

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0077-20\_\_

SPONSOR: Jamie Henio

**TITLE: An Action Relating To An Emergency For The Navajo Nation; Authorizing Navajo Nation Boards And Commissions Organized Under The Legislative Branch limited Approval To Conduct Meetings Through Telecommunication Methods; Approving A Temporary Suspension Of Title Two Provisions Requiring Board And Commission Members To Be Physically Present At Meeting**

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0077-20

DATE: April 8, 2020

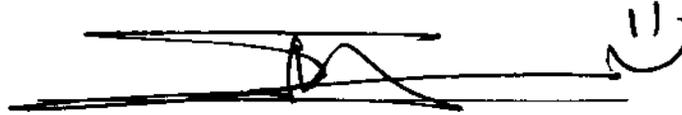
**TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; AUTHORIZING NAVAJO NATION BOARDS AND COMMISSIONS ORGANIZED UNDER THE LEGISLATIVE BRANCH LIMITED APPROVAL TO CONDUCT MEETINGS THROUGH TELECOMMUNICATION METHODS; APPROVING A TEMPORARY SUSPENSION OF TITLE TWO PROVISIONS REQUIRING BOARD AND COMMISSION MEMBERS TO BE PHYSICALLY PRESENT AT MEETINGS**

**PURPOSE:** The purpose of this legislation is to approve a limited authorization for boards and commissions within the legislative branch to attend meetings through telecommunication methods.

**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. 0077-20

**AN ACTION**

**RELATING TO AN EMERGENCY FOR THE NAVAJO NATION;  
AUTHORIZING NAVAJO NATION BOARDS AND COMMISSIONS  
ORGANIZED UNDER THE LEGISLATIVE BRANCH LIMITED APPROVAL  
TO CONDUCT MEETINGS THROUGH TELECOMMUNICATION METHODS;  
APPROVING A TEMPORARY SUSPENSION OF TITLE TWO PROVISIONS  
REQUIRING BOARD AND COMMISSION MEMBERS 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 Council shall have 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

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

4 D. Ensuring the health and safety of all residents and employees within the Navajo Nation  
5 is an inherent attribute of sovereignty.

6  
7 **SECTION 2. FINDINGS**

8 A. The novel coronavirus (“COVID-19”) has caused a global pandemic and has severely  
9 impacted the Navajo Nation.

10 B. In an effort to reduce the spread of COVID-19 the President of the Navajo Nation  
11 extended the previously declared State of Emergency on the Navajo Nation and  
12 required government offices remain closed through April 26, 2020 in Executive Order  
13 002-20.

14 C. The Navajo Nation Department of Health has issued a Public Health Emergency Order  
15 requiring Navajo Nation residents stay at home to mitigate the risk of spreading  
16 COVID-19 and to preserve the health and safety of all individuals residing on the  
17 Navajo Nation. Public Health Emergency Order No. 2020-003.

18 D. The Navajo Nation Department of Health also issued a Public Health Emergency Order  
19 extending the Stay at Home Order and implementing a curfew from 8:00 p.m. through  
20 5:00 a.m. for Navajo Nation residents. Public Health Emergency Order No. 2020-004.

21 E. In order to continue to reduce the spread of COVID-19 and protect community  
22 members and employees of the Navajo Nation, the safest and best course of action is  
23 to use telecommunication methods such as teleconference calls and videoing instead of  
24 in-person attendance at meetings.

25 F. Authorization for conducting meeting through telecommunication methods shall be  
26 limited to issues addressing COVID-19 and matters requiring board or commission  
27 action within 60 days.

28  
29 **SECTION 3. AUTHORIZING AND APPROVING LIMITED AUTHORITY FOR**  
30 **ALL BOARDS AND COMMISSIONS UNDER THE LEGISLATIVE BRANCH TO**

1           **HOLD MEETINGS THROUGH TELECOMMUNICATION METHODS FOR**  
2           **THE NEXT 60 DAYS**

- 3           A. The Navajo Nation Council hereby approves and authorizes Navajo Nation Boards  
4           and Commissions organized under the Legislative Branch to conduct meetings  
5           through telecommunication methods such as teleconference calls and video  
6           conferencing.
- 7           B. This authority is expressly limited to issues addressing COVID-19 and matter requiring  
8           board or commission action within 60 days.
- 9           C. Navajo Nation Legislative Branch Board and Commission meetings held through  
10          telecommunication methods shall be conducted pursuant to procedures instituted by  
11          the Chairperson of the respective Board or Commission in accordance with the  
12          controlling plan of operation or enabling legislation. Additionally, the Chairperson or  
13          President of the Board or Commission shall ensure the meetings are recorded and that  
14          votes are taken by roll call.
- 15          D. Quorum requirements shall remain the same and attendance by telecommunication  
16          methods shall be eligible for stipend reimbursement.

17  
18           **SECTION 4. APPROVING A TEMPORARY SUSPENSION OF TITLE TWO**  
19           **PROVISIONS**

20           The Navajo Nation approves a temporary suspension of any potentially conflicting provisions  
21           in Title 2 of the Navajo Nation Code within the Plans of Operation of any Boards or  
22           Commissions that would require in-person attendance at meetings.

23  
24           **SECTION 5. EFFECTIVE DATE**

- 25           A. The provisions of this Action shall become effective when certified by the Speaker of  
26           the Navajo Nation Council pursuant to 2 N.N.C. §§ 221 (A) and (C).
- 27           B. The provisions of this Action shall expire sixty (60) days after Speaker's 2 N.N.C. §  
28           221 (A) certification, unless otherwise determined through resolution of the  
29           Naabik'íyáti' Committee.
- 30