

**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0153-20

**DATE:** July 8, 2020

**TITLE OF RESOLUTION: AN ACTION RELATING TO BUDGET AND FINANCE, LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; AMENDING 2 N.N.C. § 164 (A) (17) TO INCLUDE THE BUDGET LINE-ITEM VETO AUTHORITY LANGUAGE APPROVED BY NAVAJO VOTERS THROUGH INITIATIVE ELECTION IN 2009**

**PURPOSE:** This resolution, if approved, will delegate amend 2 N.N.C. § 164 (A)(17)'s line-item veto language to match the ballot language approved by Navajo voters in the 2009 initiative.

**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.**

5-DAY BILL HOLD PERIOD: Johnson  
Website Posting Time/Date: 5:53pm 07-08-20  
Posting End Date: 07-13-20  
Eligible for Action: 07-14-20

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

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
2 24th NAVAJO NATION COUNCIL -- Second Year, 2020

3 INTRODUCED BY

4 Daniel L. Ito  
5

6 (Sponsor)

7  TRACKING NO. 0153-20   
8  
9

10  
11 AN ACTION

12 RELATING TO BUDGET AND FINANCE, LAW AND ORDER AND  
13 NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL;  
14 AMENDING 2 N.N.C. § 164 (A) (17) TO INCLUDE THE BUDGET LINE-ITEM  
15 VETO AUTHORITY LANGUAGE APPROVED BY NAVAJO VOTERS  
16 THROUGH INITIATIVE ELECTION IN 2009  
17

18 BE IT ENACTED:

19  
20 SECTION ONE. AUTHORITY

- 21 A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §  
22 102 (A).  
23 B. The Naabik'iyati' Committee is a standing committee of the Navajo Nation Council  
24 empowered to review all proposed legislation which requires final action by the  
25 Navajo Nation Council. 2 N.N.C. §164(A)(9).  
26 C. The Law and Order Committee is a standing committee of the Navajo Nation Council  
27 empowered to review and make recommendations to the Navajo Nation Council on  
28 proposed amendments to and enactments to the Navajo Nation Code. 2 N.N.C. § 601  
29 (B) (14).  
30

1 D. The Budget and Finance Committee is a standing committee of the Navajo Nation  
2 Council empowered to review and make recommendations to the Navajo Nation  
3 Council on the budgeting, appropriation, investment, and management of all funds. 2  
4 N.N.C. § 301 (B)(2).  
5

6 **SECTION TWO. FINDINGS**

7 A. Title One, Subchapter 2, of the Navajo Nation Code, titled Diné Bi Beehaz'áanii Bitsé  
8 Siléí--Declaration of the Foundation of Diné Law, affirms the traditional Diné  
9 teachings concerning the appropriate roles of each of the three branches of the Navajo  
10 Nation:

- 11 1. The leader(s) of the Executive Branch (Ałáají' Hózhjí Naat'ááh) shall  
12 represent the Navajo Nation to other peoples and nations and implement  
13 the policies and laws (Diné bibeehaz'áanii) enacted by the legislative  
14 branch;
- 15 2. The leader(s) of the Legislative Branch (Ałáají' Naat'ájí Naat'ááh and  
16 Ałáají' Naat'ájí Ndaanit'áii or Naat'aanii) shall enact policies and laws  
17 (Diné bibeehaz'áanii) in harmony with Diné bi beenahaz'áanii to address  
18 the immediate and future needs;
- 19 3. The leader(s) of the Judicial Branch (Ałáají' Hashkééjí Naat'ááh) shall  
20 resolve disputes in the courts of the Navajo Nation and adopt rules of  
21 pleading, practice, procedure, and evidence by applying and interpreting  
22 Navajo Nation statutory laws and policies (Diné bibeehaz'áanii) enacted  
23 by the leaders of the Legislative Branch. The Peacemakers within the  
24 Peacemaking Program shall uphold the values and principles embodied in  
25 Diné bi beenahaz'áanii in the consensual practice of resolving disputes by  
26 peacemaking.

27 B. In 1989, the Navajo Tribal Council enacted Resolution No. CD-68-89 to reorganize  
28 the Navajo Nation government from a Chairmanship to a three Branch government;  
29 CD-68-89 recognized that the "[r]ecent controversy involving the leadership of the  
30 Navajo Nation has demonstrated that the present Navajo Nation Government

1 structure allows too much centralized power without real checks on the exercise of  
2 power. Experience shows that this deficiency in the government structure allows for,  
3 invites and has resulted in the abuse of power.” CD-68-89, Whereas Clause No. 2.

