

LEGISLATIVE SUMMARY SHEET

Tracking No. 0143-24

DATE: July 1, 2024

TITLE OF RESOLUTION: AN ACT RELATING TO LAW AND ORDER, HEALTH, EDUCATION AND HUMAN SERVICES, NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; AMENDING 2 N.N.C. §§ 1651-1656, AND § 401(C); CHANGING THE NAME OF THE DIVISION OF SOCIAL SERVICES TO THE DIVISION FOR CHILDREN AND FAMILY SERVICES

PURPOSE: The purpose of this proposed resolution is to approve a name change from the Division of Social Services to the Division for Children and Family Services.

FINAL AUTHORITY: Navajo Nation Council

VOTE REQUIREMENT: Simple Majority

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 Al Mida
Website Posting Time/Date 3:52 PM 7/02/24
Posting End Date: 07/07/24
Eligible for Action: 07/08/24

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

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION
2 25th NAVAJO NATION COUNCIL – Second Year, 2024

3 INTRODUCED BY

4 
5 _____

6 (Sponsor)

7
8 0143-24

9 TRACKING NO. 

10
11
12 AN ACT

13 RELATING TO LAW AND ORDER, HEALTH, EDUCATION AND HUMAN
14 SERVICES, NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION
15 COUNCIL; AMENDING 2 N.N.C. §§ 1651-1656, AND § 401(C); CHANGING THE
16 NAME OF THE DIVISION OF SOCIAL SERVICES TO THE DIVISION FOR
17 CHILDREN AND FAMILY SERVICES

18
19 BE IT ENACTED:

20
21 SECTION 1. AUTHORITY

- 22 A. The Law and Order Committee is empowered to review and make recommendations to
23 the Navajo Nation Council on proposed amendments and enactments to the Navajo
24 Nation Code. 2 N.N.C. § 601(B)(14).
25 B. The Health, Education and Human Services Committee has oversight of the Division of
26 social Services. 2 N.N.C. § 401(C).
27 C. The Naabik'iyáti' Committee considers proposed resolutions that require final action by
28 the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
29 D. The Navajo Nation Council approves enactments and amendments of positive law. 2
30 N.N.C. § 164(A).

1 **SECTION 2. FINDINGS**

2 A. The Division of Social Services was established in the Executive Branch. 2 N.N.C. § 1651.

3 B. The Division is requesting a name change from Division of Social Services to Division
4 for Children and Family Services to emphasize the work it does with children and families.

5
6 **SECTION 3. AMENDMENTS TO TITLE 2 OF THE NAVAJO NATION CODE**

7 The Navajo Nation hereby approves amendments to the Navajo Nation Code, Title 2, as
8 follows:

9 _____
10
11 **NAVAJO NATION CODE**
12 **TITLE 2. NAVAJO NATION GOVERNMENT**
13 **CHAPTER 3. LEGISLATIVE BRANCH**
14 **SUBCHAPTER 9. STANDING COMMITTEES**

15
16 Article 2. Health, Education, and Human Services Committee

17
18 ***

19 C. Oversight.

20 1. To serve as the oversight Committee for the Division of Health, Division for Children and
21 Family of Social Services, Division of Human Resources Department of Diné Education,
22 Division of General Services and to review, recommend or propose the adoption, amendment
23 or rescission of its Plan of Operation.

24 ***

25
26 ****

27
28 **NAVAJO NATION CODE**
29 **TITLE 2. NAVAJO NATION GOVERNMENT**
30 **CHAPTER 5. EXECUTIVE BRANCH**

1 **SUBCHAPTER 25. DIVISION ~~OF SOCIAL~~ FOR CHILDREN AND FAMILY**
2 **SERVICES**

3
4 § 1651. Establishment

5 There is hereby established the Navajo Division for Children and Family ~~of Social~~ Services
6 within the Executive Branch of the Navajo Nation.

7
8 § 1652. Purposes

9 The purpose of the Navajo Division for Children and Family ~~of Social~~ Services shall be to
10 provide the Navajo people with such essential social services as approved and authorized by
11 the Navajo Nation Council and to ensure the highest quality of social welfare programs for
12 the Navajo people by coordinating with the Bureau of Indian Affairs and other federal, state
13 and private entities.

