

## LEGISLATIVE SUMMARY SHEET

Tracking No. 0440-18

**DATE:** December 20, 2018

**TITLE OF RESOLUTION:** AN ACTION RELATING TO THE BUDGET AND FINANCE COMMITTEE; SELECTING AND APPOINTING A BUDGET AND FINANCE COMMITTEE MEMBER AS A SHAREHOLDER REPRESENTATIVE TO THE NAVAJO NATION OIL AND GAS COMPANY, INC.

**PURPOSE:** If approved, this resolution will confirm the selection and appointment of Honorable Seth Damon to the Navajo Nation Oil and Gas as the Budget and Finance Committee shareholder representative.

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: See  
Website Posting Time/Date: 8:46pm 12/20/18  
Posting End Date: 12/25/2018  
Eligible for Action: 12/26/2018

PROPOSED STANDING COMMITTEE RESOLUTION  
23<sup>RD</sup> NAVAJO NATION COUNCIL – Fourth Year, 2018

INTRODUCED BY

  
(Prime Sponsor)

TRACKING NO. 0440-18

AN ACTION

RELATING TO THE BUDGET AND FINANCE COMMITTEE; SELECTING AND  
APPOINTING A BUDGET AND FINANCE COMMITTEE MEMBER AS A  
SHAREHOLDER REPRESENTATIVE TO THE NAVAJO NATION OIL AND GAS  
COMPANY, INC.

BE IT ENACTED:

**SECTION ONE. AUTHORITY**

- A. The Budget and Finance Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 500(A) (2015).
- B. As a standing committee, the Budget and Finance Committee shall select a member to serve as a Navajo Nation Oil and Gas shareholder representative. *See* CO-40-15.

**SECTION TWO. FINDINGS**

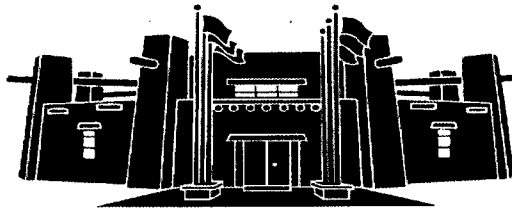
- A. On October 5, 2015, the Navajo Nation Council ratified the Restated Federal Charter of Incorporation for the Navajo Nation Oil and Gas Company with the Navajo Regional Director's condition. *See* CO-40-15
- B. The Ratified Charter states, "[a]ll rights of the shareholders of the Corporation shall 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, in accordance with this Charter and the applicable tribal law. Each

1 standing committee shall select its own shareholder representative.  
2 Restated Federal chapter of Incorporation for the Navajo Nation Oil and Gas Company  
3 art. V, sec. D.

4 C. The previous Budget and Finance Committee appointee, Dwight Witherspoon,  
5 resigned as a Council Delegate on November 5, 2018 and the Committee is required to  
6 appoint a shareholder representative.

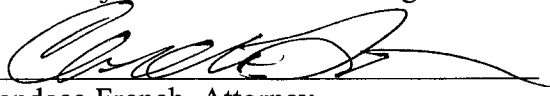
7  
8 **SECTION THREE. SELECTION AND APPOINTMENT**

9 The Budget and Finance Committee of the Navajo Nation Council selects and appoints  
10 Honorable Seth Damon as their Navajo Nation Oil and Gas shareholder representative  
11 effective to the date of the resignation of Dwight Witherspoon.



## MEMORANDUM

TO: Honorable Tom Chee  
23<sup>rd</sup> Navajo Nation Council Delegate

FROM:   
Candace French, Attorney  
Office of Legislative Counsel

DATE: December 20, 2018

RE: AN ACTION RELATING TO THE BUDGET AND FINANCE COMMITTEE; SELECTING AND APPOINTING A BUDGET AND FINANCE COMMITTEE MEMBER AS A SHAREHOLDER REPRESENTATIVE TO THE NAVAJO NATION OIL AND GAS COMPANY, INC.

Per your request, attached is the above-reference proposed resolution and associated legislative summary sheet. Based on existing law, the resolution drafted is legally sufficient. However, as with all legislation, the proposed resolution is subject to review by the courts in the event of a challenge.

The Office of Legislative Counsel recommends the appropriate standing committee(s) reviews 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 review the proposed resolution to ensure it is drafted to your satisfaction. If you approve, please sign as "Primary Sponsor" and submit it to the Office of Legislative Services where the proposed resolution will be given a tracking number and referred to the Office of the Speaker. If the proposed legislation is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like to make to the proposed resolution.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0440-18\_\_

SPONSOR: Tom Chee

**TITLE: An Action Relating the Budget and Finance Committee; Selecting and appointing a Budget and Finance Committee member as a shareholder representative to the Navajo Nation Oil and Gas Company, Inc.**

**Date posted: December 20, 2018 at 8:40 PM**

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) 871-7586

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.: 0440-18**

**SPONSOR: Honorable Tom Chee**

**TITLE: An Action Relating the Budget and Finance Committee; Selecting and appointing a Budget and Finance Committee member as a shareholder representative to the Navajo Nation Oil and Gas Company, Inc.**

**Posted: December 20, 2018 at 8:40 PM**

**5 DAY Comment Period Ended: December 25, 2018**

**Digital Comments received:**

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

  
\_\_\_\_\_  
**Legislative Secretary II  
Office of Legislative Services**

12/24/2018 8:13am  
\_\_\_\_\_  
**Date/Time**

**23<sup>rd</sup> NAVAJO NATION COUNCIL**

Fourth Year 2018

Mr. Speaker:

The **BUDGET & FINANCE COMMITTEE** to whom has been assigned

**NAVAJO LEGISLATIVE BILL # 0440-18:**

An Action Relating the Budget and Finance Committee; Selecting and appointing a Budget and Finance Committee member as a shareholder representative to the Navajo Nation Oil and Gas Company, Inc. *Sponsored by Tom T. Chee, Council Delegate*

has had it under consideration and reports the same with the recommendation that It **Do Pass** without amendment.

Respectfully submitted,

  
Seth A. Damon, Chairman

Adopted:   
Legislative Advisor

Not Adopted: \_\_\_\_\_  
Legislative Advisor

**27 December 2018**

The vote was **3** in favor **0** opposed yeas: *Lee Jack, Sr., Tom T. Chee, Jimmy Yellowhair*

*Motion: Lee Jack, Sr.*

*Second: Jimmy Yellowhair*

## BUDGET AND FINANCE COMMITTEE

27 December 2018

Special Meeting

### VOTE TALLY SHEET:

#### Legislation No. 0440-18:

An Action Relating the Budget and Finance Committee; Selecting and appointing a Budget and Finance Committee member as a shareholder representative to the Navajo Nation Oil and Gas Company, Inc. *Sponsored by Tom T. Chee, Council Delegate*

*Motion: Lee Jack, Sr.*

*Second: Jimmy Yellowhair*

*Vote: 3-0, Chairman not voting*

#### Vote Tally:

Seth A. Damon		
Jimmy Yellowhair	<b>yay</b>	
Tom T. Chee	<b>yay</b>	
Lee Jack, Sr.	<b>yay</b>	
Leonard Tsosie		
Tuchoney Slim, Jr.		

*Absent: Leonard Tsosie, Tuchoney Slim Jr.*

  
Seth A. Damon, Chairman  
Budget & Finance Committee

  
Peggy Nakai, Legislative Advisor  
Budget & Finance Committee