

LEGISLATIVE SUMMARY SHEET

Tracking No. 1286-19

DATE: September 25, 2019

AN ACT RELATING TO LAW AND ORDER, HEALTH, EDUCATION AND HUMAN SERVICES, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL;
AMENDING LEGISLATION CO-64-17 "DECLARING THE SECOND FRIDAY IN MAY TO BE KNOWN AS 'NAVAJO POLICE OFFICER DAY' WITHIN THE NAVAJO NATION

PURPOSE: Amending Legislation CO-64-17 in order to change Navajo Police Officer Day from a paid holiday to an observed day.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: 2388
Website Posting Time/Date: 4:41 PM 9-25-19
Posting End Date: 9/30/19
Eligible for Action: 10/01/19

Law & Order Committee
Thence
Health Education & Human Services Committee
Thence
Naabik'iyati Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL—First Year, 2019

INTRODUCED BY


Primary Sponsor

TRACKING NO. 0286-19

AN ACT

RELATING TO LAW AND ORDER, HEALTH, EDUCATION AND HUMAN
SERVICES, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION
COUNCIL; AMENDING LEGISLATION CO-64-17 "DECLARING THE SECOND
FRIDAY IN MAY TO BE KNOWN AS 'NAVAJO POLICE OFFICER DAY' WITHIN
THE NAVAJO NATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Law and Order Committee of the Navajo Nation Council, pursuant to 2 N.N.C. § 601(B)(5)(b), may review and make recommendations to the Navajo Nation Council for final approval resolutions that accomplish or impact the Committee purposes.
- B. The Health, Education and Human Services Committee is empowered to review and recommend resolutions relating to employment. 2 N.N.C. § 401(B)(6)(a)
- C. The Naabik'iyati' Committee is a standing committee of the Navajo Nation Council. Pursuant to 2 N.N.C. § 164(A) (9), the committee reviews proposed legislation which requires final action by the Navajo Nation Council.
- D. The Navajo Nation Council enacts laws and sets policy for the Navajo Nation. 2 N.N.C. § 102.

SECTION TWO. FINDINGS

- 1 A. The Navajo Nation approved Resolution CO-64-17 “Declaring the Second Friday in May
2 to Be Known as ‘Navajo Police Officer Day’ Within the Navajo Nation”. See Exhibit A.
3 B. Resolution CO-64-17 established Navajo Police Officer Day as a paid holiday. See
4 Exhibit A, at Section Four; Personnel Policies Manual.
5 C. The Navajo Nation Council finds it to be in the best of the Navajo Nation to amend CO-
6 64-17 to provide for Navajo Police Officer Day to be an observed day, as distinguished
7 from a paid holiday.
8 D. The Navajo Nation Council finds it to be in the best interest of the Navajo Nation to
9 further amend CO-64-17 to provide up to four (4) hours administrative leave to
10 employees to attend Navajo Nation Police Officer Day events held on the Navajo Nation.
11

12 **SECTION THREE. AMENDING CO-64-17**

13 The Navajo Nation Council hereby amends Resolution CO-64-17, Section Four.
14 Personnel Policies Manual as follows:
15

16 * * * *

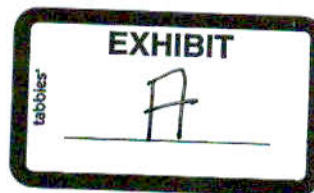
17 **SECTION FOUR. PERSONNEL POLICIES MANUAL**

18 ~~This declaration shall be added to the Navajo Nation Personnel Policies Manual,~~
19 ~~Section IX, Employees Benefits, para. B, and Paid Holidays~~ The Human Resources
20 Department shall incorporate such provision in the next published Personnel Policies
21 Manual if necessary and appropriate.
22

23 * * * *

24 **SECTION FOUR. EFFECTIVE DATE**

25 The provisions of this Act shall become effective pursuant to 2 N.N.C. §§ 221(C).
26
27
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30



CO-64-17

RESOLUTION OF THE
NAVAJO NATION COUNCIL

23RD NAVAJO NATION COUNCIL -- Third Year, 2017

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; DECLARING THE SECOND FRIDAY IN MAY TO BE KNOWN AS "NAVAJO POLICE OFFICER DAY" WITHIN THE NAVAJO NATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Law and Order Committee is a standing committee of the Navajo Nation Council with oversight authority over the Navajo Division of Public Safety, the Navajo Nation Police Department is under the Navajo Division of Public Safety. 2 N.N.C. § 601(C)(1).
- B. The Navajo Nation Council established the Health, Education and Human Services ("HEHS") Committee as a standing committee with the purpose to oversee the Division of Human Resources. 2 N.N.C. §§ 400(A), 401(C)(1) and 164(A)(9).
- C. The Health, Education and Human Services Committee possess power to establish Navajo Nation policy, promulgate rules and regulations governing the Navajo Nation's human services. 2 N.N.C. § 401(B)(1).
- D. Proposed resolutions requiring final action by the Navajo Nation Council shall be assigned to the Naabik'íyáti' Committee. 2 N.N.C. § 164(A)(9).
- E. The Navajo Nation Council is the Navajo Nation's governing body. 2 N.N.C. § 102(A).

