

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0201-21_

SPONSOR: Carl Slater

TITLE: An Action Relating to Health, Education and Human Services, Resources and Development, Law and Order, Budget and Finance, Naabik'íyáti' Committees and the Navajo Nation Council; Approving the Transfer of the Navajo Transit System from the Navajo Division of General Services to the Navajo Division of Transportation; Amending the Navajo Transit System Plan of Operation and Organizational Chart; and Amending 2 N.N.C. § 1252 (B)(8)(9)

Date posted: September 17, 2021 at 4:18PM

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LEGISLATIVE SUMMARY SHEET
Tracking No. 0201-21

DATE: September 16, 2021

TITLE OF RESOLUTION: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, LAW AND ORDER, BUDGET AND FINANCE, NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; APPROVING THE TRANSFER OF THE NAVAJO TRANSIT SYSTEM FROM THE NAVAJO DIVISION OF GENERAL SERVICES TO THE NAVAJO DIVISION OF TRANSPORTATION; AMENDING THE NAVAJO TRANSIT SYSTEM PLAN OF OPERATION AND ORGANIZATIONAL CHART; AND AMENDING 2 N.N.C. § 1252 (B)(8)(9)

PURPOSE: This resolution, if approved, will transfer the Navajo Transit System from Division of General Services to the Navajo Division of Transportation. When the transition is approved all necessary entities and oversight committees will be updated. Further, 2 N.N.C. § 1252 (B)(8)(9) will be amended.

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.

5-DAY BILL HOLD PERIOD: V3REDAKME
Website Posting Time/Date:
Posting End Date: Sept. 22, 2021
Eligible for Action: Sept. 23, 2021

Health Education & Human Services Committee
Thence
Resources & Development Committee
Thence
Law & Order Committee
Thence
Budget & Finance Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL—Third Year, 2021

INTRODUCED BY

Primary Sponsor

TRACKING NO. 0201-21 

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES,
RESOURCES AND DEVELOPMENT, LAW AND ORDER, BUDGET AND
FINANCE, NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION
COUNCIL; APPROVING THE TRANSFER OF THE NAVAJO TRANSIT
SYSTEM FROM THE NAVAJO DIVISION OF GENERAL SERVICES TO THE
NAVAJO DIVISION OF TRANSPORTATION; AMENDING THE NAVAJO
TRANSIT SYSTEM PLAN OF OPERATION AND ORGANIZATIONAL CHART;
AND AMENDING 2 N.N.C. § 1252 (B)(8)(9)

BE IT ENACTED:

SECTION ONE. AUTHORITIES

- A. The Navajo Nation Council enacts laws and sets policy for the Navajo Nation. 2 N.N.C. § 102.
- B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council with authority to review proposed legislation that requires final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- C. The Health, Education and Human Services Committee is the standing committee of the Navajo Nation Council, with the authority to recommend to the Navajo Nation Council the creation of any Division or Department intended to be under the

1 Committee's oversight by adoption of its Plan of Operation; and to rescind that Plan of
2 Operation for any division or department under the Committee's oversight. 2 N.N.C.
3 §§ 400(A), 401(B)(8).

4 D. The Resources and Development Committee is the standing committee of the Navajo
5 Nation Council with the authority to recommend to the Navajo Nation Council the
6 creation of any division or departments intended to be under the Committee's oversight
7 by adoption of its Plan of Operation. 2 N.N.C. §§ 500(A), 501(B)(14).

8 E. The Law and Order Committee is the standing committee of the Navajo Nation Council
9 with the authority to review and make recommendations to the Navajo Nation Council
10 on proposed amendments to the Navajo Nation Code. 2 N.N.C. §§ 600(A), 601(B)(14).

11 F. The Budget and Finance Committee is the standing committee of the Navajo Nation
12 Council with the authority to review and recommend to the Navajo Nation Council the
13 budgeting appropriation, investment, and management of all funds. 2 N.N.C. §§
14 300(A), 301(B)(2).

