

LEGISLATIVE SUMMARY SHEET

Tracking No. 0274-19

DATE: September 12, 2019

TITLE OF RESOLUTION: AN ACT RELATING TO LAW AND ORDER, NAABIK'ÍYÁTT' AND THE NAVAJO NATION COUNCIL; AMENDING THE NAVAJO NATION ELECTION CODE AT 11 N.N.C. §3(C) BY CHANGING THE PRIMARY ELECTION DATE IN NAVAJO NATION ELECTIONS

PURPOSE: This bill will change the Primary Election dates for Navajo Nation Chapter Elections and Navajo Nation General Elections to the first Tuesday in August in which there is a general election (for chapter elections or for elections for Office of Navajo Nation President and delegates to the Navajo Nation Council).

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: 9-23-19
Website Posting Time/Date: 5:33pm 9-18-19
Posting End Date: 9-23-19
Eligible for Action: 9-24-19

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

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL – First Year, 2019

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0274-19

AN ACT

RELATING TO LAW AND ORDER; NAABIK'ÍYÁTI' AND THE NAVAJO NATION
COUNCIL; AMENDING THE NAVAJO NATION ELECTION CODE AT 11 N.N.C. §3(C)
BY CHANGING THE PRIMARY ELECTION DATE IN NAVAJO NATION ELECTIONS

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Law and Order Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 600(A). The Committee, among other delegated duties, "review[s] and make[s] recommendations to the Navajo Nation Council on proposed amendments to ... the Navajo Nation Code." 2 N.N.C. § 601(B)(14).

B. Pursuant to 2 N.N.C. § 164(A)(9), "[a] proposed resolution that requires final action by the Navajo Nation Council shall be assigned to standing committee(s) having authority over the subject matter at issue and the Naabik'iyáti' Committee."

C. The Navajo Nation Council enacts and amends laws of the Navajo Nation. The Council also sets policy for the Navajo Nation. See generally, 2 N.N.C. § 102.

A. Under the Navajo Nation Election Code, primary elections are held on the "tenth Tuesday prior to a general election." 11 N.N.C. § 3(C).

C. To ensure higher Navajo voter turn-out, it is in the best interest of the Navajo Nation that the Navajo Election Code be amended to provide that primary elections be held on the first Tuesday in August in an election year for chapter elections and elections for Navajo Nation President and Council Delegates. This change will maximize voter turn-out in both Arizona and Navajo Nation elections.

The Navajo Nation Council hereby amends the Navajo Nation Election Code as follows:

Chapter 1. Navajo Election Code of 1990

A. General elections shall be held on the first Tuesday of November 2006 and every fourth year thereafter on the Tuesday after the first Monday in November.

C. Primary elections shall be held on the ~~tenth Tuesday prior to a general election~~ first Tuesday in August in any year in which a general election is held and at which candidates for public office are to be elected.

E. The Board of Election Supervisors is authorized to postpone for a maximum of 60 days any Navajo election for the purpose of printing new ballots required because of changed circumstances.

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3 **SECTION FOUR. EFFECTIVE DATE**

4 The amendments enacted herein shall be effective pursuant to 2 N.N.C. §221(B).

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6 **SECTION FIVE. CODIFICATION**

7 The provisions of these amendments of the Navajo Nation Code shall be codified by the
8 Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such
9 amendments in the next codification of the Navajo Nation Code.

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11 **SECTION SIX. SAVINGS CLAUSE**

12 Should any provision of these amendments be determined invalid by the Navajo Nation
13 Supreme Court, or the District Courts of the Navajo Nation without appeal to the Navajo
14 Nation Supreme Court, those amendments that are not determined invalid shall remain the
15 law of the Nation.

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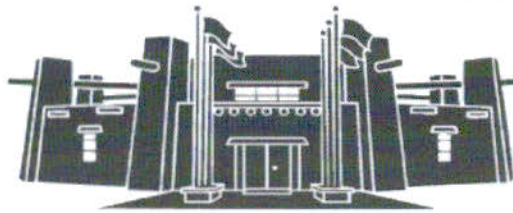
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MEMORANDUM

To : Edison Wauneka, Council Delegate
Navajo Nation Council

From : 
Ron Haven, Attorney
Office of Legislative Counsel

Date : August 6, 2019

Re : AN ACT RELATING TO LAW AND ORDER; NAABIK'ÍYÁTI' AND THE
NAVAJO NATION COUNCIL; AMENDING THE NAVAJO NATION
ELECTION CODE AT 11 N.N.C. §3(C) BY CHANGING THE PRIMARY
ELECTION DATE IN NAVAJO NATION ELECTIONS

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. The resolution drafted is legally sufficient, although, as with all legislation, challenges are possible in the courts. You are advised and encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction. 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. As you may be aware, the Speaker is authorized to refer this proposed resolution to other committees than those stated in the title.

