LEGISLATION NO: _0252-19_____ SPONSOR: Seth Damon

TITLE: An Action Relating To Naabik’íyáti’ And Navajo Nation Council; Appointing Dana Bobroff As Chief Legislative Counsel

Date posted: August 19, 2019 at 5:25pm

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DATE: August 15, 2019

TITLE OF RESOLUTION: PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACTION RELATING TO NAABIK’ÍYÁTI’ AND NAVAJO NATION COUNCIL; APPOINTING DANA BOBROFF AS CHIEF LEGISLATIVE COUNSEL.

PURPOSE: If approved by the Navajo Nation Council, this legislation would confirm the appointment of Ms. Dana Bobroff as Chief Legislative Counsel.

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.
PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL – First Year, 2019

INTRODUCED BY

[Signature]

(PRIME SPONSOR)

TRACKING NO. 025249

AN ACTION

RELATING TO NAABIK‘IYÁTI’ AND NAVAJO NATION COUNCIL;
APPOINTING DANA BOBROFF AS CHIEF LEGISLATIVE COUNSEL

BE IT ENACTED:

Section One. Authorities

A. Naabik’iyáti’ is a Navajo Nation standing committee and as such recommends to the Navajo Nation Council the Chief Legislative Counsel’s appointment. 2 N.N.C. § 700 (A) and 2 N.N.C. § 963 (A).

B. The Navajo Nation Council appoints the Chief Legislative Counsel. 2 N.N.C. § 963 (A).

Section Two. Findings

A. The Navajo Nation Code at 2 N.N.C. Section 963 states the manner and requirements for the appointment of a Chief Legislative Counsel. Specifically, 2 N.N.C. §§ 963 (A), (B) and (C) state:

2 N.N.C. § 963. Personnel

A. There is hereby established the position of Chief Legislative Counsel, who shall be a state-licensed attorney, appointed by the Navajo Nation Council upon recommendation of the Naabik’íyáti’ (formerly, Intergovernmental Relations) Committee of the Navajo Nation Council.
The Chief Legislative Counsel shall serve at the pleasure of the Navajo Nation Council at a negotiated salary. The appointment shall be effective upon the approval of the Navajo Nation Council. The Chief Legislative Counsel shall not be allowed to engage in the private practice of law.

B. A state-licensed attorney or firm, selected in accordance with Navajo preference laws, may be hired as the Chief Legislative Counsel under a contract. Such contract shall not exceed one year and shall be approved by the Navajo Nation Council upon recommendation of the Naabik'iyati' (formerly, Intergovernmental Relations) and the Budget and Finance Committees of the Navajo Nation Council. Such attorney contract shall require the training of a qualified Navajo replacement within the term of the contract.

C. A non-Navajo licensed attorney may be hired only if a licensed Navajo attorney cannot be found to fill the position of Chief Legislative Counsel.

B. The Department of Personnel Management received applications from persons interested in the position of Chief Legislative Counsel. The Department of Personnel Management stated in its memorandum attached as Exhibit A: “Pursuant to your request, the Chief Legislative Counsel position was advertised from May 24, 2019 to June 10, 2019. A total of 3 application(s) were received at our office on or before June 10, 2019. Our qualification assessment revealed that there [were] 2 who met the minimum qualification requirements established for the position.” The two applicants deemed qualified by Department of Personnel Management were both non-Navajo.

C. The Speaker and the Selection Committee selected applicant, Ms. Dana Bobroff, a non-Navajo. Memorandum of Department of Personnel Management, as well as employment documents, attached hereto as Exhibit A.
Section Three. Appointment

The Navajo Nation Council appoints Ms. Dana Bobroff as the Chief Legislative Counsel, Office of Legislative Counsel, to serve at the pleasure of the Navajo Nation Council. 2 N.N.C. § 963 (A).

Section Four. Effective Date

The appointment shall be effective upon the Navajo Nation Council’s approval. 2 N.N.C. § 963 (A).