LEGISLATION NO: _0071-20______ SPONSOR: Carl Slater

TITLE: An Action Relating to an Emergency for the Navajo Nation; Waiving 10 N.N.C. § 1008, quorum requiring a physical presence at meetings for the Dine College Board of Regents for a limited time

Date posted: March 20, 2020 at 4:51pm

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DATE: March 20, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; WAIVING 10 N.N.C. § 1008, QUORUM REQUIREMENTS A PHYSICAL PRESENCE AT MEETINGS FOR THE DINE COLLEGE BOARD OF REGENTS FOR A LIMITED TIME

PURPOSE: The purpose of this legislation is to approve a waiver of 10 NNC 1008 for a limited period of time.

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 – Second Year, 2020

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0071-20

AN ACTION
RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; WAIVING
10 N.N.C. § 1008, QUORUM REQUIRING A PHYSICAL PRESENCE AT MEETINGS FOR
THE DINE COLLEGE BOARD OF REGENTS FOR A LIMITED TIME

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. 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. Executive Order 001-20 restricts or cancels all off-reservation travel and directs all
Navajo Nation employees to return from off-reservation travel, closes Navajo Nation
Government offices from March 16 to April 3, 2020, and authorizes the Navajo
Department of Health Command Operations Center and the Navajo Department of Emergency Management Operation Center to extend the closure beyond April 3, 2020.

B. The Navajo Nation Board of Education declared an emergency and recommended the closure of all schools and educational facilities on the Navajo Nation until April 3, 2020, subject to an extension beyond this date upon the recommendation of Navajo Nation Board of Education.

C. The existing Charter for Dine College states that its quorum requirement for Board of Regent meetings cannot be met except with “actual physical presence.”

D. In addition, Dine College regents, faculty, and other representatives of the College are, from time to time, required to physically attend Council or Committee meetings regarding matters related to the College.

E. Given the existing state of emergency social distancing is the best way to prevent the further spread of COVID-19 within the Navajo Nation, the Navajo Nation waive the need for Board of Regent members to be physically present at meetings for quorum purposes.

F. The Navajo Nation allows for a waiver of the requirement to be physically present at a meeting by the Dine College Board of Regents.

SECTION 3. APPROVING A WAIVER OF 10 N.N.C. § 1008 FOR A LIMITED TIME PERIOD

The Navajo Nation approves a waiver of 10 N.N.C. § 1008 for a period of 60 (sixty) days unless extended by the Navajo Nation Council and signed by the President of the Navajo Nation.