

LEGISLATIVE SUMMARY SHEET

Tracking No. 0049-19

DATE: March 6, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE; APPOINTING DELEGATE MEMBERS FROM THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE TO THE NAVAJO 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 TO THE NAVAJO NATION OIL AND GAS CORPORATION AS A SHAREHOLDER REPRESENTATIVE

PURPOSE: The purpose of this resolution is to confirm the section of a shareholder and member representatives to the Navajo Transitional Energy Company, Dine Development Corporation, Navajo Times Publishing Company, the Navajo Community Development Financial Institution and the Navajo Nation Oil and Gas Corporation.

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:
Website Posting Time/Date: 7:02pm 3/11/19
Posting End Date: 03-16-19
Eligible for Action: 03-17-19

Health, Education & Human Services Committee

PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL – First Year, 2019

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0049-19

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE;
APPOINTING DELEGATE MEMBERS FROM THE HEALTH, EDUCATION AND HUMAN
SERVICES COMMITTEE TO THE NAVAJO 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 TO THE NAVAJO NATION OIL AND GAS CORPORATION AS A SHAREHOLDER
REPRESENTATIVE

BE IT ENACTED:

Section One. Authority

A. The Health, Education and Human Services Committee is established as a standing
committee of the Navajo Nation Council. 2 N.N.C. §400(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.

1 B. The Operating Agreement of the Navajo Transitional Energy Company, LLC,
2 at Article III (C) states that the membership interest in the Company "shall be
3 exercised by five (5) "member representatives," composed of one (1) member
4 from each of the five (5) standing committees of the Navajo Nation
5 Council (or their successor committees). . . ."

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

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

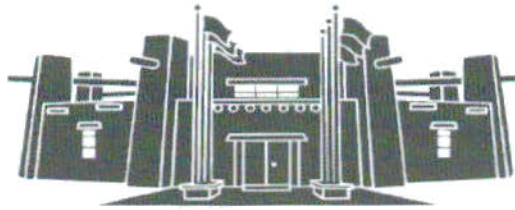
14 E. The By-Laws of the Navajo Community Development Financial Institution state that "the
15 Navajo Nation's shares in the corporation shall be exercised by five (5) "Shareholder
16 Representatives," composed of the one member (1) of the Standing Committees of the
17 Navajo Nation Council or their successor committees"

18 F. The Charter of the Navajo Nation Oil and Gas Corporation at Article V (D) states "All
19 rights of the shareholder of the Corporation shall be exercised by the appointed
20 shareholder representatives, composed of one member from each of the standing
21 committees of the Navajo Nation Council or their successor committees"

22 G. The Health, Education and Human Services Committee is permitted to designate one
23 member representative to the Navajo Transitional Energy Company, the Dine
24 Development Corporation, the Navajo Times Publishing Company, Inc., and the Navajo
25 Community Development Financial Institution.


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27 **Section Three. Health, Education and Human Services Committee Member Representative**
28 **and Shareholder Representative/Member Designees**
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- 1 A. The following member from the Health Education and Human Services Committee is
2 designated to serve as its member representative to the Navajo Transitional Energy
3 Company: _____.
- 4 B. The following member from Health Education and Human Services Committee is
5 designated to serve as its member representative to the Dine Development Corporation:
6 _____.
- 7 C. The following member from the Health Education and Human Services Committee is
8 designated to serve as its member representative to the Navajo Times Publishing
9 Company, Inc.: _____.
- 10 D. The following member from Health Education and Human Services Committee is
11 designated to serve as its member representative to the Navajo Community Development
12 Financial Institution: _____.
- 13 E. The following member from Health Education and Human Services Committee is
14 designated to serve as its member representative to the Navajo Nation Oil and Gas
15 Corporation: _____.
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MEMORANDUM

TO: Speaker Seth Damon
24th Navajo Nation Council Delegate

FROM: 
Candace French, Attorney
Office of Legislative Counsel

DATE: March 6, 2019

RE: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE; APPOINTING DELEGATE MEMBERS FROM THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE TO THE NAVAJO 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 TO THE NAVAJO NATION OIL AND GAS CORPORATION AS A SHAREHOLDER REPRESENTATIVE

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: _0049-19_____ SPONSOR: Seth Damon

TITLE: An Action Relating to Health, Education and Human Services Committee; Appointing Delegate Members from the Health, Education and Human Services 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 7:02pm

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.*

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0049-19

SPONSOR: Honorable Seth Damon

TITLE: An Action Relating to Health, Education and Human Services Committee; Appointing Delegate Members from the Health, Education and Human Services 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 7:02pm

5 DAY Comment Period Ended: March 16, 2019

Digital Comments received:

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



Sr. Programs & Projects Specialist
Office of Legislative Services

03-17-19 @ 6:47pm

Date/Time