LEGISLATIVE SUMMARY SHEET
Tracking No. 0268-20

DATE: October 26, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE TITLE II REFORM SUBCOMMITTEE; RECOMMENDING AMENDMENTS TO THE NAVAJO NATION COUNCIL STANDING COMMITTEE RULES OF ORDER

PURPOSE: This resolution, if approved, will recommend amended Rules of Order for Standing Committees to the Naabik'íyáti' Committee and Navajo Nation Council for enactment.

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.

OLC No. 20-458-1

5-DAY BILL HOLD PERIOD: AJohnson
Website Posting Time/Date: 5:11pm 10-27-20
Posting End Date: 11-01-20
Eligible for Action: 11-02-20

PROPOSED STANDING COMMITTEE SUBCOMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL – Second Year, 2020

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0268-20

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE TITLE II REFORM SUBCOMMITTEE; RECOMMENDING AMENDMENTS TO THE NAVAJO NATION COUNCIL STANDING COMMITTEE RULES OF ORDER

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Naabik'íyáti' Committee is a Standing Committee of the Navajo Nation Council. 2 N.N.C. § 700.

B. As set forth in 2 N.N.C. § 186, each Standing Committee is authorized to establish subcommittee(s) which shall exist until the subcommittee tasks are completed, and report and recommendation is made to the respective Standing Committee.

C. The same Navajo Nation Code provisions and Rules of Order that apply to Standing Committees apply to subcommittees. 2 N.N.C. § 186.

D. The Naabik'íyáti' Committee Title II Reform Subcommittee was originally established pursuant to NABIF-9-15.

SECTION TWO. FINDINGS

OLC No. 20-458-1

A. The Naabik'íyáti' Committee of the 23rd Navajo Nation Council established the Naabik'íyáti' Committee Title II Reform Subcommittee through Resolution NABIF-9-15, attached as **Exhibit A**, on February 19, 2015.

B. As set forth in NABIF-9-15, Section Two (A), the Title II Reform Subcommittee was established to review, evaluate and recommend changes to the Navajo Nation Council, if any, regarding the following:

1. Title 2, Section 164, legislative process;
2. Related to standing committee structure and authority; increasing the number of committees from the current four standing committee structure to address the needs of the Navajo Nation; addressing the quorum requirements of committees; setting committee meeting schedules to allow time to respond to constituent concerns; evaluating restrictions on Delegates to be on only one committee in light of potential increase in number of committees; evaluating recommendation delegation to programs and divisions; and other recommendations to the committee structure and authority that would provide an efficient delivery of services to the Navajo People; and
3. Identify internal administrative and legislative process issues and concerns.

B. The Title II Reform Subcommittee shall exist until their assigned tasks are completed. NABIF-9-15, Section Three.

C. The Title II Reform Subcommittee of the 23rd Navajo Nation Council did not fully complete its assigned tasks and the Standing Committees of the 24th Navajo Nation Council each appointed two members to the Subcommittee to complete the tasks set forth in NABIF-9-15. *See* NABIAP-21-19, BFAP-05-19, LOCMY-06-19, HEHSCMY-12-19 and RDCAP-006-19.

D. The Title II Reform Subcommittee has determined that amending the Rules of Order for Standing Committees of the Navajo Nation Council will increase the efficiency of Title 2, Section 164, Navajo Nation Council and Committee Legislative Process.

SECTION THREE. RECOMMENDATION

The Title II Reform Subcommittee hereby recommends the amended Rules of Order for Standing Committee of the Navajo Nation Council, attached as **Exhibit B,** to the Naabik'íyáti' Committee and Navajo Nation Council for adoption and enactment.

NABIF-9-15



**RESOLUTION OF THE
NAABIK'ÍYÁTI' COMMITTEE OF THE
NAVAJO NATION COUNCIL**

23RD Navajo Nation Council---First Year 2015

AN ACTION

RELATING TO NAABIK'ÍYÁTI' COMMITTEE; ESTABLISHING THE NAABIK'ÍYÁTI' TITLE TWO REFORM SUBCOMMITTEE

BE IT ENACTED:

Section One. Findings

A. The Navajo Nation established the Naabik'íyáti' Committee as a Navajo Nation Council standing committee and as such Naabik'íyáti' Committee's purpose is "to provide for the compilation and publication of all Navajo Nation laws, rules, and regulations". 2 N.N.C. § 700 (A) (2012) *see also* CO-45-12.

