

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0200-21_

SPONSOR: Carl Slater

TITLE: An Action Relating to Resources and Development Committee, Naabik'iyáti Committee, and Navajo Nation Council; Amending CJN-36-21, Section Six, to Extend the Deadline for Chapters to Return to the Twenty-Five Person Chapter Meeting Quorum Requirement

Date posted: September 16, 2021 at 7:19 PM

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Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
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LEGISLATIVE SUMMARY SHEET
Tracking No. 0200-21

DATE: September 15, 2021

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTÍ COMMITTEE, AND NAVAJO NATION COUNCIL; AMENDING CJN-36-21, SECTION SIX, TO EXTEND THE DEADLINE FOR CHAPTERS TO RETURN TO THE TWENTY-FIVE PERSON CHAPTER MEETING QUORUM REQUIREMENT

PURPOSE: This resolution, if approved, will amend CJN-36-21 to provide an additional 180 days for Chapter's to return to their 25 person meeting 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.

5-DAY BILL HOLD PERIOD: Wednesday
Website Posting Time/Date:
Posting End Date: September 21, 2021
Eligible for Action: September 22, 2021

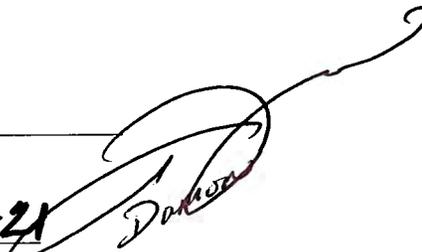
Resources & Development Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION

2 24th NAVAJO NATION COUNCIL – Third Year, 2021

3 INTRODUCED BY

4
5
6 (Sponsor)

7 TRACKING NO. 0200-21 

8
9 AN ACTION

10 RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE,
11 NAABIK'ÍYÁTÍ COMMITTEE, AND NAVAJO NATION COUNCIL;
12 AMENDING CJN-36-21, SECTION SIX, TO EXTEND THE DEADLINE FOR
13 CHAPTERS TO RETURN TO THE TWENTY-FIVE PERSON CHAPTER
14 MEETING QUORUM REQUIREMENT

15
16 BE IT ENACTED:

17
18 SECTION ONE. AUTHORITY

- 19 A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §
20 102 (A).
21 B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council
22 with the authority and responsibility to hear and act on all resolutions that require final
23 action by the Navajo Nation Council. 2 N.N.C. §§ 164 (A)(9) and 700 (A).
24 C. The Resources and Development Committee is a standing committee of the Navajo
25 Nation Council with oversight authority over chapter activities. 2 N.N.C. §§ 500 (A)
26 and (C).
27

28 SECTION TWO. FINDINGS

- 29 A. The World Health Organization (“WHO”) declared a Public Health Emergency of International
30 Concern related to the outbreak of coronavirus (“COVID-19”), a highly contagious and

1 sometimes fatal respiratory virus, on January 30, 2020; the U.S. Department of Health and
2 Human Services declared a Public Health Emergency related to the COVID-19 outbreak on
3 January 31, 2020; and the WHO declared a global pandemic due to COVID-19 on March 11,
4 2020.

5 B. The Navajo Nation Commission on Emergency Management, with the concurrence of
6 Navajo Nation President Jonathan Nez, declared a Public Health State of Emergency
7 on the Navajo Nation on March 11, 2020, due to the COVID-19 outbreak. *See*
8 Resolution No. CEM 20-03-11 incorporated herein by reference. The Navajo Nation
9 Department of Health has subsequently issued numerous Public Health Emergency
10 Orders. Public Health Orders 2020-001 through 2021-019 are incorporated herein by
11 reference. These Public Health Emergency Orders are available at [www.ndoh.navajo-](http://www.ndoh.navajo-nsn.gov)
12 [nsn.gov](http://www.ndoh.navajo-nsn.gov).

