



NOTIFICATION TO WITHDRAW SPONSORSHIP

Legislative Reporting Supervisor
Reporting Section/OLS

I, Jonathan Nez, Sponsor of proposed resolution hereby withdraw my sponsorship of the proposed resolution, tracking no. 0035-15. I understand that if there are co-sponsors to the resolution, they may continue as sponsor of the proposed resolution.

Jonathan Nez Signature

3/26/15 Date

LEGISLATIVE SUMMARY SHEET
Tracking No. 0035-15

DATE: January 29, 2015

TITLE OF RESOLUTION: PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACTION RELATING TO AN EMERGENCY; TEMPORARILY EXPANDING POWERS OF THE NAABIK'ÍYÁTI' COMMITTEE TO EXERCISE THE POWERS AND AUTHORITIES GRANTED TO THE FIVE STANDING COMMITTEES UNTIL THE BEGINNING OF THE 2015 NAVAJO NATION COUNCIL SPRING SESSION; AND, DIRECTING THE SPEAKER OF THE NAVAJO NATION COUNCIL TO SELECT MEMBERS TO THE STANDING COMMITTEES UNTIL THE 2015 NAVAJO NATION COUNCIL SPRING SESSION OR SOON AFTER

PURPOSE: This resolution, if approved, will confirm temporarily expand the powers of the Naabik'íyáti' Committee to encompass the powers and authorities granted to the other four Standing Committees until the end of the 2015 Navajo Nation Council Spring Session and directing the Speaker of the Navajo Nation Council to select members to the Standing Committees until the 2015 Navajo Nation Council Spring Session or soon after.

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

23RD NAVAJO NATION COUNCIL – First Year, 2015

INTRODUCED BY



 (Prime Sponsor)

TRACKING NO. 0035-15

AN ACTION

RELATING TO AN EMERGENCY; TEMPORARILY EXPANDING POWERS OF
 THE NAABIK'ÍYÁTI' COMMITTEE TO EXERCISE THE POWERS AND
 AUTHORITIES GRANTED TO THE FIVE STANDING COMMITTEES UNTIL THE
 BEGINNING OF THE 2015 NAVAJO NATION COUNCIL SPRING SESSION; AND,
 DIRECTING THE SPEAKER OF THE NAVAJO NATION COUNCIL TO SELECT
 MEMBERS TO THE STANDING COMMITTEES UNTIL THE 2015 NAVAJO
 NATION COUNCIL SPRING SESSION OR SOON AFTER

BE IT ENACTED:

SECTION ONE. FINDINGS

1. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).
2. All powers not delegated are reserved to the Navajo Nation Council. 2 N.N.C. §102(B).
3. The Navajo Nation Council shall supervise all powers delegated. 2 N.N.C. §102(C).
4. The Navajo Nation Council has the authority to create laws, resolutions, and to make statements of policy pursuant to 2 N.N.C. §164(A).

- 1 5. Pursuant to 2 N.N.C. §282(C), Speaker LoRenzo Bates was appointed as the first
2 order of business during the Navajo Nation Council Winter Session, January 26,
3 2015.
- 4 6. Pursuant to 2 N.N.C. §181, the Speaker selects members to the Standing
5 Committees of the Navajo Nation subject to confirmation by the Navajo Nation
6 Council.
- 7 7. The members of the 23rd Navajo Nation Council request that the Speaker's
8 selections to the Standing Committees not take place until the 2015 Navajo
9 Nation Council Spring Session or soon after. This will permit the members of the
10 23rd Navajo Nation Council to learn the functions and authorities of the present
11 Standing Committees such that the members may assess the possibility of
12 reforming the Standing Committees such that the Standing Committees function
13 in a manner that meets the needs of the Navajo Nation. If the 23rd Navajo Nation
14 Council delegates see the need to reform the functions of the Standing
15 Committees or to increase or decrease the number of Standing Committees, this
16 may be addressed during the 2015 Navajo Nation Council Spring Session after
17 which the Speaker would appoint members to the Standing Committees.
- 18 8. Pursuant to 2 N.N.C. §164(16) "Matters constituting an emergency shall be
19 limited to the cessation of law enforcement services, and disaster relief services,
20 fire protection services or other direct services required as an entitlement under
21 Navajo Nation or Federal law, or which directly threaten the sovereignty of the
22 Navajo Nation. Such an emergency matter must arise do to the pressing public
23 need for such resolutions(s) and must be a matter requiring final action by the
24 Council."
- 25 9. The need to assess the responsibilities and functions of the Navajo Nation Council
26 Standing Committees is a responsibility of the delegates of the Navajo Nation
27 Council. 2 N.N.C. §102(G). This responsibility is best completed before
28 assigning delegates to the Standing Committees. The Navajo Nation Council
29 finds that temporarily assigning all authorities to the Naabik'íyáti' Committee will
30 facilitate this assessment. The authorities of the Standing Committees are within
Title Two of the Navajo Nation Code, and, therefore, any modification of the

1 authorities of the Standing Committees must take place at a regular session of the
2 Navajo Nation Council.

