

LEGISLATIVE SUMMARY SHEET

Tracking No. 17356-17

DATE: September 6, 2017

SUBJECT AN ACTION RELATING TO LAW AND ORDER COMMITTEE, BUDGET AND FINANCE COMMITTEE, HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING RULE 21 OF THE RULES OF ORDER FOR STANDING COMMITTEES OF THE NAVAJO NATION COUNCIL SUCH THAT RECORDING OF VOTES ON ALL MOTIONS BEFORE THE COMMITTEE SHALL BE RECORDED BY ROLL CALL

PURPOSE: The purpose of this legislation is to approve the requiring of roll call vote for all official actions of Navajo Council Committees.

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: None
Website Posting Time/Date: 10:05am 9/10/17
Posting End Date: 9/16/2017
Eligible for Action: 9/17/2017

Law & Order Committee

THENCE

Budget & Finance Committee

THENCE

Health, Education & Human Services Committee

THENCE

Resources & Development Committee

THENCE

Naa'bi'k'iyáti' Committee

THENCE

Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
23rd NAVAJO NATION COUNCIL—THIRD YEAR, 2017


(Steven Begg) Prime Sponsor

TRACKING NO. 0354e-17

AN ACTION

RELATING TO LAW AND ORDER COMMITTEE, BUDGET AND FINANCE
COMMITTEE, HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE,
RESOURCES AND DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND
NAVAJO NATION COUNCIL; AMENDING RULE 21 OF THE RULES OF ORDER FOR
STANDING COMMITTEES OF THE NAVAJO NATION COUNCIL SUCH THAT
RECORDING OF VOTES ON ALL MOTIONS BEFORE THE COMMITTEE SHALL BE
RECORDED BY ROLL CALL

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 Budget and Finance Committee is a standing committee of the Navajo Nation Council. The Budget and Finance Committee shall exercises oversight authority including but not limited to budget, finance, investment, bonds, contracting,

1 insurance, audits, accounting, taxes, loans, and Chapter budget and finance. ” 2
2 N.N.C. §§ 300 (A), 300 (C).

3 C. The Health, Education and Human Services Committee is a standing committee of
4 the Navajo Nation Council. The Health, Education and Human Services Committee,
5 among other powers, is authorized “to review and recommend resolutions relating to
6 social services, health, environmental health, education, veterans, and veteran
7 services, employment and labor.” 2 N.N.C. §§ 400 (A), 401 (B)(6)(a).

8 D. The Resources and Development Committee is a standing committee of the Navajo
9 Nation Council. The Resources and Development Committee, among other powers, is
10 authorized “to promulgate rules and regulations governing transportation, community
11 development, local government units, land acquisitions for the Navajo Nation,
12 environmental protection, and the use, sale, exchange and development of Navajo
13 Nation lands and/or resources, whether held in fee or trust status.” 2 N.N.C. §§ 500
14 (A), 501 (B) (1).

15 E. The Navajo Nation Council established the Naabik’iyáti’ Committee as a Navajo
16 Nation standing committee. All proposed legislation that requires final action by the
17 Navajo Nation Council, shall be assigned to the Naabik’iyáti’ Committee. 2 N.N.C.
18 §§ 164 (A) (9), 700 (A).

19
20 **SECTION TWO. FINDINGS**

21 A. Rule 21 of the Rules of Order for Standing Committees of the Navajo Nation
22 Council, as amended by Resolution CO-43-07, requires all votes on motions before
23 the standing committee be “done by showing of hands[.]”

24 B. The Navajo Nation hereby finds that it is appropriate for the all votes on motions
25 before a Standing Committee of the Navajo Nation Council shall be recorded by roll
26 call.

27 C. The Navajo Nation hereby finds that it is in the best interest of the Navajo People to
28 require roll call votes on motions before a committee to ensure participation of
29 committee members and provide accountability of delegates to chapter constituents.
30

1 **SECTION THREE. AMENDING RULE 21 OF THE RULES OF ORDER FOR**
2 **STANDING COMMITTEES OF THE NAVAJO NATION**
3 **COUNCIL SUCH THAT ALL VOTES ON MOTIONS**
4 **BEFORE THE STANDING COMMITTEE SHALL BE**
5 **RECORDED BY ROLL CALL**

6
7 The Navajo Nation Council hereby amends Rule 21 of the Rules of Order for Standing
8 Committees of the Navajo Nation Council, as amended by Resolution CO-43-07, as follows:
9

10
11 **RULES OF ORDER**
12 **FOR STANDING COMMITTEES**
13 **OF THE NAVAJO NATION COUNCIL**

14 * * * *

15 **Rule 21. Vote:**

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

19 B. The recording of votes for, opposed, and abstentions on all motions shall be done
20 by ~~showing of hands~~ roll call, except that abstention votes are not counted towards
21 the votes for or opposed but entered for the record only.

