

**LEGISLATIVE SUMMARY SHEET**

**Tracking No.** 0200-15

**DATE:** June 9, 2015

**TITLE OF RESOLUTION:** RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE AND NAA'BIK'ÍYÁTI COMMITTEE; CONFIRMING MARVIN PAUL MURPHY TO SERVE AS THE EASTERN AGENCY REPRESENTATIVE ON THE BOARD OF DIRECTORS OF NAVAJO NATION OIL AND GAS COMPANY FOR A TERM OF THREE (3) YEARS COMMENCING IMMEDIATELY

**PURPOSE:** This resolution if approved, will appoint Marvin Paul Murphy to the Navajo Oil and Gas Board of Directors to represent the Eastern Navajo Agency for a three year term.

**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 legislation in detail.**

5-DAY BILL HOLD PERIOD: Navy  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 6/16/2015  
Eligible for Action: 6/17/2015

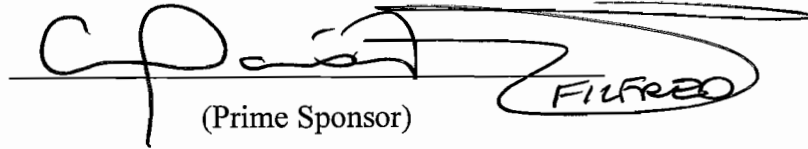
Resources & Development Committee

THENCE

Naa'bik'iyáti' Committee

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

INTRODUCED BY

  
(Prime Sponsor)

TRACKING NO. 0200-15

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE AND  
NAA'BIK'ÍYÁTI COMMITTEE; CONFIRMING MARVIN PAUL MURPHY TO  
SERVE AS THE EASTERN AGENCY REPRESENTATIVE ON THE BOARD OF  
DIRECTORS OF NAVAJO NATION OIL AND GAS COMPANY FOR A TERM OF  
THREE (3) YEARS COMMENCING IMMEDIATELY

BE IT ENACTED:

SECTION 1. FINDINGS

A. The Resources and Development Committee exercises oversight authority over the natural resources of the Navajo Nation for the regulation of the disposition or acquisition of resources including the enforcement and administration of applicable Navajo Nation and federal laws, regulations, guidelines, and administrative procedures in the development and use of resources as a good steward. 2 N.N.C. § 500(C)(2).

B. The Naabik'iyáti' Committee has the power to give final confirmation of appointments to boards, commissions, and colleges. 2 N.N.C. § 701(A)(1).

1 C. The Federal Charter of Incorporation for the Navajo Nation Oil and Gas Company  
2 (Charter) provides that members of the Board of Directors (Board) shall be elected as  
3 follows:  
4

5 A Board of Directors to succeed the initial Board shall be elected  
6 within twelve (12) months following the effective date of this  
7 Charter. The Agency Councils shall nominate five (5) Directors  
8 and the President of the Navajo Nation shall nominate four (4)  
9 Directors. The list of the nine nominees shall be presented to the  
10 Economic Development Committee of the Navajo Nation Council  
11 or any successor committee [*now Resources and Development*] for  
12 its recommendations to the Government Services Committee of the  
13 Navajo Nation Council [*now Naabik'iyáti' Committee*] for its final  
14 confirmation at a duly scheduled meeting of the Committee at  
15 which a quorum is present. The Committee shall consider and vote  
16 on each nominee individually, and a majority vote in favor of a  
17 nominee shall constitute confirmation of the nominee as a Director.  
18 The Committee may for any reason table any nomination for  
19 consideration at the next duly scheduled meeting of the  
20 Committee. If any nominee is rejected by vote of the Committee,  
21 the Committee shall so notify the Agency Council(s) or the  
22 President of the Navajo Nation as appropriate, who shall make a  
23 new nomination for consideration by the Committee in conformity  
24 with the procedures established by this paragraph. Whenever any  
25 vacancy shall occur in the Board of Directors by death, resignation,  
26 removal or otherwise, the same shall be filled without undue delay.  
27 Depending upon the Board position vacated, a new Director shall  
28 be nominated by the President of the Navajo Nation or the  
29 appropriate Agency Council to maintain the representation  
30

1 established by this paragraph. The nominee shall be confirmed in  
2 conformity with the procedures established by this paragraph.

3  
4 Charter, Article XI(C) (italicized additions ours).

5  
6 D. The Charter provides for the Qualifications of Directors:

7  
8 F. Qualifications of Directors

9 1. At all times the majority of the Directors shall be enrolled  
10 members of the Navajo Nation, and all non-member Directors shall  
11 be respected individuals with substantial experience in positions of  
12 responsibility in business or government. All directors nominated  
13 by the President of the Navajo Nation under Paragraph of this  
14 Article XI shall have substantial experience in positions of  
15 responsibility in the oil and gas industry.

16 2. No employee of the Bureau of Indian Affairs shall be eligible to  
17 serve as a Director during the time of such employment.

18 3. No more than one-third (1/3) of the Directors may serve  
19 concurrently on the Board of Directors of the Corporation and on  
20 any other board of a corporation owned by the Navajo Nation.

21  
22 Charter, Article XI(F).

23  
24 E. The Eastern Navajo Agency Council has nominated Marvin Paul Murphy as the  
25 Eastern Agency representative on the Board by a unanimous vote in Resolution ENAC-03-  
26 2014-04. Attached as Exhibit "A".

27 F. Marvin Paul Murphy's resume is attached as Exhibit "B".

28 G. The term of office for membership on the Board is specified in the Charter, which  
29 provides:

1 D. Term of Office. Three of the Directors initially elected by the  
2 Government Services Committee of the Navajo Nation Council  
3 [*now Naabik'iyáti' Committee*] shall be confirmed for terms of one  
4 (1) year each; three shall be confirmed for terms of two (2) years  
5 each; and three shall be confirmed for terms of three (3) years  
6 each. After the expiration of the initial term as Director, each  
7 successor Director shall be confirmed for a term of three (3) years.  
8

9 Charter, Article XI(D) (italicized additions ours).  
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11 G. The Navajo Nation hereby finds that confirming the nomination of Marvin Paul  
12 Murphy to serve as the Eastern Agency representative on the Board is in the best interest of  
13 the Navajo People.  
14

15 **SECTION 2. CONFIRMING MARVIN PAUL MURPHY TO SERVE AS THE**  
16 **EASTERN AGENCY REPRESENTATIVE ON THE BOARD OF**  
17 **DIRECTORS FOR NAVAJO NATION OIL AND GAS**  
18 **COMPANY FOR A TERM OF THREE (3) YEARS**  
19 **COMMENCING IMMEDIATELY**  
20

21 The Navajo Nation hereby confirms the Eastern Agency nomination of Marvin  
22 Paul Murphy to serve as the Eastern Agency representative on the Navajo Nation Oil and  
23 Gas Company Board of Directors for a term of three (3) years commencing immediately.  
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