_

SPONSOR: Kee Allen Begay, Jr.

TITLE: An Action Relating To Law And Order, Resources And Development, And
NAABIK'IYATI Committees And The Navajo Nation Council, Amending 21 N.N.C.
§503 (N) Of The Navajo Telecommunications Regulatory Act

Date posted: January 15, 2020 at 6:56 PM

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) 871-7586

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.*

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0013-20

SPONSOR: Honorable Kee Allen Begay Jr.

TITLE: An Act Relating to Law and Order, Resources and Development, and Naabik'iyáti Committees and the Navajo Nation Council, amending 21 N.N.C. §503 (N) of the Navajo Telecommunications Regulatory Act

Posted: January 15, 2020 at 6:56 PM

5 DAY Comment Period Ended: January 20, 2020

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Inconclusive Comments	<i>None</i>



Legislative Tracking Secretary
Office of Legislative Services

1/21/20 8:37am

Date/Time

Committee Report

THE LAW AND ORDER COMMITTEE OF THE NAVAJO NATION COUNCIL to whom has been assigned;

LEGISLATION NO. 0013-20

AN ACTION RELATING TO LAW AND ORDER, RESOURCES AND DEVELOPMENT, AND NAABIK' IYATI COMMITTEES AND NAVAJO NATION COUNCIL; AMENDING 12 N.N.C. § 503 (N) OF THE NAVAJO TELECOMMUNICATIONS REGULATORY ACT

(Note: Eligible for Committee Action January 21, 2020)

Sponsor: Honorable Kee Allen Begay, Jr.

Co-Sponsor: Honorable Raymond Smith, Jr.

Has had under consideration and report the same with the recommendation that Legislation 0013-20 PASS with no Amendment and no Directive; and therefore referred the same to the RESOURCES AND DEVELOPMENT COMMITTEE OF THE NAVAJO NATION COUNCIL

Respectfully Submitted,



Eugenia Charles-Newton, Chairwoman
Law and Order Committee

February 04, 2020 - Main Motion

Motion by: Honorable Vince James

Seconded by: Honorable Eugene Tso

Vote: 2 in favor; 0 Opposed; Chairwoman Not Voting

Yeas: Vince James; Eugene Tso

Nays: None

Absent: Edmund Yazzie; Otto Tso (excused)

LAW AND ORDER COMMITTEE
Regular Meeting
February 04, 2020

Roll Call
Vote Tally Sheet

LEGISLATION NO. 0013-20

AN ACTION RELATING TO LAW AND ORDER, RESOURCES AND DEVELOPMENT, AND
NAABIK' IYATI COMMITTEES AND NAVAJO NATION COUNCIL; AMENDING 12 N.N.C. §
503 (N) OF THE NAVAJO TELECOMMUNICATIONS REGULATORY ACT

(Note: Eligible for Committee Action January 21, 2020)

Sponsor: Honorable Kee Allen Begay, Jr.
Co-Sponsor: Honorable Raymond Smith, Jr.

February 04, 2020 - Main Motion

Motion by: Honorable Vince James

Seconded by: Honorable Eugene Tso

Vote: 2 in favor; 0 Opposed; Chairwoman Not Voting

Yeas: Vince James; Eugene Tso

Nays: None

Absent: Edmund Yazzie; Otto Tso (excused)



Eugenia Charles-Newton, Chairwoman
Law and Order Committee



Beverly Martinez, Legislative Advisor
Law and Order Committee

**RESOURCES AND DEVELOPMENT COMMITTEE
24th NAVAJO NATION COUNCIL**

SECOND YEAR 2020

COMMITTEE REPORT

Mr. Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

Legislation # 0013-20: An Action Relating to Law and Order, Resources and Development and Naabik'Iyati Committees and Navajo Nation Council; Amending 21 N.N.C. §503(N) of the Navajo Telecommunications Regulatory Act. *Sponsor: Honorable Kee Allen Begay Co-Sponsor: Honorable Raymond Smith, Jr., Honorable Mark A. Freeland*

Has had it under consideration and reports a **DO PASS** with no amendments;

And thereafter the matter was referred to Naabik'Iyati Committee.

Respectfully submitted,



Rickie Nez, Chairperson
Resources and Development Committee
of the 24th Navajo Nation Council

Date: February 12, 2020 - Regular Meeting
Meeting Location: Kayenta Chapter
Kayenta, Arizona

Main Motion:

Motion: Wilson Stewart, Jr. S: Thomas Walker, Jr. Vote: 4-0-1 (CNV)

In Favor: *Wilson C. Stewart, Jr., Mark A. Freeland, Thomas Walker, Jr., and Herman M. Daniels;*

Oppose: *None*

Excuse: *Kee Allen Begay, Jr.*

Not Voting: *Chairperson Rickie Nez*

RESOURCES AND DEVELOPMENT COMMITTEE
24th Navajo Nation Council

ROLL CALL
VOTE TALLY SHEET:

Legislation # 0013-20: An Action Relating to Law and Order, Resources and Development and Naabik'Iyati Committees and Navajo Nation Council; Amending 21 N.N.C. §503(N) of the Navajo Telecommunications Regulatory Act. *Sponsor: Honorable Kee Allen Begay Co-Sponsor: Honorable Raymond Smith, Jr.; Honorable Mark A. Freeland*

Date: February 12, 2020 - Regular Meeting
Meeting Location: Kayenta Chapter
Kayenta, Arizona

Main Motion:

Motion: Wilson Stewart, Jr. S: Thomas Walker, Jr. Vote: 4-0-1
(CNV)

In Favor: Wilson C. Stewart, Jr., Mark A. Freeland, Thomas Walker, Jr., and Herman M. Daniels;

Oppose: None

Excuse: Kee Allen Begay, Jr.

Not Voting: Chairperson Rickie Nez



Honorable Rickie Nez, Chairperson
Resources and Development Committee



Shammie Begay, Legislative Advisor
Office of Legislative Services