

**RESOLUTION OF THE
NAVAJO NATION COUNCIL**

22nd NAVAJO NATION COUNCIL - First Year 2011

AN ACT

RELATING TO THE NAVAJO NATION COUNCIL, APPROVING A PROVISIONAL AMENDMENT TO TITLE 2 N.N.C. CREATING THE NÁBIK' IYÁTI' COMMITTEE TO FUNCTION UNTIL SUCH TIME AS THE COMMITTEE STRUCTURE OF THE NAVAJO NATION COUNCIL CAN BE AMENDED TO ACCOMMODATE THE 24 MEMBER NAVAJO NATION COUNCIL

BE IT ENACTED:

1. The Navajo Nation finds with respect to this legislation the following:

- A) The Navajo People amended Navajo Nation Code Title 2 to provide for the reduction of the Navajo Nation Council from 88 members to 24 members; and
- B) This decision by the Navajo People has required the amendment of Title 2 to restructure the Standing Committee system, consisting of 12 Standing Committees to a committee structure reflecting the capacities of a 24 member Council; and
- C) It is recognized by the Court that this restructuring is the function of the 22nd Navajo Nation Council; and
- D) The 22nd Navajo Nation Council has undertaken this extensive and complex restructuring responsibility from the very first day of the 22nd Council's Delegates taking of the oath of office and has met in work and regular session virtually continuously since that time; and
- E) The 22nd Navajo Nation Council is required to consider and enact such amendments to Title 2 at a regular session of the Navajo Nation Council (The Navajo Nation Title Two Amendments of 1989, CD-68-89, Resolved Clause 6); and

- F) The 22nd Navajo Nation Council, having met and deliberated several lengthy legislative proposals regarding restructuring during the regular session finds that it needs more time to adequately consider all the proposals before it; and
- G) The Council finds that it is precluded by law from continuing to act in regular Winter Session beyond this day, January 28, 2011. 2 N.N.C. § 162 (C) *"The duration of each session shall be no more than five working days. Each meeting day of the Navajo Nation Council shall be for a minimum of six hours each day of the session"*; and
- H) The 22nd Navajo Nation Council finds that it is in the best interest of the Navajo People that the business of the Nation not be unduly delayed or stopped until the legislative standing committees are restructured; and
- I) This continuation of governance can best be achieved by Creating the Návik'iyáti' Committee to be composed of the entire membership of the 22nd Navajo Nation Council and temporarily exercising the powers and duties of the 12 Standing Committees as enumerated in the Title 2, for not longer than the beginning of the Spring Session beginning on the third Monday of April, 2011, in order that the business of the Navajo Nation continue unimpeded.

2. The 22nd Navajo Nation Council hereby amends Title 2 as follows:

Article 20. Návik'iyáti' Committee

§ 836. Establishment ; Purposes

- A) The Návik'iyáti' Committee is hereby provisionally established, and shall meet at the call of the Speaker and exercise to the extent necessary and reasonable all the powers, duties and responsibilities of the 12 standing committees of the Navajo Nation Council as enumerated in 2 N.N.C. §§ 341-835 inclusive.

- B. The Návik'iyáti' Committee shall be composed of the entire membership of the 22nd Navajo Nation Council; the chairperson of the Committee shall be the Speaker of the Navajo Nation Council.
- C. The authority of the Návik'iyáti' Committee shall be in effect provisionally until the start of the Spring Session of the 22nd Navajo Nation Council which begins on the third Monday of April 2011, at which time the Committee shall cease to function as described §836 A, above.
- D. The Návik'iyáti' Committee shall form itself into subcommittees as needed to accomplish the Council's work for this assigned duration.

Section 1. Effective Date

The amendments enacted herein shall be effective pursuant to 2 N.N.C. §221(B).

Section 2. Codification

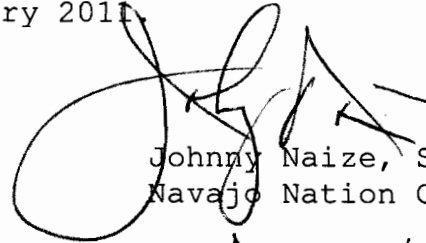
The provisions of the Act which amend or adopt new sections of the Navajo Nation Code shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such amended provisions in the next codification of the Navajo Nation Code.

Section 3. Saving Clause

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

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 17 in favor and 0 opposed, this 28th day of January 2011.



Johnny Naize, Speaker
Navajo Nation Council

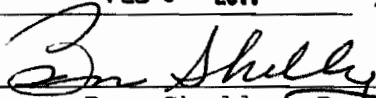
Jan 31, '11

Date

Motion: Leonard Tsosie
Second: Danny Simpson

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (10), on this _____ day of FEB 01 2011 2010.



Ben Shelly, President
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (11), this _____ day of _____ 2010 for the reason(s) expressed in the attached letter to the Speaker.

Ben Shelly, President
Navajo Nation