- 3 10. The duties of the Standing Committees include law enforcement services,
4 disaster relief services, fire protection services and other such services. For this
5 reason, temporarily expanding the powers of the Naabik'íyáti Committee to
6 exercise the powers and authorities granted to all five Standing Committees meets
7 the definition of an emergency.
- 8 11. For the reasons stated above, it is in the best interest of the Navajo Nation to
9 temporarily expand the powers of the Naabik'íyáti' Committee to encompass the
10 powers and authorities of the five Standing Committees (set forth in 2 N.N.C.
11 §§300, *et seq.*, §§ 400, *et seq.*, §§ 500, *et seq.*, §§ 600 *et seq.*, and §§ 700 *et seq.*)
12 until the beginning of the 2015 Navajo Nation Council Spring Session to permit
13 the 23rd Navajo Nation Council to assess the current Standing Committee
14 structure.
- 15 12. And, for the reasons stated above, it is in the best interest of the Navajo Nation to
16 direct that the Speaker of the Navajo Nation Council make selections to the
17 Standing Committee until the 2015 Navajo Nation Council Spring Session or
18 soon after.
- 19 13. The Navajo Nation Council taking this action of a temporary expansion of powers
20 of the Naabik'íyáti' Committee so that the processes and actions of the
21 Naabik'íyáti' Committee exercising all Standing Committee functions may not be
22 challenged.

23 **SECTION TWO. TEMPORARILY EXPANDING POWERS OF THE**
24 **NAABIK'ÍYÁTI' TO EXERCISE THE POWERS AND AUTHORITIES**
25 **GRANTED TO THE FIVE STANDING COMMITTEES UNTIL THE END OF**
26 **THE 2015 NAVAJO NATION COUNCIL SPRING SESSION**

27
28 The Navajo Nation Council, pursuant to its authority under Navajo Nation law,
29 hereby temporarily expand the powers of the Naabik'íyáti' Committee to encompass
30 the powers and authorities of all five Standing Committees, as set forth in 2 N.N.C.

1 §§300, *et seq.*, §§ 400, *et seq.*, §§ 500, *et seq.*, §§ 600 *et seq.*, and §§ 700 *et seq.*, until
2 the beginning of the 2015 Navajo Nation Council Spring Session. During this
3 temporary expansion of duties, the Naabik'íyáti' Committee may structure its
4 meeting days to accommodate the business of all Standing Committees.

5 **SECTION TWO. DIRECTING THE SPEAKER OF THE NAVAJO NATION**
6 **COUNCIL, HONORABLE LORENZO BATES TO SELECT THE MEMBERSHIP**
7 **OF THE STANDING COMMITTEES UNTIL THE 2015 NAVAJO NATION**
8 **COUNCIL SPRING SESSION OR SOON AFTER THAT SESSION**

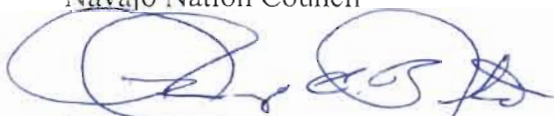
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10 The Speaker of the Navajo Nation Council will select members to the Standing
11 Committees at the 2015 Navajo Nation Council Spring Session or soon after.
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January 29, 2015

MEMORANDUM

TO : *Honorable Members*
Navajo Nation Council

FROM : 
Hon. LoRenzo C. Bates, *Speaker*
23rd Navajo Nation Council

SUBJECT : **ASSIGNMENT OF LEGISLATION**

Pursuant to 2 N.N.C § 164 (A)(4), this memorandum serves to inform and advise you that I assign the following legislation to the Navajo Nation Council;

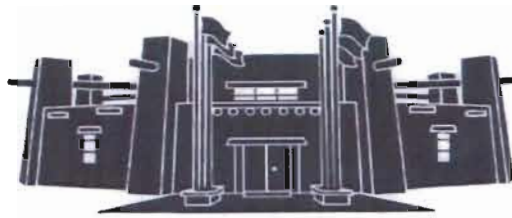
Legislation No. 0035-15

RELATING TO AN EMERGENCY; TEMPORARILY EXPANDING POWERS OF THE NAA'BIK'IYATI' COMMITTEE TO EXERCISE THE POWERS AND AUTHORITIES GRANTED TO THE FIVE STANDING COMMITTEES UNTIL THE BEGINNING OF THE 2015 NAVAJO NATION COUNCIL SPRING SESSION; AND, DIRECTING THE SPEAKER OF THE NAVAJO NATION COUNCIL TO SELECT MEMBERS TO THE STANDING COMMITTEES UNTIL THE 2015 NAVAJO NATION SPRING SESSION OR SOON AFTER.

As the Committee assigned to consider the legislation, Legislation No. 0035-15 must be placed on the Navajo Nation Council's agenda at the next regular meeting for final consideration.

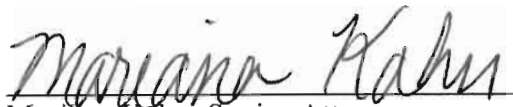
ATTACHMENT: Legislation No. 0035-15

xc: Hon. Ben Shelly, *President*
The Navajo Nation
Harrison Tsosie, *Attorney General*
Mark Grant, *Controller*
Dominic Beyer, *Executive Director, OMB*
Honorable Jonathan Nez, Council Delegate (*Prime Sponsor*)



MEMORANDUM

TO: Honorable Jonathan Nez
Navajo Nation Council

FROM: 
Mariana Kahn, Senior Attorney
Office of Legislative Counsel

DATE: January 29, 2015

SUBJECT: AN ACTION RELATING TO AN EMERGENCY; TEMPORARILY EXPANDING POWERS OF THE NAABIK'ÍYÁTI' COMMITTEE TO EXERCISE THE POWERS AND AUTHORITIES GRANTED TO THE FIVE STANDING COMMITTEES UNTIL THE BEGINNING OF THE 2015 NAVAJO NATION COUNCIL SPRING SESSION; AND, DIRECTING THE SPEAKER OF THE NAVAJO NATION COUNCIL TO SELECT MEMBERS TO THE STANDING COMMITTEES UNTIL THE 2015 NAVAJO NATION COUNCIL SPRING SESSION OR SOON AFTER

Pursuant to your request, attached is the above-referenced proposed resolution and associated legislative summary sheet. Based on existing law and review of the documents submitted, 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.

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.