

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0086-20\_\_\_\_\_

SPONSOR: Carl Slater

**TITLE: An Action Relating to an Emergency for the Navajo Nation; Approving Dine College and Navajo Technical University to conduct meetings through telecommunication methods; Approving a waiver of provisions requiring a physical presence at board of regents meetings**

*Date posted: April 10, 2020 at 1:10pm*

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0086-20

DATE: April 9, 2020

**TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; APPROVING DINE COLLEGE AND NAVAJO TECHNICAL UNIVERSITY TO CONDUCT MEETINGS THROUGH TELECOMMUNICATION METHODS; APPROVING A WAIVER OF PROVISIONS REQUIRING A PHYSICAL PRESENCE AT BOARD OF REGENTS MEETINGS**

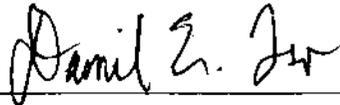
**PURPOSE:** The purpose of this legislation is to approve the Board of Regents of Navajo Technical University and Dine College to meet using telecommunication methods.

**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.**

OLC No. 20-140-1

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
2 24th NAVAJO NATION COUNCIL – Second Year, 2020

3  
4 INTRODUCED BY

5   
6 \_\_\_\_\_

7 (Prime Sponsor)

8  
9 TRACKING NO. 0086-20

10  
11 AN ACTION

12 RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; APPROVING  
13 DINE COLLEGE AND NAVAJO TECHNICAL UNIVERSITY TO CONDUCT  
14 MEETINGS THROUGH TELECOMMUNICATION METHODS; APPROVING A  
15 WAIVER OF PROVISIONS REQUIRING A PHYSICAL PRESENCE AT BOARD  
16 OF REGENTS MEETINGS

17  
18 BE IT ENACTED:

19  
20 SECTION 1. AUTHORITY

- 21 A. The Navajo Nation Council is the governing of body of the Navajo Nation. 2 N.N.C. §  
22 102(A).
- 23 B. The Navajo Nation shall all powers to regulate the conduct of its members and have  
24 the authority to promulgate rules, regulations and procedures for the conduct of its  
25 meetings and that of its committees. 2 N.N.C. §§ 102 (D) and (E).
- 26 C. Pursuant to 2 N.N.C. §164 (A)(16) “[m]atters constituting an emergency shall be  
27 limited to the cessation of law enforcement services, and disaster relief services, fire  
28 protection services or other direct services required as an entitlement under Navajo  
29 Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation.

1 Such an emergency matter must arise due to the pressing public need for such  
2 resolution(s) and must be a matter requiring final action by the Council.”

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

5  
6 **SECTION 2. FINDINGS**

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

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

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

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

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

24  
25 **SECTION 3. APPROVING DINE COLLEGE AND NAVAJO TECHNICAL**  
26 **UNIVERSITY TO CONDUCT MEETINGS THROUGH**  
27 **TELECOMMUNICATION METHODS**

28 A. The Navajo Nation Council hereby approves the Board of Regents for Navajo Technical  
29 University and Diné College to conduct meetings through telecommunication methods.  
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1 B. Board of Regents meetings held through telecommunication methods shall be  
2 conducted pursuant to procedures instituted by the Chairperson of the respective Board  
3 in accordance with the controlling plan of operation or enabling legislation.  
4 Additionally, the President or Chairperson of the Board shall ensure the meetings are  
5 recorded and that votes are taken by roll call.  
6

7 **SECTION 4. APPROVING A WAIVER OF 10 N.N.C. § 2008 REQUIRING A**  
8 **PHYSICAL PRESENCE AT MEETINGS**

9 The Navajo Nation waives 10 N.N.C. § 2008 but only to the extent that section 2008 of Title  
10 10 of the Navajo Nation Code requires a physical presence at a meeting to constitute a  
11 quorum. The Board of Regents meetings requirement that five members are required to  
12 constitute a quorum shall remain.  
13

14 **SECTION 5. APPROVING A WAIVER OF 15 N.N.C. § 1207 (D) REQUIRING IN**  
15 **PERSON ATTENDANCE AT BOARD MEETINGS**

16 The Navajo Nation waives 15 N.N.C. § 1207 (D) to the extent that it requires in person  
17 attendance at Board meetings. The Board of Regents meeting requirement that four  
18 members are required to constitute a quorum shall remain.  
19

20 **SECTION 6. EFFECTIVE DATE**

21 The provisions of this Action are effective in accordance with 2 N.N.C. § 221(B). The  
22 authorization to hold meeting through telecommunication methods shall expire sixty (60)  
23 days after this resolution is signed by the President of the Navajo Nation.  
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