

**LEGISLATIVE SUMMARY SHEET**

**Tracking No.** 0144-15

**DATE:** April 30, 2015

**TITLE OF RESOLUTION:** PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; CONFIRMING THE APPOINTMENT OF DWIGHT LARGIE TO SERVE AS A COMMISSIONER OF THE NAVAJO NATION TELECOMMUNICATIONS REGULATORY COMMISSION FOR A TERM OF FOUR YEARS

**PURPOSE:** This resolution, if approved, will confirm the appointment of Dwight Largie to serve as a Commissioner of the Navajo Nation Telecommunications Regulatory Commission for a term of four years.

**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.**

PROPOSED STANDING COMMITTEE RESOLUTION  
23<sup>rd</sup> NAVAJO NATION COUNCIL – First Year, 2015

INTRODUCED BY

  
(Sponsor)

TRACKING NO. 0146-15

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; CONFIRMING THE  
APPOINTMENT OF DWIGHT LARGIE TO SERVE AS A COMMISSIONER OF THE  
NAVAJO NATION TELECOMMUNICATIONS REGULATORY COMMISSION FOR  
A TERM OF FOUR YEARS

SECTION ONE. FINDINGS

- A. The Resources and Development Committee has authority over telecommunications and the authority to grant final confirmation of appointments to enterprise boards; Navajo Nation Water Rights Commission; and *entities under the authority of the Committee requiring appointments*. 2 N.N.C. § 500(C); 2 N.N.C. § 501(B)(9).
- B. The Navajo Nation Regulatory Commission is established under the Office of the President and Vice-President within the Executive Branch of the Navajo Nation government for the purpose of acting upon and regulating any and all matters of the telecommunications industry. 2 N.N.C. § 3451; 2 N.N.C. § 3452. *See* Plan of Operations attached as Exhibit A.
- C. Pursuant to 2 N.N.C. § 3454(A), the Commission shall consist of seven Commissioners, all of whom shall be appointed by, and serve at the pleasure of the President of the Navajo Nation, and confirmed by the Government Services Committee of the Navajo Nation Council, and shall serve their terms of office

1 according to their appointments. *See* Letter of Appointment attached as Exhibit B; *see*  
2 *also* Letter of Interest attached as Exhibit C.

3 D. References in the Navajo Nation Code to the Government Services Committee shall  
4 mean the Naabik'iyáti' Committee, *unless the amendments enacted herein or the*  
5 *context of previous law indicates otherwise.*

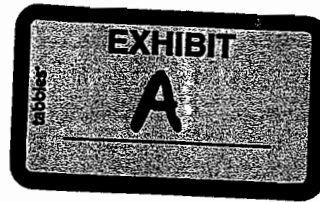
6 E. Each appointment will be for a period of four (4) years. 2 N.N.C. § 3454(B).

7 F. No Commission member shall have a financial, political or any other interest or  
8 motive in any sector of the telecommunications industry on the Navajo Nation, as  
9 provided for in the Navajo Nation Ethics in Government Law. 2 N.N.C. § 3454(C).

## 10 11 **SECTION TWO. APPROVAL OF APPOINTMENT**

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13 The Navajo Nation Council's Resources and Development Committee hereby  
14 confirms the appointment of Dwight Largie to serve as a Commissioner on the Navajo  
15 Nation Telecommunications Regulatory Commission for a term of four (4) years.  
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NAVAJO NATION CODE  
TITLE 2. NAVAJO NATION GOVERNMENT  
CHAPTER 5. EXECUTIVE BRANCH  
SUBCHAPTER 43. NAVAJO TELECOMMUNICATIONS REGULATORY COMMISSION



**§ 3451. Establishment**

There is hereby established under the Office of the President and Vice-President within the Executive Branch of the Navajo Nation government, and in accordance with Resolution ACMA-36-84 of the Advisory Committee of the Navajo Nation Council, the Navajo Telecommunications Regulatory Commission, hereinafter called the "Commission".