4 C. CD-68-89 also specifically recognized that “it is in the best interest of the Navajo  
5 Nation that the Navajo Nation Government be reorganized to provide for separation  
6 of functions into three branches and provide for checks and balances between the  
7 three branches . . .” CD-68-89, Whereas Clause No. 8.

8 D. In 2009, in response to the 21<sup>st</sup> Navajo Nation Council’s “over-appropriation” of  
9 Undesignated Unreserved General Funds (aka UUF), the Navajo People, through an  
10 initiative vote action, delegated the President the authority to line-item veto budget  
11 items contained in the annual Navajo Nation Comprehensive Budget or supplemental  
12 appropriations approved by the Navajo Nation Council.

13 E. The ballot language, attached as **Exhibit A**, approved by the Navajo People on  
14 December 15, 2009 through an initiative election, became the law of the Navajo  
15 Nation; the 2009 ballot language specifically stated that

16 “The President of the Navajo Nation will be authorized to exercise line  
17 item veto authority over budget items contained in the annual Navajo  
18 Nation Comprehensive Budget or supplemental appropriations approved  
19 by the Navajo Nation Council. Budget line items vetoed by the President  
20 of the Navajo Nation will not be subject to Navajo Nation Council  
21 override. Upon approval of this initiative, the authority of the President of  
22 the Navajo Nation to exercise line item veto authority will become  
23 effective immediately.” **Exhibit A**.

24 F. The 2009 ballot language further stated that “[i]f approved, this initiative may be  
25 repealed or amended by the initiative process only.” **Exhibit A**.

26 G. The 22<sup>nd</sup> Navajo Nation Council recognized the line-item veto law approved by  
27 the Navajo People by amending its own Title Two authorities to state that “[a]ll  
28 resolutions enacting new laws or amending existing laws are subject to veto by  
29 the President of the Navajo Nation pursuant to 2 N.N.C § 1005(C)(10) and (11)  
30

1 and override by the Navajo Nation Council, *except financial line-item vetoes are*  
2 *not subject to override.*” 2 N.N.C. § 164 (A) (17) [emphasis added].

3 H. The 22<sup>nd</sup> Navajo Nation Council’s amendment did not match the ballot language  
4 approved by the Navajo voters in 2009; this discrepancy has contributed to confusion  
5 and discord between the Executive and Legislative Branches related to the extent of  
6 the President’s line-item veto authority, as well as the appropriate roles of each of the  
7 branches.

8 I. The Navajo Nation Council finds it in the best interest of the Navajo Nation  
9 government to fully recognize what was approved by the Navajo voters in the 2009  
10 initiative by amending 2 N.N.C. § 164 (A) (17) to reflect the actual initiative ballot  
11 language, i.e., “[t]he President of the Navajo Nation will be authorized to exercise  
12 line item veto authority over budget items contained in the annual Navajo Nation  
13 Comprehensive Budget or supplemental appropriations approved by the Navajo  
14 Nation Council. Budget line items vetoed by the President of the Navajo Nation will  
15 not be subject to Navajo Nation Council override.” **Exhibit A.**

16  
17 **SECTION THREE. AMENDING 2 N.N.C. § 164 (A)(17)**

18 The Navajo Nation Council hereby amends 2 N.N.C. § 164 (A) (17) as follows:

19  
20 **§ 164. Navajo Nation Council and Committee Legislative Process**

21 A. Statements of policy, enactment of positive law, intergovernmental agreements,  
22 budget resolutions and reallocations, must be reviewed and approved by resolution by the  
23 appropriate standing committee(s) and the Navajo Nation Council except as otherwise  
24 provided herein.

25 \*\*\*\*

26 17. All resolutions enacting new laws or amending existing laws are  
27 subject to veto by the President of the Navajo Nation pursuant to 2 N.N.C §  
28 1005(C)(10) and (11) and override by the Navajo Nation Council, except  
29 financial line-item vetoes are not subject to override the President is  
30 authorized to exercise line item veto authority over budget items contained in

1 the annual Navajo Nation Comprehensive Budget or supplemental  
2 appropriations approved by the Navajo Nation Council; budget line items  
3 vetoed by the President will not be subject to Navajo Nation Council override.

