

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0055-20_

SPONSOR: Daniel Tso

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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LEGISLATIVE SUMMARY SHEET

Tracking No. 0055-20

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 of 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

1 protection services or other direct services required as an entitlement under Navajo
2 Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation.
3 Such an emergency matter must arise due to the pressing public need for such
4 resolution(s) and must be a matter requiring final action by the Council.”
5

6 **SECTION 2. FINDINGS**

7 A. In light of the Navajo Nation’s Emergency Declaration, attached as **Exhibit A**,
8 regarding the outbreak of the COVID-19 Coronavirus, it is imperative that the Navajo
9 Nation Council take precautionary measures to mitigate the transmission of COVID-
10 19 to the Navajo public and Navajo Nation employees.

11 B. COVID-19 which has shown a high mortality rate (49% in critical cases) among elders
12 with preexisting conditions is currently spreading in the states surrounding the Navajo
13 Nation; the Navajo Nation’s health care capacity to respond COVID-19 will be
14 threatened if preventive measures and precautions are not implemented. **Exhibit B.**

15 C. To mitigate the transmission of COVID-19, the Speaker of the Navajo Nation Council
16 has advised the Legislative Branch to consider attending meetings/events/training by
17 using telecommunication methods such as teleconference calls and videoing instead of
18 in-person attendance. **Exhibit C.**

19 D. The Speaker has already implemented travel restrictions on Legislative Branch
20 employees and required Legislative Branch programs to develop Remote Work Plans
21 for their departments. **Exhibit D.**

22 E. To prevent and reduce the transmission of COVID-19, the Navajo Nation Council finds
23 that it is in the best interest of the Navajo public and Navajo Nation employees to
24 temporarily allow Navajo Nation Council Delegates to conduct and attend Council and
25 Standing Committee meetings and subcommittee meetings using telecommunication
26 methods, such as teleconference calls and video conferencing, in certain situations.
27

28 **SECTION 3. WAIVING PROVISIONS OF 2 N.N.C. §§ 106, 167, 183, and 189 and** 29 **NAVAJO NATION COUNCIL RULES OF ORDER AND STANDING** 30 **COMMITTEE RULES**

- 1 A. The Navajo Nation Council waives provisions of 2 N.N.C. §§ 106, 167, 183 and 189,
2 Rule 22 (F) of the Navajo Nation Council Rules of Order, and Rule 21 (D) of the
3 Standing Committee Rules of Order that would restrict or prohibit Council Delegates
4 from conducting and attending Council and Standing Committee meetings,
5 subcommittee meetings, and work sessions through telecommunication methods, such
6 as teleconference calls and video conferencing.
- 7 B. The waivers set forth above shall expire sixty (60) days after Speaker's 2 N.N.C. § 221
8 certification of this legislation, unless otherwise determined through resolution of the
9 Naabik'íyáti' Committee.
- 10 C. Council Delegates compensation for attendance at meetings conducted through
11 telecommunication methods shall be the same as for in-person attendance.
12

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

- 15 A. The Navajo Nation Council hereby approves and allows Navajo Nation Council and
16 Standing Committee meetings, subcommittee meetings and work sessions to be
17 conducted through telecommunication methods such as such as teleconference calls
18 and video conferencing.
- 19 B. The Navajo Nation Council hereby approves and allows Navajo Nation Council and
20 Standing Committee meetings, subcommittee meetings and work sessions to be
21 conducted through telecommunication methods such as such as teleconference calls
22 and video conferencing.
- 23 C. Navajo Nation Council meetings through telecommunication methods shall be
24 conducted pursuant to procedures instituted by the Speaker pursuant to his authorities
25 set forth at Rule 4 (C) of the Navajo Nation Council Rules of Order.
- 26 D. Navajo Nation Standing Committee meetings through telecommunication methods
27 shall be conducted pursuant to procedures instituted by the Chairperson of the
28 respective Committee pursuant to their authorities set forth at Rule 4 (D) of the Navajo
29 Nation Council Standing Committee Rules of Order.
30

1 **SECTION 5. EFFECTIVE DATE**

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

4 B. The provisions of this Act shall expire sixty (60) days after Speaker's 2 N.N.C. §
5 221 (A) certification, unless otherwise determined through resolution of the
6 Naabik'iyáti' Committee.

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