**§ 3452. Purpose**

The purpose of the Commission shall be to act upon and regulate any and all matters of the telecommunications industry on the Navajo Nation, including but not limited to computer, video, television, telegraph, radio, cable television, satellite dishes, two-way radio, and other related telecommunication services transmitted by electricity, wire land lines, wireless technology, cable, fiber optics, microwave, satellite or radiowave, to provide for the orderly growth and development of the telecommunications industry, and the operations thereby. A further purpose of the Commission shall be the implementation of a 911 emergency response system within the Navajo Nation.

**§ 3453. Powers, Authorities and Duties**

- A. The Commission shall have all the powers necessary and appropriate as delegated through legislative enactments by the Government Services Committee of the Navajo Nation Council pursuant to the inherent power of a government to impose restrictions on private rights to protect public welfare, order and security, to carry out the purpose and goals set forth in § 3452. This delegation of authority shall be inclusive of the entire regulatory scheme, but exclusive of any telecommunications services or development activity, except where telecommunications regulatory may apply to such activities.
- B. The Enumerated powers of the Commission are:
  - 1. To establish and adopt a regulatory policy subject to Navajo Nation Council enactment which will govern any and all Navajo Nation telecommunications activities, not inconsistent with Federal Communications Commission regulation.
  - 2. To establish, promulgate, and enforce rules, regulations, policies, and issue orders and resolutions, which are consistent with the Navajo regulatory code and this Plan of Operation, as necessary for the accomplishment of its purpose, authority, functions, and responsibilities.
  - 3. To establish methods, procedures, schedules, and conditions of accessing permits, respective fees, and reasonable rates of compensation for particular telecommunication services on the Navajo Nation.
  - 4. To approve and enter into such agreements, contracts, or written understandings as necessary or appropriate in accomplishing the duties and purpose of the Commission. All such contracts and agreements shall be in the name of the Navajo Nation and shall be subject to normal procedures established for contracts and agreements.

NAVAJO NATION CODE  
TITLE 2. NAVAJO NATION GOVERNMENT  
CHAPTER 5. EXECUTIVE BRANCH  
SUBCHAPTER 43. NAVAJO TELECOMMUNICATIONS REGULATORY COMMISSION

5. To establish procedures and requirements for hearings and investigations pertinent to the functions and powers of the Commission, consistent with normal due process; to hear complaints concerning noncompliance with regulations established as the conditions of engaging in any telecommunications activities on the Navajo Nation, or any valid complaint from any entity which is aggrieved by any action by the Commission or staff.
6. The Commission in furtherance of its powers shall have the authority to recommend and impose fines or other sanctions according to established schedules, on any entity for violation of all telecommunications laws, regulations, rules, orders and policies.
7. The Commission shall implement an effective 911 emergency response system within the Navajo Nation. In implementing such a system, the Commission shall seek the assistance of the federal and state governments and shall be authorized to develop Service Plans meeting the requirements of such jurisdictions if necessary. Cooperative intergovernmental agreements in furtherance of implementing a 911 system shall be approved pursuant to Navajo Nation law, including 21 N.N.C. §508.
8. In executing the power of implementing and managing an effective 911 emergency response system, the Commission shall be authorized to adopt rules and regulations.
9. In managing a 911 emergency response system, the Commission shall be authorized to recommend to appropriate entities of the Navajo Nation the establishment of a fund management plan and/or revolving fund accounts (funded through sources such as surcharges establishment by the Commission on telephone bills). Consistent with Navajo Nation law, the Commission shall also be authorized to seek federal and state funding in managing the Navajo Nation's 911 emergency response system.

**§ 3454. Membership of the Commission**

- A. The Commission shall consist of seven Commissioners, all of whom shall be appointed by, and serve at the pleasure of the President of the Navajo Nation, and confirmed by the Government Services Committee of the Navajo Nation Council, and shall serve their terms of office according to their appointments.
- B. Each appointment shall be for a period of four years, with the exception of those appointments made in 2002, which appointments shall be made at the discretion of the President of the Navajo Nation as follows, two appointments for a period of two years, two appointments for a period of three years and three appointments shall be for a period of four years.
- C. No Commission member shall have a financial, political or any other interest or motive in any sector of the telecommunications industry on the Navajo Nation, as provided for in the Navajo Nation Ethics in Government Law. The Commission members shall carry out their duties and responsibilities in a manner which protects and promotes the best interests of the Navajo Nation.

