

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0009-22_

SPONSOR: Daniel E. Tso

TITLE: An Action Relating to the Naabik'iyáti' Committee and the Navajo Nation Council; Overriding the Veto of CO-56-21 that Proposed Reaffirming the Navajo Nation's Request to the Governor of New Mexico to Activate the Naat'aanii Development Corporation – Molina Healthcare, Inc. Indian Managed Care Entity to Increase Medical Resources Available to the Navajo People During the COVID-19 State of Emergency

Date posted: January 13, 2022 at 4:53PM

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LEGISLATION SUMMARY

Tracking No. 0009-22

Date: January 13, 2022

Title of

Legislation: **AN ACTION RELATING TO THE NAA'BIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; OVERRIDING THE VETO OF CO-56-21 THAT PROPOSED REAFFIRMING THE NAVAJO NATION'S REQUEST TO THE GOVERNOR OF NEW MEXICO TO ACTIVATE THE NAAT'AANII DEVELOPMENT CORPORATION - MOLINA HEALTHCARE, INC. INDIAN MANAGED CARE ENTITY TO INCREASE MEDICAL RESOURCES AVAILABLE TO THE NAVAJO PEOPLE DURING THE COVID-19 STATE OF EMERGENCY**

Purpose: to override the President's veto of CO-56-21

OLC No. 22-006-1

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: _____
Posting End Date: 01-18-22
Eligible for Action: 01-19-22

Naabik'iyáti' Committee
Thence
Navajo Nation Council

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION

2 24th NAVAJO NATION COUNCIL - Fourth Year, 2022

3 Introduced by:

4 _____
5
6 (Sponsor)

7
8 Tracking No. 0009-22

9
10 AN ACTION

11 RELATING TO THE NAA'BIK'ÍYÁTI' COMMITTEE AND THE NAVAJO
12 NATION COUNCIL; OVERRIDING THE VETO OF CO-56-21 THAT PROPOSED
13 REAFFIRMING THE NAVAJO NATION'S REQUEST TO THE GOVERNOR
14 OF NEW MEXICO TO ACTIVATE THE NAAT'AANII DEVELOPMENT
15 CORPORATION - MOLINA HEALTHCARE, INC. INDIAN MANAGED CARE
16 ENTITY TO INCREASE MEDICAL RESOURCES AVAILABLE TO THE
17 NAVAJO PEOPLE DURING THE COVID-19 STATE OF EMERGENCY

18
19 BE IT ENACTED:

20
21 SECTION ONE. AUTHORITY

- 22 A. The Navajo Nation Council is the governing body of the Navajo Nation and has the authority
23 to approve or amend the laws of the Navajo Nation. 2 N.N.C. §102, §102(A).
24 B. All Navajo Nation Council resolutions that approve new laws or amend existing laws may
25 be vetoed by the Navajo Nation President. 2 N.N.C. §164(A)(17) and §1005(C)(10)-(11).
26 C. However, those resolutions vetoed by the President are subject to override by the Council
27 via "a two-thirds (2/3) vote of the membership of the Navajo Nation Council." 2 N.N.C.
28 §1005(C)(11).
29 D. Navajo Nation Council resolutions proposing a veto override must be submitted to the
30 Naa'bik'iyáti' Committee before consideration by the Council. 2 N.N.C. §164 (A)(17).

1 **SECTION TWO. FINDINGS**

2 A. Resolution No. CO-56-21 was passed by the Navajo Nation Council and certified by the
3 Speaker of the Council on October 19, 2021. CO-56-21 is titled: "AN ACTION RELATING
4 TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND
5 DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION
6 COUNCIL; REAFFIRMING THE REQUEST TO THE GOVERNOR OF NEW MEXICO TO
7 ACTIVATE THE NAAT'ANII DEVELOPMENT CORPORATION - MOLINA
8 HEALTHCARE, INC., INDIAN MANAGED CARE ENTITY TO INCREASE THE
9 MEDICAL RESOURCES AVAILABLE TO NAVAJO PEOPLE DURING THE COVID-19
10 STATE OF EMERGENCY." **EXHIBIT 1.**

11 B. Navajo Nation President Jonathan Nez vetoed CO-56-21 and explained his decision in a
12 memorandum to the Speaker dated November 6, 2021. **EXHIBIT 2.**

13 C. The Navajo Nation Council disagrees with the reasons for the President's veto as stated in
14 his memorandum, and continues to believe in the need for CO-56-21.

15 D. Therefore, the Navajo Nation Council chooses to exercise its veto override authority pursuant
16 to 2 N.N.C. §164(A)(17).

17
18 **SECTION THREE. OVERRIDING THE VETO OF CO-56-21**

19 The Navajo Nation Council hereby overrides the Navajo Nation President's veto of Resolution
20 No. CO-56-21, effective upon certification of the Speaker of the Navajo Nation Council and in
21 accordance with 2 N.N.C. §221(A) and §221(C). With this override, Resolution No. CO-56-21
22 shall have full force and effect.

23
24 **SECTION FOUR. SAVING CLAUSE**

25 If any portion of this Action is determined invalid by the Navajo Nation Supreme Court, or by
26 a District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, the
27 remainder of this Action shall be the law of the Navajo Nation.