

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0002-23_

SPONSOR: Vince James

**TITLE: An Action Relating to an Emergency and the Navajo Nation Council;
Selecting and Confirming the Speaker of the 25th Navajo Nation Council**

Date posted: January 20, 2023 at 4:12PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0002-23

DATE: January 19, 2023

TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY AND THE NAVAJO NATION COUNCIL; SELECTING AND CONFIRMING THE SPEAKER OF THE 25TH NAVAJO NATION COUNCIL

PURPOSE: This resolution, if approved, will select and confirm the Speaker of the 25th Navajo Nation Council.

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
25th NAVAJO NATION COUNCIL - First Year, 2023



Prime Sponsor

TRACKING NO. 0002-23

AN ACTION
RELATING TO AN EMERGENCY AND THE NAVAJO NATION COUNCIL;
SELECTING AND CONFIRMING THE SPEAKER OF THE 25TH NAVAJO NATION
COUNCIL

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation and shall consist of 24 delegates. 2 N.N.C. §102 (A).
- B. The Navajo Nation Council shall select and confirm a Speaker of the Navajo Nation Council as the first order of business at the Council session scheduled for the fourth Monday in January of any odd numbered year. 2 N.N.C. § 282 (C).
- C. The Navajo Nation Council has the authority to promulgate rules, regulations and procedures for the conduct of its meetings and that of its committees. 2 N.N.C. § 102 (E).
- D. Pursuant to 2 N.N.C. § 164 (A)(16) "Matters 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 the Navajo Nation or Federal law, or which directly threaten the sovereignty of the

1 Navajo Nation. Such an emergency matter must arise due to the pressing public need
2 for such resolution(s) and must be a matter requiring final action by the Council.”
3

4 **SECTION TWO. FINDINGS**

- 5 A. There is established the Office of the Speaker of the Navajo Nation Council. 2
6 N.N.C. § 281 (A).
- 7 B. The Speaker of the Navajo Nation Council shall be a member of the Navajo Nation
8 Council in good standing. 2 N.N.C. § 281 (B).
- 9 C. The Speaker of the Navajo Nation Council shall serve at the pleasure of the Navajo
10 Nation Council and shall serve for a term of two (2) years. 2 N.N.C. § 282 (A) (B).
- 11 D. This legislation is put forth as an emergency legislation pursuant to 2 N.N.C. § 164
12 (A)(16) as the 25th Navajo Nation Council has a statutory mandate to select and
13 confirm its Speaker as the first order of business at the 25th Navajo Nation Council’s
14 Winter Session statutorily scheduled to start on January 23, 2023.
- 15 E. Dangerous and potentially life-threatening winter travel conditions, unreliable
16 internet access, and staff illnesses interfered with the ability to satisfy the five-day
17 posting requirement of 2 N.N.C. § 164 (A)(7), prior to the start of the Council’s
18 Winter Session.
- 19 F. If the 25th Navajo Nation Council does not select and confirm their Speaker on the
20 fourth Monday in January (January 23, 2023), the Council will not be able to take any
21 action to ensure that adequate funding and emergency services are available to
22 support Navajo communities through the projected upcoming winter storms and
23 dangerous conditions.
- 24 G. In light of the above, there is indeed a “pressing public need” for this emergency
25 legislation.
26

27 **SECTION THREE. ADOPTION OF RULES FOR SELECTION OF SPEAKER**

- 28
- 29 A. Pursuant to Navajo Nation Council Resolution CJA-03-11 attached herein as **Exhibit**
30 **A**, each Council shall be authorized to select a Speaker pursuant to its own process

1 and procedures or to utilize the process and procedures set forth in Section 3 of CJA-
2 03-11.

3 B. For the purposes of selecting its Speaker, the 25th Navajo Nation Council hereby
4 adopts the Rules in the Selection of the Speaker set forth in Section 3 of CJA-03-11,
5 attached as **Exhibit A**.

6
7 **SECTION FOUR. SELECTION AND CONFIRMATION**

8 A. The Navajo Nation Council hereby selects the Honorable
9 _____ as Speaker of the 25th Navajo Nation Council.

10 B. The Navajo Nation Council, pursuant to its authority under Navajo Nation law,
11 hereby confirms the Honorable _____ to serve as Speaker
12 of the 25th Navajo Nation Council for a two year term with all powers and duties
13 delegated by Navajo Nation law.

