

RESOLUTION OF THE
NAVAJO NATION COUNCIL

21ST NAVAJO NATION COUNCIL - Fourth Year 2010

AN ACT

RELATING TO HUMAN SERVICES, NAVAJO VETERANS, AND FINANCE;
AMENDING TITLE 2 OF THE NAVAJO NATION CODE, 2 N.N.C. § 1704

BE IT ENACTED:

Section One. Findings.

A. The Navajo Nation hereby finds that the Human Services Committee of the Navajo Nation Council made the decision on December 30, 2009 to include a definition for "veteran" within Title 2 of the Navajo Nation Code.

B. The Navajo Nation determines that these amendments are in the best interests of the Navajo Nation and enrolled members of the Navajo Nation discharged under honorable conditions from United States military service.

Section Two. Amendment of Title 2 of the Navajo Nation Code

The Navajo Nation Council hereby amends Title 2 of the Navajo Nation Code, 2 N.N.C. § 1704, as follows:

**Title 2. Navajo Nation Government
Chapter 5. Executive Branch
Subchapter 27. Division of Human Resources**

§ 1704. Responsibility and Authority

A. The Division of Human Resources provides centralized and decentralized human resource program services to the Navajo Nation government. The Division management is accountable to the President of the Navajo Nation for performance of its functional responsibilities in an effective and efficient manner. All management

Personnel within the Division shall have sufficient authority established by their plans of operation to perform their job responsibilities not inconsistent with the Master Plan or Navajo law.

B. The Department of Veterans Affairs shall develop and implement all veterans program services that are funded by Navajo Nation General Funds in accordance with the definition:

A Navajo veteran is an individual who is an enrolled member of the Navajo Nation and has been discharged under honorable conditions from the United States military service with a DD Form 214, Certificate of Release or Discharge from Active Duty.

BC. The Executive Director of the Division of Human Resources shall have the following responsibilities and authorities:...

Section Three. Effective Date

The amendments enacted herein shall be effective pursuant to 2 N.N.C. § 221(B). The Department of Veterans Affairs is authorized to develop and implement all veterans program services that are funded by Navajo Nation General Funds in accordance with the definition for Navajo veteran.

Section Four. Codification

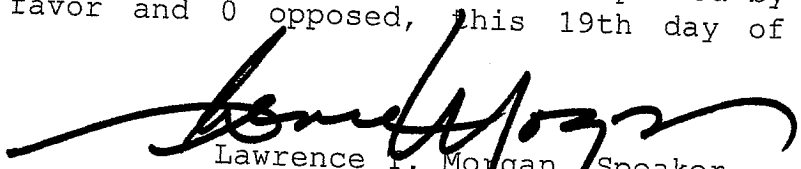
The provisions of this Act which amend sections of the Navajo Nation Code shall be codified by the Office of Legislative Counsel.

Section Five. Saving Clause

Should any provisions of this Act be determined invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation, without appeal to the Navajo Nation Supreme Court, those portions of this Act which are not invalid shall remain the law of the Navajo Nation.

CERTIFICATION

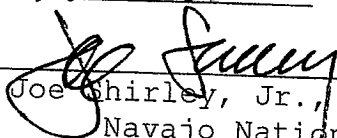
I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 65 in favor and 0 opposed, this 19th day of October 2010.


Lawrence P. Morgan, Speaker
Navajo Nation Council
20 Oct 10
Date

Motion: Woody Lee
Second: Willie Tracey

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (10), on this 1 day of November 2010.



Dr. Joe Shirley, Jr., President
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (11), this _____ day of _____ 2010 for the reason(s) expressed in the attached letter to the Speaker.

Dr. Joe Shirley, Jr., President
Navajo Nation



21st NAVAJO NATION COUNCIL – FOURTH YEAR 2010

The **HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL** to whom has been assigned:

LEGISLATION NO. O529-10

Has had it under consideration and report the same with the recommendation that it **DO PASS** with no amendments:

And therefore referred the same to the **BUDGET AND FINANCE COMMITTEE OF THE NAVAJO NATION COUNCIL.**

A handwritten signature in black ink, appearing to be "LN", written over a horizontal line.

Larry Noble, Chairperson
Human Services Committee

Dated: August 19, 2010
Motioned by: Honorable Woody Lee
Seconded by: Honorable Larry Anderson, Sr.
Vote: 7 in Favor, 0 Opposed and 0 Abstain

21st NAVAJO NATION COUNCIL – FOURTH YEAR 2010

The **BUDGET AND FINANCE COMMITTEE OF THE NAVAJO NATION COUNCIL** to whom has been assigned:

LEGISLATION NO. O529-10

Has had it under consideration and report the same with the recommendation that it **DO PASS** with no amendments.

And therefore referred the same to the **ETHICS & RULES COMMITTEE OF THE NAVAJO NATION COUNCIL**.



LoRenzo C. Bates, Chairperson
Budget and Finance Committee

Dated: September 10, 2010

Motioned by: Honorable Leonard Chee

Seconded by: Honorable Hoskie Kee

Vote: 4 in Favor, 0 Opposed and 0 Abstain

21st Navajo Nation Council

Fourth Year 2010

Mr. Speaker,

The **ETHIC AND RULES COMMITTEE**, to whom has been assigned

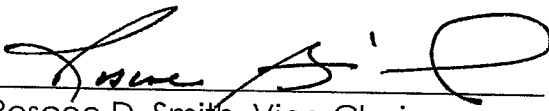
NAVAJO LEGISLATIVE BILL 0529-10:

An Act Relating to Human Resources, Navajo Veterans, and Finance;
Amending Title 2 of the Navajo Nation Code, 2 N.N.C. §1704 Sponsored
by Young Jeff Tom, Council Delegate

Has had it under consideration and reports the same with a **DO PASS** with
NO AMENDMENT.

And therefore referred to the **21st NAVAJO NATION COUNCIL.**

Respectfully submitted,



Roscoe D. Smith, Vice Chairperson

Adopted:  Advisor: _____

Not Adopted: _____

Advisor


Date: **September 17, 2010**

The vote was **5** in favor and **0** opposed
Excused: Francis Redhouse, Tim Goodluck
Absent:

MEMORANDUM

COPY

TO: Joe Salt, Council Delegate
Shonto Chapter

FROM: 
Steven Boos, Chief Legislative Counsel
Office of Legislative Counsel

DATE: May 21, 1998

SUBJECT: Meaning of term "veteran" in Navajo Nation legislation

Your memorandum of May 20, 1998 asks, in essence, for a legal opinion on the meaning of the term "veteran" as used in Navajo Nation law. Words in a statute must be given their common or ordinary meaning when interpreting the law. Singer, 2A Sutherland Statutory Construction (5th ed. 1992), section 47.28, at p.248. The common or ordinary meaning of the term "veteran" is "in general, any honorably discharged soldier, sailor, marine, nurse, or army field clerk, who has served in military service of the United States." (Emphasis supplied) Black's Law Dictionary (6th ed. 1990), at p. 1564. I therefore conclude that the term "veteran" as used in Navajo law includes only those persons honorably discharged from military service. It would not include persons who served only two months or who received hardship or undesirable discharges.

Please contact me if you have further questions.

xc: Navajo Nation Council Delegates