**NAVAJO NATION CODE**  
**TITLE 2. NAVAJO NATION GOVERNMENT**  
**CHAPTER 5. EXECUTIVE BRANCH**  
**SUBCHAPTER 43. NAVAJO TELECOMMUNICATIONS REGULATORY COMMISSION**

D. The Chairperson and Vice-Chairperson of the Commission shall be selected by the Commission from its membership by majority vote, for such term as is determined appropriate. The Chairperson and the Vice-Chairperson shall have the following duties and responsibilities:

1. To call meetings, special sessions, hearings, or inquiries; and to preside at all these events.
2. To represent the Commission in all matters relating to telecommunications activities.

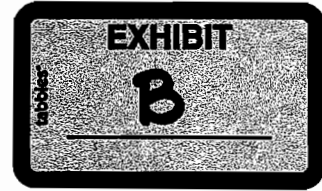
**§ 3455. Staff Personnel**

The President of the Navajo Nation shall employ an Executive Director of the Commission who shall serve at the pleasure of the President of the Navajo Nation and be subject to confirmation by the Government Services Committee of the Navajo Nation Council. All other staff shall be employed by the Executive Director in accordance with the Personnel Policies Manual of the Navajo Nation.

# THE NAVAJO NATION



BEN SHELLY PRESIDENT  
REX LEE JIM VICE PRESIDENT




April 7, 2015

Dwight Largie  
HCR Suite  
Tohatchi, Navajo Nation NM 87325

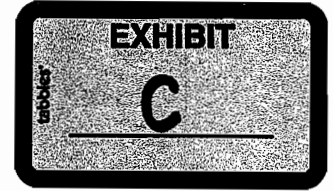
Dear Mr. Largie:

Pursuant to 2 NNC § 3451, I am appointing you to serve as a Commissioner to the Navajo Nation Telecommunications Regulatory Commission for a duration of four years effective immediately. Your appointment replaces the position currently held by Mr. Bob Begaye, whose term has expired on December 2013. As a Commissioner you shall meet once a month with the Commission in overseeing matters that involve telecommunications for Incumbent Local Exchange Carriers, Rural Local Exchange Carriers, and Competitive Local Exchange Carriers, as well as all wireless companies, and radio operators. Accordingly, your appointment is subject to confirmation by the Naa bik'iyati' Committee of the Navajo Nation Council. Please work with Mr. Deswood Tome and Ms. Gerri Harrison immediately in getting your confirmation hearing set.

Sincerely,

  
Ben Shelly, President  
THE NAVAJO NATION

cc: The Honorable Rex Lee Jim, Vice President  
The Honorable LoRenzo Bates, Speaker  
Deswood Tome, Chief of Staff  
Theresa Becenti-Aguilar, Executive Director, NNTRC

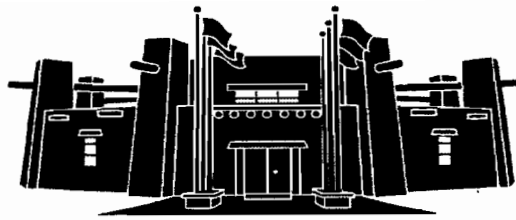


Ya'at'eeh,

My name is Dwight Largie and I am Kin'ya'aanii, born for To'ahani, shicheii'ei Hashtlishni, shinali'ei To'baa'hi. I have worked in the field of technology and telecommunications through education, trade, and policy throughout my appointments as a student, intern, technician, lead, manager, and director. I attain my undergraduate degree from Fort Lewis College in Durango, Colorado and my master's degree from Middlebury College in Middlebury, Vermont. As an undergraduate, I pursued a degree in computer science-CS option. Although I have earned an undergraduate degree in English and a graduate degree in English, I gained extensive experience and knowledge in information technology and telecommunications from my academic achievements and prior employment experience.

