

LEGISLATIVE SUMMARY SHEET

Tracking No. 0500-17

DATE: December 18, 2017

TITLE OF RESOLUTION: AN ACTION RELATING TO LAW AND ORDER COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; AMENDING RULE 6 OF THE NAVAJO NATION COUNCIL RULES OF ORDER SUCH THAT ANNOUNCEMENTS ARE MOVED TO ITEM 1. ON THE AGENDA

PURPOSE: If approved, this resolution will amend the Navajo Nation Council Rules of Order by moving “announcements” to item 1. on the agenda.

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 to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: 1 day
Website Posting Time/Date: 12:50pm 12/22/17
Posting End Date: 12/27/2017
Eligible for Action: 12/28/2017

Law & Order Committee

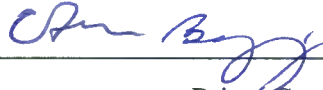
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Naa'bik'iyáti' Committee

THENCE

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

23rd NAVAJO NATION COUNCIL—THIRD YEAR, 2017 Navajo Nation Council



Prime Sponsor

TRACKING NO. 0500-17

AN ACTION

RELATING TO LAW AND ORDER COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE
AND THE NAVAJO NATION COUNCIL; AMENDING RULE 6 OF THE NAVAJO
NATION COUNCIL RULES OF ORDER SUCH THAT ANNOUNCEMENTS ARE
MOVED TO ITEM 1. ON THE AGENDA

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Law and Order Committee is a standing committee of the Navajo Nation Council. The Law and Order Committee, among other powers, is authorized "to review and make recommendations to the Navajo Nation Council on proposed amendments to and enactments to the Navajo Nation Code." 2 N.N.C. §§ 600 (A), 601 (B)(14).
- B. The Navajo Nation Council established the Naabik'iyáti' Committee as a Navajo Nation Standing Committee. All proposed legislation that requires final action by the Navajo Nation Council, shall be assigned to the Naabik'iyáti' Committee. 2 N.N.C. §§ 164 (A)(9), 700 (A).
- C. The Navajo Nation Council is the governing body of the Navajo Nation and as such 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 (A),(E).

SECTION TWO. FINDINGS

- A. Rule 6 of the Navajo Nation Council Rules of Order, as amended by Resolution CJY-39-13, requires the specific order of agenda items for Navajo Nation Council Sessions, whereby announcements are placed under item "10. Close of Session; Announcements; Adjournment".
- B. Pursuant to Rule 28 of the Navajo Nation Council Rules of Order, amendments to the Rules may be made by a majority vote of the Council delegates casting a vote. *See* CJY-39-13.
- C. The Navajo Nation hereby finds that it is appropriate for announcements to be made at the beginning of a Navajo Nation Council Session.

SECTION THREE. AMENDING RULE 6 OF THE NAVAJO NATION COUNCIL
RULES OF ORDER SUCH THAT ANNOUNCEMENTS ARE
MOVED TO ITEM 1. ON THE AGENDA

The Navajo Nation Council hereby amends Rule 6 of the Navajo Nation Council Rules of Order, as amended by Resolution CJY-39-13, as follows:

Navajo Nation Council Rules of Order

Rule 6. Order of Agenda Business; Guests; Legislation Priority

A. The Order of Agenda Business for the Navajo Nation Council shall be as follows:

1. Call meeting to Order; Roll Call; Invocation; Announcements
2. Recognize Guests and Visiting Officials.
3. Review and Adopt Agenda.
4. Receive the State of the Nation Address from the President of the Navajo Nation.

1 5. Receive Report from Speaker of the Navajo Nation Council.

2 6. Oral Reports:

3 (a) Bureau of Indian Affairs (BIA)

4 (b) Indian Health Service (IHS)

5 (c) Financial Report by the Controller

6 (d) Report from Attorney General

7 (e) Report from Chief Justice of Navajo Nation

8 7. Written Reports:

9 (a) Standing Committees

10 (b) Boards and Commissions

11 (c) Bureau of Indian Affairs

12 (d) Indian Health Services Area Director

13 8. Old Business

14 9. New Business

15 10. Close of Session; ~~Announcements~~; Adjournment.

16 B. All legislation requiring a vote of two-thirds (2/3) of the Council in order to be
17 adopted shall be placed on the agenda before all of the other legislation and shall
18 be considered by the Council before all other legislation. This provision shall not
19 be subject to suspension pursuant to Rule 26.

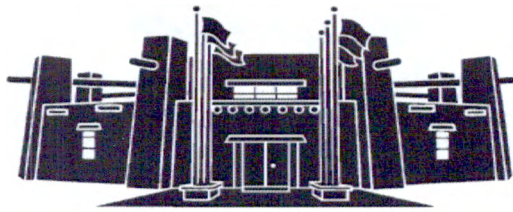
20 *****

21 **SECTION 3. EFFECTIVE DATE**

22 The amendment enacted herein shall be effective pursuant to Navajo Nation
23 Council Rules of Order, Rule 28. CO-43-07.

