

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



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**

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0182-20

**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.**

OLC No. 20-318-1

5-DAY BILL HOLD PERIOD: Johnson  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 08-22-20  
Eligible for Action: 08-23-20

Naabik'iyáti' Committee  
Thence  
Navajo Nation Council

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
2 24<sup>th</sup> NAVAJO NATION COUNCIL—SECOND YEAR, 2020  
3

4 INTRODUCED BY

5 Daniel E. Joe  
6

7 Primary Sponsor

Alta DeH

8  
9 TRACKING NO. 0182-20  
10

11 AN ACTION  
12 RELATING TO NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION  
13 COUNCIL; OVERRIDING THE NAVAJO NATION PRESIDENT'S VETO OF  
14 NAVAJO NATION COUNCIL RESOLUTION CJY-62-20  
15

16 BE IT ENACTED:

17  
18 SECTION ONE. AUTHORITY

- 19 A. All resolutions enacting new law or amending existing laws are subject to veto by the  
20 President of the Navajo Nation pursuant to 2 N.N.C. § 1005(C)(10) and (11) and  
21 override by the Navajo Nation Council. 2 N.N.C. § 164(A)(17).  
22 B. A vetoed resolution shall first be submitted to Naabik'iyáti' Committee before  
23 consideration by the Council. 2 N.N.C. § 164 (A)(17).  
24 C. Veto legislation passed by the Navajo Nation Council [is] subject to an override of the  
25 veto by two-thirds (2/3) vote of the membership of the Navajo Nation Council. 2  
26 N.N.C. § 1005(C)(11).  
27

28 SECTION TWO. FINDINGS

- 29 A. The Navajo Nation Council approved Resolution No. CJY-62-20, "Amending 2  
30 N.N.C. § 164 (A) (17) to Include the Budget Line-Item Veto Authority Language

1 Approved by Navajo Voters Through Initiative Election in 2009”, attached as **Exhibit**  
2 **1**, on July 22, 2020.

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

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

10 D. The Navajo Nation Council finds that the President’s assertion is without merit. The  
11 text of the 2009 Initiative, as set forth in **Exhibit 1**, attachment A, stated that

12 “[t]he President of the Navajo Nation will be authorized to exercise line  
13 item veto authority over budget items contained in the annual Navajo Nation  
14 Comprehensive Budget or supplemental appropriations approved by the  
15 Navajo Nation Council. Budget line items vetoed by the President of the  
16 Navajo Nation will not be subject to Navajo Nation Council override.”

17 The amendment to the Navajo Nation Code approved by CJY-62-20 is substantially  
18 identical to the text of the 2009 Initiative. CJY-62-20, page 4, specifically states that

19 “the President is authorized to exercised line item veto authority over budget  
20 items contained in the annual Navajo Nation Comprehensive Budget or  
21 supplemental appropriations approved by the Navajo Nation Council;  
22 budget line items vetoed by the President will not be subject to Navajo  
23 Nation Council override.”

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

26  
27 **SECTION THREE. OVERRIDE**

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