B. As the result of issues and concerns encountered by the 22nd Navajo Nation Council related to the change in Delegate membership from 88 to 24 and those issues and concerns carrying over to the 23rd Navajo Nation Council; it is recommended that the Navajo Nation Code, Title Two, as it relates to legislative matters, receive a comprehensive evaluation and dependent on the evaluation's outcome, recommended changes be provided to the Navajo Nation Council.

C. Naabik'íyáti' Committee may establish the Title Two Reform subcommittee that consists of committee members which the committee selects. 2 N.N.C. § 186 (2012) *see also* CO-45-12.

D. The Navajo Nation Council gave Naabik'íyáti' Committee the authority to delegate its authority as appropriate for efficiency and streamlining of government process to appropriate entities. 2 N.N.C. § 701(B) (2012) *see also* CO-45-12.

Section Two. Naabik'íyáti' Title Two Reform Subcommittee Establishment

A. The Navajo Nation establishes the Naabik'íyáti' Title Two Reform Subcommittee to review, evaluate, and recommend changes to the Navajo Nation Council, if any, regarding the following:

1. Title 2, Section 164 legislative process; and,

2. Related to standing committee structure and authority: increasing the number of committees from the current four standing committee structure to address the needs of the Navajo Nation; addressing the quorum requirements of committees; setting committee meeting schedules to allow time to respond to constituent concerns; evaluating restrictions on Delegates to be on only one committee in light of potential increase in number of committees; evaluating recommendation delegation to programs and divisions; and other recommendations to the committee structure and authority that would provide an efficient delivery of services to the Navajo People; and,

3. Identify internal administrative and legislative process issues and concerns.

B. The Naabik'íyáti' Title Two Reform Subcommittee shall consist of two members from each Navajo Nation standing committee for a total of ten members. Each Navajo Nation standing committee shall select two of their members to be on the Subcommittee; and, on selection of the members, the Chair or Vice-Chair of the respective committees shall notify the Speaker of the Navajo Nation by letter.

C. The Naabik'íyáti' Title Two Reform Subcommittee by majority vote shall select a chairperson and vice-chairperson at their first meeting. The chairperson and vice-chairperson shall serve at the Subcommittee's pleasure; replacement shall be by majority vote.

D. The chairperson shall e-mail the Navajo Nation Council Delegates the Subcommittee's minutes, journals and on-going Title Two drafts.

E. The Naabik'íyáti' Title Two Reform Subcommittee shall establish a regular meeting day(s) of the month.

F. The Naabik'íyáti' Title Two Reform Subcommittee shall present draft recommendations to the Navajo Nation Council by its Spring Session and shall present a final version for consideration by Summer Session of the Navajo Nation Council.

Section Three. Subcommittee Term

The Naabik'íyáti' Title Two Reform Subcommittee shall exist until their assigned tasks are completed and shall report on the recommendations to the Naabik'íyáti' Committee. 2 N.N.C. § 186 (2012) *see also* CO-45-12.

Section Four. Directives

A. The Speaker's Chief of Staff shall assign one policy analyst to assist the Naabik'íyáti' Title Two Reform Subcommittee.

B. The Legislative Services' Executive Director shall assign two Office of Legislative Services staffers to assist the Naabik'íyáti' Title Two Reform Subcommittee.

C. The Speaker shall determine a Subcommittee budget and identify the funds.

D. The Naabik'íyáti' Title Two Reform Subcommittee shall hold a work session two weeks prior to the Navajo Nation Council's Summer Session to update the Delegates.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Naabik'íyáti' Committee of the 23rd 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 16 in favor, 1 oppose, 0 Abstain this 19th Day of February, 2015.

