

**LEGISLATIVE SUMMARY SHEET**  
**Tracking No. 0048-19**

**DATE:** March 7, 2019

**SUBJECT: AN ACTION RELATING TO BUDGET AND FINANCE COMMITTEE; APPOINTING DELEGATE MEMBERS FROM THE BUDGET AND FINANCE COMMITTEE TO THE NAVAJO NATION TRANSITIONAL ENERGY COMPANY, LLC AS A MEMBER REPRESENTATIVE; THE DINE DEVELOPMENT CORPORATION AS A SHAREHOLDER REPRESENTATIVE; THE NAVAJO TIMES PUBLISHING COMPANY AS A SHAREHOLDER REPRESENTATIVE; THE NAVAJO COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION AS A SHAREHOLDER REPRESENTATIVE; AND NAVAJO NATION OIL AND GAS COMPANY AS A SHAREHOLDER REPRESENTATIVE**

**PURPOSE:** To appointment members from the Budget and Finance Committee as shareholder representatives to Navajo Nation enterprises.

**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 review the proposed resolution in detail.-**

5-DAY BILL HOLD PERIOD:                       
Website Posting Time/Date: 7:00pm 3/11/19  
Posting End Date: 03-16-19  
Eligible for Action: 03-17-19

**Budget & Finance Committee**

**PROPOSED STANDING COMMITTEE RESOLUTION**  
**24<sup>th</sup> NAVAJO NATION COUNCIL – First Year, 2019**

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0048-19



*Luise Harris*

**AN ACTION**

RELATING TO BUDGET AND FINANCE COMMITTEE; APPOINTING DELEGATE MEMBERS FROM THE BUDGET AND FINANCE COMMITTEE TO THE NAVAJO NATION TRANSITIONAL ENERGY COMPANY, LLC AS A MEMBER REPRESENTATIVE; THE DINE DEVELOPMENT CORPORATION AS A SHAREHOLDER REPRESENTATIVE; THE NAVAJO TIMES PUBLISHING COMPANY AS A SHAREHOLDER REPRESENTATIVE; THE NAVAJO COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION AS A SHAREHOLDER REPRESENTATIVE; AND NAVAJO NATION OIL AND GAS COMPANY AS A SHAREHOLDER REPRESENTATIVE

**BE IT ENACTED:**

**Section One. Authority**

A. The Budget and Finance Committee is established as a standing committee of the Navajo Nation Council. 2 N.N.C. §300(A).

**Section Two. Findings**

- A. Standing committees are required to select a member to serve as a Shareholder Representatives or Member Representatives for certain Navajo Nation enterprises.
- B. The Operating Agreement of the Navajo Transitional Energy Company, LLC, at Article III (C) provides that the membership interest in the Company "shall be

exercised by five (5) "member representatives," composed of one (1) member from each of the five (5) standing committees of the Navajo Nation Council (or their successor committees). . . ."

C. The By-Laws of the Dine Development Corporation provide, "[a]s the sole shareholder, the Navajo Nation's shares in the Corporation will be exercised by five (5) 'shareholder representatives' comprised of one member from each of the five (5) standing committees of the Navajo Nation Council or their successor committees . . . ." Dine Development Corporation, By Laws, Section 1.01.

D. The By-Laws of the Navajo Times Publishing Company, Inc. provide, "[a]s a sole shareholder, the Navajo Nation's shares in the Corporation shall be exercised by five (5) 'shareholder representatives' comprised of one member from each of the five (5) standing committees of the Navajo Nation Council or their successor committees . . . ." Navajo Times Publishing Company, Inc., By Laws, Section 1.01.

E. The By-Laws of the Navajo Community Development Financial Institution provide, "[a]s the sole shareholder, the Navajo Nation's shares in the Corporation shall be exercised by five (5) 'shareholder representatives' comprised of one member (1) of the Standing Committees of the Navajo Nation Council or their successor committees, in accordance with the these By-Laws and applicable Navajo Nation law." Navajo Community Development Financial Institution, By -Laws, Section 1.01.

F. The Charter of the Navajo Nation Oil and Gas Corporation at Article V (D) provides, "[a]ll rights of the shareholder of the Corporation shall be exercised by the appointed shareholder representatives, composed of one member from each of the standing committees of the Navajo Nation Council or their successor committees . . . ."

