

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0094-20_____

SPONSOR: **Paul Begay, Jr.**

TITLE: An Action Relating to an Emergency for the Navajo Nation; Temporarily authorizing and approving attendance at Farm Board, Land Board, and District Grazing Committee meetings through telecommunication methods

Date posted: April 17, 2020 at 11:05am

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0094-20

DATE: April 16, 2020

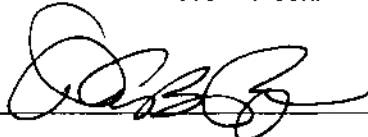
TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; TEMPORARILY AUTHORIZING AND APPROVING ATTENDANCE AT FARM BOARD, LAND BOARD, AND DISTRICT GRAZING COMMITTEE MEETINGS THROUGH TELECOMMUNICATION METHODS

PURPOSE: The purpose of this legislation is to give Farm Boards, Land Boards and District Grazing Committees the authority to meet by telecommunication methods.

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.

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL – Second Year, 2020

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0094-20

AN ACTION
RELATING TO AN EMERGENCY FOR THE NAVAJO NATION;
TEMPORARILY AUTHORIZING AND APPROVING ATTENDANCE AT
FARM BOARD, LAND BOARD, AND DISTRICT GRAZING COMMITTEE
MEETINGS THROUGH TELECOMMUNICATION METHODS

BE IT ENACTED:

SECTION 1. AUTHORITY

- A. The Navajo Nation Council is the governing of body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. Pursuant to 2 N.N.C. §164 (A)(16) “[m]atters constituting an emergency shall be limited to the cessation of law enforcement services, and disaster relief services, fire protection services or other direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such an emergency matter must arise due to the pressing public need for such resolution(s) and must be a matter requiring final action by the Council.”
- C. Ensuring the health and safety of all residents, employees and officials within the Navajo Nation is an inherent attribute of sovereignty.

1 **SECTION 2. FINDINGS**

- 2 A. The novel coronavirus (“COVID-19”) has caused a global pandemic and has severely
3 impacted the Navajo Nation. As of April 15, 2020, the Navajo Nation has reported 921
4 cases of COVID-19 and 38 virus-related deaths.
- 5 B. The Navajo Nation Commission on Emergency Management, with the concurrence of
6 the President and Vice President of the Navajo Nation, approved Resolution CEM-20-
7 03-11, “Declaring a Public Health State of Emergency for the Navajo Nation due to the
8 Confirmation of the Coronavirus Disease (“COVID-19”) in Regional Areas
9 Surrounding the Navajo Nation,” dated March 11, 2020. Resolution CEM-20-03-11 is
10 incorporated by reference into this Resolution.
- 11 C. In an effort to reduce the spread of COVID-19 the President of the Navajo Nation
12 extended the previously declared State of Emergency on the Navajo Nation and
13 required government offices remain closed through April 26, 2020 in Executive Order
14 002-20. Executive Order 002-20 is incorporated by reference into this Resolution.
- 15 D. The Navajo Nation Department of Health has issued a Public Health Emergency Order
16 (2020-003) requiring Navajo Nation residents stay at home to mitigate the risk of
17 spreading COVID-19 and to preserve the health and safety of all individuals residing
18 on the Navajo Nation. Public Health Emergency Order No. 2020-003 is incorporated
19 by reference into this Resolution.
- 20 E. The Navajo Nation Department of Health also issued a Public Health Emergency Order
21 (2020-004) extending the Stay at Home Order and implementing a curfew from 8:00
22 p.m. through 5:00 a.m. for Navajo Nation residents. Public Health Emergency Order
23 No. 2020-004 is incorporated by reference into this Resolution.
- 24 F. In order to continue to reduce the spread of COVID-19 and to protect community
25 members, employees and officials of the Navajo Nation, the safest and best course of
26 action is to use telecommunication methods such as teleconference calls and videoing
27 instead of in-person attendance at meetings.
- 28 G. Meetings attended by telecommunication methods shall be eligible for stipend
29 reimbursement provided the provisions in Section 3, Paragraphs B and C, of this
30 Resolution are followed.

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2 **SECTION 3. TEMPORARILY AUTHORIZING AND APPROVING FARM**
3 **BOARDS, LAND BOARDS, AND DISTRICT GRAZING COMMITTEES TO**
4 **HOLD MEETINGS THROUGH TELECOMMUNICATION METHODS**

- 5 A. The Navajo Nation Council hereby authorizes and approves Navajo Nation Farm
6 Boards, Land Boards, and District Grazing Committees to conduct their meetings
7 through telecommunication methods such as teleconference calls and video
8 conferencing.
- 9 B. Navajo Nation Farm Boards, Land Boards, and District Grazing Committee meetings
10 held through telecommunication methods shall be conducted pursuant to procedures
11 instituted by the Chairperson or President of the Board in accordance with the
12 controlling plan of operation or enabling legislation. Additionally, the Chairperson or
13 President of the Board or Committee shall ensure the meetings are recorded and shall
14 ensure a document is prepared indicating roll call was taken and who was in attendance.
- 15 C. Navajo Nation Farm Board, Land Board, and District Grazing Committee members
16 and officials attending Board and Committee meetings by telecommunication methods
17 shall be eligible for stipend reimbursement provided all the procedural requirements
18 outlined by the Navajo Nation Department of Agriculture and Office of Controller for
19 reimbursement are complied with.

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21 **SECTION 4. EFFECTIVE DATE; DURATION**

- 22 A. This Action shall become effective in accordance with 2 N.N.C. § 221(B).
- 23 B. This Action shall remain effective until the Navajo Nation Department of Agricultural
24 has returned to operation pursuant to the recession of the Declaration of State of
25 Emergency or by other proclamation of the Navajo Nation President.
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