Honorable LoRenzo C. Bates, Chairperson
Naabik'íyáti' Committee

Motion: Honorable Benjamin L. Bennett
Second: Honorable Raymond Smith, Jr.

EXHIBIT
tabbies
B

RULES OF ORDER

FOR STANDING COMMITTEES OF THE NAVAJO NATION COUNCIL

Rule 1. Purpose:

The purpose of these Rules of Order shall be to provide orderly and expeditious regular and special meetings of the Standing Committees of the Navajo Nation Council based on the principle of majority rule while providing for and protecting the rights of any Committee member to express his or her view on matter(s) before the Committee. These ~~rules~~ Rules of Order are not intended for use during Budget Hearings or when Committees sit as quasi-judicial bodies pursuant to their delegated powers and authority to act as administrative hearing entities.

Rule 2. Conduct of Committee Members:

All Committee members shall comply with these Rules of Order and the Regulations and Standards of Conduct for Council Delegates (Standards of Conduct) adopted by ERC-08-001. Any Committee member who is found to have committed an act contrary to the purposes of these Rules of Order and/or Standards of Conduct shall be warned by the Chairperson of the Committee.; ~~any~~ Any Committee member continuing to violate these Rules and/or Standards of Conduct after having being warned by the Chairperson shall be counseled by the Committee in Executive Session for purposes of ~~resolution of the problem~~ resolving the contrary act(s) and maintaining the order and decorum of the meeting.

Rule 3. Subcommittees:

A. All sSubcommittees shall be established pursuant to 2 N.N.C. §186.

B. Subcommittee meetings shall be conducted in accordance with the same rules and procedures as that of the Standing Committees.

Rule 4. Committee Chairperson:

A. The Chairperson shall begin all Committee meetings at 10:00 am on each day of the meeting unless otherwise approved by the Speaker of the Navajo Nation Council and posted accordingly:. If a quorum of the Committee membership is not achieved within forty-five (45) minutes after the scheduled start of the meeting, the Chairperson shall cancel the meeting

B. The Chairperson ~~and~~ shall not adjourn a meeting ~~unless~~ until the agenda has been completed unless the requirements for meetings set forth at 2 N.N.C. § 183 are met.

C. The Chairperson shall prepare and submit a proposed agenda to the Office of Legislative Services for posting on the Navajo Nation Council website at least twenty-four (24) hours prior to the start of the Committee meeting. The posted agenda cannot be changed if less than twenty-four (24) hours remain before the scheduled start of the meeting. At the discretion of the Chairperson, Public Comment may be added to the Order of Agenda Business following New Business.

D. The Chairperson, with the assistance of the Office of Legislative Services personnel assigned to the Committee, shall provide written notice to all those scheduled to provide reports on the proposed agenda at least twenty-four (24) hours prior to the start of the Committee meeting. This shall not prohibit reports being added when the agenda is adopted if the report presenters are in attendance.

E~~B~~. The Chairperson shall conduct the Committee's order of business in accordance with Rule 8, Order of Agenda Business, except when the Committee suspends the O~~o~~rder of Agenda ~~b~~Business pursuant to Rule 20.

~~C. All meetings of the Committee shall be open to the general public unless the Committee deems necessary to resolve itself into executive session pursuant to Rule 22.~~

F~~D~~. The Chairperson shall maintain order and decorum; decide and rule on all P~~p~~oints of O~~o~~rders and Points of Privilege; shall not vote on any matter voted on by the Committee members unless there is a tie pursuant to 2 N.N.C. § 184(C); yield the ~~chair~~ chairmanship to the ~~v~~Vice-Cehairperson to participate in debate of a matter before the Committee; and yield the ~~chair~~ chairmanship to a Cehairperson pro-tem when the ~~v~~Vice-eChairperson is not available.

G. The Chairperson, in their discretion, may allow members of other Standing Committees to address the Committee, including question the sponsor(s) of legislation and the presenter(s) of reports before the Committee.

H~~E~~. The Chairperson shall sign all legislations, committee reports, correspondence~~s~~, writs, warrants and subpoenas as may be authorized by the Committee within five (5) days following authorization by the Committee for said document.