13 C. The coronavirus pandemic of 2019 has caused large scale infections and loss of life
14 throughout the world, the United States and the Navajo Nation. As of September 14,
15 2021, the Navajo Nation Health Command Operations Center has confirmed 33,290
16 COVID-19 cases and 1,421 COVID-related deaths on the Navajo Nation.

17 D. Since the start of the pandemic, the Navajo Nation Council and its Standing
18 Committees responded to the emergency situation passing a record number of
19 legislative acts to address the pandemic situation and offer relief to constituents and
20 communities.

21 E. Numerous factors show that the Navajo Nation was starting to recover from the
22 devastating effect of the Coronavirus, including, but not limited to, more adults and
23 children receiving the COVID-19 vaccine, reduced hospitalization of COVID-19
24 positive cases, and more negative test results for COVID-19.

25 F. In response to the recovery, Navajo Nation Council enacted Resolution No. CJN-36-21 titled
26 "AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION
27 COUNCIL; REPEALING RESOLUTIONS RELATED TO OR RESPONDING TO
28 EMERGENCY OR EXTRAORDINARY ENACTMENTS' PERTAINING TO COVID-19
29 MITIGATION AND COVID-19 PANDEMIC OPERATIONAL AND PREPAREDNESS
30 PROCEDURES; AUTHORIZING THE OPENING OF NAVAJO-OWNED BUSINESSES

1 TO NAVAJO CITIZENS AND NON-NAVAJO TOURISTS AND VISITORS;
2 AUTHORIZING IN-PERSON INSTRUCTION AT SCHOOLS OPERATING WITHIN THE
3 NAVAJO NATION”, attached as **Exhibit A**, which included that “[w]ithin ninety (90) days of
4 enactment of this legislation [CJN-36-21], Chapter meeting quorum requirements shall return
5 to a minimum of twenty-five persons unless otherwise authorized under RDCD-127-12.” CJN-
6 36-21, Section Six (B).

7 G. COVID-19 variants have, however, emerged since the enactment of CJN-36-21 that
8 threaten to continue and even increase the pandemic's assault on the Navajo People and
9 the Navajo Nation may experience additional variant-based COVID-19 exposures and
10 cases in the coming months.

11 H. The Navajo Nation Council determines that it is in the best interest for the overall safety
12 of the Navajo People to extend the deadline established by Navajo Nation Council
13 Resolution No. CJN-36-21 for Chapters to return to the Chapter meeting twenty-five
14 member quorum requirement.

15
16 **SECTION THREE. AMENDING CJN-36-21, SECTION SIX**

17 The Navajo Nation hereby amends CJN-36-21, Section Six, as follows:

18 **SECTION SIX. ALLOWING CHAPTER TELECOMMUNICATIONS**

19 A, Navajo Nation Chapters shall comply with applicable Public Health Emergency
20 Orders.

21 B. Within ninety (90)–one hundred eighty (180) days of enactment of this
22 legislation, unless otherwise extended through resolution of the Naabik’iyáti
23 Committee, shall return to a minimum of twenty-five persons unless otherwise
24 authorized under RDCD-127-12.

25 C. Chapter meetings shall comply the Navajo Nation Local Governance Act.

26 D. The chapters may continue to use telephonic or other electronic means as
27 supplement to meet their ~~normal~~ quorum requirement.

28 E. The Navajo Nation Council hereby support the continued use of the Chapter
29 Return to Operations Plan, attached as Exhibit A, to guide Chapters in providing
30 services to their communities in a safe manner.

1 **SECTION FOUR. EFFECTIVE DATE**

2 This Resolution is effective upon its approval pursuant to 2 N.N.C. §§ 1005 (C) (10) – (12).

3
4 **SECTION FIVE. SAVING CLAUSE**

5 Should any provision of this legislation be determined invalid by the Navajo Nation Supreme
6 Court, or a District Court of the Navajo Nation without appeal to the Navajo Nation Supreme
7 Court, those portions of the legislation which are not determined invalid shall remain the law
8 of the Navajo Nation.