

LEGISLATIVE SUMMARY SHEET

Tracking No. 0337-18

DATE: October 9, 2018

TITLE OF RESOLUTION: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE; ESTABLISHING A NATURAL RESOURCES ECONOMIC DEVELOPMENT SUBCOMMITTEE TO ADDRESS THE POTENTIAL CLOSURE OF MULTIPLE POWER GENERATING STATIONS AND FEEDER MINES AND TO EXPLORE OTHER ECONOMIC DEVELOPMENT OPPORTUNITIES

PURPOSE: The purpose of this resolution is establish a Natural Resources Economic Development Subcommittee to analyze the potential closing of numerous power generating stations and feeder mines and to develop an integrated action plan that identifies potential economic opportunities.

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: 4:37 PM 6/10-10-18
Posting End Date: 10-15-18
Eligible for Action: 10-16-18

PROPOSED STANDING COMMITTEE RESOLUTION
23rd NAVAJO NATION COUNCIL -- Fourth Year, 2018

INTRODUCED BY



(Sponsor)

TRACKING NO. 0337-18

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE;
ESTABLISHING A NATURAL RESOURCES ECONOMIC DEVELOPMENT
SUBCOMMITTEE TO ADDRESS THE POTENTIAL CLOSURE OF MULTIPLE
POWER GENERATING STATIONS AND FEEDER MINES AND TO EXPLORE
OTHER ECONOMIC DEVELOPMENT OPPORTUNITIES

Section One. Authority

- A. The Navajo Nation established the Resources and Development Committee as a Navajo Nation Council standing committee and as such gave the Committee oversight over economic and community development, commerce and trade, and public utilities and telecommunications. 2 N.N.C. §§ 500 (A) and (C).
- B. Each Committee may establish subcommittees consisting of committee members selected by the Committee; the subcommittee shall exist until its assigned tasks are completed and a report and recommendation is made to the Committee. 2 N.N.C. § 186.

Section Two. Findings

- A. With the Navajo Generating Station having an estimated closure date of December 2019, it is projected that Navajo families and the Navajo Nation and will be greatly impacted through the loss of employment and revenue. Accordingly, a state of urgency exists and the immediate action of tribal leadership is needed to address both

1 the closure of the Navajo Generating Station and several other generating stations and
2 feeder mines.

- 3 B. The Navajo Nation is in immediate need of a Natural Resources Economic
4 Development Subcommittee to develop an integrated action plan that identifies
5 potential economic opportunities and solutions to barriers preventing the Nation from
6 expanding its economic base and employing Navajo people on the Navajo Nation.

7
8 **Section Three. Establishing the Resources and Development Natural Resources**
9 **Economic Development Subcommittee**

- 10 A. The Resources and Development Committee hereby establishes the Natural
11 Resources Economic Development Subcommittee to address the potential closure of
12 multiple power generating stations and feeder mines such as the Navajo Generating
13 Station, Peabody Energy, San Juan Generating Station, Four Corners Generating
14 Station and Navajo Transitional Energy Company and to explore other economic
15 opportunities that will bring revenue and employment to the Navajo Nation.

- 16 B. The Resources and Development Natural Resources Economic Development
17 Subcommittee shall:

- 18 1. Work in cooperation and in coordination with the Navajo Nation President,
19 Attorney General, Department of Economic Development and Department of
20 Natural Resources or the designees from these respective offices;
- 21 2. Report monthly to the Resources and Development Committee regarding the
22 Subcommittee's activities; and
- 23 3. Transfer information and recommendations to the Speaker of the Navajo Nation
24 Council, the Naabik'iyáti' Committee, appropriate Navajo Nation Council
25 standing committees, and appropriate Legislative Branch boards, commissions,
26 agencies, offices and programs.