14
15 § 1653. Personnel

16 The Navajo Division for Children and Family ~~of Social~~ Services shall be administered by an
17 Executive Director whose appointment shall be made by the President of the Navajo Nation
18 and confirmed by the Navajo Nation Council upon recommendation of the Health, Education
19 and ~~Social~~ Human Services Committee of the Navajo Nation Council and who shall serve at
20 the pleasure of the President of the Navajo Nation. The Executive Director may employ a
21 Deputy Director and shall employ such other personnel as may be deemed necessary to carry
22 out the purposes of the Division. All personnel shall be subject to the Personnel Policies and
23 Procedures of the Executive Branch of the Navajo Nation.

24
25 § 1654. Organization

26 The Navajo Division for Children and Family ~~of Social~~ Services shall be comprised of such
27 Departments, Programs, Offices and administrative components as may be deemed
28 necessary by the Executive Director to fulfill its purpose, subject to legislative review and
29 approval of the Division's Plan of Operation.

1 § 1655. Legislative Oversight

2 The Navajo Division for Children and Family of Social Services shall operate under the
3 legislative oversight of the Health, Education and Human Social Services Committee of the
4 Navajo Nation Council, pursuant to 2 N.N.C. § 401 (C). ~~451-et-seq.~~ The Division shall
5 operate pursuant to a Plan of Operation approved by the Health, Education and Human Social
6 Services Committee ~~and the Government Services Committee~~ of the Navajo Nation Council.

7
8 § 1656. Amendments

9 Sections 1651 through 1655 may be amended from time to time by the Navajo Nation
10 Council upon recommendation by the Health, Education and Human ~~Social~~ Services
11 Committee of the Navajo Nation Council after consultation with the Navajo Division for
12 Children and Family of Social Services.

13
14
15 **SECTION 4. EFFECTIVE DATE**

16 The amendments enacted herein shall be effective pursuant to 2 N.N.C. §221.

17
18 **SECTION 5. CODIFICATION**

19 The provisions of the Act which amend or adopt new sections of the Navajo Nation Code
20 shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel
21 shall ~~incorporate such amended provisions in the next codification of the Navajo Nation~~
22 Code.

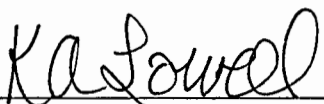
23
24 **SECTION 6. SAVING CLAUSE**

25 Should any portion of the amendment enacted herein be determined invalid by the Navajo
26 Nation Supreme Court, or the District Court of the Navajo Nation, without appeal to the
27 Navajo Nation Supreme Court, those portions not determined invalid shall remain the law of
28 the Navajo Nation.



MEMORANDUM

TO: Honorable Germaine Simoson, Vice Chair
25th Navajo Nation Council Delegate

FROM: 
Kristen A. Lowell, Principal Attorney
Office of Legislative Counsel

DATE: July 1, 2024

RE: **AN ACT RELATING TO LAW AND ORDER, HEALTH, EDUCATION AND HUMAN SERVICES, NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; AMENDING 2 N.N.C. §§ 1651-1656, AND § 401(C); CHANGING THE NAME OF THE DIVISION OF SOCIAL SERVICES TO THE DIVISION FOR CHILDREN AND FAMILY SERVICES**

Per your request, the Office of Legislative Counsel has prepared the above-reference proposed legislation and associated legislative summary sheet. Based on existing law, the legislation as 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 authority of the standing committees 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 legislation 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 legislation 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 any revisions requested.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0143-24

SPONSOR: Germaine Simonson

TITLE: An Act Relating to Law and Order, Health, Education and Human Services, Naabik'iyáti' Committees, and the Navajo Nation Council; Amending 2 N.N.C. §§ 1651-1656, and § 401 (C); Changing the Name of the Division of Social Services to the Division for Children and Family Services

Date posted: July 02, 2024 at 3:52PM

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) 871-7586**

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.: 0143-24

SPONSOR: Honorable Germaine Simonson

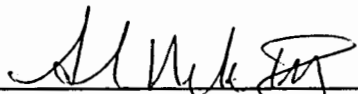
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Posted: July 02, 2024 at 3:52 PM

5 DAY Comment Period Ended: July 07, 2024

Digital Comments received:

| | |
|--------------------------|-------------|
| Comments Supporting | <i>None</i> |
| Comments Opposing | <i>None</i> |
| Comments/Recommendations | <i>None</i> |



Legislative Secretary II
Office of Legislative Services

July 08, 2024; 8:02 AM

Date/Time

**LAW AND ORDER COMMITTEE
25TH NAVAJO NATION COUNCIL**

SECOND YEAR 2024

COMMITTEE REPORT

Madame Speaker,

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

Legislation No. 0143-24: An Act Relating to Law and Order, Health, Education and Human Services, Naabik'iyati' Committees, and the Navajo Nation Council; Amending 2 N.N.C. §§ 1651-1656, and § 401 (C); Changing the Name of the Division of Social Services to the Division for Children and Family Services – Sponsor: Honorable Germaine Simonson/Honorable Crystalyne Curley/Honorable Andy Nez

Has had it under consideration and reports a DO PASS with no amendment (Consent Agenda).

