

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: High
Website Posting Time/Date: _____
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

(Prime Sponsor)

TRACKING NO. 0013-20


Raymond Smith

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.

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

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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

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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.
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6 * * *

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

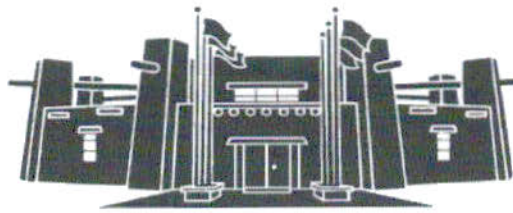
10 The Act enacted herein shall be effective upon its approval pursuant to 2 N.N.C.
11 §221.
12

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

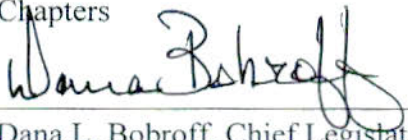
19 **Section Six. Saving Clause**

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.
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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.