

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0103-24_

SPONSOR: Nathan Notah

**TITLE: An Action Relating to the Resource and Development Committee;
Confirming Ernest Diswood to Serve on the Navajo Agricultural Products Industry
Board of Directors for a Term of Three Years Representing District 13**

Date posted: May 10, 2024 at 9:10PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0103-24

DATE: May 8, 2024

TITLE OF RESOLUTION: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE; CONFIRMING ERNEST DISWOOD TO SERVE ON THE NAVAJO AGRICULTURAL PRODUCTS INDUSTRY BOARD OF DIRECTORS FOR A TERM OF THREE YEARS REPRESENTING DISTRICT 13

PURPOSE: The purpose of this legislation is to confirm Ernest Diswood to the Navajo Agricultural Products Industry's Board of Directors For a Term of Three (3) Years Representing the District 13.

Final Authority: Resources and Development Committee

Vote Required: Simple Majority

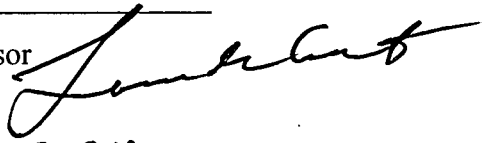
This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each Council Delegate to review the proposed resolution in detail.

OLC No. 24-228-1

5-DAY BILL HOLD PERIOD Al Millett
Website Posting Time/Date _____
Posting End Date: 5/15/24
Eligible for Action: 5/16/24

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 25th NAVAJO NATION COUNCIL—Second Year, 2024

3 INTRODUCED BY

4
5 _____
6 Primary Sponsor 

7
8 TRACKING NO. 0103-24

9
10 AN ACTION

11 RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE;
12 CONFIRMING ERNEST DISWOOD TO SERVE ON THE NAVAJO
13 AGRICULTURAL PRODUCTS INDUSTRY BOARD OF DIRECTORS FOR A
14 TERM OF THREE YEARS REPRESENTING DISTRICT 13

15
16 **BE IT RESOLVED:**

17 **SECTION ONE. AUTHORITY**

- 18 A. The Resources and Development Committee is a standing of the Navajo Nation
19 Council. 2 N.N.C. § 500 (A).
20 B. The President of the Navajo Nation appoints, and the Resources and Development
21 Committee confirms, the Board of Directors to the Navajo Agricultural Products
22 Industry. 5 N.N.C. § 603 (A). References made to the former Economic
23 Development Committee in the Navajo Nation Code shall mean the Resources
24 and Development Committee. *See* CO-45-12, Section 5 (A).
25

26 **SECTION TWO. FINDINGS**

- 27 A. Pursuant to 5 N.N.C. § 1603 (B), the Navajo Agricultural Products Industry (or
28 “NAPI”) “shall set policy including, but not limited to, establishing personnel
29 policies, procurement policies and financial policies for NAPI. The Board of
30 Directors shall hire and supervise the Chief Executive Officer who shall hire

1 under contract a Chief Financial Officer. The Chief Financial Officer shall be
2 accountable to the Board of the Directors and to the Chief Executive Officer and
3 shall be supervised by the Chief Executive Officer in conformity with job
4 descriptions established for the Chief Financial Officer and the Chief Executive
5 Officer, and with Navajo Agricultural Products Industry's approved policies and
6 procedures. The Chief Financial Officer shall submit all monthly, quarterly and
7 annual reports to the Chief Executive Officer and Board of Directors
8 simultaneously."

9 B. Pursuant to 5 N.N.C. § 1603(D), "[n]o elected official of the federal, state or
10 Navajo Nation government shall be a member of the Board of Directors. No
11 employee of the federal, state or Navajo Nation government shall be a member of
12 the Board of Directors."

13 C. Pursuant to 5 N.N.C. § 1604, "[t]he Navajo Agricultural Products Industry shall
14 operate under the legislative oversight of the Resources and Development
15 Committee of the Navajo Nation Council...NAPI shall operate pursuant to a Plan
16 of Operation recommended by the NAPI Board of Directors in consultation with
17 the President of the Navajo Nation and adopted by the Resources and
18 Development Committee of the Navajo Nation Council."

19 D. Pursuant to RDCS-049-19, the Navajo Agricultural Products Industry's Amended
20 Plan of Operation, Article 5 (A), "NAPI shall be managed by a Board of Directors
21 that shall provide governance and oversight of the organization, subject to the
22 restrictions of this Plan of Operation and applicable law. The Board shall consist
23 of five (5) members from the Western, Chinle, and Eastern Agencies of the
24 Navajo Nation. At least one Director shall be from District 13 and one Director
25 shall be from District 19."

26 E. Pursuant to RDCS-049-19, the Navajo Agricultural Products Industry's Amended
27 Plan of Operation, Article (C) and (D) state the qualifications and term of service:
28 "(C) Qualifications. Each Director shall have substantial business experience
29 which shall include, but not be limited to agribusiness and/or business marketing,
30 livestock, agricultural economics and finance, irrigation and P.L. 93-638

1 contracting. It is preferred that each Director shall have knowledge of corporate
2 and/or business financial statements and capital investment planning and shall
3 possess a Bachelor's degree from a recognized and accredited four-year
4 institution of higher learning. Preference in the appointment of Directors shall be
5 given to Navajos...(D) Term of Office. Directors shall serve staggered terms of
6 three (3) years and may be reappointed to serve additional terms.”

7 F. The President of the Navajo Nation, by letter dated May 1, 2024, attached as
8 **Exhibit A**, states that Ernest Diswood meets the requirements of 5 N.N.C. §
9 1603(D) and the Navajo Agricultural Product Industry's Plan of Operation and
10 has appointed Ernest Diswood to the Navajo Agricultural Products Industry Board
11 of Directors to represent District 13.

12 G. Ernest Diswood's letter of interest, resume, and Certificate of Navajo Indian
13 Blood are attached hereto as **Exhibits B, C, and D**, respectively.

14
15 **SECTION THREE. CONFIRMATION**

16 The Resources and Development Committee of the Navajo Nation Council hereby
17 confirms the appointment of Ernest Diswood to the Navajo Agricultural Products
18 Industry Board of Directors for a term of three years representing District 13.
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