I~~F~~. The Chairperson or Vice-Chairperson shall sign all legitimate claims for expenses incurred by the Committee members during or between meetings.

J. The Chairperson shall notify any Committee member, in writing, when they are not in compliance with 2 N.N.C. § 167 which includes that "[a]ll delegates to the Navajo Nation Council shall attend all regular and special meetings of the Navajo Nation Council or

Committees. If any delegate is absent from sixty percent (60%) of the meeting days within a one year period, the Navajo Nation Council may consider a motion to censure said delegate."

KJG. The Chairperson of the Committee shall have his/her claims for expenses signed by the Speaker, Navajo Nation Council.

Rule 5. Roll Call/ and Quorum:

A. A simple majority of the Committee membership shall constitute a quorum. The personnel of the Office of Legislative Services assigned to the Committee shall perform a voicethe roll call for the morning and afternoon sessions and inform the Chairperson if a quorum exists. ~~A simple majority shall constitute a quorum.~~

B. As set forth at 2 N.N.C. § 183 (E), a quorum shall be required to commence a Committee meeting, but quorums shall not be required for the hearing of reports which may be accepted by a simple majority of the Committee members present.

Rule 6. Compensation:

Compensation for attendance at Committee meetings shall be in accordance with 2 N.N.C. § 106(B), (D), and (E) and § 183(B).

Rule 7. Committee Journal:

A Jjournal of all Committee actions shall be maintained by the Office of Legislative Services ~~Reporting~~ staff assigned to the Committee. The Jjournal shall contain a summary of all meetings.

Rule 8. Order of Agenda Business:

A. All meetings of the Committee shall be open to the general public unless the Committee deems it necessary to resolve itself into Executive Session pursuant to Rule 25.

~~A~~B. The Order of Agenda Business for all Committee meetings shall be as follows:

1. Call meeting to Order; Roll Call; Invocation;
2. Recognize Guests and Visiting Officials (limit 2 minutes per Delegate)

3. Review and Adopt the Agenda

4. Review and Adopt Journal

5. Receive Reports

6. Old Business

7. New Business

8. Close of meeting; Announcements; Adjournment

CB. The Chairperson ~~of the Standing Committee shall prepare and submit~~ shall provide the proposed agenda posted on the Navajo Nation Council website ~~a proposed agenda~~ to the Committee for review and final adoption by a simple majority of the Committee membership present.

D. The agenda shall allow for the inclusion of a consent schedule which is a listing of ~~resolutions~~ legislations that will be approved by unanimous consent of the Committee members ~~Delegates~~ in attendance. The consent schedule shall be developed by any Committee member ~~Delegate~~ with appropriate exhibits, reports, and other matters available for ~~thee~~ review prior to the meeting. To ensure transparency, legislations added to the agenda through floor amendment shall not be included in the consent schedule. Items shall be removed from the consent schedule on the request of any one Ceommittee member for any reason without debate. Items not removed shall be adopted by unanimous consent without amendments or debate. Removed items may be taken up either immediately after the consent schedule or placed later on the agenda at the discretion of the committee.

EC. Any Committee member may introduce and/or add an agenda item by amendment pursuant to Rule 16 item to the ~~original~~ proposed agenda when it is being reviewed by the Committee for adoption. Only one item may be added to the agenda per amendment. Legislations being added to the proposed agenda ~~, except that when adding legislation it~~ must have been assigned to the respective Standing Committee by the Speaker; satisfied the public comment posting requirements; and be accompanied by a signed Committee report if such legislation is forwarded from a prior assigned Committee~~.~~

FD. A majority vote of Committee members casting a vote shall cause the agenda to be adopted.

GE. Once the agenda is adopted, it shall only be amended by majority of Committee members casting a vote.

H. A legislation may be withdrawn from the Committee agenda and the legislative process by the sponsor without consent of the co-sponsor(s).