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

24 D. Voting by proxy or by any method by or on behalf of any Committee member
25 who is not physically present in the meeting place shall not be valid or permitted.

26
27 * * * *

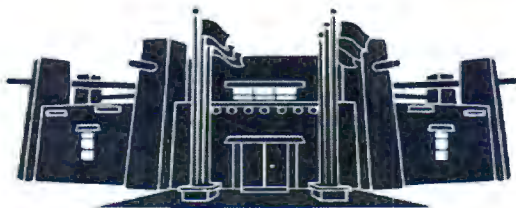
28
29 **SECTION 3. EFFECTIVE DATE**
30

1 The amendment enacted herein shall be effective pursuant to Rules of Order for Standing
2 Committees of the Navajo Nation Council Rule 25. CO-43-07.

3
4 **SECTION 4. SAVINGS CLAUSE**


5 Should any provision of this Act be determined invalid by the Navajo Nation Supreme
6 Court, or the District Courts of the Navajo Nation without appeal to the Navajo Supreme
7 Court, those provisions of the Act not determined invalid shall remain the law of the Nation.

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30



MEMORANDUM

TO: Honorable Steven Begay
Navajo Nation Council

FROM: 
Edward A. McCool, Principal Attorney
Office of Legislative Counsel

DATE: September 6, 2017

SUBJECT: AN ACTION RELATING TO LAW AND ORDER COMMITTEE, BUDGET AND FINANCE COMMITTEE, HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING RULE 21 OF THE RULES OF ORDER FOR STANDING COMMITTEES OF THE NAVAJO NATION COUNCIL SUCH THAT RECORDING OF VOTES ON ALL MOTIONS BEFORE THE COMMITTEE SHALL BE RECORDED BY ROLL CALL

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: _0356-17_____ SPONSOR: Steven Begay

TITLE: An Act Relating to Law And Order Committee, Budget And Finance Committee, Health, Education And Human Services Committee, Resources And Development Committee, Naabik'iyati' Committee And Navajo Nation Council; Amending Rule 21 Of The Rules Of Order For Standing Committees Of The Navajo Nation Council Such That Recording Of Votes On All Motions Before The Committee Shall Be Recorded By Roll Call

Date posted: September 11, 2017 at 10:05pm

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.: 0356-17

SPONSOR: Honorable Steven Begay

TITLE: An Action Relating To Law And Order Committee, Budget And Finance Committee, Health, Education And Human Services Committee, Resources And Development Committee, Naabik'iyati' Committee And Navajo Nation Council; Amending Rule 21 Of The Rules Of Order For Standing Committees Of The Navajo Nation Council Such That Recording Of Votes On All Motions Before The Committee Shall Be Recorded By Roll Call.

Posted: September 11, 2017 at 10:05pm

5 DAY Comment Period Ended: September 16, 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

9/18/17 8:20am

Date/Time

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

THIRD YEAR 2017

COMMITTEE REPORT

Mr. Speaker,

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

Legislation No. 0356-17: An Act Relating to Law and Order, Budget and Finance Committee, Health, Education and Human Services Committee, Resources and Development Committee, Naabik'iyati' Committee and Navajo Nation Council; Amending Rule 21 of the Rules of Order for Standing Committees of the Navajo Nation Council such that Recording of Votes on All Motions before the Committee shall be Recorded by Roll Call – Sponsor: Honorable Steven Begay

Has had it under consideration and reports the same with the recommendation that it **DO PASS** with no amendment

And thereafter referred to Budget and Finance Committee

Respectfully submitted,



Edmund Yazzie, Chairperson
Law and Order Committee
23rd Navajo Nation Council

Date: October 9, 2017

Main Motion: Honorable Otto Tso
Second : Honorable Kee A. Begay, Jr.
Vote : 3-0 (Chairperson not voting)

23rd NAVAJO NATION COUNCIL

Third Year 2017

Mr. Speaker:

The **BUDGET & FINANCE COMMITTEE** to whom has been assigned

NAVAJO LEGISLATIVE BILL # 0356-17:

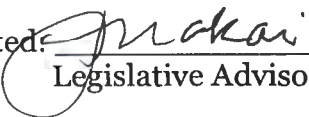
An Action Relating to Law and Order Committee, Budget and Finance Committee, Health, Education and Human Services Committee, Resources and Development Committee, Naabikiyati Committee and Navajo Nation Council; Amending Rule 21 of the Rules of Order for Standing Committees of the Navajo Nation Council such that Recording of Votes on all Motions Before the Committee Shall be Recorded by Roll Call *Sponsored by Steven Begay, Council Delegate*

has had it under consideration and reports the same with the recommendation that It **Do Pass** without amendment.

And therefore, referred to the **HEALTH, EDUCATION & HUMAN SERVICES** Committee

Respectfully submitted,


Seth Damon, Chairman

Adopted: 
Legislative Advisor

Not Adopted: _____
Legislative Advisor

7 November 2017

The vote was **2** in favor **1** opposed

Motion: Lee Jack, Sr.