- 27 C. The Natural Resources Economic Development Subcommittee shall consist of no
28 more than six (6) voting members of which three (3) members shall be from the
29 Resources and Development Committee. The Resources and Development
30 Committee shall appoint their Subcommittee members. The appointed Delegates

1 serve at the pleasure of the Resources and Development Committee. The Resources
2 and Development Committee appoints the following delegates to the Subcommittee:

- 3 1. _____
- 4 2. _____
- 5 3. _____

6 D. The remaining three (3) voting members of Natural Resources Economic Development
7 Subcommittee shall include members from the Executive Branch with the Navajo Nation
8 President's recommended appointments to serve on the Subcommittee from the
9 Department of Economic Development, Department of Natural Resources, and the
10 Navajo Nation Office of the President and Vice-President.

11 E. The Natural Resources Economic Development Subcommittee by majority vote shall
12 select a chairperson and vice-chairperson at their first meeting. The chairperson and
13 vice-chairperson shall serve at the Subcommittee's pleasure; replacement shall be by
14 majority vote.

15 F. The Natural Resources Economic Development Subcommittee shall establish a regular
16 meeting day(s) of the month and may meet more frequently as needed. Due to the
17 economic importance and urgency to address the potential closure of power generating
18 stations and feeder mines, Subcommittee members absent from two or more meetings
19 may be replaced at the recommendation of the Chair of the Subcommittee.

20
21 **Section Four. Subcommittee Term**

22 The Natural Resources Economic Development Subcommittee shall exist until their
23 assigned tasks are completed and shall report their recommendations to the Resources
24 and Development Committee. *See* 2 N.N.C. § 186.

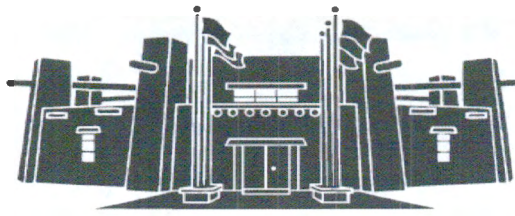
25
26 **Section Five. Directives**

27 A. The Legislative Services' Executive Director shall assign two Office of Legislative
28 Services staffers to assist the Natural Resources Economic Development
29 Subcommittee.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30


B. The Resources and Development Committee directs the Department of Justice, Office of Management and Budget, Office of the Controller and other appropriate Navajo Nation Departments or Programs, as deemed necessary by the Natural Resources Economic Development Subcommittee, to serve as technical support for the Subcommittee.

C. The Speaker shall determine a Subcommittee budget and identify the funds.



MEMORANDUM

TO: Honorable Benjamin Bennett
23rd Navajo Nation Council Delegate

FROM: 
Candace French, Attorney
Office of Legislative Counsel

DATE: October 9, 2018

RE: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE; ESTABLISHING A NATURAL RESOURCES ECONOMIC DEVELOPMENT SUBCOMMITTEE TO ADDRESS THE POTENTIAL CLOSURE OF MULTIPLE POWER GENERATING STATIONS AND FEEDER MINES AND TO EXPLORE OTHER ECONOMIC DEVELOPMENT OPPORTUNITIES

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: 0337-18 _____ SPONSOR: Benjamin Bennett

TITLE: An Action Relating to the Resources and Development Committee; Establishing a Natural Resources Economic Development Subcommittee to Address the Potential Closure of Multiple Power Generating Stations and Feeder Mines and to Explore other Economic Development Opportunities

Date posted: October 10, 2018 at 4:37pm

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.: 0337-18

SPONSOR: Honorable Benjamin Bennett

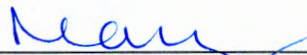
TITLE: An Action Relating to the Resources and Development Committee; Establishing a Natural Resources Economic Development Subcommittee to Address the Potential Closure of Multiple Power Generating Stations and Feeder Mines and to Explore other Economic Development Opportunities

Posted: October 10, 2018 at 4:37pm

5 DAY Comment Period Ended: October 15, 2018

Digital Comments received:

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



Legislative Secretary II
Office of Legislative Services

10/16/18 8:17am

Date/Time