4 A vetoed resolution shall first be submitted to Naabik'íyáti' Committee before  
5 consideration by the Council. Memorials are not subject to veto but become  
6 effective upon certification by the Speaker pursuant to 2 N.N.C. § 221(C). All  
7 acts of the vetoing of the resolution shall occur within the territorial  
8 jurisdiction of the Navajo Nation as described in 7 N.N.C. § 254.

9 \*\*\*\*\*

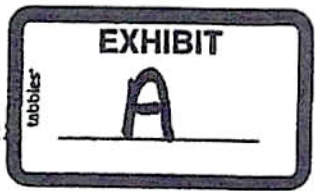
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10  
11  
12 **SECTION FOUR. EFFECTIVE DATE**

13 This action shall become effective upon its approval pursuant to 2 N.N.C. §§ 164 (A)(17)  
14 and 221 (B).

15  
16 **SECTION FIVE. SAVING CLAUSE**

17 Should any provision of this legislation be determined invalid by the Navajo Nation  
18 Supreme Court, or a District Court of the Navajo Nation without appeal to the Navajo  
19 Nation Supreme Court, those portions of the legislation which are not determined invalid  
20 shall remain the law of the Navajo Nation.



# The Navajo Nation Nation-Wide Initiative Petition

Page       
Attachment "2-a"

C. The undersigned eligible registered voters of the Navajo Nation, petition the Navajo Board of Election Supervisors to put on the ballot the following proposed

Issue: Initiative to Authorize the President of the Navajo Nation to Exercise Line Item Veto Authority

A. Official Title: Initiative to Authorize the President of the Navajo Nation to Exercise Line Item Veto Authority

B. Summary of nature and purpose: To authorize the President of the Navajo Nation to veto budget line items contained in the annual comprehensive operating budget or supplemental appropriations passed by the Navajo Nation Council.

C. Vote required for measure to pass: (Must be majority or greater) Simple majority of the votes cast

Notes: Copy of full text of proposed initiative must be attached to this petition.  
Warning: Liability may be incurred by unauthorized signing.

1.	NAME OF VOTER (PRINT)	CENSUS OR SS#	CHAPTER	ADDRESS	DATE
10.					
11.					
12.					
13.	WITNESS' SIGNATURE <td>CENSUS OR SS# <td>CHAPTER <td>ADDRESS <td>DATE </td></td></td></td>	CENSUS OR SS# <td>CHAPTER <td>ADDRESS <td>DATE </td></td></td>	CHAPTER <td>ADDRESS <td>DATE </td></td>	ADDRESS <td>DATE </td>	DATE
14.	WITNESS' SIGNATURE <td>CENSUS OR SS# <td>CHAPTER <td>ADDRESS <td>DATE </td></td></td></td>	CENSUS OR SS# <td>CHAPTER <td>ADDRESS <td>DATE </td></td></td>	CHAPTER <td>ADDRESS <td>DATE </td></td>	ADDRESS <td>DATE </td>	DATE

Exhibit D

Corroborator Verification: I hereby certify that the signatures, marks, thumbprints above are the genuine signatures, marks, or thumbprints of the person whose name it appears on this petition.

Full Text

The President of the Navajo Nation will be authorized to exercise line item veto authority over budget items contained in the annual Navajo Nation Comprehensive Budget or supplemental appropriations approved by the Navajo Nation Council. Budget line items vetoed by the President of the Navajo Nation will not be subject to Navajo Nation Council override. Upon approval of this initiative, the authority of the President of the Navajo Nation to exercise line item veto authority will become effective immediately.

If approved, this initiative may be repealed or amended by the initiative process only.



Nov-19-08 02:54pm FROM: HN LEGISLATIVE COUNSEL

19288717576

T-023 P. 13/14 F-436



Summary Information

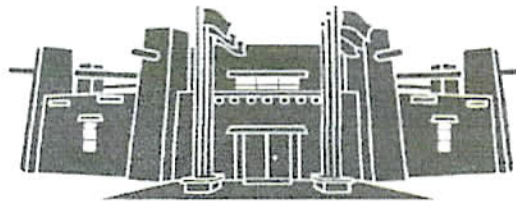
This initiative is intended to allow the Navajo people to decide whether the President of the Navajo Nation will be authorized to veto budget line items contained in the annual Navajo Nation Comprehensive Budget or supplemental appropriations approved by the Navajo Nation Council. The budget items vetoed pursuant to this authority will not be subject to Navajo Nation Council override.