15
16 **SECTION TWO. FINDINGS**

17 A. The Government Services Committee established the Master Plan of Operation for the
18 Division of General Services along with the plan of operation for the Navajo Transit
19 System. Pursuant to Resolution No. GSCS-69-95. The Government Services
20 Committee was rescinded and replaced by the Health, Education and Human Services
21 Committee pursuant to CAP-10-11 incorporated by reference.

22 B. The Navajo Transit System is currently operating under the Navajo Division of General
23 Services, and the Health, Education and Human Services Committee is the legislative
24 oversight committee.

25 C. The Navajo Nation desires to transfer the Navajo Transit System from Navajo Division
26 of General Services to the Navajo Division of Transportation. When the Navajo Transit
27 System is transferred to the Navajo Division of Transportation, the Resources and
28 Development Committee will be the legislative oversight committee. See **Exhibit A**.

29 D. The Navajo Nation Department of Justice reviewed the amendments to the Navajo
30 Transit System Plan of Operation, Organizational Chart, and 2 N.N.C. § 1252(8)(9)

1 and determined the transfer and these changes to be legally sufficient. Attached as
2 **Exhibit B.**

3 E. The Navajo Nation finds it to be in the best interest to transfer the Navajo Transit
4 System from the Navajo Division of General Services to the Navajo Division of
5 Transportation, and to amend the plan of operation and organizational chart, and 2
6 N.N.C. § 1252(8)(9).

7
8 **SECTION THREE. AMENDING AND APPROVING THE NAVAJO TRANSIT**
9 **SYSTEM PLAN OF OPERATION AND ORGANIZATIONAL CHART**

10 The Navajo Nation hereby approves the Navajo Transit System Plan of Operation along
11 with the amended organizational chart pursuant to **Exhibit A.**

12
13 **SECTION FOUR. APPROVING AND AMENDING 2 N.N.C. §1252(B)(8)(9)**

14 The Navajo Nation Council hereby amends 2 N.N.C. § 1252(B)(8)(9) as follows:
15

16
17 **THE NAVAJO NATION CODE**
18 **TITLE 2 NAVAJO NATION GOVERNMENT**
19 **Chapter 5. Executive Branch**
20 **Subchapter 11. Division of General Services**

21 *****

22 **§ 1252(B)(8)(9). Purposes and Objectives**

23 ~~8. Providing a ground transportation system for the Navajo people by offering low cost fixed route~~
24 ~~services on and around the Navajo Nation and by offering charter services to various groups in and~~
25 ~~around the Navajo Nation.~~

26 ~~9. 8.~~ Maintaining custodial care of all vital official Navajo Nation Government records and
27 providing duplicating services for the Government.
28

29 *****
30

1 **SECTION FIVE. DIRECTIVE**

2 The Navajo Nation hereby directs the following entities to make all necessary
3 changes as follows:

- 4 A. The Navajo Nation Office of the Controller, Office of Management and Budget,
5 Department of Personnel Management, and all other affected Navajo Nation
6 entities shall implement the necessary changes to reflect the transfer of the Navajo
7 Transit System from the Division of General Services to the Navajo Division of
8 Transportation set forth herein.
- 9 B. The Navajo Division of Transportation and the Navajo Division of General
10 Services shall update all necessary documents and other items to reflect the changes
11 set forth herein.

12
13 **SECTION SIX. CODIFICATION**

14 The provisions of the Act which amend or adopt new sections of the Navajo Nation Code
15 shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel
16 shall incorporate such amended provisions in the next codification of the Navajo Nation
17 Code.

18
19 **SECTION SEVEN. SAVING CLAUSE**

20 Should any provision of this Act be determined invalid by the Navajo Nation Supreme Court
21 or the District Courts of the Navajo Nation, without appeal to the Navajo Nation Supreme
22 Court, the remainder of the Act shall remain the law of the Navajo Nation.

23
24 **SECTION EIGHT. EFFECTIVE DATE**

25 The provisions of this Act shall become effective pursuant to 2 N.N.C. § 221(B).