

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0078-21__

SPONSOR: Daniel Tso

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

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0078-21

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.

5-DAY BILL HOLD PERIOD VSREDHUBC
Website Posting Time/Date _____
Posting End Date: 05-15-2021
Eligible for Action: 05-16-2021

Naabik'iyáti' Committee
Thence
Navajo Nation Council

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION
2 24th NAVAJO NATION COUNCIL – THIRD YEAR, 2021
3 INTRODUCED BY

4 
5 _____

6 (Sponsor)

7
8 TRACKING NO. 0078-21

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10 AN ACTION
11 RELATING TO NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION
12 COUNCIL; OVERRIDING THE NAVAJO NATION PRESIDENT'S VETO OF
13 NAVAJO NATION COUNCIL RESOLUTION CMA-18-21
14

15 BE IT ENACTED:

16
17 SECTION ONE. AUTHORITY

- 18 A. The Navajo Nation Council enacts laws of the Navajo Nation. 2 N.N.C. § 102.
19 B. 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. §§ 164(A)(17) and 1005(C)(10)
21 and (11).
22 C. Resolutions vetoed by the President of the Navajo Nation are subject to override "by
23 two-thirds (2/3) vote of the membership of the Navajo Nation Council." 2 N.N.C. §
24 1005 (C) (11).
25 D. Navajo Nation law provides that the "President's veto shall not be subject to an override
26 by the Navajo Nation Council after the end of the next regular session of the Navajo
27 Nation Council following the session in which the legislation was first passed by the
28 Council." 2 N.N.C. § 1005(C)(11).
29
30

1 E. A resolution proposing an override of a veto by the President of the Navajo Nation
2 must “first be submitted to Naabik’íyáti’ Committee before consideration by the
3 Council.” 2 N.N.C. § 164 (A)(17).
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5 **SECTION TWO. FINDINGS**

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

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

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

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

5 The Navajo Nation Council hereby overrides the Navajo Nation President's veto of
6 Resolution CMA-18-21, effective upon certification of the Speaker of the Navajo Nation
7 Council.
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9 **SECTION FOUR. EFFECTIVE DATE**

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