The people have determined that the current governmental structure lacks sufficient checks and balances between the Legislative and Executive Branches of government. This is evidenced by the Navajo Nation Council's excessive spending of public funds, its inability to maintain the Undesignated, Unreserved Fund Balance at an amount required by law, and its continuous waiver of Navajo laws.

The people have also determined that a need exists to control excessive spending of the tribal treasury by the Navajo Nation Council, and that the only way to do so is to authorize the President of the Navajo Nation to have line item veto authority.


Through the initiative process, this ballot measure will be placed on the November 2008 Chapter Official General Election Ballot.

If approved, the power of the President of the Navajo Nation to exercise line item veto authority will become effective immediately.



## MEMORANDUM

To : Hon. Daniel E. Tso, Delegate  
Navajo Nation Council

From :   
Dana Bobroff, Chief Legislative Counsel  
Office of Legislative Counsel

Date : July 8, 2020

Re : **AN ACTION RELATING TO BUDGET AND FINANCE, LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; AMENDING 2 N.N.C. § 164 (A) (17) TO INCLUDE THE BUDGET LINE-ITEM VETO AUTHORITY LANGUAGE APPROVED BY NAVAJO VOTERS THROUGH INITIATIVE ELECTION IN 2009**

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. As to format, the resolution as drafted is legally sufficient. Regarding substance, as with any legislation, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want.

If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment. If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution. Ahéhee'.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0153-20\_\_

SPONSOR: Daniel Tso

TITLE: An Action Relating to Budget and Finance, Law and Order and Naabik'iyáti' Committees and Navajo Nation Council; Amending 2 N.N.C. §164 (A) (17) to Include the Budget Line-Item Veto Authority Language Approved by Navajo Voters Through Initiative Election in 2009

*Date posted:* July 8, 2020 at 5:53PM

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto: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.*

**THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY**

**LEGISLATION NO.:** 0153-20

**SPONSOR:** Honorable Daniel E. Tso

**TITLE: An Action Relating To Budget And Finance, Law And Order And NAABIK'IYATI' Committees And Navajo Nation Council; Amending 2 N.N.C. §164 (A) (17) To Include The Budget Line-Item Veto Authority Language Approved by Navajo Voters Through Initiative Election In 2009**

**Posted:** July 8, 2020 at 5:53 PM

**5 DAY Comment Period Ended:** July 13, 2020

**Digital Comments received:**

<b>Comments Supporting</b>	1) Commission on Navajo Government Development
<b>Comments Opposing</b>	1) Martha Tate
<b>Inconclusive Comments</b>	<i>None</i>

  
 \_\_\_\_\_  
 Legislative Tracking Secretary  
 Office of Legislative Services

07/14/20 8:17AM  
 Date/Time

**RESOLUTION OF THE  
COMMISSION ON NAVAJO GOVERNMENT DEVELOPMENT**

AN ACTION TO SUPPORT NAVAJO NATION COUNCIL LEGISLATION 0153-20: AN ACTION RELATING TO BUDGET AND FINANCE, LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING 2 N.N.C. §164 (A)(17) TO INCLUDE THE BUDGET LINE-ITEM VETO AUTHORITY LANGUAGE APPROVED BY NAVAJO VOTERS THROUGH INITIATIVE ELECTION IN 2009

