TITLE: An Action Relating to Naabik’íyáti’ Committee and the Navajo Nation Council; Overriding the Navajo Nation President’s Veto of Navajo Nation Council Resolution CMA-18-21

Date posted: May 10, 2021 at 3:39PM

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.
DATE: May 4, 2021

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 CMA-18-21

PURPOSE: This resolution, if adopted, would override the Navajo Nation President’s veto of Navajo Nation Council resolution CMA-18-21.

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.
PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL – THIRD YEAR, 2021

INTRODUCED BY

[Signature]

(Sponsor)

TRACKING NO. 0078-21

AN ACTION

RELATING TO NAABIK'IYÁTI’ COMMITTEE AND THE NAVAJO NATION COUNCIL; OVERRIDING THE NAVAJO NATION PRESIDENT’S VETO OF NAVAJO NATION COUNCIL RESOLUTION CMA-18-21

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Navajo Nation Council enacts laws of the Navajo Nation. 2 N.N.C. § 102.

B. 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. §§ 164(A)(17) and 1005(C)(10) and (11).

C. Resolutions vetoed by the President of the Navajo Nation are subject to override "by two-thirds (2/3) vote of the membership of the Navajo Nation Council." 2 N.N.C. § 1005(C)(11).

D. Navajo Nation law provides that the “President’s veto shall not be subject to an override by the Navajo Nation Council after the end of the next regular session of the Navajo Nation Council following the session in which the legislation was first passed by the Council.” 2 N.N.C. § 1005(C)(11).
E. A resolution proposing an override of a veto by the President of the Navajo Nation must “first be submitted to Naabik’iyáti’ Committee before consideration by the Council.” 2 N.N.C. § 164 (A)(17).

SECTION TWO. FINDINGS

A. Council Resolution CMA-18-21 was passed by the Navajo Nation Council and certified on April 5, 2021. The resolution is entitled, “An Act Relating to Health, Education and Human Services, Law and Order, Budget and Finance and Naabik’iyáti’ Committees and the Navajo Nation Council; Amending the Charter of Dine College, 10 N.N.C. §§ 2001 - 2023.”

B. The Navajo Nation President vetoed resolution CMA-18-21 on April 14, 2021 and he provided a memorandum explaining his decision. See attached Exhibit 1, memorandum with vetoed resolution. A few days following the President’s veto, the Spring Session of the Council started on April 19, 2021.

C. The Navajo Nation Council does not agree with the reasons for the President’s veto of Resolution CMA-18-21

D. Presidential vetoes are not be subject to override by the Navajo Nation Council after the end of the next regular session of the Navajo Nation Council following the session in which the legislation was first passed by the Council. 2 N.N.C. § 1005(C)(11), Legislation to override a Presidential veto is subject to the following statutory requirements; (1) the five-day posting period set forth in 2 N.N.C. §§ 164 (A)(5) – (8); and (2) consideration by the Naabik’iyáti’ Committee pursuant to 2 N.N.C. §§ 164 (A)(17) and 700(C)(8) prior to being added to the Navajo Nation Council agenda. The President’s veto of CMA-18-21 was not returned to the Legislative Branch in time to meet the statutory requirements applicable to veto override legislation prior to its presentation to the Navajo Nation Council at its 2021 Spring Session. In order to meet the statutory requirements applicable to veto override legislation, the end of the Navajo Nation Council 2021 Summer Session shall be the benchmark for Navajo Nation Council to adopt legislation to override the President’s veto of CMA-18-21.
E. It is in the best interest of the Navajo Nation that the Presidential veto of Navajo Nation Council resolution CMA-18-21 be overridden.

SECTION THREE. OVERRIDING VETO

The Navajo Nation Council hereby overrides the Navajo Nation President’s veto of Resolution CMA-18-21, effective upon certification of the Speaker of the Navajo Nation Council.

SECTION FOUR. EFFECTIVE DATE

The effective date of this override shall be as provided for in 2 N.N.C. §221 (A) and (C).