LEGISLATIVE SUMMARY SHEET

Tracking No. Oala-18

Amon By

DATE:

June 25, 2018

TITLE OF RESOLUTION: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE, LAW AND ORDER COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING RULE 5 OF THE RULES OF ORDER FOR STANDING COMMITTEES OF THE NAVAJO NATION COUNCIL SUCH THAT FAILURE TO SECURE A QUORUM WITHIN ONE HOUR AFTER THE SCHEDULED START TIME SHALL RESULT IN A CANCELLED MEETING

PURPOSE: The purpose of this legislation is to amend Rule 5 of the Rules of Order for Standing Committees of the Navajo Nation Council such that meetings shall be cancelled if a quorum cannot be established within one hour after the scheduled start time of the meeting.

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.

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1	PROPOSED NAVAJO NATION COUNCIL RESOLUTION	Thence
2	23 rd NAVAJO NATION COUNCIL—FOURTH YEAR, 2018 Law & Order Co	ommittee Thence
3	Naa'bik'íyáti'	ommittee
4	pNavajo Nation	Thence
5	Osto Om By	, oounon
6	Prime Sponsor Joth L Hall	
7		
8	TRACKING NO. 0219-18	-
9		
10	AN ACTION	
11	RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE,	
12	RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE	
13	COMMITTEE, LAW AND ORDER COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND	
14	NAVAJO NATION COUNCIL; AMENDING RULE 5 OF THE RULES OF ORDER FOR	
15	STANDING COMMITTEES OF THE NAVAJO NATION COUNCIL SUCH THAT FAILURE	
16	TO SECURE A QUORUM WITHIN ONE HOUR AFTER THE SCHEDULED START TIME	
17	SHALL RESULT IN A CANCELLED MEETING	
18		
19	BE IT ENACTED:	
20		
21	SECTION ONE. AUTHORITY	
22	A. The Health, Education and Human Services Committee is a standing	
23	committee of the Navajo Nation Council. The Health, Education and Human	
24	Services Committee, among other powers, is authorized "to review and	
25	recommend resolutions relating to social services, health, environmental	
26	health, education, veterans, and veteran services, employment and labor." 2	
27	N.N.C. §§ 400 (A), 401 (B)(6)(a).	
28	B. The Resources and Development Committee is a standing committee of the	
29	Navajo Nation Council. The Resources and Development Committee, among	
20	other powers is authorized "to promulgate rules and regulations governing	

- transportation, community development, local government units, land acquisitions for the Navajo Nation, environmental protection, and the use, sale, exchange and development of Navajo Nation lands and/or resources, whether held in fee or trust status." 2 N.N.C. §§ 500 (A), 501 (B) (1).
- C. 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, insurance, audits, accounting, taxes, loans, and Chapter budget and finance. "2 N.N.C. §§ 300 (A), 300 (C).
- D. 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).
- E. The Navajo Nation Council established the Naabik'iyáti' Committee as a Navajo Nation standing committee. All proposed legislation that requires final action by the Navajo Nation Council, shall be assigned to the Naabik'iyáti' Committee. 2 N.N.C. §§ 164 (A) (9), 700 (A).
- F. The Navajo Nation Council is the governing body of the Navajo Nation and as such has the authority to promulgate rules, regulations and procedures for the conduct of its meetings and that of its committees. 2 N.N.C. §§ 102 (A),(E).

SECTION TWO. FINDINGS

- A. Pursuant to 2 N.N.C § 183 (E), "[a] quorum shall be required to commence a standing committee meeting and for vote affecting a resolution."
- B. Rule 5 of the Rules of Order for Standing Committees of the Navajo Nation Council, as most recently amended by CJA-08-18, requires a roll call be conducted and for a simple majority of members to be present in order to establish a quorum for the Standing Committee meeting.
- C. Pursuant to Rule 25 of the Rules of Order for Standing Committees of the Navajo Nation Council, amendments to the Rules "shall become effective