Rule 9. Reading of Legislation:

A. All legislations shall be made a part of the official record of the Standing Committee assigned as the final approval authority under 2 N.N.C. § 164 (A) (65) and shall be read into the record twice. The first reading shall be of the legislation and reference the attached exhibits. After the motion to adopt, debate, and amendment, if any, a second reading shall be conducted prior to vote on the main motion to adopt. The second reading shall be limited only to those provisions or sections of the legislation which have been amended. All readings shall be by designated Office of Legislative Services personnel assigned to the Committee or by electronic voice recording.

B. Legislation pending before an assigned Sstanding Ceommittee not having final approval authority is not required to be fully read into the record. Following a reading of the legislation title, tracking number and identification of the sponsor(s) by designated Office of Legislative Services personnel, the Chairperson shall entertain a motion and second pursuant to Rule 11 to commence presentation by the sponsor(s).

Rule 10. Interpretation:

If the Committee member or sponsor(s) chooses to do his or her presentation in the Navajo language, the interpretation shall be made by the Reporter of the Office of Legislative Services Assistant assigned to the Committee when the journal is developed.

Rule 11. Main Motion:

A. After the first reading of the legislation pursuant to Rule 9 (A) or (B), the Chairperson shall entertain a main motion to adopt the legislation from the floor of the Committee. The main motion shall be made by ANY member of the Committee, including a member sponsoring or co-sponsoring the legislation. A second shall be made with no stipulation on the main motion.

B. If there is no second, the main motion shall be void and the legislation shall be automatically stricken from the Committee agenda.

C. If a legislation does not receive a main motion or a second at a Committee without final approval authority, the legislation will move on to the next assigned Committee or the Navajo Nation Council.

D. If a legislation does not receive a main motion or a second at a Committee with final approval authority, it shall be eliminated from the agenda of the meeting and placed on the agenda of the next regular or special meeting of the Committee. If the legislation does not receive a main

motion or a second the second time it is on the agenda of the Committee with final approval authority, it shall be permanently eliminated from the agenda of the Committee.

E. A main motion and second shall commence the presentation by the sponsor(s).

Rule 12. Presentation by Sponsor(s):

A. Sponsor(s) shall provide appropriate presentation, not to exceed twenty (20) minutes, on the legislation prior to debate commencing on the legislation. The Ssponsor shall make a written summary of the legislation, including contact information for all agents, available tofor each Committee member. ~~a written summary of the legislation.~~

B. If the Sponsor or Co-Sponsor(s) are not present at the Committee when their legislation is called for consideration, the legislation shall be eliminated from the agenda of the meeting and placed on the agenda of the next regular or special meeting of the Committee.

Rule 13. Informal Discussion:

Any Committee member may request to suspend formal discussion on any legislation or issue by requesting an "off record" discussion open to the public. It shall be at the discretion of the Chairperson to grant such a request.

Rule 14. Debate:

A. No Committee member shall be denied an opportunity to debate on ~~the~~ a legislation or issue before the Committee. Any Committee member choosing to debate shall do so only upon addressing and being recognized by the Chairperson and shall discuss only the issue before the Committee.

B. No Committee member shall be interrupted when speaking, and no question shall be asked of him or her except by or through the Chairperson.

Rule 15. Response to Sponsor(s):

A. All questions on legislation or issues shall be directed through the Chairperson to the Ssponsor(s).

B. Only upon recognition by the Chairperson shall the Ssponsor(s) or their agents address the Committee.

Rule 16. Amendment to Main Motion:

A. Any Committee member shall be permitted to propose an amendment to the main motion by so moving. An amendment to the main motion shall only amend a portion of the main motion and not its entirety.

B. Any proposed amendment to the main motion must be seconded, with no stipulation, by any Committee member so recognized by the Chairperson.

C. A proposed amendment to the main motion shall take precedence over the main motion and the Chairperson shall allow debate of the amendment prior to resuming debate on the main motion.

D. A majority vote by Committee members casting a vote shall cause the motion to amend to carry whereby the main motion is amended and debate of the main motion shall continue as amended.

E. There shall be only one motion to amend allowed on the floor of the Committee at any given time. Each motion to amend shall be debated and voted upon before another motion to amend is entertained.