**WHEREAS:**

1. Pursuant to CD-68-89, the Navajo Nation Council established the Commission on Navajo Government Development (“Commission”) including the Office of Navajo Government Development (ONGD) with quasi-independent authority to accomplish the Navajo Nation Council’s project of instituting reforms necessary to ensure an accountable and responsible government; and
2. Pursuant to 2 N.N.C. § 973(B)(2), the Commission shall have the power “to provide short and long-range comprehensive planning, evaluation and development appropriate to further enhance a Navajo Government that will perpetually accommodate the Navajo People both at the central government level and at the local level by providing for their involvement, promote their general welfare, ensure government accountability, integrity, justice, domestic order, and retain traditional harmony, cultural respect, heritage, and the protection of personal liberties.”; and
3. On December 15, 2009, the Navajo People voted to approve an initiative that empowered the Navajo Nation President with line-item veto authority where the ballot explicitly stated, “The President of the Navajo Nation will be authorized to exercise line-item veto authority over budget items contained in the annual Navajo Nation Comprehensive Budget or supplemental appropriations approved by the Navajo Nation Council...”; and
4. The newly granted line-item veto power was ultimately codified in 2 N.N.C 164 (A)(17) and it reads, “All resolutions enacting new laws or amending existing laws are subject to veto by the President of the Navajo Nation pursuant to 2 N.N.C § 1005(C)(10) and (11) and override by the Navajo Nation Council, except financial line-item vetoes are not subject to override...”; and
5. The “financial line-item vetoes” language of 2 N.N.C 164 (A)(17) is not a correct reflection of the “authority over budget items contained in the annual Navajo Nation Comprehensive Budget or supplemental appropriations approved by the Navajo Nation Council” language on the original ballot approved by the Navajo People; and
6. The Commission recognizes the political doctrine of the separation of powers and under this framework, there is an interplay of power among the three branches. Each branch has its own authority, but also must depend on the authority of the other branches for the government to function. History in most Western democracies has time and again shown

that unlimited power in the hands of one person or group in most cases means that others are suppressed or their powers curtailed. The separation of powers in a democracy is to prevent abuse of power and to safeguard freedom for all; and

7. The Commission has determined that the inconsistencies between the original ballot language describing the Navajo Nation President's line-item veto power and the power as codified in 2 N.N.C 164 (A)(17) have led to inappropriate and misapplication of the line-item veto authority and the expansion of the power beyond what the Navajo People intended in 2009; and
8. The Commission acknowledges the 1989 reform as a provisional calling toward a more structured government by permitting the system of separation of powers that divides the tasks of the Navajo Nation into three branches: legislative, executive, and judicial. These tasks are assigned to different institutions in such a way that each of them can check the others. As a result, no one institution can become so powerful in a democracy as to destroy this system; and
9. The Commission supports the effort to clarify the Navajo Nation's line-item veto power as codified in 2 N.N.C 164 (A)(17) in order to protect the Navajo People's general welfare, ensure government accountability, integrity, justice, domestic order, and retain traditional harmony, cultural respect, heritage, and protection of personal liberties.

**NOW THEREFORE IT BE RESOLVED THAT:**

1. The Commission on Navajo Government Development hereby supports the Navajo Nation Council Legislation 0153-20: An action relating to Budget and Finance, Law and Order and Naabik'iyáti' Committee and Navajo Nation Council; amending 2 N.N.C. §164(A)(17) to include the budget line-item veto authority language approved by Navajo voters through an initiative election in 2009.

**CERTIFICATION**

I, hereby certify that the foregoing resolution was duly considered by the Commission on Navajo Government Development at a duly meeting (via teleconference) in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that same was passed by a vote of 8 in favor, 0 opposed, and 1 abstained, this 13<sup>th</sup> day of July 2020.



\_\_\_\_\_  
JoAnn Dedman, Chairperson  
Commission on Navajo Government Development

Motion: Kenneth Maryboy

Second: Philmer Bluehouse



P.O. Box 220, Window Rock, Arizona 86515 | PHONE: (928) 871-7214 | FAX: (928) 871-7162

**IMMEDIATE RELEASE:**

July 13, 2020

**THE COMMISSION ON NAVAJO GOVERNMENT DEVELOPMENT SUPPORTS LEGISLATION NO. 0153-20**

**Window Rock, Navajo Nation (ARIZ)** – The Commission on Navajo Government Development unanimously passed Resolution No. CNGD-0701-20: AN ACTION TO SUPPORT NAVAJO NATION COUNCIL LEGISLATION 0153-20: AN ACTION RELATING TO BUDGET AND FINANCE, LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING 2 N.N.C. §164 (A)(17) TO INCLUDE THE BUDGET LINE-ITEM VETO AUTHORITY LANGUAGE APPROVED BY NAVAJO VOTERS THROUGH INITIATIVE ELECTION IN 2009

- The Commission on Navajo Government Development supports Hon. Delegate Daniel Tso's legislation to clarify the Navajo Nation President's line item veto authority.
- The Commission has found that the line-item veto authority of the Navajo Nation President is inconsistent with the original referendum initiative and needs to be clarified to prevent inappropriate exercises of the line-item veto authority.