G. The Budget and Finance Committee is permitted to designate one member representative to the Navajo Transitional Energy Company, the Dine Development Corporation, the Navajo Times Publishing Company, Inc., the Navajo Community Development Financial Institution, and the Navajo Nation Oil and Gas Company.

### **Section Three. Budget and Finance Committee Member Representative and Shareholder Representative Designees**

1 A. The following member from the Budget and Finance Committee is designated to serve as  
2 its member representative to the Navajo Transitional Energy Company:

3 \_\_\_\_\_.

4 B. The following member from the Budget and Finance Committee is designated to serve as  
5 its member representative to the Navajo Times Publishing Company, Inc.:

6 \_\_\_\_\_.

7 C. The following member from the Budget and Finance Committee is designated to serve as  
8 its member representative to the Dine Development Corporation:

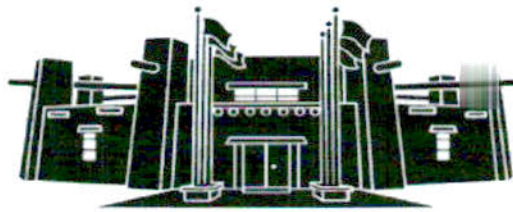
9 \_\_\_\_\_.

10 D. The following member from the Budget and Finance Committee is designated to serve as  
11 its member representative to the Navajo Community Development Financial Institution:

12 \_\_\_\_\_.

13 E. The following member from the Budget and Finance Committee is designated to serve as  
14 its member representative to the Navajo Nation Oil and Gas Company:

15 \_\_\_\_\_.



## MEMORANDUM

TO: Honorable Seth Damon  
24<sup>th</sup> Navajo Nation Council

FROM:   
Kristen Lowell, Principal Attorney  
Office of Legislative Counsel

DATE: March 7, 2019

SUBJECT: **AN ACTION RELATING TO BUDGET AND FINANCE COMMITTEE; APPOINTING DELEGATE MEMBERS FROM THE BUDGET AND FINANCE COMMITTEE TO THE NAVAJO NATION TRANSITIONAL ENERGY COMPANY, LLC AS A MEMBER REPRESENTATIVE; THE DINE DEVELOPMENT CORPORATION AS A SHAREHOLDER REPRESENTATIVE; THE NAVAJO TIMES PUBLISHING COMPANY AS A SHAREHOLDER REPRESENTATIVE; THE NAVAJO COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION AS A SHAREHOLDER REPRESENTATIVE; AND NAVAJO NATION OIL AND GAS COMPANY AS A SHAREHOLDER REPRESENTATIVE**

As requested, 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.

**Please ensure that this 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 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).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.



THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0048-19\_\_\_\_\_

SPONSOR: Seth Damon

TITLE: An Action Relating to Budget and Finance Committee; Appointing Delegate Members from the Budget and Finance Committee to the Navajo Nation Transitional Energy Company, LLC as a Member Representative; The Diné Development Corporation as a Shareholder Representative; The Navajo Times Publishing Company as a Shareholder Representative; The Navajo Community Development Financial Institution as a Shareholder Representative; and Navajo Nation Oil and Gas Company as a Shareholder Representative

*Date posted:* March 11, 2019 at 7:00pm

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto: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.*

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0048-19

SPONSOR: Honorable Seth Damon

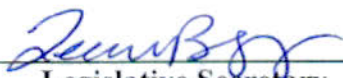
TITLE: An Action Relating to Budget and Finance Committee; Appointing Delegate Members from the Budget and Finance Committee to the Navajo Nation Transitional Energy Company, LLC as a Member Representative; The Diné Development Corporation as a Shareholder Representative; The Navajo Times Publishing Company as a Shareholder Representative; The Navajo Community Development Financial Institution as a Shareholder Representative; and Navajo Nation Oil and Gas Company as a Shareholder Representative

Posted: March 11, 2019 at 7:00pm

5 DAY Comment Period Ended: March 17, 2019

Digital Comments received:

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

  
\_\_\_\_\_  
Legislative Secretary  
Office of Legislative Services  
  
3/18/19 9:05am  
\_\_\_\_\_  
Date/Time