LEGISLATION NO: _0182-20__                     SPONSOR: Daniel E. Tso

TITLE: An Action Relating To NAABIK'IYATI' Committee And The Navajo Nation Council; Overriding The Navajo Nation President’s Veto Of Navajo Nation Council Resolution CJY-62-20

Date posted: August 17, 2020 at 4:34 PM

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DATE: August 13, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO NAABIK’ÍYÁTI’ COMMITTEE AND THE NAVAJO NATION COUNCIL; OVERRIDING THE NAVAJO NATION PRESIDENT’S VETO OF NAVAJO NATION COUNCIL RESOLUTION NO. CJY-62-20

PURPOSE: This resolution, if approved, will override the President’s veto of Resolution No. CJY-62-20 which added the 2009 Line-Item Veto Initiative language to the Navajo Nation Code.

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.
PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL—SECOND YEAR, 2020

INTRODUCED BY

[Signature]

Primary Sponsor

TRACKING NO. 0182-20

AN ACTION

RELATING TO NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; OVERRIDE THE NAVAJO NATION PRESIDENT'S VETO OF NAVAJO NATION COUNCIL RESOLUTION CJY-62-20

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. All resolutions enacting new law or amending existing laws are subject to veto by the President of the Navajo Nation pursuant to 2 N.N.C. § 1005(C)(10) and (11) and override by the Navajo Nation Council. 2 N.N.C. § 164(A)(17).

B. A vetoed resolution shall first be submitted to Naabik'íyáti' Committee before consideration by the Council. 2 N.N.C. § 164 (A)(17).

C. Veto legislation passed by the Navajo Nation Council [is] subject to an override of the veto by two-thirds (2/3) vote of the membership of the Navajo Nation Council. 2 N.N.C. § 1005(C)(11).

SECTION TWO. FINDINGS

A. The Navajo Nation Council approved Resolution No. CJY-62-20, “Amending 2 N.N.C. § 164 (A) (17) to Include the Budget Line-Item Veto Authority Language
Approved by Navajo Voters Through Initiative Election in 2009”, attached as Exhibit 1, on July 22, 2020.

B. The Navajo Nation President vetoed CJY-62-20 on August 6, 2020 and provided a memorandum, attached as Exhibit 2, to support his decision to veto the Council Resolution.

C. Although CJY-62-20 incorporated the language of the 2009 Initiative approved by Navajo People into the Navajo Nation Code, the President’s memorandum states that “[t]he amendment in CJY-62-20 does not respect the intent of the People”, Exhibit 2, page 1.

D. The Navajo Nation Council finds that the President’s assertion is without merit. The text of the 2009 Initiative, as set forth in Exhibit 1, attachment A, stated that “[t]he President of the Navajo Nation will be authorized to exercise line item veto authority over budget items contained in the annual Navajo Nation Comprehensive Budget or supplemental appropriations approved by the Navajo Nation Council. Budget line items vetoed by the President of the Navajo Nation will not be subject to Navajo Nation Council override.”

The amendment to the Navajo Nation Code approved by CJY-62-20 is substantially identical to the text of the 2009 Initiative. CJY-62-20, page 4, specifically states that “the President is authorized to exercised line item veto authority over budget items contained in the annual Navajo Nation Comprehensive Budget or supplemental appropriations approved by the Navajo Nation Council; budget line items vetoed by the President will not be subject to Navajo Nation Council override.”

E. The Navajo Nation Council further finds that CJY-62-20 reflects and respects the understanding and intent of the Navajo People when they voted in the 2009 Initiative.

SECTION THREE. OVERRIDE

The Navajo Nation Council hereby overrides the Navajo Nation President’s veto of Resolution CJY-62-20.