The area of telecommunication technology infrastructure development is providing a direct service for our nation to communicate effectively. Telecommunications encompasses an array of services from airport communication, 911 response, telemedicine, infrastructure development (pipeline, electric, fiber, etc), education, to cell services for patrons of the Navajo Nation. I feel telecommunication is vital to our communities. As a commissioner, I plan to improve services and create an overall structure of telecommunication technology that will be sustainable 100 years from now. An infrastructure as such, would be inclusive of telecommunication and information technology law that is current and compatible with other laws that coincide like international policy, natural resources, and trade laws to name a few. As a commissioner, I will work collaboratively with the commission and internal governmental personnel to ensure our telecommunication airwaves continue to sustain our communities.

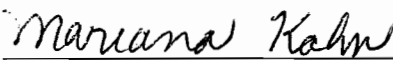




## MEMORANDUM

**TO:** Honorable Edmund Yazzie  
Navajo Nation Council

**FROM:**   
Erika Friedlander, Staff Attorney

**THRU:**   
Mariana Kahn, Senior Attorney  
Office of Legislative Counsel

**DATE:** April 30, 2015

**SUBJECT:** AN ACTION RELATING TO RESOURCES AND DEVELOPMENT;  
CONFIRMING THE APPOINTMENT OF DWIGHT LARGIE TO SERVE  
AS A COMMISSIONER OF THE NAVAJO NATION  
TELECOMMUNICATIONS REGULATORY COMMISSION FOR A  
TERM OF FOUR YEARS

Pursuant to your request, attached is the above-referenced proposed resolution and associated legislative summary sheet. Based on existing law and review of the documents submitted, 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.

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.


OLC No. 15-347-1



May 4, 2015

MEMORANDUM

TO : Honorable Members  
Resources and Development Committee

FROM :   
Hon. LoRenzo C. Bates, *Speaker*  
23<sup>rd</sup> Navajo Nation Council

SUBJECT : ASSIGNMENT OF LEGISLATION

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Pursuant to 2 N.N.C § 164 (A)(4), this memorandum serves to inform and advise you that I assign the following legislation to the Resources and Development Committee;

**Legislation No. 0146-15**

**RELATING TO RESOURCES AND DEVELOPMENT; CONFIRMING THE APPOINTMENT OF DWIGHT LARGIE TO SERVE AS A COMMISSIONER OF THE NAVAJO NATION TELECOMMUNICATIONS REGULATORY COMMISSION FOR A TERM OF FOUR YEARS.**

As the Committee assigned to consider the legislation, Legislation No. 0146-15 must be placed on the Resources and Development Committee's agenda at the next regular meeting for final consideration.

ATTACHMENT: Legislation No. 0146-15

xc: Hon. Ben Shelly, *President*  
The Navajo Nation  
Harrison Tsosie, *Attorney General*  
Robert Willie, *Controller*  
Dominic Beyal, *Executive Director, OMB*  
Honorable Edmund Yazzie, Council Delegate (*Prime Sponsor*)

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0146-15\_\_\_\_\_

SPONSOR: Edmund Yazzie

**TITLE: An Action Relating To Resources and Development; Confirming the Appointment of Dwight Largie To Serve as a Commissioner of the Navajo Nation Telecommunications Regulatory Commission For A Term of Four Years**

***Date posted:*** May 4, 2015 at 5:01pm

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.: 0146-15

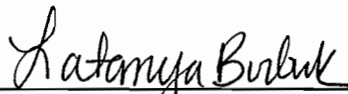
SPONSOR: Honorable Dwight Witherspoon

TITLE: Relating To Resources And Development; Confirming The Appointment Of Dwight Largie To Serve As A Commissioner Of The Navajo Nation Telecommunications Regulatory Commission For A Term Of Four Years.

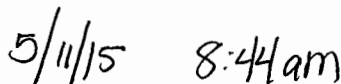
Posted: May 4, 2015 at 5:01 pm

5 DAY Comment Period Ended: May 9, 2015

Digital Comments received: *No comments were received.*



Policy Analyst  
Office of Legislative Services



Date/Time