Second: Tom T. Chee

Committee Report

THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL to whom has been assigned;

LEGISLATION NO. 0356-17

AN ACTION RELATING TO LAW AND ORDER, BUDGET AND FINANCE, HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT COMMITTEE, NAABIK'IYATI'COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING RULE 21 OF THE RULES OF ORDER FOR STANDING COMMITTEES OF THE NAVAJO NATION COUNCIL SUCH THAT RECORDING OF VOTES ON ALL MOTIONS BEFORE THE COMMITTEE SHALL BE RECORDED BY ROLL CALL

Sponsor: *Honorable Steven Begay*

Amendment One (1): Page 3 of 4, Line 20, insert "including vote tally sheet";

To read as follow:

Page of 3 of 4, Line 20, 21; "by ~~showing of hands~~ roll call, including vote tally sheet, except that abstention votes are not counted towards the votes for or opposed but entered for the record."

Has had under consideration and report the same with the recommendation that Legislation 0356-17 PASS with no amendment and no directive; and therefore referred the same to the **RESOURCES AND DEVELOPEMENT COMMITTEE OF THE NAVAJO NATION COUNCIL**

Respectfully Submitted,



Jonathan L. Hale, Chairperson
Health, Education and Human Services Committee

Dated: December 18, 2017

Amendment One (1) Motion

Motion by: Honorable Nelson BeGaye
Seconded by: Honorable Nathaniel Brown
Vote: 5 in favor; 0 Opposed; Chairperson Not Voting

Main Motion

Motion by: Honorable Norman M. Begay
Seconded by: Honorable Nathaniel Brown
Vote: 5 in favor; 0 Opposed; Chairperson Not Voting

**RESOURCES AND DEVELOPMENT COMMITTEE
23rd NAVAJO NATION COUNCIL**

THIRD YEAR 2017

COMMITTEE REPORT

Mr. Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

Legislation # 0356-17: An Action Relating to Law and Order Committee, Budget and Finance Committee, Resources and Development Committee, Naabik'Iyati Committee and Navajo Nation Council; Amending Rule 21 of the Rules of Order for Standing Committees of the Navajo Nation Council Such that Recording of Votes on All Motions Before The Committee Shall Be Recorded by Roll Call.
Sponsor: Honorable Steven Begay

Has had it under consideration and report the same with a **DO PASS** with no amendments.

And thereafter the matter was referred to Naabik'Iyati Committee.

Respectfully submitted,



Benjamin Bennett, Vice-Chairperson
Resources and Development Committee of
the 23rd Navajo Nation Council

Date: December 19, 2017
Meeting Location: NDOT Administrative Complex, Tse Bonito

Main Motion: Honorable Leonard Pete
Second: Honorable Davis Filfred
Vote: 3-0-1 (VCNV)

**23rd NAVAJO NATION COUNCIL
NAABIK'ÍYÁTI' COMMITTEE REPORT
Third Year 2017**

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

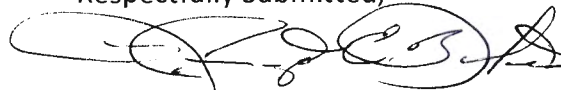
NAVAJO NATION LEGISLATION #0356-17

An Action Relating to Law and Order Committee, Budget and Finance Committee, Health, Education and Human Services Committee, Resources and Development Committee, Naabik'iyáti' Committee and Navajo Nation Council; Amending Rule 21 of the Rules Of Order for Standing Committees of the Navajo Nation Council such that Recording of Votes on all Motions Before the Committee Shall be Recorded by Roll Call.

SPONSOR: Honorable Steven Begay

Has had it under consideration and reports the same **PASSED WITH NO AMENDMENT AND IS REFERRED TO THE NAVAJO NATION COUNCIL.**

Respectfully Submitted,



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

21 December 2017

MAIN MOTION:

Motioned by: Honorable Amber Kanazbah Crotty

Seconded by: Honorable Jonathan Perry

Vote: 11 in Favor, 03 Opposed (Chairman Bates Not Voting)

NAVAJO NATION

RCS# 684

12/21/2017

Naa'bik'iyati Committee

03:17:12 PM

Amd# to Amd#

Legislation 0356-17

PASSED

MOT Crotty

Amending Rule 21 of the Rules

SEC Perry

of Order for Standing Committees

of NNC such that Recording

Yea : 11

Nay : 3

Not Voting : 10

Yea : 11

Begay, K
Begay, NM
Begay, S

BeGaye, N
Brown
Crotty

Hale
Perry
Slim

Smith
Witherspoon

Nay : 3

Tsosie

Phelps

Filfred

Not Voting : 10

Bates
Bennett
Chee

Damon
Daniels
Jack

Pete
Shepherd

Tso
Yazzie