F. If the legislation requires, final consideration by another Sstanding Ceommittee ~~of the Navajo Nation Council~~, the adopted amendment(s) shall be ~~appendix~~ appended to the original legislation by overstriking the deleted language and underscoring the new language and shall be incorporated into the proposed legislation presented to the subsequent Standing Committee. ~~The Committee having final authority to adopt the original legislation shall entertain the amendment language in accordance with this Rrule.~~

Rule 17. Substitute Motion:

A. Any Committee member may propose a substitute motion to any main motion. A substitute motion is one which changes the entire substance of any motion and, if adopted, shall do away with the main motion. If the substitute motion is a proposed legislation, it must have been assigned to the Committee by the Speaker of the Navajo Nation Council and completed its public comment posting period.

B. Following a substitute motion, substitute legislation shall be read into the record by the designated personnel of the Office of Legislative Services pursuant to Rule 9(A) or (B), and seconded, without modification, by any Committee member so recognized by the Chairperson.

C. There shall be only one (1) substitute motion allowed on the floor of the Committee at any given time.

D. A substitute motion shall take precedence over all other motions ~~appendix~~ appended to the ~~prior~~ original main motion with the exception of ~~the~~ a Tabling Motion, and the Chairperson shall allow consideration of the substitute motion like a main motion.

E. A substitute motion shall be subject to debate by any Committee member.

F. A substitute motion is subject to amendment pursuant to Rule 16.

G. A majority vote by the Committee members casting a vote shall cause a motion to carry, unless a higher percentage of votes is required by some other provision of Navajo Nation law. If the substitute motion is carried, then it does away with the main motion. If the substitute motion does not carry, then the main motion is maintained and the debate on that main motion, or an ~~the~~ amendment to the main motion, if applicable, continues from the point immediately prior to the making of the substitute motion.

Rule 18. Tabling Motion~~:~~

A. Any Committee member may motion to table a legislation or issue that is before the Committee. A tabling motion shall take precedence over all other motions. A tabling motion shall include specific directive(s) as to when the legislation or issue will be reconsidered.

B. A tabling motion shall be seconded.

C. A tabling motion is not subject to debate.

D. Majority vote of Committee members casting a vote shall cause ~~this~~ a tabling motion to carry.

E. Legislation tabled by a Committee without final approval authority shall move on to the next assigned Standing Committee or Navajo Nation Council.

F. Legislation or an issue which has been tabled twice by a Committee with final approval authority shall be deemed permanently eliminated from the agenda of the Committee.

G~~E~~. Legislation may be taken up from the table by motion made by ~~any delegate~~ ANY Committee member, seconded, and passed by a majority vote of the votes cast. A motion to take the legislation from the table is not debatable.

~~F~~H. Any legislation taken up from the table need not be added to the agenda in order to be debated by the Committee members.

~~G~~I. Any legislation may be taken up from the table during the same meeting at which it was tabled or at the next subsequent regular meeting of the Committee, unless otherwise directed by the Committee.

~~H~~J. Any legislation not taken up from the table in the manner provided herein or at the time directed by the Committee shall be deemed to have expired and shall be eliminated from the agenda of the Committee.

Rule 19. Cease Debate

A. Any Committee member, except the presenting sponsor or co-sponsor, may motion to cease debate. Prior to recognizing a motion to cease debate, the Chairperson shall ensure that there is a proportionately equal number of Committee members speaking for and against the immediately pending issue before the Committee. The purpose of this Rule is to ensure that the debate is balanced between those that are for and against the issue.

B. A motion to cease debate shall be seconded, but shall not be debatable.

C. A vote of two-thirds (2/3) of the Committee members casting votes shall cause the motion of cease debate to carry.

Rule 20. Referral from Naabik'iyati' Committee

A. Pursuant to 2 N.N.C. § 700 (G), the Naabik'iyati' Committee may refer any legislation or report on its agenda to any Standing Committee having oversight of matters within the legislation or report for further deliberation by the committee.

