TITLE: An Action Relating To An Emergency: Authorizing Navajo Nation Council And Standing Committees To Conduct Meetings And Worksessions Through Telecommunication Methods; Authorizing Council Delegates To Attend Navajo Nation Council And Standing Committees Meetings, Subcommittee Meetings And Worksessions Through Teleconferencing; Approving A Sixty (60) Day Waiver Of Title Two Provisions Requiring Delegates To Be Physically Present At Meetings

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DATE: March 13, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY; AUTHORIZING NAVAJO NATION COUNCIL AND STANDING COMMITTEES TO CONDUCT MEETINGS AND WORKSESSIONS THROUGH TELECOMMUNICATION METHODS; AUTHORIZING COUNCIL DELEGATES TO ATTEND NAVAJO NATION COUNCIL AND STANDING COMMITTEES MEETINGS, SUBCOMMITTEE MEETINGS AND WORKSESSIONS THROUGH TELECONFERENCING; APPROVING A SIXTY (60) DAY WAIVER OF TITLE TWO PROVISIONS REQUIRING DELEGATES TO BE PHYSICALLY PRESENT AT MEETINGS

PURPOSE: This resolution, if approved, will allow Navajo Nation Council and Standing Committee meetings to be conducted through telecommunication methods.

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 resolution in detail.
PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL – Second Year, 2020

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0055-20

AN ACTION
RELATING TO AN EMERGENCY; AUTHORIZING NAVAJO NATION COUNCIL AND STANDING COMMITTEES TO CONDUCT MEETINGS AND WORKSESSIONS THROUGH TELECOMMUNICATION METHODS;
AUTHORIZING COUNCIL DELEGATES TO ATTEND NAVAJO NATION COUNCIL AND STANDING COMMITTEES MEETINGS, SUBCOMMITTEE MEETINGS AND WORKSESSIONS THROUGH TELECONFERENCING;
APPROVING A SIXTY (60) DAY WAIVER OF TITLE TWO PROVISIONS REQUIRING DELEGATES TO BE PHYSICALLY PRESENT AT MEETINGS

BE IT ENACTED:

SECTION 1. AUTHORITY
A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
B. The Navajo Nation shall all powers to regulate the conduct of its members and have the authority to promulgate rules, regulations and procedures for the conduct of its meetings and that of its committees. 2 N.N.C. §§ 102 (D) and (E).
C. Pursuant to 2 N.N.C. §164 (A)(16) “[m]atters constituting an emergency shall be limited to the cessation of law enforcement services, and disaster relief services, fire
protection services or other direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such an emergency matter must arise due to the pressing public need for such resolution(s) and must be a matter requiring final action by the Council."

SECTION 2. FINDINGS
A. In light of the Navajo Nation’s Emergency Declaration, attached as Exhibit A, regarding the outbreak of the COVID-19 Coronavirus, it is imperative that the Navajo Nation Council take precautionary measures to mitigate the transmission of COVID-19 to the Navajo public and Navajo Nation employees.
B. COVID-19 which has shown a high mortality rate (49% in critical cases) among elders with preexisting conditions is currently spreading in the states surrounding the Navajo Nation; the Navajo Nation’s health care capacity to respond COVID-19 will be threatened if preventive measures and precautions are not implemented. Exhibit B.
C. To mitigate the transmission of COVID-19, the Speaker of the Navajo Nation Council has advised the Legislative Branch to consider attending meetings/events/training by using telecommunication methods such as teleconference calls and videoing instead of in-person attendance. Exhibit C.
D. The Speaker has already implemented travel restrictions on Legislative Branch employees and required Legislative Branch programs to develop Remote Work Plans for their departments. Exhibit D.
E. To prevent and reduce the transmission of COVID-19, the Navajo Nation Council finds that it is in the best interest of the Navajo public and Navajo Nation employees to temporarily allow Navajo Nation Council Delegates to conduct and attend Council and Standing Committee meetings and subcommittee meetings using telecommunication methods, such as teleconference calls and video conferencing, in certain situations.

SECTION 3. WAIVING PROVISIONS OF 2 N.N.C. §§ 106, 167, 183, and 189 and NAVAJO NATION COUNCIL RULES OF ORDER AND STANDING COMMITTEE RULES
A. The Navajo Nation Council waives provisions of 2 N.N.C. §§ 106, 167, 183 and 189, Rule 22 (F) of the Navajo Nation Council Rules of Order, and Rule 21 (D) of the Standing Committee Rules of Order that would restrict or prohibit Council Delegates from conducting and attending Council and Standing Committee meetings, subcommittee meetings, and work sessions through telecommunication methods, such as teleconference calls and video conferencing.

B. The waivers set forth above shall expire sixty (60) days after Speaker’s 2 N.N.C. § 221 certification of this legislation, unless otherwise determined through resolution of the Naabik’iyáti’ Committee.

C. Council Delegates compensation for attendance at meetings conducted through telecommunication methods shall be the same as for in-person attendance.

SECTION 4. APPROVAL OF ATTENDANCE AT COUNCIL AND STANDING COMMITTEE MEETINGS BY TELECOMMUNICATION METHODS

A. The Navajo Nation Council hereby approves and allows Navajo Nation Council and Standing Committee meetings, subcommittee meetings and work sessions to be conducted through telecommunication methods such as such as teleconference calls and video conferencing.

B. The Navajo Nation Council hereby approves and allows Navajo Nation Council and Standing Committee meetings, subcommittee meetings and work sessions to be conducted through telecommunication methods such as such as teleconference calls and video conferencing.

C. Navajo Nation Council meetings through telecommunication methods shall be conducted pursuant to procedures instituted by the Speaker pursuant to his authorities set forth at Rule 4 (C) of the Navajo Nation Council Rules of Order.

D. Navajo Nation Standing Committee meetings through telecommunication methods shall be conducted pursuant to procedures instituted by the Chairperson of the respective Committee pursuant to their authorities set forth at Rule 4 (D) of the Navajo Nation Council Standing Committee Rules of Order.
SECTION 5. EFFECTIVE DATE

A. The provisions of this Act shall become effective when certified by the Speaker of the Navajo Nation Council pursuant to 2 N.N.C. § 221 (A).

B. The provisions of this Act shall expire sixty (60) days after Speaker’s 2 N.N.C. § 221 (A) certification, unless otherwise determined through resolution of the Naabik’íyáti’ Committee.