The Commission on Navajo Government Development has determined that the line-item veto authority granted to the Navajo Nation President in 2009 through a referendum vote needs to be further clarified. The original language describing the line-item veto authority in 2009 was not what was ultimately codified in the Navajo Nation Code. Therefore, the Commission on Navajo Government Development fully Supports Hon. Delegate Daniel Tso's Legislation seeking to correct the line-item veto language in the Navajo Nation Code.

The original ballot language of 2009 stated that, "The President of the Navajo Nation will be authorized to exercise line item veto authority over budget items contained in the annual Navajo Nation Comprehensive Budget or supplemental appropriations approved by the Navajo Nation Council..." However, the language that was later codified reads, "All resolutions enacting new laws or amending existing laws are subject to veto by the President of the Navajo Nation pursuant to 2 N.N.C § 1005(C)(10) and (11) and override by the Navajo Nation Council, except financial line-item vetoes are not subject to override..." The language that was codified is not a true reflection of the original ballot language and creates ambiguity.

This ambiguity has resulted in the misuse of the line-item veto power by administrations since 2009. Past Navajo Nation presidents have mistakenly exercised the line item-veto authority in ways that went beyond the approval of amounts in the Navajo Nation Comprehensive Budget or supplemental appropriations approved by the Navajo Nation Council.

The Commission on Navajo Government Development is an entity that was created in 1989 to develop government reform and policy recommendations to the Navajo Nation Council and supports legislation No. 0153-20 on behalf of the Navajo People. The commission represent many aspects of life on the Navajo Nation including Chapter Officials, Navajo Students, Navajo Nation Government Branches, Women's Commission, and Traditional Practitioners.

Office of Navajo Government Development | Building #7498 | Morgan Blvd | Window Rock, AZ

# Legislation 0153-20

Martha Tate <martha.tate1835@gmail.com>

Fri 7/10/2020 11:57 PM

To: comments <comments@navajo-nsn.gov>;

Cc: Jonathan Nez <jonathannez@navajo-nsn.gov>; Herman Daniels, Jr. <hdaniels@navajo-nsn.gov>; Paul Begay <paulbegay@navajo-nsn.gov>; Nathaniel Brown <nbrown@navajo-nsn.gov>; Otto Tso <otso@navajo-nsn.gov>; Thomas Walker Jr. <thomaswalkerjr@navajo-nsn.gov>; Hank Stevens <nmwua@hotmail.com>; Jerry Williams <jerry.williams380@icloud.com>; Sarah Slim <howelmesa@outlook.com>; Elizabeth Whitethorne-Benally <ewbenally@navajochapters.org>; James Adakai <fasthorse.adakai@gmail.com>; Sharon Jean NMtn <jeanshar\_57@hotmail.com>; Jordan Etcitty <jordan.e@dbosba.org>; fayeblueeyes13@gmail.com <fayeblueeyes13@gmail.com>; rezmom2@gmail.com <rezmom2@gmail.com>; Krista ALLEN <kallen@navajotimes.com>;

The Legislation 0153-20 is set to sway the NAVAJO people to take away the approved veto power of the Office of the NAVAJO Nation President.

I strongly oppose the passage of this legislation as it only benefits the Navajo Nation Council and the Speaker of the Council. The checks and balances between the 3 branches will be severely jeopardized with this legislation if it is approved by the 24th NN Council.

The Navajo Nation Council and the Speaker already have too much power as it has the standing committee over the Judicial Branch. The Navajo Nation Council also has full authority over the Navajo Nation judges, per their review of their job performances and tenure.

Just look at the decision making power of the NN Council Standing Committees! HEHSC just approved the School Apportionment Plan that wasn't even supported in the Public Hearings nor from the school boards of the Grant Schools or BIE school boards. HEHSC just took away the power of decision making of the LOCAL SCHOOL BOARD! HEHSC did not make any attempt nor did they requested feedback from each P.L.100-397 operated school boards or from the 33 BIE operated school boards.

The only viable voice of the Navajo people to stop giving the Navajo Nation Council and the Speaker of the Council more power is the OPVP.