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15 **SECTION FIVE. EFFECTIVE DATE.**

16 This Action and the selection of the Speaker of the 25th Navajo Nation Council shall be
17 effective pursuant to 2 N.N.C. § 221 (C).
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CJA-03-11

RESOLUTION OF THE
NAVAJO NATION COUNCIL

22nd NAVAJO NATION COUNCIL - First Year 2011

AN ACTION

RELATING TO THE NAVAJO NATION COUNCIL; RESCINDING CJA-1-93 AND CJA-02-99, RESOLUTIONS ADDRESSING THE PROCESS AND PROCEDURE FOR THE SELECTION AND CONFIRMATION OF THE SPEAKER OF THE NAVAJO NATION COUNCIL TO SELECT ITS SPEAKER AND ADOPT A PROCESS AND PROCEDURE ACCORDINGLY

BE IT ENACTED:

Section 1. Findings and Purpose

1. The number of delegates to the Navajo Nation Council was reduced from 88 to 24 members by vote of Diné voters.
2. Pursuant to Navajo Nation law, the Navajo Nation Council is authorized to select a speaker from among its membership. The selection of the speaker is an internal process of the Navajo Nation Council.
3. In January 1993, the Navajo Nation Council adopted rules in the selection of Speaker of the Navajo Nation Council. CJA-01-93. These rules were amended in special Session of the Navajo Nation Council in 1999. CJA-02-99 (Document No. 2026).
4. In accordance with Diné tradition, the rules in the selection of the Speaker must be inclusive and allow broader participation by all delegates to the Navajo Nation Council. The process involved in the selection of a Diné leader is done in a democratic manner, with utmost participation by every delegate of the Navajo Nation Council.
5. In order that the requirements of 2 N.N.C. S 282 (C) be met and that the selection and confirmation of the speaker of the Navajo Nation Council be the first order of business at the council session scheduled for the fourth Monday in January of 2011 and this selection be done in a manner consistent with Navajo tradition and the intent of the 22nd Navajo Nation Council.

Section 2. Rescinding CJA-1-93 and CJA-02-99

The Navajo Nation Council rescinds CJA-1-93 and CJA-02-99.

Section 3. Rules in the Selection of the Speaker

For the 22nd Navajo Nation Council, the Navajo Nation Council hereby adopts the following rules:

1. Each Council of the Navajo Nation shall be authorized to select a Speaker pursuant to its own process.
2. The Speaker shall be selected as the first order of business at the Winter Session of the Navajo Nation Council, January 2011. The Speaker shall be selected and confirmed by the Navajo Nation Council as the first item of business at the council session scheduled for the fourth Monday in January of any odd numbers year, 2 N.N.C. § 282 (C).
3. Read the powers and duties of the speaker, as written in 2 N.N.C. Section 285 into the record.
4. Any delegate may nominate another delegate to serve as Speaker with no second required. If the current Speaker is nominated and accepts the nomination, he/she shall point a Speaker pro tem pursuant to 2 N.N.C. 285(b)(3).
5. The number of nominations shall be unlimited, except upon motion, second and majority vote on closing the nomination process.
6. Each nominee shall accept or reject a nomination upon being nominated.
7. Each nominee, in order of his or her draw, shall be allowed to make a 15-minute statement on his or her platform for Speaker.
8. Each nominee, in the order of his or her draw, shall be allowed to make a 15-minute statement on his or her platform for Speaker.
9. Questions shall not be allowed.

10. Upon presentations by nominees, each member of the Navajo Nation Council present shall cast one vote for a candidate by secret ballot. The Navajo Nation Election Administration shall assist in the balloting.
11. In the event there are more than two nominees, there shall be a run-off election between the two candidates receiving the most votes. At which time, the final two candidates will be allowed 5 minute statement before final vote, with no questions or comments. This run-off election procedure shall not apply in the event candidates and is hereby declared the winner.
12. In the event of a tie vote, selection shall be by random lot.
13. The Council shall by resolution confirm its new Speaker

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 21 in favor and 2 opposed, this 24th day of January 2011.


Jonathan Nez, Pro Tem Speaker
Navajo Nation Council

01-24-11

Date

Motion: Charles Damon, II
Second: Jonathan Hale