

LEGISLATIVE SUMMARY SHEET

Tracking No. 0124-17

DATE: April 3, 2017

TITLE OF RESOLUTION: AN ACT RELATING TO LAW AND ORDER AND NAABIK'ÍYÁTI' AND THE NAVAJO NATION COUNCIL; AMENDING THE NAVAJO NATION CODE TITLE 10 AT 10 N.N.C § 2003 (B), DINÉ COLLEGE BOARD OF REGENTS; SELECTION

PURPOSE: This resolution if approved amend Title 10 of the Navajo Nation Code at 10 N.N.C. § 2003 (B), Diné College Board of Regents membership from a HEHSC member to an appointee who is a member of the Navajo Nation with a Masters or Doctorate degree and five (5) to ten (10) years of work experience in post-secondary education.

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 legislation in detail.

5-DAY BILL HOLD PERIOD: None
Website Posting Time/Date: 4:05pm 4/5/17
Posting End Date: 4/10/2017
Eligible for Action: 4/11/2017

Health, Education & Human Services Committee

THENCE

Law & Order Committee

THENCE

Naa'bik'íyáti' Committee

THENCE

Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
23RD NAVAJO NATION COUNCIL—THIRD YEAR, 2017

INTRODUCED BY



Primary Sponsor

TRACKING NO. 01216-17

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, LAW
AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO
NATION COUNCIL; AMENDING THE NAVAJO NATION CODE TITLE 10
AT 10 N.N.C § 2003 (B), TITLED DINÉ COLLEGE BOARD OF REGENTS;
SELECTION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation established the Health, Education and Human Services Committee (HEHSC) as a Navajo Nation standing committee and as such empowered the HEHSC to review and recommend resolutions relating to education. 2 N.N.C. §§ 400 (A) and 401 (B)(6)(A) (2012); CO-45-12.
- B. The HEHSC serves as oversight over colleges within the Navajo Nation. 2 N.N.C. § 401 (C)(3) (2012); CO-45-12.
- C. The Navajo Nation established the Law and Order Committee (LOC) as a Navajo Nation standing committee and as such empowered LOC to review and make recommendations to the Navajo Nation Council on proposed Navajo Nation Code amendments and enactments. 2 N.N.C. §§ 164 (A)(9), 600 (A), 601 (B)(14) (2012); CO-45-12.

1 D. The Navajo Nation Council established the Naabik'íyáti' Committee as a Navajo Nation
2 standing committee and as such proposed legislation that requires final action by the
3 Navajo Nation Council shall be assigned to the Naabik'íyáti' Committee. 2 N.N.C. §§
4 164 (A)(9), 700 (A) (2012); CO-45-12.

5 E. The Navajo Nation Council must review and approve enactments or amendments of
6 positive law. 2 N.N.C. § 164 (A) (2012); CO-45-12.

7 8 **SECTION TWO. FINDINGS**

9 A. The Navajo Nation Council is authorized to consider and grant final approval on behalf
10 of the Navajo Nation to any amendments or modifications to this Chapter [19]. This
11 authority, however, is subject to and limited by the continuing integrity of the portions of
12 this Chapter entitled "Bonds" and any other portion justifiably relied upon by any
13 purchaser of bonds or holder of bonds issued by Diné College or any other evidences of
14 indebtedness issued by Diné College to the extent that any modifications or amendments
15 hereafter approved by the Navajo Nation Council may not have the effect of prejudicing
16 the rights of such purchasers or holders, or detract from the validity of such bonds or
17 evidences of indebtedness and their enforcement. 10 N.N.C. § 2022 (1997); CAP-35-97.

18 B. The HEHSC provides legislative oversight over health, social service, education, general
19 governmental services and human services, pursuant to 2 N.N.C. § 400 (C)(1).

20 C. Due to the HEHSC members responsibilities concerning the additional five (5) legislative
21 oversight areas the HEHSC members determined appointing a member of the Navajo
22 Nation to the Diné College Board of Regents, with a Masters or Doctorate degree and
23 five (5) to ten (10) years of work experience in post-secondary education, would qualify
24 as a Board of Regent in lieu of the HEHSC Chairperson or committee designee.

25 D. The HEHSC finds it in the best interest of the Navajo people to amend the Diné College
26 Board of Regents membership from a HEHSC member to an appointee who is a member
27 of the Navajo Nation with a Masters or Doctorate degree and five (5) to ten (10) years of
28 work experience in post-secondary education.

29 30 **SECTION THREE. AMENDMENT TO TITLE 10**

1 The Navajo Nation Council amends Title 10 as follows:

2
3 **NAVAJO NATION CODE**
4 **TITLE 10. EDUCATION**
5 **CHAPTER 19. DINÉ COLLEGE**
6

7 ***

8 **§ 2003. Board of Regents; selection**

9 ***

10 B. The Board of Regents shall consist of eight members, including the ~~Chairperson of the~~
11 Health, Education and Human Services Committee ~~or the committee's designee~~
12 appointee who is a member of the Navajo Nation with a Masters or Doctorate degree and
13 five (5) to ten (10) years of work experience in post-secondary education, the Navajo
14 Nation Superintendent of Schools, and the President of the Diné College Student Body
15 who shall be full official members. Five shall be enrolled members of the Navajo Nation
16 and subject to confirmation and removal by the ~~Government Services~~ Naabik'íyáti'
17 Committee of the Navajo Nation Council to each of the five agencies of the Navajo
18 Nation. In the event that the ~~Government Services~~ Naabik'íyáti' Committee within 30
19 days declines or fails for any reason to pass a resolution confirming an appointment made
20 by the Navajo Nation President, the appointee shall not sit as a Regent and the President
21 shall submit an alternative appointee within two weeks of the ~~Government Services~~
22 Naabik'íyáti' Committee action declining to confirm the appointment, or the expiration
23 of the 30 day period for confirmation.