SECTION TWO. FINDINGS

- A. Diné Customary Law declares and teaches that it is the right and freedom of the people that every child and every elder be respected and protected, free from all abuse. 1 N.N.C. § 203(E).

- B. On August 6, 1959, the Navajo Nation Council passed Resolution CAU-50-59, which created the Navajo Division of Public Safety (NDPS) which included "Police." This was implemented in the 1960 Navajo Nation Budget.
- C. In 1970, the NDPS was placed under the supervision of the Chairperson of the Navajo Tribal Council. In 1971, the NDPS was placed under the Office of Administration. In 1974, the Navajo Tribal Council created a Division of Law Enforcement and removed it from under the Office of Administration. In 1976, the Police Department was changed to the Office of Law Enforcement. In July 24, 1981 the Navajo Nation Council established the current NDPS through Resolution ACJY-89-81. 2 N.N.C. §§ 1351-1352.
- D. The Navajo Nation Police Department (NNPD) is comprised of seven police districts, along with a headquarters and training/recruitment division. Document provided by the Navajo Nation Washington Office is attached as **Exhibit A**.
- E. The NNPD provides law enforcement services for the entire Navajo Nation twenty-four (24) hours a day, seven (7) days a week, 365 days a year, excluding Ramah Navajo. *Id.*
- F. The NNPD currently has a total of 239 commissioned law enforcement officers, 199 patrol officers, thirty-five (35) criminal investigators, five (5) internal investigators and forty (40) dispatchers. *Id.*
- G. The 239 commissioned officers patrol the Navajo Nation which is over 27,000 square miles approximately the size of West Virginia. *Id.*
- H. There are over 330,000 enrolled members with 173,667 members residing within the Navajo Nation - with a ratio of 12.5 officers per 10,000 Navajo members. *Id.*
- I. In 1962, President John F. Kennedy signed a proclamation designating May 15th as "Peace Officers Memorial Day" and the week as "Police Week" where tens of thousands of law enforcement officers from around the world converge in Washington, D.C. to participate in a number of planned events which honor those who have paid the ultimate sacrifice. See <http://policeweek.org/>.
- J. The Law Enforcement Memorial week is always the seven-day period commemorating fallen officers. Many states also pay

tribute to fallen officers during National Police Week. In 2012 the State of New Mexico unveiled the New Mexico Law Enforcement Memorial webpage. See <http://www.nmlememorial.org/>.

- K. There are thirteen (13) fallen officers from the NDPS listed on the Officer Down Memorial Page, remembering all of law enforcement's heroes. The thirteen (13) fallen officers are attached as **Exhibit B**. See <http://www.odmp.org/>.

At Exhibit B, have a new Section created to acknowledge Fallen Navajo Nation Police Officers; There should be a fund established to assist these families; and at Exhibit B, to include the Badge Number(s) and other pertinent information of Fallen Navajo Nation Police Officers.

- L. It would be appropriate for the Navajo People to set aside a day in May to pay tribute to fallen officers and recognize Navajo Nation Police Officers who work on behalf of the Navajo People.

SECTION THREE. DECLARATION

The Navajo Nation hereby declares the second Friday of May to be observed as the "Navajo Nation Police Officer Day."

SECTION FOUR. PERSONNEL POLICIES MANUAL


This declaration shall be added to the Navajo Nation Personnel Policies Manual, section IX, Employee Benefits, para. B, and Paid Holidays. The Human Resources Department shall incorporate such provision in the next published Personnel Policies Manual.

SECTION FIVE. EFFECTIVE DATE

This declaration shall become effective in accordance with 2 N.N.C. § 221(C).

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 14 in favor and 00 opposed, this 17TH day of October 2017.



LoRenzo C. Bates, Speaker
Navajo Nation Council

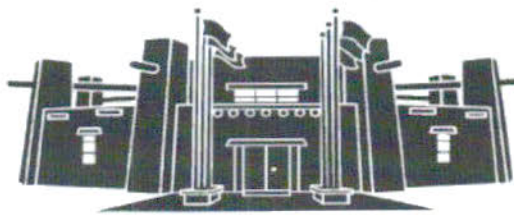
10-27-17

Date

Motion: Honorable Steven Begay

Second: Honorable Nelson S. BeGaye

Speaker Bates not voting



MEMORANDUM

TO: Honorable Otto Tso
24th Navajo Nation Council

FROM: 
Edward A. McCool, Acting-Chief Legislative Counsel
Office of Legislative Counsel

DATE: September 25, 2019

AN ACT RELATING TO LAW AND ORDER, HEALTH, EDUCATION AND HUMAN SERVICES, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; AMENDING LEGISLATION CO-64-17 "DECLARING THE SECOND FRIDAY IN MAY TO BE KNOWN AS 'NAVAJO POLICE OFFICER DAY' WITHIN THE NAVAJO NATION

As requested, 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. Please ensure that this 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 Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§500, 501. 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).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0286-19 SPONSOR: Otto Tso

TITLE: An Act Relating to Law and Order, Health, Education and Human Services, Naabik'iyáti' Committee and the Navajo Nation Council; Amending Legislation CO-64-17 "Declaring the Second Friday in May to be known as 'Navajo Police Officer Day' within the Navajo Nation.

Date posted: September 25, 2019 at 4:41pm

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.*