

THE NAVAJO NATION
LEGISLATIVE BRANCH
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LEGISLATION NO: _0083-20_____

SPONSOR: Eugene Tso

TITLE: An Action Relating to an Emergency; Authorizing Navajo Nation Council Delegates to attend Chapter meetings and Agency Council meetings through telecommunications methods

Date posted: April 10, 2020 at 11:38am

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0083-20

DATE: April 10, 2020

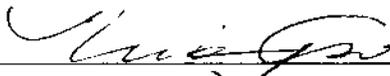
TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY;
AUTHORIZING NAVAJO NATION COUNCIL DELGATES TO ATTEND CHAPTER
MEETINGS AND AGENCY COUNCIL MEETINGS THROUGH
TELECOMMUNICATION METHODS

PURPOSE: This resolution, if approved, will temporarily allow Council Delegates to attend chapter meetings and agency council meetings by teleconference or video conference.

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. 0083-20

AN ACTION
RELATING TO AN EMERGENCY; AUTHORIZING NAVAJO NATION
COUNCIL DELGATES TO ATTEND CHAPTER MEETINGS AND AGENCY
COUNCIL MEETINGS THROUGH TELECOMMUNICATION METHODS

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

3
4 **SECTION 2. FINDINGS**

5 A. COVID-19 is a dangerous and extremely contagious respiratory virus. The virus is
6 pandemic and has reached the Navajo Nation. COVID-19 is spreading at an alarming
7 rate within the Navajo Nation; as of April 9, 2020, the Navajo Nation has reported 488
8 cases of COVID-19 and 20 related deaths.

9 B. The World Health Organization declared a Public Health Emergency of International
10 Concern on January 30, 2020; the United States Department of Health and Human
11 Services declared a Public Health Emergency related to the COVID-19 outbreak on
12 January 31, 2020; and the World Health Organization officially declared a pandemic
13 due to COVID-19 on March 11, 2020.

14 C. The Navajo Nation Commission on Emergency Management, with the concurrence of
15 the President and Vice President of the Navajo Nation, on March 11, 2020 declared a
16 Public Health State of Emergency due to the outbreak of COVID-19 in areas
17 surrounding the Navajo Nation. Acknowledging the establishment of the Health
18 Command Center by the Navajo Nation Department of Health, the Commission stated,
19 “Locally, it is acknowledged and understood that the threat of COVID-19 needs to be
20 mitigated to reduce risk of exposure to the Navajo People and the resultant
21 consequential public health impacts.” CEM-20-03-11, attached as **Exhibit A**.

22 D. On March 18, 2020, the Navajo Office of Environmental Health and Protection
23 Program within the Navajo Nation Department of Health issued a Public Health Order
24 declaring the outbreak of COVID-19 within the Navajo Nation; the order limited mass
25 gatherings. See **Exhibit B**.

26 E. In light of the Navajo Nation’s Emergency Declaration, it is imperative that the Navajo
27 Nation Council Delegates take precautionary measures to mitigate the transmission of
28 COVID-19 to the Navajo public and Navajo Nation employees.

29 F. To mitigate the transmission of COVID-19, the Speaker of the Navajo Nation Council
30 has advised the Legislative Branch to consider attending meetings/events/training by

1 using telecommunication methods such as teleconference calls and videoing instead of
2 in-person attendance at meetings. **Exhibit C.**

3 G. The Speaker has already implemented travel restrictions on Legislative Branch
4 employees and required Legislative Branch programs to develop Remote Work Plans
5 for their departments. **Exhibit D.**

6 H. To prevent and reduce the transmission of COVID-19, the Navajo Nation Council finds
7 that it is in the best interest of the Navajo public and Navajo Nation employees to
8 temporarily allow Navajo Nation Council Delegates to attend chapter meetings (regular
9 and special), chapter planning meetings and agency council meetings using
10 telecommunication methods, such as teleconference calls and video conferencing.

11
12 **SECTION 4. APPROVAL OF ATTENDANCE AT ATTEND CHAPTER**
13 **MEETINGS, CHAPTER PLANNING MEETINGS AND AGENCY COUNCIL**
14 **MEETINGS BY TELECOMMUNICATION METHODS**

15 The Navajo Nation Council hereby approves and allows Navajo Nation Council Delegates
16 to attend chapter meetings (regular and special), chapter planning meetings and agency
17 council meetings using telecommunication methods, such as teleconference calls and video
18 conferencing.

19
20 **SECTION 5. EFFECTIVE DATE**

- 21 A. The provisions of this Act shall become effective when certified by the Speaker
22 of the Navajo Nation Council pursuant to 2 N.N.C. § 221 (A).
23 B. The provisions of this Act shall expire sixty (60) days after Speaker's 2 N.N.C. §
24 221 (A) certification, unless otherwise determined through resolution of the
25 Naabik'iyáti' Committee.