

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0064-20\_\_\_\_\_

SPONSOR: Seth Damon

**TITLE: An Action Relating to an Emergency for the Navajo Nation; Suspending and waiving the Navajo Nation Code requirements to hold meetings under Title 2**

*Date posted: March 20, 2020 at 9:57am*

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**LEGISLATIVE SUMMARY SHEET**

**Tracking No.** 0064-20

**DATE:** March 19, 2020

**TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; SUSPENDING AND WAIVING THE NAVAJO NATION CODE REQUIREMENTS TO HOLD MEETINGS UNDER TITLE 2**

**PURPOSE:** The purpose of this resolution is to suspend the meeting requirement in Title 2 of the Navajo Nation Code.

**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. 0064-20

**AN ACTION**  
**RELATING TO AN EMERGENCY FOR THE NAVAJO NATION;**  
**SUSPENDING AND WAIVING THE NAVAJO NATION CODE**  
**REQUIREMENTS TO HOLD MEETINGS UNDER TITLE 2**

**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 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.”

1       **SECTION 2. FINDINGS**

- 2       A. This resolution is offered as emergency due to the nature of the spread of the  
3        Coronavirus (“COVID-19”) and the need to maintain and protect the inherent  
4        sovereignty of the Navajo Nation.
- 5       B. In light of the Navajo Nation’s Emergency Declaration regarding the outbreak of the  
6        COVID-19 Coronavirus, and confirmed cases of COVID-19 occurring on the Navajo  
7        Nation, it is imperative that the Navajo Nation Council take precautionary measures to  
8        mitigate the transmission of COVID-19 to Navajo Nation employees and the Navajo  
9        people.
- 10      C. COVID-19, which has shown a high mortality rate (49% in critical cases) among elders  
11      and others with certain preexisting conditions including hypertension, heart disease,  
12      and diabetes, is currently spreading in the states surrounding the Navajo Nation; the  
13      Navajo Nation’s health care capacity to respond COVID-19 will be threatened if  
14      extreme preventive measures and precautions are not immediately implemented.
- 15      D. Suspending the meeting requirements in Title 2 of the Navajo Nation Code is the best  
16      way to slow the spread of COVID-19 within the Navajo Nation.

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18       **SECTION 3. SUSPENDING AND WAIVING PROVISIONS OF 2 N.N.C. §§ 106, 162,**  
19       **302, 403, 503, 603 AND 700(C) REQUIRING THE NAVAJO NATION COUNCIL**  
20       **AND NAVAJO NATION COUNCIL STANDING COMMITTEES TO HOLD**  
21       **MEETINGS DURING THE COVID-19 OUTBREAK.**

- 22      A. The Navajo Nation Council suspends and waives 2 N.N.C. §§ 106, 162, 302, 403, 503,  
23      603 and 700(C) requiring the Navajo Nation Council and Navajo Nation Council  
24      standing committees to meet during the COVID-19 pandemic virus outbreak.
- 25      B. The provisions suspended in this section, above shall expire sixty (60) days after  
26      Speaker’s 2 N.N.C. § 221 certification of this legislation, unless otherwise determined  
27      through resolution of the Naabik’iyáti’ Committee.

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29       **SECTION 4. EFFECTIVE DATE**

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