

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'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

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

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0274-19

DATE: September 12, 2019

TITLE OF RESOLUTION: AN ACT RELATING TO LAW AND ORDER, NAABIK'ÍYÁTTI 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:
Website Posting Time/Date:
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.

1 **SECTION TWO. FINDINGS**

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

4 B. The primary elections in Arizona are held on the first Tuesday in August in a general
5 election year. ARS §16-201, as amended by S.B. 1154.

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

11
12 **SECTION THREE. AMENDING ELECTION CODE**

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

14 _____

15 **Title 11. Elections**

16 **Chapter 1. Navajo Election Code of 1990**

17 **Subchapter 1. General Provisions**

18 ****

19 **§3. Elections; election dates**

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

22 B. Chapter elections shall be held on the first Tuesday of November 2004 and every
23 fourth year thereafter on the Tuesday after the first Monday in November.

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

27 D. Special elections shall be held when required.

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

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SECTION FOUR. EFFECTIVE DATE

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

SECTION FIVE. CODIFICATION

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

SECTION SIX. SAVINGS CLAUSE

Should any provision of these amendments 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 amendments that are not determined invalid shall remain the law of the Nation.