1	upon adoption by the Navajo Nation Council, or at such time as may be	
2	specified by the Navajo Nation Council."	
3	D. The Navajo Nation hereby finds that it is appropriate for Standing Committee	
4	meetings to be cancelled if a quorum is not established within one hour after	
5	the scheduled start time in order to promote punctuality and efficiency.	
6		
7	SECTION THREE. AMENDING RULE 5 OF THE RULES OF ORDER FOR	
8	STANDING COMMITTEES OF THE NAVAJO NATION COUNCIL SUCH THAT	
9	FAILURE TO SECURE A QUORUM WITHIN ONE HOUR AFTER THE SCHEDULE	
10	START TIME SHALL RESULT IN A CANCELLED MEETING	
11		
12	The Navajo Nation Council hereby amends Rule 5 of the Rules of Order for	
13	Standing Committees of the Navajo Nation Council, as most recently amended by	
14	CJA-08-18, as follows:	
15		
16	RULES OF ORDER	
17	FOR STANDING COMMITTEES	
18	OF THE NAVAJO NATION COUNCIL	
19	***	
20	Rule 5. Roll Call/Quorum:	
21		
22	The personnel of the Office of Legislative Services assigned to the Committee	
23	shall perform the roll call for the morning and afternoon sessions and inform the	
24	Chairperson if a quorum exists. A simple majority shall constitute a quorum. If a	
25	quorum is not established within one hour of the scheduled start time of the	
26	meeting, the meeting shall be cancelled.	
27		
28	***	
29	SECTION 3. EFFECTIVE DATE	
30		

The amendment enacted herein shall be effective pursuant to Rule 25 of the Rules of Order for Standing Committees of the Navajo Nation Council.

SECTION 4. SAVINGS 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 Supreme Court, those provisions of the Act not determined invalid shall remain the law of the Nation.



Honorable LoRenzo Bates Speaker 23rd Navajo Nation Council

MEMORANDUM

TO: Honorable Steven Begay

23rd Navajo Nation Council Delegate

FROM: Candace French, Attorney

Office of Legislative Counsel

DATE: June 25, 2018

RE: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN

SERVICES COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE, LAW AND ORDER COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING RULE 5 OF THE RULES OF ORDER FOR STANDING COMMITTEES OF THE NAVAJO NATION COUNCIL SUCH THAT FAILURE TO SECURE A QUORUM WITHIN ONE HOUR AFTER THE SCHEDULED START TIME SHALL RESULT IN A

CANCELLED MEETING

Per your request, attached is the above-reference proposed resolution and associated legislative summary sheet. Based on existing law and the available information, the resolution 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 standing committees powers 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 resolution 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 resolution 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 the changes you would like to make to the proposed resolution.

THE NAVAJO NATION LEGISLATIVE BRANCH INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0219-18__ SPONSOR: <u>Steven Begay</u>

TITLE: An Action Relating To Health, Education And Human Services Committee, Resources And Development Committee, Budget And Finance Committee, Law And Order Committee, NAABIK'IYATI' Committee And Navajo Nation Council; Amending Rule 5 Of The Rules Of Order For Standing Committees Of The Navajo Nation Council Such That Failure To Secure A Quorum Within One Hour After The Scheduled Start Time Shall Result In A Cancelled Meeting

Date posted: June 28, 2018 at 2:48 PM

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.: 0219-18

SPONSOR: Honorable Steven Begay

TITLE: An Action Relating to Health, Education And Human Services Committee, Resources And Development Committee, Budget And Finance Committee, Law And Order Committee, NAABIK'IYATI' Committee And Navajo Nation Council; Amending Rule 5 Of The Rules Of Order For Standing Committees Of The Navajo Nation Council Such That Failure To Secure A Quorum Within One Hour After The Scheduled Start Time Shall Result In A Cancelled Meeting

Posted: June 28, 2018 at 2:48 PM

5 DAY Comment Period Ended: July 3, 2018

Digital Comments received:

Comments Supporting	None
Comments Opposing	None
Inconclusive Comments	None

Legislative Secretary II
Office of Legislative Services

Date/Time

Committee Report

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

LEGISLATION NO. 0219-18

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE COMMITTEE, LAW AND ORDER, NAABIK'IYATI' AND NAVAJO NATION COUNCIL; AMENDING RULE 5 OF THE RULES OF ORDER FOR STANDING COMMITTEES OF THE NAVAJO NATION COUNCIL SUCH THAT FAILURE TO SECURE A QUORUM WITHIN ONE HOUR AFTER THE SCHEDULED START TIME SHALL RESULT IN A CANCELLED MEETING

Sponsor: Honorable Steven Begay

Has had under consideration and report the same with the recommendation that Legislation 0219-18 PASS with no amendment and no directive; and therefore referred the same to the RESOURCES AND DEVELOPMENT COMMITTEE OF THE NAVAJO NATION COUNCIL

Respectfully Submitted,

Jonathan L. Hale, Chairperson

Health, Education and Human Services Committee

July 30, 2018 - Main Motion

Motion by: Honorable Nelson BeGaye Seconded by: Honorable Nathaniel Brown

Vote: 4 in favor; 0 Opposed; Chairperson Not Voting

Absent (excused): Amber Kanazbah Crotty

Yeas: Nelson BeGaye; Nathaniel Brown; Steven Begay; Norman M. Begay

Nays: None

RESOURCES AND DEVELOPMENT COMMITTEE 23rd NAVAJO NATION COUNCIL

FOURTH YEAR 2018

COMMITTEE REPORT

Mr. Speaker,

The RESOURCES AND DEVELOPMENT COMMITTEE to whom has been assigned:

Legislation # 0219-18: An Action Relating to Health, Education and Human Services Committee, Resources and Development Committee, Budget and Finance Committee, Law and Order Committee, Naabik'Iyati Committee and Navajo Nation Council; Amending Rule 5 of the Rules of Order for Standing Committees of the Navajo Nation Council Such That Failure to Secure a Quorum Within One Hour After the Scheduled Start Time Shall Result in a Cancelled meeting. Sponsor: Honorable Steven Begay

Has had it under consideration and reports a DO PASS with no amendments;

And thereafter referred the legislation to Budget and Finance Committee.

Respectfully submitted,

Alton Joe Shepherd, Chairperson

Resource and Development Committee of the 23rd Navajo Nation Council

Date: September 26, 2018 - Regular Meeting

Meeting Location: Navajo Nation Council Chambers, Window Rock, Arizona Main Motion: Benjamin Bennett Second: Leonard Pete Vote: 4-1-1 (CNV)

YEAS: Benjamin Bennett, Davis Filfred, Leonard Pete, and Jonathan Perry

NAYS: Walter Phelps

RESOURCES AND DEVELOPMENT COMIMTTEE Regular Meeting September 26, 2018

ROLL CALL VOTE TALLY SHEET:

Legislation # 0219-18: An Action Relating to Health, Education and Human Services Committee, Resources and Development Committee, Budget and Finance Committee, Law and Order Committee, Naabik'Iyati Committee and Navajo Nation Council; Amending Rule 5 of the Rules of Order for Standing Committees of the Navajo Nation Council Such That Failure to Secure a Quorum Within One Hour After the Scheduled Start Time Shall Result in a Cancelled meeting. Sponsor: Honorable Steven Begay

Main Motion: Benjamin Bennett Second: Leonard Pete Vote: 4-1-1 (CNV)

YEAS: Benjamin Bennett, Davis Filfred, Leonard Pete, and Jonathan Perry

NAYS: Walter Phelps

Alton Joe Shepherd, Chairperson

Resources and Development Committee

Shammie Begay, Legislative Advisor Resources and Development Committee

23rd NAVAJO NATION COUNCIL

Fourth Year 2018

Mr. Speaker:

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

NAVAJO LEGISLATIVE BILL # 0219-18:

An Action Relating to Health, Education and Human Services Committee, Resources and Development Committee, Budget and Finance Committee, Law and Order Committee, Naabikiyati Committee and Navajo Nation Council; Amending Rule 5 of the Rules of Order for Standing Committees of the Navajo Nation Council Such that Failure to Secure a Quorum Within One Hour After the Scheduled Start Time Shall Result in a Cancelled Meeting Sponsored by Steven Begay, Council Delegate

has had it under consideration and reports the same with the recommendation that It **Do Not Pass** without amendment.