The Only true voice of the Navajo people right now is the Office of the President and the Vice President.

The parents of the BIE funded schools have lost confidence in the decision making of the NAVAJO Nation Council and it's standing committees.

Please stop using word play to confuse us, the NAVAJO People to gain more power over the Executive branch.

Ahe'hee for your time in reading my comments regarding Legislation 153-20 into the record.

Please abide by the true 3 branch government concept for the truest representation on behalf of the Navajo people.

Martha Tate  
Ts'ah Bii Kin, AZ

Sent from my iPhone

WARNING: External email. Please verify sender before opening attachments or clicking on links.

24<sup>th</sup> NAVAJO NATION COUNCIL

Second Year 2020

Mr. Speaker:

The **BUDGET & FINANCE COMMITTEE** to whom has been assigned


**NAVAJO LEGISLATIVE BILL # 0153-20:**

An Action Relating to Budget and Finance, Law and Order and Naabik'íyáti' Committees and Navajo Nation Council; Amending 2 N.N.C. §164 (A) (17) to Include the Budget Line-Item Veto Authority Language Approved by Navajo Voters Through Initiative Election in 2009 *Sponsored by Daniel E. Tso and Seth A. Damon, Council Delegates*

has had it under consideration and reports the same with the recommendation that It **Do Pass** without amendment.

And, therefore referred to the **LAW AND ORDER** Committee

Respectfully submitted,

  
Jamie Henio, Chairman

Adopted:   
Legislative Advisor

Not Adopted: \_\_\_\_\_  
Legislative Advisor

**14 July 2020**

The vote was **5** in favor **0** opposed yeas: *Jimmy Yellowhair, Raymond Smith, Jr., Amber K. Crotty, Nathaniel Brown, Elmer P. Begay*  
Main Motion: *Raymond Smith, Jr.*  
Second: *Amber K. Crotty*

# BUDGET AND FINANCE COMMITTEE

14 July 2020  
Special Meeting

## VOTE TALLY SHEET:

**Legislation No. 0153-20:** An Action Relating to Budget and Finance, Law and Order and Naabik'iyáti' Committees and Navajo Nation Council; Amending 2 N.N.C. §164 (A) (17) to Include the Budget Line-Item Veto Authority Language Approved by Navajo Voters Through Initiative Election in 2009 *Sponsored by Daniel E. Tso and Seth A. Damon, Council Delegates*


*Motion: Raymond Smith, Jr.*

*Second: Amber K. Crotty*

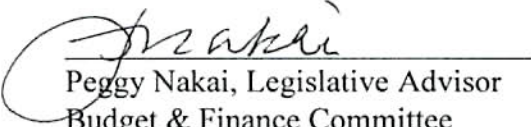
*Vote: 5-0, Chairman not voting*

### Vote Tally:

Jamie Henio		
Jimmy Yellowhair	yea	
Raymond Smith Jr.	yea	
Elmer P. Begay	yea	
Amber K. Crotty	yea	
Nathaniel Brown	yea	



Jamie Henio, Chairman  
Budget & Finance Committee



Peggy Nakai, Legislative Advisor  
Budget & Finance Committee

**LAW AND ORDER COMMITTEE  
24<sup>TH</sup> NAVAJO NATION COUNCIL**

**SECOND YEAR 2020**

**COMMITTEE REPORT**

Mr. Speaker,

The **LAW AND ORDER COMMITTEE** to whom has been assigned:

**Legislation No. 0153-20:** An Action Relating to Budget and Finance, Law and Order and Naabik'iyati' Committees and Navajo Nation Council; Amending 2 N.N.C. §164 (A) (17) to Include the Budget Line-Item Veto Authority Language Approved by Navajo Voters through Initiative Election to 2009 – *Sponsor: Honorable Daniel E. Tso*

Has had it under consideration and reports the same with the recommendation that it DO PASS with no amendments

And thereafter referred to Naabik'iyati' Committee

Respectfully submitted,



Eugenia Charles-Newton, Chairwoman  
Law and Order Committee  
24<sup>th</sup> Navajo Nation Council

Date: July 15, 2020

Main Motion: Honorable Otto Tso

Second : Honorable Eugene Tso

Vote : 3-0-1 (Chairwoman Charles-Newton not voting)

