

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0137-20\_\_

SPONSOR: Daniel Tso

**TITLE: An Action Relating to an Emergency for the Navajo Nation; Overriding the Navajo Nation President's Veto of Navajo Nation Council Resolution CAP-26-20**

**Date posted: June 19, 2020 at 5:48PM**

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## LEGISLATIVE SUMMARY SHEET

Tracking No. 0137-20

**DATE:** May 14, 2020

**TITLE OF RESOLUTION:** PROPOSED NAVAJO NATION COUNCIL RESOLUTION;  
AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION;  
OVERRIDING THE NAVAJO NATION PRESIDENT'S VETO OF NAVAJO NATION  
COUNCIL RESOLUTION CAP-26-20

**PURPOSE:** On May 2, 2020, the Navajo Nation President vetoed the Navajo Nation approved Council Resolution CAP-26-20, "An Action Relating to an Emergency for the Navajo Nation; Approving Diné College and Navajo Technical University to Conduct Meetings Through Telecommunication Methods; Approving a Waiver of Provisions Requiring a Physical Presence at Board of Regents Meetings." The purpose of this legislation is to override the Navajo Nation President's veto of Resolution CAP-26-20.

**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.**

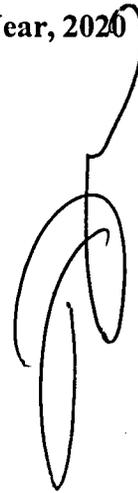
OLC No. 20-186-1

PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
24<sup>th</sup> NAVAJO NATION COUNCIL—Second Year, 2020

INTRODUCED BY

\_\_\_\_\_  
Primary Sponsor

TRACKING NO. 0137-20



AN ACTION

RELATING TO AN EMERGENCY FOR THE NAVAJO NATION;  
OVERRIDING THE NAVAJO NATION PRESIDENT’S VETO OF NAVAJO NATION  
COUNCIL RESOLUTION CAP-26-20

**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. The Navajo Nation Code provides “[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.” 2 N.N.C. §164 (A)(16).
- C. This resolution is offered as an emergency due to the critical need to stop the spread of the novel coronavirus (“COVID-19”) within the Navajo Nation. The Navajo Nation has taken strong, proactive measures to reduce the spread of COVID-19 including issuing stay at

1 home orders as well as implementing evening and weekend curfews. Holding meetings  
2 through telecommunication methods are another way to prevent further COVID-19  
3 infections within the Navajo Nation. As a sovereign nation, the Navajo Nation possesses  
4 the inherent authority to determine how best to preserve the health and safety of its  
5 members. The continued spread of COVID-19 is a serious threat to the sovereignty of the  
6 Navajo Nation.

7 D. Legislation passed by the Navajo Nation Council which is vetoed by the Navajo Nation  
8 President is subject to an override of the veto by two-thirds (2/3) vote of the membership of  
9 the Navajo Nation Council. 2 N.N.C. § 1005(C)(11).

10  
11 **Section Two. Findings**

12 A. The Navajo Nation approved Council Resolution CAP-26-20, "An Action Relating to an  
13 Emergency for the Navajo Nation; Approving Diné College and Navajo Technical  
14 University to Conduct Meetings Through Telecommunication Methods; Approving a  
15 Waiver of Provisions Requiring a Physical Presence at Board of Regents Meetings,"  
16 attached as **Exhibit A**.

17 B. The Navajo Nation President vetoed CAP-26-20 on May 2, 2020 and provided a  
18 memorandum, attached as **Exhibit B**, to support his decision to veto the Council  
19 Resolution.

20  
21 **Section Four. Override**

22 The Navajo Nation Council hereby overrides the Navajo Nation President's veto of  
23 Resolution CAP-26-20.