

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0060-20_

SPONSOR: Vince R. James

TITLE: An Action Relating To An Emergency; Temporarily Authorizing Reduced Chapter Meeting Quorum Requirements During The COVID-19 Emergency

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0060-20

DATE: March 19, 2020

**TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY;
TEMPORARILY AUTHORIZING REDUCED CHAPTER MEETING QUORUM
REQUIREMENTS DURING THE COVID-19 EMERGENCY**

PURPOSE: This resolution, if approved, will temporarily authorize chapters to conduct chapter business with a reduced quorum requirements.

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.

OLC No. 20-106-1

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

INTRODUCED BY

RLA Vince James *Att*
(Prime Sponsor)

TRACKING NO. 0060-20 *John Kelly*

**AN ACTION
RELATING TO AN EMERGENCY; TEMPORARILY AUTHORIZING REDUCED
CHAPTER MEETING QUORUM REQUIREMENTS DURING THE COVID-19
EMERGENCY**

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing of body of the Navajo Nation. 2 N.N.C. § 102 (A).
- B. All authority exercised by a chapter pursuant to 26 N.N.C. § 101 *et al.*, may be preempted by Navajo Nation Council statutes and/or resolutions. 26 N.N.C. § 103 (A).
- C. 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.”

1 **SECTION TWO. FINDINGS**

- 2 A. In light of the Navajo Nation’s Emergency Declaration, attached as **Exhibit A**,
3 regarding the outbreak of the COVID-19 Coronavirus, it is imperative that the Navajo
4 Nation Council, as well as Chapter governments, take precautionary measures to
5 mitigate the transmission of COVID-19 to the Navajo public and community
6 members.
- 7 B. COVID-19 which has shown a high mortality rate (49% in critical cases) among elders
8 with preexisting conditions and other at-risk populations is currently spreading
9 throughout the United States
- 10 C. The Center for Disease Control has issued guidance, attached as **Exhibit B**,
11 recommending that organizations cancel or postpone in-person events that consist of
12 ten (10) people or more.
- 13 D. The Navajo Nation Code states that “[a]ll chapter meetings require a quorum of
14 twenty-five (25) registered chapter members to conduct official business. Chapters may
15 amend the quorum requirement . . . pursuant to a chapter ordinance referendum.” 26
16 N.N.C. § 1003 (B).
- 17 E. The Navajo Nation Council finds that authorizing Chapter meetings with a lesser
18 quorum requirement is a pressing public need meeting the emergency requirements of
19 2 N.N.C. § 164 (A)(16).

20
21 **SECTION THREE. APPROVAL**

- 22 A. Notwithstanding 26 N.N.C. § 1002 (C), the Navajo Nation Council hereby authorizes
23 chapters to conduct official business through a quorum of three (3) registered chapters
24 members, which may be just chapter officials, for the next sixty (60) days.
- 25 B. The official business authorized to be addressed by a quorum of 3 registered chapter
26 members is limited to chapter business directly related to COVID-19, the Navajo
27 Nation Emergency Declaration, and budget authorizations and approvals.

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29 **SECTION FOUR. EFFECTIVE DATE**

- 30 A. The provisions of this Action shall become effective pursuant to 2 N.N.C. § 221 (B).

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B. The provisions of this Action shall expire sixty (60) days after its effective date, unless otherwise determined through resolution of the Naabik'iyáti' Committee.