B. Any member of the Naabik'iyati' Committee may motion to refer a legislation or report before the Committee to a Standing Committee(s) after a main motion has been established. The motion shall specify the Committee(s) to which the referral is made and shall specify the action to be taken and the time allotted.

C. The motion to refer to shall be seconded and is not debatable.

D. A majority vote of the members of the Naabik'iyati' Committee casting a vote shall cause the motion to refer to carry.

E. Legislation which has been referred twice shall be deemed permanently eliminated from the agenda of the Naabik'iyati' Committee.

F. Legislation which has been referred shall be taken up by the Naabik'iyati' Committee on motion, which shall be seconded and adopted by a majority vote of the members of the Naabik'iyati' Committee casting a vote. Any legislation which has been referred but which is not taken up by the Naabik'iyati' Committee in the manner set forth here or within the time designated in the referral, shall be deemed to have expired and shall be permanently eliminated from the agenda of the Naabik'iyati' Committee.

Rule 21~~19~~. Point of Order~~:~~

A. If a motion, procedure or remark appears to lie outside the established bounds of the Committee, it shall be the right of any Committee member to question the propriety of it by raising a Point of Order which concisely states the Rule or procedure being violated. A Point of Order shall not be used to engage in additional debate.

B. ~~The~~The Committee member raising the Point of Order ~~matter~~ shall ~~be~~ immediately bring ~~brought~~ it to the attention of the Chairperson ~~by the member raising~~, without waiting for recognition, and may interrupt ~~the~~ a speaker or ~~even~~ a vote in progress.

C. ~~the~~ A P~~p~~oint of O~~o~~rder shall not be seconded and debated.

D. The Chairperson shall immediately rule upon the Point of Order before any action on the matter before the Committee is taken.

E. Once the Chairperson has made his or her decision on the Point of Order, any Committee member may appeal the decision. The appeal must be seconded. The appeal shall not be amended. If the appeal is made and seconded, the Chairperson shall restate his or her decision and submit the matter to the judgment of the Committee. The Chairperson's decision shall then be subject to debate by the Committee, during which time the Chairperson shall state his or her reasons for the decision. Upon conclusion of the debate, vote shall be taken, and the decision of the Chairperson shall be reversed if the majority of all votes cast are in favor of the appeal.

Rule 22. Point of Privilege

A. A Point of Privilege (aka Question of Privilege) is a question which relates to the rights and privileges of the Committee members during a Committee meeting. A Point of Privilege shall not be seconded and debated.

B. Any Committee member may raise a Point of Privilege to receive additional comments or documents from the sponsor(s); raise the safety of the Committee meeting; maintain K'é among and between all members of the Committee and the public; and to maintain the dignity and integrity of the proceedings. Points of Privilege shall not be used to engage in additional debate.

C. The Committee member raising the Point of Privilege may interrupt a speaker and a vote in progress. The Chairperson shall immediately address the Point of Privilege before proceeding with the Committee meeting.

Rule 230. Suspension of Rules:

A. These Rrules shall be suspended only by a majority vote of the Committee members casting a vote.

B. The motion to suspend the Rrules may be made at the time when no question is pending or while a question is pending provided the Rrule is for purposes connected with that question.

C. The motion to suspend the Rrules may be made when the ~~order of business~~ Order of Agenda Business motions or legislation are considered or when the ~~order of business~~ Order of Agenda Business which relates to the specific matter proposed is considered.

D. The motion to suspend the Rrules should state its specific purpose and shall specify the rule or rules to be suspended; and upon its adoption, no other matter may be considered while the suspension is in effect.

Rule 214. Vote:

A. Every Committee member shall cast a vote for or oppose on each motion before the Committee, unless there is a direct, personal or monetary conflict of interest at which time the Ceommittee member may cast an abstention vote and shall state the reason for the abstention.

B. The recording of votes for, opposed, and abstentions on all motions shall be ~~done by showing of hands~~ taken through roll call (oral annunciation) by each Committee member voting, except that abstention votes are not counted towards the votes for or opposed but entered for the record only.