And thereafter referred to Health, Education & Human Services Committee.

Respectfully submitted,



Eugenia Charles-Newton, Chairperson
Law and Order Committee
25th Navajo Nation Council

Date: July 08, 2024

Main Motion:

Motion : Honorable Steven Arviso
Second : Honorable Nathan Notah
Vote : 3-0-2

**LAW AND ORDER COMMITTEE
25TH NAVAJO NATION COUNCIL**

**Regular Meeting
July 08, 2024**

Legislation No. 0143-24: An Act Relating to Law and Order, Health, Education and Human Services, Naabik'iyati' Committees, and the Navajo Nation Council; Amending 2 N.N.C. §§ 1651-1656, and § 401(C); Changing the Name of the Division of Social Services to the Division for Children and Family Services – Sponsor: Honorable Germaine Simonson/Honorable Crystalyne Curley/Honorable Andy Nez

CONSENT AGENDA

VOTE TALLY SHEET:

Main Motion:

Motion: Honorable Steven Arviso

Second: Honorable Nathan Notah

Yea: Honorable Cherilyn Yazzie, Honorable Steven Arviso, Honorable Nathan Notah

Nay: None

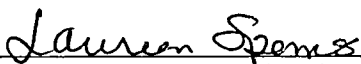
Not Voting: Honorable Eugenia Charles-Newton

Excused: Honorable Herman M. Daniels, Jr.

Absent: None



Eugenia Charles-Newton, Chairwoman
Law and Order Committee
25th Navajo Nation Council



Laureen Spencer, Legislative Advisor
Office of Legislative Services

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
25TH NAVAJO NATION COUNCIL

SECOND YEAR 2024
COMMITTEE REPORT

Madame Speaker,

The **HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE** to whom has been assigned:

Legislation No. 0143-24: An Act Relating to Law and Order, Health, Education and Human Services, Naabik'iyáti' Committees, and the Navajo Nation Council; Amending 2 N.N.C. §§ 1651-1656, and § 401(C); Changing the Name of the Division of Social Services to the Division for Children and Family Services

Sponsor: Delegate Germaine Simonson
Co-Sponsor: Delegate Andy Nez
Delegate Crystalyne Curley

Has had it under consideration and reports a Do Pass with no amendments and thence refers the legislation to the Naabik'iyáti' Committee.

Respectfully submitted,



Honorable Vince R. James, Chairperson
Health, Education and Human Services Committee
25th Navajo Nation Council

Date: July 8, 2024

Main Motion:

Motion: Honorable George Tolth
Second: Honorable Curtis Yanito
Vote: 2-1-3

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
Regular Meeting
July 8, 2024

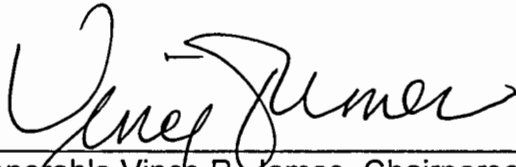
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Sponsor: Delegate Germaine Simonson
Co-Sponsor: Delegate Andy Nez
Delegate Crystalyne Curley

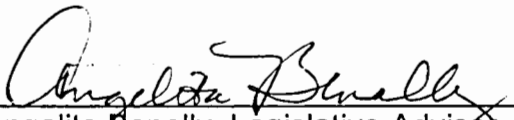
VOTE TALLY:

Main Motion:

Motion: Honorable George Tolth
Second: Honorable Curtis Yanito
Yea: Honorable Andy Nez; Honorable George Tolth
Nay: Honorable Curtis Yanito
Not Voting: Honorable Vince R. James (Presiding)
Excused: Honorable Germaine Simonson; Honorable Helena Nez Begay
Absent:
Vote: 2-1-3



Honorable Vince R. James, Chairperson
Health, Education and Human Services Committee
25th Navajo Nation Council



Angelita Benally, Legislative Advisor
Health, Education and Human Services Committee
Office of Legislative Services