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: _0274-19_____

SPONSOR: Edison Wauneka

TITLE: An Act Relating to Law and Order; Naabik'iyáti' and the Navajo Nation Council; Amending Navajo Nation Election Code at 11 N.N.C. §3(C) by changing the Primary Election date in Navajo Nation Elections

Date posted: September 18, 2019 at 5:33pm

Digital comments may be e-mailed to 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) 871-7590

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.: 0274-19

SPONSOR: Honorable Edison Wauneka


TITLE: An Act Relating to Law and Order; Naabik'iyáti' and the Navajo Nation Council; Amending Navajo Nation Election Code at 11 N.N.C. §3(C) by changing the Primary Election date in Navajo Nation Elections

Posted: September 18, 2019 at 5:33 PM

5 DAY Comment Period Ended: September 23, 2019

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Inconclusive Comments	<i>None</i>



Legislative Tracking Secretary
Office of Legislative Services

9/24/19 8:17 AM

Date/Time

**LAW AND ORDER COMMITTEE
24TH NAVAJO NATION COUNCIL**

FIRST YEAR 2019

COMMITTEE REPORT

Mr. Speaker,

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

Legislation No. 0274-19: An Act Relating to Law and Order; Naabik'iyati' and the Navajo Nation Council: Amending the Navajo Nation Election Code at 11 N.N.C. §3(C) by Changing the Primary Election Date in Navajo Nation Elections – *Sponsor: Honorable Edison J. Wauneka*

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

And thereafter referred to Naabik'iyati' Committee

Respectfully submitted,



Otto Tso, Vice Chairperson
Law and Order Committee
24th Navajo Nation Council

Date: September 30, 2019

Main Motion: Honorable Vince James
Second : Honorable Eugenia Charles-Newton
Vote : 3-0-1 (VC not voting)

LAW AND ORDER COMMITTEE
Special Joint Meeting
September 30, 2019

VOTE TALLY SHEET:

Legislation No. 0274-19: An Act Relating to Law and Order; Naabik'iyati' and the Navajo Nation Council: Amending the Navajo Nation Election Code at 11 N.N.C. §3(C) by Changing the Primary Election Date in Navajo Nation Elections – *Sponsor: Honorable Edison J. Wauneka*

Main Motion: Vince James

Second: Eugenia Charles-Newton

Vote: 3-0-1

VOTE TALLY:

Yea: VJames/ECNewton/ETso

Nay:

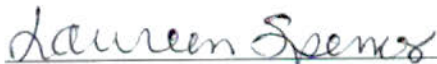
Excused:

Not Voting: OTso

Absent: EYazzie



Otto Tso, Vice Chairperson



Laureen Spencer, Legislative Advisor
Law and Order Committee

24th NAVAJO NATION COUNCIL NAABIK'ÍYÁTI' COMMITTEE REPORT First Year 2019

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

NAVAJO LEGISLATIVE BILL #0274-19

An Act Relating to Law and Order; Naabik'íyáti' and the Navajo Nation Council; Amending Navajo Nation Election Code at 11 N.N.C. §3(C) by changing the Primary Election date in Navajo Nation Elections

Sponsored by: Honorable Edison J. Wauneka

Co-Sponsored by: Honorable Elmer P. Begay

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*

10 October 2019

MAIN MOTION

Motioned by: Honorable Vince James

Seconded by: Honorable Wilson C. Stewart, Jr.

Vote: 16 in Favor, 00 Opposed (Chairman Damon Not Voting)

NAVAJO NATION

333

10/10/2019

Naa'bik'iyati Committee Meeting

06:09:54 PM

Amd# to Amd# Legislation 0274-19: Amending
MOT James, V Navajo Nation Election Code at
SEC Stewart, W 11 N.N.C. SS3(C) by changing
the Primary Election date....

PASSED

Yea : 16

Nay : 0

Excused : 2

Not Voting : 5

Yea : 16

Begay, E
Begay, K
Begay, P
Brown

Freeland, M
Henio, J
James, V
Nez, R

Slater, C
Smith
Stewart, W
Tso, C

Tso, D
Tso, E
Walker, T
Yellowhair

Nay : 0

Excused : 2

Charles-Newton

Wauneka, E

Not Voting : 5

Crotty
Daniels

Halona, P

Tso, O

Yazzie

Presiding Chair: Damon