

RESOLUTION OF THE  
 NAVAJO NATION COUNCIL  
 25<sup>th</sup> NAVAJO NATION COUNCIL - SECOND YEAR, 2024

AN ACT

RELATING TO LAW AND ORDER, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; APPROVING AN AMENDMENT TO 21 N.N.C. § 9(A) REPLACING THE GOVERNMENT SERVICES COMMITTEE WITH THE RESOURCES AND DEVELOPMENT COMMITTEE AS THE STANDING COMMITTEE THAT APPOINTS MEMBERS TO THE NAVAJO TRIBAL UTILITY AUTHORITY MANAGEMENT BOARD

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Law and Order Committee is empowered to review and make recommendations to the Navajo Nation Council on proposed Navajo Nation Code amendments and enactments. 2 N.N.C. § 601(B)(14).
- B. The Resources and Development Committee has oversight authority over public utilities. 2 N.N.C. § 500(C).
- C. The Naabik'íyáti' Committee considers proposed legislation that requires final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- D. The Navajo Nation Council must review and approve enactments or amendments of positive law. 2 N.N.C. § 164(A).

SECTION TWO. FINDINGS

- A. The number of Navajo Nation Council delegates was reduced from 88 delegates to 24 delegates in 2010. When this occurred, the Navajo Nation Council through Resolution CAP-10-11 changed the number of standing committees from eleven to five standing committee. One of standing committees that is no longer in existence is the Government Services Committee.
- B. The Navajo Nation Council's Resolution CO-45-12 Section 5 "References to previous Standing Committees" states that *"References in the Navajo Nation Code and other official documents to the Government Services and the Intergovernmental Relations Committees shall mean the Naabikíyáti' Committee unless the amendments enacted herein or the context of previous law indicates otherwise."*

- C. Currently, Title 21 Chapter 1 section 9(A) states that the Government Services Committee appoints the Navajo Tribal Utility Authority (NTUA) Management Board members. 21 N.N.C. § 9(A).
- D. Title Two, 2 N.N.C. § 500(C) gives the Resources and Development Committee oversight of "communications and utilities."
- E. In the interest of clarity, being that the Government Services Committee is no longer in existence, it is important to specify which standing committee is to appoint the NTUA Management Board members.
- F. The Resources and Development Committee has oversight authority over communications and utilities, 2 N.N.C. § 500(C); therefore, the Resources and Development Committee should be specifically authorized to appoint members to the NTUA Management Board.

**SECTION THREE. AMENDMENTS TO 21 N.N.C. § 9(A)**

The Navajo Nation hereby amends Title 21, Navajo Nation Code as follows:

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NAVAJO NATION CODE ANNOTATED  
 TITLE 21. PUBLIC UTILITIES AND COMMUNICATIONS  
 CHAPTER 1. NAVAJO TRIBAL UTILITY AUTHORITY  
 SUBCHAPTER 1. GENERALLY

\* \* \*

§ 9. Membership of Board; qualifications; term of office

- A. Number. The management board shall consist of seven persons, all of whom shall be appointed by the ~~Government Services~~ Resources and Development Committee of the Navajo Nation Council.

\* \* \* \* \*

**SECTION FOUR. EFFECTIVE DATE**

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

**SECTION FIVE. CODIFICATION**

The provisions of this ordinance which amend or adopt new sections of the Navajo Nation Code shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such amended provisions in the next codification of the Navajo Nation Code.

**SECTION SIX. SAVING CLAUSE**

Should any provisions of this ordinance be determined invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation, without appeal to the Navajo Nation Supreme Court, those portions of this ordinance which are not determined invalid shall remain the law of the Navajo Nation.

**CERTIFICATION**

I, hereby, certify that the foregoing resolution was duly considered by the 25<sup>th</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 22 in Favor, and 00 Opposed, on this 16<sup>th</sup> day of April 2024.



Honorable Crystalyne Curley, Speaker  
25<sup>th</sup> Navajo Nation Council

4/23/2024

Date

Motion: Honorable Rickie Nez  
Second: Honorable Cherilyn Yazzie

Speaker Crystalyne Curley not voting

**NAVAJO NATION**

363

4/16/2024

Navajo Nation Council Spring Session

04:51:19 PM

Amd# to Amd#

New Business: Item A. (MAIN)

PASSED

MOT Nez, R

CONSENT AGENDA > #'s

SEC Yazzie, C

0046-24, 0040-24, 0048-24

**Yeas : 22**

**Nays : 0**

**Excused : 1**

**Not Voting : 0**

**Yea : 22**

Arviso, S

Crotty, A

Nez, R

Slater, C

Aseret, L

Daniels, H

Notah, N

Tolth, G

Begay, H

James, V

Parrish, S

Yanito, C

Begay, N

Jesus, B

Simonson, G

Yazzie, C

Charles-Newton, E

Johnson, C

Simpson, D

Yazzie, L

Claw, S

Nez, A

**Nay : 0**

**Excused : 1**

Tso, O

**Not Voting : 0**

**Presiding Speaker: Curley, C**