C. The Chairperson shall direct recording of the final vote count before consideration of any further Committee action.

D. Voting by proxy or by any method by or on behalf of any Committee member who is not physically present in the meeting place or personally answering roll call on a meeting held through teleconference shall not be valid or permitted.

E. Whenever there has been an electronic or telecommunication malfunction, the Chairperson may call for a second vote, or a revote, on the motion or rule on the malfunction if it is brought to the Chairperson's attention through a Point of Order. A Point of Order raising an electronic

or telecommunication malfunction shall be made immediately and before the Chairperson recognizes another motion.

Rule 225. Executive Session:

A. Upon a motion by any Committee member and majority vote of the Committee members casting a vote, the Committee may ~~resolve~~ remove itself into an eExecutive Ssession to discuss any ~~business~~ matter which may require confidentiality. ~~and/or is of a sensitive nature~~.

B. Only Executive Sessions discussing legal issues and attended by Office of Legislative Counsel and/or Department of Justice attorneys and their respective clients shall be protected by attorney-client privilege.

B. The Chairperson shall direct the meeting place or teleconference line to be cleared, except for members of the Navajo Nation Council and such personnel as the Chairperson, or legal counsel if the matter is attorney-client privileged, may deem necessary.

C. During the Executive Session discussion, there shall be no recording and the doors or teleconference lines shall remain closed.

D. No substantive action shall be taken during an Executive Session. When the Committee exits the Executive Session, the Chairperson shall briefly summarize (without violating attorney-client privileged and confidential information) for the record the matter that was discussed in Executive Session.

Rule 263. Special Meetings:

Should the need ~~of~~ for a Sspecial M~~m~~eeting arise, ~~s~~ the Chairperson shall request such a meeting pursuant to 2 N.N.C. § 183 (B) (1), (2) and (3). The proposed agenda for the Special Meeting shall not be posted until the request for the Special Meeting has been approved.

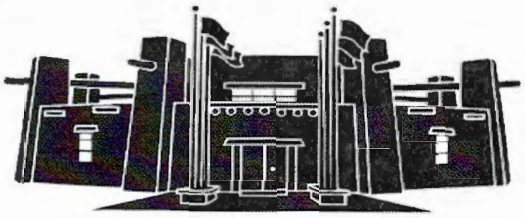
Rule 274. Adjournment :

Notwithstanding Rule 4 (B), ~~W~~when the agenda of the Committee has been completed or when other reasons exist to end the meeting, any Committee member may motion to adjourn.

Rule 285. Amendments:

The Rules of Order for Standing Committees of the Navajo Nation Council shall become effective upon adoption by the Navajo Nation Council, or at such time as may be specified by the Navajo Nation Council.

Office of Legislative Counsel
Telephone: (928) 871-7166
Fax # (928) 871-7576



Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

TO: Honorable Vince James
24th Navajo Nation Council

FROM: Lauren D. Tapahe
for Dana L. Bobroff, Chief Legislative Counsel
Office of Legislative Counsel

DATE: October 26, 2020

SUBJECT: **AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE TITLE II REFORM SUBCOMMITTEE; RECOMMENDING AMENDMENTS TO THE NAVAJO NATION COUNCIL STANDING COMMITTEE RULES OF ORDER**

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) 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 ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0268-20__ **SPONSOR:** Vince James

TITLE: An Action Relating to the Naabik'íyáti' Committee Title II Reform Subcommittee; Recommending Amendments to the Navajo Nation Council Standing Committee Rules of Order

***Date posted*: October 27, 2020 at 5:11PM**

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) 871-7586

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.: 0268-20

SPONSOR: Honorable Vince R. James

TITLE: An Action Relating to the Naabik'íyáti' Committee Title II Reform Subcommittee; Recommending Amendments to the Navajo Nation Council Standing Committee Rules of Order

Posted: October 27, 2020 at 5:11 PM

5 DAY Comment Period Ended: November 01, 2020

Digital Comments received:

Comments Supporting	***None***
Comments Opposing	***None***
Inconclusive Comments	***None***

Legislative Tracking Secretary
Office of Legislative Services

11/2/20 9:20AM
Date/Time