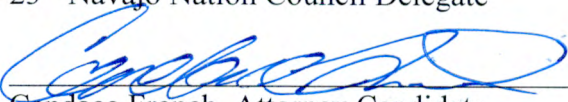
24
25 **SECTION 4. SAVINGS CLAUSE**

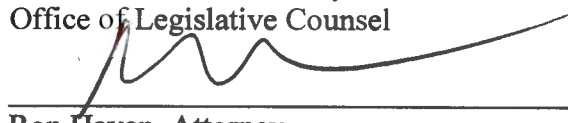
26 Should any provision of this Act be determined invalid by the Navajo Nation
27 Supreme Court, or the District Courts of the Navajo Nation without appeal to the
28 Navajo Supreme Court, those provisions of the Act not determined invalid shall
29 remain the law of the Nation.
30



MEMORANDUM

TO: Honorable Steven Begay
23rd Navajo Nation Council Delegate

FROM: 
Candace French, Attorney Candidate
Office of Legislative Counsel

THRU: 
Ron Haven, Attorney
Office of Legislative Counsel

DATE: December 18, 2017

RE: AN ACTION RELATING TO LAW AND ORDER COMMITTEE,
NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL;
AMENDING RULE 6 OF THE NAVAJO NATION COUNCIL RULES OF
ORDER SUCH THAT ANNOUNCEMENTS ARE MOVED TO ITEM 1.
ON THE AGENDA

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

The Office of Legislative Counsel recommends 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 you approve, please sign as "Primary Sponsor" and submit it to the Office of Legislative Services where the proposed resolution will be given a tracking number and referred to the Office of the Speaker. If the proposed legislation is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like to make to the proposed resolution.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0500-17_____

SPONSOR: Steven Begay

TITLE: An Action Relating to Law and Order, Naabik'iyati' Committee and the Navajo Nation Council; Amending Rule 6 of the Navajo Nation Council Rules of Order such that announcements are moved to Item 1. on the Agenda

Date posted: December 22, 2017 at 12:50pm

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.: 0500-17

SPONSOR: Honorable Steven Begay

TITLE: An Action Relating to Law and Order, Naabik'iyati' Committee and the Navajo Nation Council; Amending Rule 6 of the Navajo Nation Council Rules of Order such that announcements are moved to Item 1. on the Agenda

Posted: December 22, 2017 at 12:50pm

5 DAY Comment Period Ended: December 27, 2017

Digital Comments received:

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



**Legislative Secretary II
Office of Legislative Services**

12/28/2017 8:50am

Date/Time

**LAW AND ORDER COMMITTEE
23RD NAVAJO NATION COUNCIL**

FOURTH YEAR 2018

COMMITTEE REPORT

Mr. Speaker,

The **LAW AND ORDER COMMITTEE** to whom has been assigned:

Legislation No. 0500-17: An Action Relating to Law and Order Committee, Naabik'iyati' Committee and the Navajo Nation Council; Amending Rule 6 of the Navajo Nation Council Rules of Order such that Announcements are Moved to Item 1. on the Agenda – Sponsor: Honorable Steven Begay

Has had it under consideration and reports the same with the recommendation that it **DO NOT PASS** with no amendment

And thereafter referred to Naabik'iyati' Committee

Respectfully submitted,



Raymond Smith, Jr., Vice Chairperson
Law and Order Committee
23rd Navajo Nation Council

Date: January 29, 2018

Main Motion: Honorable Herman Daniels
Second : Honorable Kee A. Begay, Jr.
Vote : 1-2 (Vice Chairperson broke the tie)

23rd NAVAJO NATION COUNCIL NAABIK'ÍYÁTI' COMMITTEE REPORT Fourth Year 2018

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

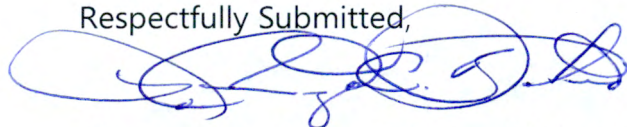
NAVAJO NATION LEGISLATION #0500-17

An Action Relating to Law and Order Committee, Naabik'íyáti' Committee and the Navajo Nation Council; Amending Rule 6 of the Navajo Nation Council Rules of Order such that Announcements are Moved to Item 1. on the Agenda

SPONSOR: Honorable Steven Begay

Has had it under consideration and reports the same **WAS PASSED AND REFERRED TO THE NAVAJO NATION COUNCIL**

Respectfully Submitted,



*Honorable LoRenzo C. Bates, Chairman
NAABIK'ÍYÁTI' COMMITTEE*

22 FEBRUARY 2018

MAIN MOTION:

Motioned by: Honorable Davis Filfred

Seconded by: Honorable Kee Allen Begay, Jr.

Vote: 13 in Favor, 00 Opposed (Chairman Bates Not Voting)

NAVAJO NATION

RCS# 807

2/22/2018

Naa'bik'iyati Committee

04:21:53 PM

Amd# to Amd#

Legislation 0500-17: Amending

PASSED

MOT Filfred

Rule 6 of the NNC Rule of Order

SEC Begay, K

Such that Announcements are
Moved to Item 1 on the Agenda

Yea : 13

Nay : 0

Excused : 0

Not Voting : 11

Yea : 13

Begay, K
Begay, S
BeGaye, N
Bennett

Chee
Damon
Daniels

Filfred
Phelps
Slim

Smith
Witherspoon
Yazzie

Nay : 0

Excused : 0

Not Voting : 11

Bates
Begay, NM
Brown

Crotty
Hale
Jack

Perry
Pete
Shepherd

Tso
Tsosie