

RESOLUTION OF THE
NAVAJO NATION COUNCIL

20th NAVAJO NATION COUNCIL - Second Year, 2004

AN ACTION

RELATING TO CHAPTER GOVERNMENT; AMENDING THE NAVAJO NATION
LOCAL GOVERNANCE ACT, 26 N.N.C. §§2, 1003 & 2001 AND THE
NAVAJO NATION CODE, 11 N.N.C. §2

BE IT ENACTED:

1. The Navajo Nation Council, subject to approval by a majority of all chapters of the Navajo Nation, hereby amends the Navajo Nation Local Governance Act, 26 N.N.C. §§2, 1003 and 2001, as follows:

Title 26. Navajo Nation Local Governance Act

* * *

Section 2. Definitions

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10. "Chapter membership" means

- a. for voting purposes and participation in the Chapter government, all registered voters of the Chapter, or those representing such voters pursuant to governing models adopted by the Transportation and Community Development Committee of the Navajo Nation Council pursuant to this Act.
- b. For purposes of services and benefits, all tribal members, young and old, who either reside within or are registered in the Chapter. An individual may not be a member of more than one Chapter.

~~11. "Chapter official" means the following public officials elected by the Chapter membership; Chapter President, Chapter Vice President, and Chapter Secretary/Treasurer.~~

11. "Chapter Officials" - The President, Vice-President, and Secretary/Treasurer of a certified chapter, or, for purposes of the Election Code, other officials who may be locally elected based upon governing models adopted by the Transportation and Community Development Committee of the Navajo Nation Council pursuant to this Act.

12. "Chapter ordinance referendum ballot measure" means the official vote action of a Chapter's registered voters on a proposed resolution or ordinance pursuant to Sections 1003(B) and 2001(H) et seq. of this Act.

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Section 1003. Order of Business

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B. All Chapter meetings require a quorum of 25 registered Chapter members to conduct official Chapter business. Chapters, whether governance-certified or not, may amend the quorum requirement, based upon models and procedural regulations adopted by the Transportation and Community Development Committee of the Navajo Nation Council, pursuant to a Chapter ordinance referendum. Adoption of an amended quorum requirement requires approval by chapter ballot measure in accordance with 11 N.N.C. §§401-408.

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Section 2001. Chapter Ordinance Procedure

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E. Passage of all ordinance(s), except those listed in subsection H, by the Chapter requires a majority of the registered votes cast by the Chapter membership during a regular or special election meeting.

* * *

H. ~~A The chapter ordinance referendum ballot measure shall be used for the adoption of an alternative form of chapter governance, a municipal form of government, Chapter sub-units, local taxes and fees, issuance of community bonds and compensation of Chapter officials. Adoption of a chapter ballot measure shall be in accordance with 11 N.N.C. §§401-408. and shall require approval subject to the procedural requirements set forth in this Section including the following:~~

- ~~1. The chapter shall be responsible for the funding and administration of referendum elections concerning such ordinance. The Navajo Nation Election Administration shall provide the necessary assistance.~~
- ~~2. The votes cast shall be by secret ballot prepared by the Chapter Administration.~~
- ~~3. Ordinances by referendum require passage by majority of the registered voters.~~

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2. With respect to these proposed amendments to the Local Governance Act, the Office of Navajo Government Development shall coordinate the collection of chapter resolutions. Pursuant to 26 N.N.C. §1(E), the amendments shall be deemed effective upon approval by a majority of chapters of the Navajo Nation.
 3. Further, the Navajo Nation Council hereby amends the Navajo Nation Election Code as follows:

Title 11, Navajo Nation Election Code

* * *

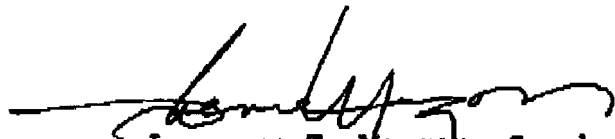
§2. Definitions.

F. "Chapter Officers Officials" - The President, Vice-President, and Secretary/Treasurer of a certified Chapter, or other officials who may be locally elected based on governing models adopted by the Transportation and Community Development Committee of the Navajo Nation Council pursuant to the Navajo Nation Local Governance Act, 26 N.N.C. §1 et seq.

* * *

CERTIFICATION

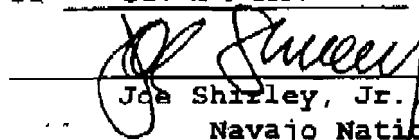
I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 66 in favor and 7 opposed, this 18th day of October 2004.


Lawrence T. Morgan, Speaker
Navajo Nation Council
19 Oct 2004
Date

Motion: Wallace Charley
Second: Willie Tracey, Jr.

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 OCT 29 2004 2004.


Joe Shirley, Jr. President
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (11), this _____ day of _____ 2004 for the reason(s) expressed in the attached letter to the Speaker.

Joe Shirley, Jr., President
Navajo Nation