**LAW AND ORDER COMMITTEE**  
**Special Meeting**  
**July 15, 2020**

**Legislation No. 0153-20:** An Action Relating to Budget and Finance, Law and Order and Naabik'iyati' Committees and Navajo Nation Council; Amending 2 N.N.C. §164 (A) (17) to Include the Budget Line-Item Veto Authority Language Approved by Navajo Voters through Initiative Election to 2009 – *Sponsor: Honorable Daniel E. Tso*

**VOTE TALLY SHEET:**

Motion: Otto Tso

Second: Eugene Tso

Vote: 3-0-1

Yea: Vince James/Eugene Tso/Otto Tso

Nay:

Not Voting: Eugenia Charles-Newton

Excused: None

Absent: Edmund Yazzie



\_\_\_\_\_  
Eugenia Charles-Newton, Chairwoman  
Law and Order Committee

  
\_\_\_\_\_  
Laureen Spencer, Legislative Advisor  
Office of Legislative Services

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0153-20

SPONSOR: Honorable Daniel E. Tso

TITLE: An Action Relating To Budget And Finance, Law And Order And NAABIK'IYATI' Committees And Navajo Nation Council; Amending 2 N.N.C. §164 (A) (17) To Include The Budget Line-Item Veto Authority Language Approved by Navajo Voters Through Initiative Election In 2009

Posted: July 8, 2020 at 5:53 PM

5 DAY Comment Period Ended: July 13, 2020

Digital Comments received:

Comments Supporting	1) Kee Begay Junior
Comments Opposing	<i>None</i>
Inconclusive Comments	<i>None</i>

  
\_\_\_\_\_  
Legislative Tracking Secretary  
Office of Legislative Services  
07/16/20 8:42AM  
Date/Time

# Legislation 0153-20

Kee Begay <jayaredot\_9086@yahoo.com>

Thu 7/16/2020 8:36 AM

To: comments <comments@navajo-nsn.gov>;

Yah'tééh

I fully support legislation 0153-20.

The Diné People's will needs to be reflected clearly and distinctly. This legislation accomplishes that.

***Kee Begay Junior***

***PO Box***

***St. Michaels, AZ 86511***

***505-***

WARNING: External email. Please verify sender before opening attachments or clicking on links.

**24<sup>th</sup> NAVAJO NATION COUNCIL  
NAABIK'ÍYÁTI' COMMITTEE REPORT  
Second Year 2020**

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

**NAVAJO LEGISLATIVE BILL #0153-20**

An Action Relating to Budget and Finance, Law and Order and Naabik'iyáti' Committees and Navajo Nation Council; Amending 2 N.N.C. §164 (A) (17) to Include the Budget Line-Item Veto Authority Language Approved by Navajo Voters Through Initiative Election in 2009

*Sponsored by: Honorable Daniel E. Tso  
Co-Sponsored by: Honorable Seth Damon*

Has had it under consideration and reports the same that the legislation **WAS PASSED AND REFERRED TO THE NAVAJO NATION COUNCIL.**

Respectfully Submitted,

  
*Honorable Seth Damon, Chairman  
NAABIK'ÍYÁTI' COMMITTEE*

**18 July 2020**

**MAIN MOTION**

*Motioned by: Honorable Nathaniel Brown*

*Seconded by: Honorable Carl R. Slater*

*Vote: 19 in Favor, 00 Opposed (Chairman Damon Not Voting)*

NAVAJO NATION

587

7/18/2020

Navajo Nation Naabik'iyati' Committee Meeting

03:06:42 PM

Amd# to Amd#	Legislation 0153-20: Amending	PASSED
MOT Brown	2 NNC SS 164 (A)(17) to Include	
SEC Slater, C	the Budget Line-Item Veto	
	Authority Language Approved....	

Yeas : 19                  Nays : 0                  Excused : 0                  Not Voting : 4

Yea : 19

Begay, E	Crotty	Nez, R	Tso, E
Begay, K	Freeland, M	Slater, C	Tso, O
Begay, P	Halona, P	Smith	Walker, T
Brown	Henio, J	Stewart, W	Wauneka, E
Charles-Newton	James, V	Tso, D	

Nay : 0

Excused : 0

Not Voting : 4

Yazzie	Yellowhair	Daniels	Tso, C
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Presiding Speaker: Damon