And therefore, referred to the Law and Order Committee

Respectfully submitted,

Seth Damon Chairman

Adopted: ______ Not Adopted: ______ Legislative Advisor Legislative Advisor

3 October 2018

The vote was o in favor 3 opposed vote failed yeas: (none) nays: Dwight Witherspoon,

Leonard Tsosie, Tom T. Chee Motion: Dwight Witherspoon

Second: Tom T. Chee

BUDGET AND FINANCE COMMITTEE

3 October 2018 Special Meeting

VOTE TALLY SHEET:

Legislation No. 0219-18:

An Action Relating to Health, Education and Human Services Committee, Resources and Development Committee, Budget and Finance Committee, Law and Order Committee, Naabikiyati Committee and Navajo Nation Council; Amending Rule 5 of the Rules of Order for Standing Committees of the Navajo Nation Council Such that Failure to Secure a Quorum Within One Hour After the Scheduled Start Time Shall Result in a Cancelled Meeting Sponsored by Steven Begay, Council Delegate

Motion: Dwight Witherspoon

Second: Tom T. Chee

Vote: o-3, Chairman not voting

Vote Tally:

Seth A. Damon	
Dwight Witherspoon	Nay
Tom T. Chee	Nay
Lee Jack, Sr.	
Leonard Tsosie	Nay
Tuchoney Slim, Jr.	

Absent: Lee Jack, Sr., Tuchoney Slim, Jr.

Seth A. Damon, Chairman

Budget & Finance Committee

Angelita Benally, Legislative Advisor Office of Legislative Services

LAW AND ORDER COMMITTEE 23RD NAVAJO NATION COUNCIL

FOURTH YEAR 2018

COMMITTEE REPORT

Mr. Speaker,

The LAW AND ORDER COMMITTEE to whom has been assigned:

Legislation No. 0219-18: An Action Relating to Health, Education and Human Services Committee, Resources and Development Committee, Budget and Finance Committee, Law and Order Committee, Naabik'iyati' Committee and Navajo Nation Council; Amending Rule 5 of the Rules of Order for Standing Committees of the Navajo Nation Council such that Failure to Secure a Quorum within One Hour After the Scheduled Start Time Shall Result in a Cancelled Meeting – Sponsors: Honorable Steven Begay/Honorable Jonathan L. Hale/Honorable Otto Tso

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

And thereafter referred to Naabik'iayti' Committee

Respectfully submitted,

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

Date: November 13, 2018

Main Motion: Honorable Otto Tso

Second : Honorable Raymond Smith, Jr. Vote : 2-0-1 (Chairperson not voting)

LAW AND ORDER COMMITTEE Special Meeting November 13, 2018

VOTE TALLY SHEET:

Legislation No. 0219-18: An Action Relating to Health, Education and Human Services Committee, Resources and Development Committee, Budget and Finance Committee, Law and Order Committee, Naabik'iyati' Committee and Navajo Nation Council; Amending Rule 5 of the Rules of Order for Standing Committees of the Navajo Nation Council such that Failure to Secure a Quorum within One Hour After the Scheduled Start Time Shall Result in a Cancelled Meeting – Sponsors: Honorable Steven Begay/Honorable Jonathan L. Hale/Honorable Otto Tso

Main Motion: Otto Tso

Second: Raymond Smith, Jr.

Vote: 2-0-1

VOTE TALLY:

YEAS: Otto Tso/Raymond Smith, Jr.