24 ****

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27 **SECTION FOUR. CODIFICATION**

28 The provision of this Act which amend or adopt new sections of the Navajo Nation
29 Code shall be codified by the Office of Legislative Counsel. The Office of Legislative
30

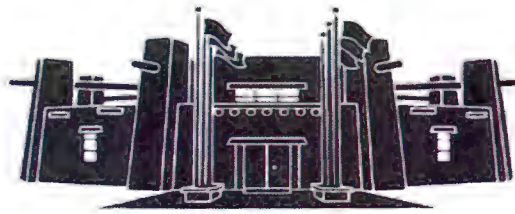
1 Counsel shall incorporate such amended provisions into the next codification or supplement
2 of the Navajo Nation Code.

3
4 **SECTION FIVE. SAVINGS CLAUSE**

5 Should any provision of this Act be determined invalid by the Navajo Nation Supreme
6 Court or the District Courts of the Navajo Nation, without appeal to the Navajo Supreme
7 Court, the remainder of the Act shall remain in the law of the Navajo Nation.

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9 **SECTION SIX. EFFECTIVE DATE**

10 This provision of this Act shall become effective in accordance with 2 N.N.C. § 221
11 (B).



MEMORANDUM

TO:

Hon. Jonathan Hale
23rd Navajo Nation Council

FROM:


Rhonda L. Tuni, Attorney
Office of Legislative Counsel

DATE:

April 3, 2017

SUBJECT:

AN ACT RELATING TO LAW AND ORDER AND NAABIK'ÍYÁTI'
AND THE NAVAJO NATION COUNCIL; AMENDING THE NAVAJO
NATION CODE TITLE 10 AT 10 N.N.C § 2003 (B), DINÉ COLLEGE
BOARD OF REGENTS; SELECTION

Pursuant to your request, attached is the above-referenced proposed resolution and associated legislative summary sheet. Based on existing law the resolution as drafted is legally sufficient. However, as with all legislation, it is subject to review by the courts in the event of a challenge.

The Office of Legislative Council confirms the appropriate standing committee(s) reviews based on the standing committees powers outlined in 2 N.N.C. §§ 301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. § 164(A)(5).

Please review the proposed resolution to ensure it is drafted to your satisfaction. If this proposed resolution is acceptable to you, please sign it where it indicates "Prime Sponsor", and submit it to the Office of Legislative Services for the assignment of a tracking number and referral to the Speaker.

If the proposed resolution is unacceptable to you, or if you have further questions, please contact me at the Office of Legislative Counsel and advise me of changes you would like made to the proposed resolution. You may contact me at (928) 871-7166. Thank you.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0126-17_____ SPONSOR: Jonathan Hale

TITLE: An Action Relating To Health, Education And Human Services, Law And Order And Naabik'iyati' Committees And The Navajo Nation Council; Amending The Navajo Nation Code Title 10 At 10 N.N.C. § 2003 (B), Titled Dine College Board Of Regents; Selection

Date posted: April 5, 2017 at 4:05pm

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0126-17

SPONSOR: Honorable Jonathan L. Hale

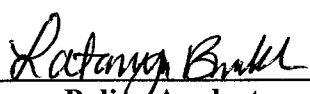
TITLE: An Action Relating To Health, Education And Human Services, Law And Order And Naabik'iyati' Committees And The Navajo Nation Council; Amending The Navajo Nation Code Title 10 At 10 N.N.C. § 2003 (B), Titled Dine College Board Of Regents; Selection

Posted: April 5, 2017 at 4:05 PM

5 DAY Comment Period Ended: April 10, 2017

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Inclusive Comments	<i>None</i>



Policy Analyst
Office of Legislative Services

4/11/17 8:00am

Date/Time

Committee Report

THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL to who has been assigned;

LEGISLATION NO. 0126-17

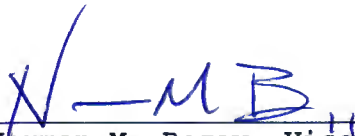
AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, LAW AND ORDER AND NAABIK'IYATI' COMMITTEES AND NAVAJO NATION COUNCIL; AMENDING THE NAVAJO NATION CODE TITLE 10 AT 10 N.N.C. § 2003 (B), TITLED DINE COLLEGE BOARD OF REGENTS; SELECTION

Sponsor: Honorable Jonathan L. Hale

Has had under consideration and report the same with the recommendation that Legislation 0126-16 PASS with no amendment and no directive;

And therefore referred the same to the LAW AND ORDER COMMITTEE OF THE NAVAJO NATION COUNCIL

Respectfully Submitted,



Norman M. Begay, Vice-Chairperson
Health, Education and Human Services Committee

Dated: April 12, 2017

Main Motion

Motion by: Honorable Peterson B. Yazzie

Seconded by: Honorable Amber Kanazbah Crotty

Vote: 4 in favor; 1 Opposed; Vice-Chairperson Not Voting