

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0174-19

SPONSOR: Kee Allen Begay Jr

TITLE: An Action Relating To The Law And Order Committee, Health, Education And Human Services Committee, NAABIK'YATI' Committee And The Navajo Nation Council; Adopting The "Accessible Public Restrooms Act"; Establishing The Requirement For All Navajo Nation Government And Public Service Providers To Provide Clearly Indicated Accessible Public Restrooms Amending The Navajo Nation Code, Title 13, Chapter 53; Adding New Sections 4501, 4502, 4503, And 4504

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0174-19

DATE: June 28, 2019

TITLE OF RESOLUTION: AN ACT RELATING TO THE LAW AND ORDER COMMITTEE, HEALTH, EDUCATION, AND HUMAN SERVICES COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; ADOPTING THE "ACCESIBLE PUBLIC RESTROOMS ACT"; ESTABLISHING THE REQUIREMENT FOR ALL NAVAJO NATION GOVERNMENT AND PUBLIC SERVICE PROVIDERS TO PROVIDE CLEARLY INDICATED ACCESSIBLE PUBLIC RESTROOMS; AMENDING THE NAVAJO NATION CODE, TITLE 13, CHAPTER 53; ADDING NEW SECTIONS 4501, 4502, 4503, and 4504

PURPOSE: If approved, this resolution will establish the requirement for all Navajo Nation Government and public service provider buildings to provide clearly indicated accessible public restrooms to the general public. This resolution will further amend the Navajo Nation Code Title 13, Chapter 53, adding new sections 4501, 4502, 4503, and 4504

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.

5-DAY BILL HOLD PERIOD: 2888

Website Posting Time/Date: _____

Posting End Date: 7-7-19

Eligible for Action: 7-8-19

Law & Order Committee

Thence

Health Education & Human Services Committee

Thence

Naa'biik'iyáti' Committee

Thence

Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL – First Year, 2019

INTRODUCED BY

K 7
Kae Allen Bergery JR
(Prime Sponsor)

TRACKING NO. 0174-19

AN ACT

RELATING TO THE LAW AND ORDER COMMITTEE, HEALTH,
EDUCATION, AND HUMAN SERVICES COMMITTEE, NAABIK'ÍYÁTI'
COMMITTEE AND THE NAVAJO NATION COUNCIL; ADOPTING THE
"ACCESIBLE PUBLIC RESTROOMS ACT"; ESTABLISHING THE
REQUIEMENT FOR ALL NAVAJO NATION GOVERNMENT AND PUBLIC
SERVICE PROVIDERS TO PROVIDE CLEARLY INDICATED ACCESSIBLE
PUBLIC RESTROOMS

AMENDING THE NAVAJO NATION CODE, TITLE 13, CHAPTER 53; ADDING
NEW SECTIONS 4501, 4502, 4503, and 4504

BE IT ENACTED:

Section One. Authority

- A. The Law and Order Committee is a standing committee of the Navajo Nation Council and is empowered with the authority to review and make recommendations to the Navajo Nation Council on amendments to and enactments in the Navajo Nation Code. 2 N.N.C. § 601(B)(14).
- B. The Health, Education and Human Services Committee of the Navajo Nation Council, pursuant to 2 N.N.C. § 401(B)(6), has the power to provide legislative oversight on matters involving health, social service, education, general governmental services, and human services.

1 C. The Naabik'iyáti' Committee of the Navajo Nation Council, pursuant to 2
2 N.N.C. § 164 (A)(9), reviews proposed legislation which requires final action
3 by the Navajo Nation Council.

4 D. The Navajo Nation Council must review and approve enactments or
5 amendments of positive law. 2 N.N.C. § 164(A).
6

7 **Section Two. Findings**

8 A. The Navajo Nation Government maintains offices throughout Navajo Nation
9 providing services to community members.

10 B. Public Service Providers also maintain offices throughout Navajo Nation
11 providing services to Navajo Nation community members.