NAYS:

NOT VOTING: Edmund Yazzie

EXCUSE: Kee A. Begay, Jr./Herman M. Daniels

Edmund Vazzie, Chairperson

Law and Order Committee

Laureen Spencer, Legislative Advisor

Law and Order Committee

NAVAJO NATION

RCS# 26

Special Session

11/13/2018 10:53:36 AM

Amd# to Amd#

Legislation No. 0219-18

PASSED

MOT Tso

SEC Smith

Yea: 2

Nay: 0

Excused: 2

Not Voting: 1

Yea: 2

Smith

Tso

Nay:0

Excused: 2

Begay, K

Daniels

Not Voting: 1

Yazzie

23rd NAVAJO NATION COUNCIL NAABIK'ÍYÁTI' COMMITTEE REPORT Fourth Year 2018

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

NAVAJO LEGISLATIVE BILL #0219-18

An Action Relating to Health, Education and Human Services Committee, Resources and Development Committee, Budget and Finance Committee, Law and Order Committee, Naabik'íyáti' Committee and Navajo Nation Council; Amending Rule 5 of the Rules of Order for Standing Committees of the Navajo Nation Council such that Failure to Secure a Quorum Within One Hour After the Scheduled Start Time Shall Result in a Cancelled Meeting

Co-Sponsored by: Honorable Jonathan L. Hale Co-Sponsored by: Honorable Otto Tso

Has had it under consideration and reports the same that the legislation FAILED AND REFERRED TO THE NAVAJO NATION COUNCIL

Respectfully Submitted,

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

29 NOVEMBER 2018

MAIN MOTION

Motioned by: Honorable Edmund Yazzie Seconded by: Honorable Leonard Pete

Vote: 06 in Favor, 07 Opposed (Chairman Bates not voting)

NAVAJO NATION

RCS# 1118 11/29/2018

Naa'bik'iyati Committee 01:55:41 PM

Amd# to Amd# Legisla

Legislation No. 0219-17

FAILED

MOT Yazzie SEC Pete Amending Rule 5 of the Rules of Order for Standing Committees

Yea: 6 Nay: 7 Excused: 0 Not Voting: 11

Yea: 6

Bennett Kieyoomia Slim Yazzie

Hale Perry

Nay: 7

Begay, K Crotty Pete Yellowhair

BeGaye, N Jack Shepherd

Excused: 0

Not Voting: 11

Bates Chee Filfred Tso
Begay, NM Damon Phelps Tsosie

Brown Daniels Smith

23rd NAVAJO NATION COUNCIL ACTION REPORT Fourth Year 2018

The NAVAJO NATION COUNCIL to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0219-18

An Action Relating to Health, Education and Human Services Committee, Resources and Development Committee, Budget and Finance Committee, Law and Order Committee, Naabik'íyáti' Committee and Navajo Nation Council; Amending Rule 5 of the Rules of Order for Standing Committees of the Navajo Nation Council such that Failure to Secure a Quorum Within One Hour After the Scheduled Start Time Shall Result in a Cancelled Meeting

Co-Sponsored by: Honorable Jonathan L. Hale. Co-Sponsored by: Honorable Olin Kieyoomia

Co-Sponsored by: Honorable Otto To

Has had it under consideration and reports the same FAILED

Respectfully Submitted,

Honorable LoRenzo C. Bates, Speaker
23rd NAVAJO NATION COUNCIL

31 DECEMBER 2018

AMENDMENT #1:

Page 3, line 25, strike "one" and insert "two"
Page 3, line 26, strike "cancelled" and insert "rescheduled"

Motioned By: Honorable Raymond Smith, Jr. Seconded By: Honorable Norman M. Begay

Vote: 02 in Favor, 12 Opposed (Speaker Bates not voting)

MAIN MOTION:

Motioned by: Honorable Herman M. Daniels Seconded by: Honorable Norman M. Begay

Vote: 05 in Favor, 09 Opposed (Speaker Bates Not Voting)

NAVAJO NATION

RCS# 1401

Special Session

12/31/2018

03:38:12 PM

Amd# to Amd#

Legislation 0219-18: Amending

FAILED

MOT Daniels

SEC Begay, NM

Rule 5 of the Rules of Order for

Standing Committees of the NNC

such that Failure to Secure...

Yea:5

Nay: 9

Excused: 0

Not Voting: 10

Yea:5

Bennett

Kieyoomia

Pete

Shepherd

Brown

Nay: 9

Begay, K Begay, NM Daniels Filfred Jack

Tsosie

Smith

Yellowhair

BeGaye, N

Excused: 0

Not Voting: 10

Bates

Damon

Phelps Slim Tso

Chee Crotty Hale Perry

Yazzie