

THE NAVAJO NATION
LEGISLATIVE BRANCH
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LEGISLATION NO: _0158-25_

SPONSOR: Amber Kanazbah Crotty

TITLE: An Action Relating to the Law and Order Committee, the Budget and Finance Committee, the Naabik'íyáti' Committee, and the Navajo Nation Council; Amending Title 2 of the Navajo Nation Code to Expedite the Mandatory Review of Documents Not Requiring Legislative Action

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SUMMARY OF PROPOSED LEGISLATION

Tracking No. 0158-25

DATE: October 7, 2024

RE: AN ACTION RELATING TO THE LAW AND ORDER COMMITTEE, THE BUDGET AND FINANCE COMMITTEE, THE NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; AMENDING TITLE 2 OF THE NAVAJO NATION CODE TO EXPEDITE THE MANDATORY REVIEW OF DOCUMENTS NOT REQUIRING LEGISLATIVE ACTION

PURPOSE OF THIS LEGISLATION:

to amend 2 N.N.C. §164(B)(2) to expedite the review and signature process for official documents not requiring Council or standing committee approval.

FINAL AUTHORITY and VOTE REQUIREMENT:

The Navajo Nation Council has final authority. A simple majority vote is required (see Resolution No. CD-68-89).

5-DAY BILL HOLD PERIOD: J. Johnson
Website Posting Time/Date: _____
Posting End Date: 07-01-25
Eligible for Action: 07-02-25

Law & Order Committee
Thence
Budget & Finance Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
25th NAVAJO NATION COUNCIL - Second Year, 2024

Introduced by:

(Prime Sponsor)

Tracking No. 058-25

AN ACTION

RELATING TO THE LAW AND ORDER COMMITTEE, THE BUDGET
AND FINANCE COMMITTEE, THE NAABIK'ÍYÁTI' COMMITTEE,
AND THE NAVAJO NATION COUNCIL; AMENDING TITLE 2 OF
THE NAVAJO NATION CODE TO EXPEDITE THE MANDATORY
REVIEW OF DOCUMENTS NOT REQUIRING LEGISLATIVE ACTION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Law and Order Committee is a standing committee of the Navajo Nation Council with the authority to make recommendations to the Navajo Nation Council concerning amendments to the Navajo Nation Code. 2 N.N.C. §600(C)(6), 2 N.N.C. §601(B)(14).
- B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council with the authority to make recommendations to the Council regarding the Navajo Nation's financial matters. 2 N.N.C. §300(A), §301(B)(2).
- C. The Budget and Finance Committee has oversight authority over the Office of Management and Budget. 2 N.N.C. §301(B)(13); OMB Plan of Operation at Section V, adopted in Resolution No. GSCAU-50-02.
- D. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council that

1 reviews legislations requiring final action by the Navajo Nation Council. 2 N.N.C.
2 §164(A)(9), 2 N.N.C. §701(A)(3).

3 E. The Navajo Nation Council is the governing body of the Navajo Nation with the authority
4 to review and approve amendments to Navajo Nation laws. 2 N.N.C. §102(A), 2 N.N.C.
5 §164(A).

7 **SECTION TWO. FINDINGS**

8 A. The Navajo Nation Code, at 2 N.N.C. §164(B), provides that contracts, agreements, and
9 other official documents that do not require legislative action by the Navajo Nation Council
10 or its standing committees, must still go through a four-step review and signature process.

11 B. 2 N.N.C. §164(B)(2) requires that such documents be reviewed and signed by: (1) the
12 appropriate Division Director; (2) the Controller (or designee); (3) the Director of the
13 Office of Management and Budget (or designee); and (4) the Attorney General (or
14 designee).

15 C. The Navajo Nation President submitted a letter to the Speaker of the Navajo Nation
16 Council dated August 7, 2024. **EXHIBIT A.** In his letter, President Nygren explains that
17 he is concerned about the redundant review of certain documents because both the Office
18 of the Controller and the Office of Management and Budget are involved in the mandatory
19 review and signature process established by the Council under 2 N.N.C. §164(B)(2).

20 D. The Navajo Nation finds that an amendment to 2 N.N.C. §164(B)(2) is needed to expedite
21 the review process for official documents not requiring legislative action.

23 **SECTION THREE. AMENDING 2 N.N.C. §164(B)(2)**

24 The Navajo Nation hereby amends Title 2 of the Navajo Nation Code, as follows:

26 **TITLE 2. NAVAJO NATION GOVERNMENT**

27 * * * *

28 **§ 164. Navajo Nation Council and Committee Legislative Process**

29 B. Agreements not requiring Committee or Council approval.

30 1. Subcontracts implementing agreements approved under 2 N.N.C. § 164(A),

1 grants providing funds to the Navajo Nation, contracts expending funds
2 appropriated by the Navajo Nation Council, Letter of Assurance agreements,
3 Memoranda of Understanding, Memoranda of Agreement, and other
4 agreements that do not expend funds, and associated amendments thereto shall
5 not require approval by resolution by of the Navajo Nation Council or its
6 committees.

7 2. Prior to final execution as provided in 2 N.N.C. § 222, documents not
8 requiring approval by resolution of the Navajo Nation Council or its
9 committees shall be reviewed and signed by the following:

- 10 a. The appropriate Division Director for departments and activities under his
11 or her supervision;
- 12 b. The Controller (or designee) for all documents having a financial impact
13 on the Navajo Nation;
- 14 c. Notwithstanding any other provision of Navajo Nation law pertaining to
15 the Office of Management and Budget, at the discretion of the President
16 (or designee) ~~The~~ Director of the Office of Management and Budget (or
17 designee) shall review and sign ~~for all~~ documents having a financial
18 impact on the Navajo Nation;
- 19 d. The Attorney General of the Navajo Nation (or designee).

20 * * * *

21

22 **SECTION FOUR. CODIFICATION**

23 The provisions of this resolution that amend or adopt new sections of the Navajo Nation Code
24 shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel shall
25 incorporate such amended provisions in the next codification of the Navajo Nation Code.

26

27 **SECTION FIVE. SAVING CLAUSE**

28 If any portion of this Act is determined invalid by the Navajo Nation Supreme Court or by a
29 District Court of the Navajo Nation, without appeal to the Navajo Nation Supreme Court, the
30 remainder of this Act shall remain the law of the Navajo Nation.

SECTION SIX. EFFECTIVE DATE

The provisions of this Act shall become effective according to 2 N.N.C. §221(B).