12 C. A Public Service Provider is a non-governmental entity that delivers services
13 essential to the public interest such as electricity, gas, or transportation.

14 D. The Navajo Nation community consists of many citizens who are disabled
15 including elders, adults, young adults, and children.

16 E. Navajo Nation community members conduct their personal business and
17 acquire necessary resources from the various governmental and public service
18 provider offices from the Navajo Nation Departments, Programs, Offices, and
19 other important entities.

20 F. Navajo Nation community members, including disabled elders, adults, young
21 adults, and children, may need to use the restroom facilities while conducting
22 personal business from Navajo Nation Government and public service
23 provider buildings.

24 G. It is within the best interest of the Navajo Nation to adopt the "Accessible
25 Public Restrooms Act" and amend Title 13, establishing Subchapter 53 and
26 sections 4501, 4502, 4503, and 4504 of the Navajo Nation Code to require
27 that all Navajo Nation Government and public service provider buildings that
28 provide direct services to the Navajo Nation community provide clearly
29 indicated accessible public restrooms for the general public.
30

1
2 **Section Three. Amendment to Title 13**

3 The Navajo Nation amends Title 13 as follows:

4
5 **TITLE 13. HEALTH AND WELFARE**
6 **SUBCHAPTER 53. Accessible Public Restrooms**

7 ****

8 **§ 4501. Title**

9 A. This Act shall be known and cited as the "Accessible Public Restrooms Act"

10
11 **§ 4502. Purpose**

12 The Navajo Nation declares that it is in the best interest of the Diné that the Navajo
13 Nation shall provide clearly indicated accessible public restrooms in all governmental
14 and public service provider buildings that provide direct services to the Navajo Nation
15 community to serve the disabled elderly, adult, young adult, and children of the
16 community.

17
18 **§ 4503. Definitions**

19 Public Service Provider is a non-governmental entity that delivers services essential
20 to the public interest such as electricity, gas, or transportation.

21
22 **§ 4504. Accessible Public Bathroom**

23 A. The Navajo Nation shall provide accessible public restrooms in all governmental
24 buildings that provide direct services to the Navajo Nation community.

25 B. The Navajo Nation, through its Department of Health, shall ensure that all
26 governmental buildings and public service provider buildings that provide direct
27 services to the Navajo Nation community provide accessible public restrooms and
28 provide clear indication of the location of these public restrooms.

29
30 **Section Four. Approval and Acceptance of Amendments to 13 N.N.C §§ 4501,**

1 **4502, 4503, and 4504**

2 The Navajo Nation hereby approves the Amendments to 13 N.N.C. §§ 4501, 4502,
3 4503, and 4504.

4
5 **Section Four. Directive**

6 Therefore Navajo Nation hereby directs all Navajo Nation Government offices and
7 public service provider offices that provide direct services to the Navajo Nation
8 community to provide clearly indicated accessible public restrooms no later than one
9 year from the date this act is adopted and signed into law. All Navajo Nation
10 Government offices and public service provider offices shall take the necessary steps
11 to comply with this act and shall inform the Department of Health quarterly of their
12 progress towards full compliance.

13
14 **Section Five. Effective Date**

15 The Navajo Nation Code amendment enacted herein shall be effective pursuant to 2
16 N.N.C. § 221(B).

17
18 **Section Six. Codification**

19 The provisions of this Act which amend or adopt new sections of the Navajo Nation
20 Code shall be codified by the Office of Legislative Counsel. The Office of Legislative
21 Counsel shall incorporate such amended provisions in the next codification of the
22 Navajo Nation Code.

23
24 **Section Seven. Saving Clause**

25 Should any provisions of this ordinance be determined invalid by the Navajo Nation
26 Supreme Court, or the District Courts of the Navajo Nation, without appeal to the
27 Navajo Nation Supreme Court, those portions of this ordinance which are not
28 determined invalid shall remain the law of the Navajo Nation.