

RESOLUTION OF THE
NAVAJO NATION COUNCIL

23RD NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACTION

RELATING TO THE LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES; AND
THE NAVAJO NATION COUNCIL: AMENDING 2 N.N.C. § 164(B),
AGREEMENTS NOT REQUIRING COMMITTEE OR COUNCIL APPROVAL

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation established the Law and Order Committee (LOC) as a standing committee and as such empowered LOC to review and make recommendations to the Navajo Nation Council on proposed Navajo Nation Code amendments and enactments. 2 N.N.C. §§ 164(A)(9), 600(A), 601(B)(14); CO-45-12.
- B. The Navajo Nation Council established the Naabik'íyáti' Committee as a standing committee and as such, proposed legislation that requires final action by the Navajo Nation Council shall be assigned to the Naabik'íyáti' Committee. 2 N.N.C. §§ 164(A)(9), 700(A); CO-45-12.
- C. The Navajo Nation Council must review and approve enactments or amendments of positive law. 2 N.N.C. § 164(A); CO-45-12.

SECTION TWO. FINDINGS

- A. The amendment is to Title 2 of the Navajo Nation Code at 2 N.N.C. § 164(B), proposes subcontracts, implementing agreements in accordance with 2 N.N.C. § 164(A), grants providing funds to the Navajo Nation, contracts expending funds appropriated by the Navajo Nation Council, Letter of Assurance agreements, memoranda of understanding, memoranda of agreement and other agreements that do not expend funds shall be reviewed and signed by the President of the Navajo Nation and striking sections 2 N.N.C. § 164(B)(a)-(d).

- B. The Navajo Nation finds the following Navajo Nation Code amendment to Title 2 at 2 N.N.C. § 164(B) is in the best interest of the Navajo Nation.

SECTION THREE. AMENDING NAVAJO NATION CODE TITLE 2

The Navajo Nation amends Title 2 of the Navajo Nation Code at 2 N.N.C. § 164(B) as follows:

**NAVAJO NATION CODE
TITLE 2. NAVAJO NATION GOVERNMENT
CHAPTER 3. LEGISLATIVE BRANCH
SUBCHAPTER 2. NAVAJO NATION COUNCIL MEETINGS**

§ 164. Navajo Nation Council and Committee Legislative Process

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

- B. Agreements not requiring Committee or Council approval:
1. Subcontracts implementing agreements approved under § 164(A) above, grants providing funds to the Navajo Nation, contracts expending funds appropriated by the Navajo Nation Council, Letter of Assurance agreements, memoranda of understanding, memoranda of agreement and other agreements that do not expend funds, associated amendments shall not require approval by the Navajo Nation Council or its committees.
 2. Prior to final execution as provided in 2 N.N.C. § 222, documents not requiring approval by resolution of the Navajo Nation Council or its committees shall be reviewed and signed by the ~~following:~~ President of the Navajo Nation within

ten (10) calendar days after the document(s) is logged in at the Office of the President; and, upon notice to the Speaker and Chairperson of the oversight committee for an extension, an additional ten (10) days shall be allowed.

- a. ~~The appropriate Division Director for departments and activities under his or her supervision;~~
- b. ~~The Controller (or designee) for all documents having a financial impact on the Navajo Nation;~~
- c. ~~The Director of the Office of Management and Budget (or designees) for all documents having a financial impact on the Navajo Nation; and~~
- d. ~~The Attorney General of the Navajo Nation (or designee).~~

SECTION FOUR. CODIFICATION

The provisions of the Act which amend or adopt new sections of the Navajo Nation Code shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such amended provisions in the next codification of the Navajo Nation Code.

SECTION FIVE. SAVINGS CLAUSE

Should any provision 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, the remainder of the Act shall remain the law of the Navajo Nation.

SECTION SIX. EFFECTIVE DATE

The Navajo Nation Code amendment enacted herein shall be effective pursuant to 2 N.N.C. § 221(B).

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 21 in favor and 00 opposed, on this 23rd day of January 2018.



LoRenzo C. Bates, Speaker
23rd Navajo Nation Council

1-23-18

Date

Motion: Honorable Alton Joe Shepherd
Second: Honorable Jonathan Perry

Speaker Bates not voting

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 9th day of February 2018.



Russell Begaye, President
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (c)(11), on this _____ day of _____ 2018 for reason(s) _____ expressed in the attached letter to the Speaker

Russell Begaye, President
Navajo Nation

NAVAJO NATION

RCS# 922

Winter Session

1/23/2018
04:47:20 PM

Amd# to Amd#

Legislation No. 0401-17

PASSED

MOT Shepherd

Amending N.N.C. section 164(B)

SEC Perry

Agreements not requiring
Committee or Council Approval

Yea : 21

Nay : 0

Excused : 0

Not Voting : 3

Yea : 21

Begay, K
Begay, NM
Begay, S
BeGaye, N
Bennett
Brown

Chee
Crotty
Damon
Daniels
Filfred

Hale
Jack
Perry
Pete
Slim

Smith
Tso
Tsosie
Witherspoon
Yazzie

Nay : 0

Excused : 0

Not Voting : 3

Bates

Phelps

Shepherd