LEGISLATION NO: _0222-21__

SPONSOR: Edison J. Wauneka

TITLE: An Action Relating to Law and Order, Naabik’íyáti’ and the Navajo Nation Council; Amending Navajo Nation Election Code at 11 N.N.C. §282 (A), Voter Registration Time Period

Date posted: November 01, 2021 at 6:22PM

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DATE: October 21, 2021

TITLE OF RESOLUTION: AN ACT RELATING TO LAW AND ORDER, NAABIK'ÍYÁTI' AND THE NAVAJO NATION COUNCIL; AMENDING NAVAJO NATION ELECTION CODE AT 11 N.N.C. §282(A), VOTER REGISTRATION TIME PERIOD

PURPOSE: This resolution, if adopted, would amend the Navajo Nation Election Code at 11 N.N.C. §282(A) concerning voter registration closing time.

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.
PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL -- Third Year, 2021

INTRODUCED BY

(Prime Sponsor)

Tracking No. 0222-21

AN ACT

RELATING TO LAW AND ORDER, NAABIK'ÍYÁTI' AND THE NAVAJO NATION COUNCIL; AMENDING NAVAJO NATION ELECTION CODE AT 11 N.N.C. §282(A), VOTER REGISTRATION TIME PERIOD

BE IT ENACTED:

SECTION ONE. AUTHORITIES

A. The Law and Order Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 600. The committee has the authority to review and make recommendations to the Navajo Nation Council on proposed amendments and enactments to the Navajo Nation Code. 2 N.N.C. §601(B)(14).

B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 700. Under Navajo Nation law, "a proposed resolution that requires final action by the Navajo Nation Council [must] be assigned to standing committee(s) having authority over the subject matter at issue and the Naabik'íyáti' Committee." 2 N.N.C. § 164(A)(9). Also, the committee has oversight over the Commission on Navajo Government Development. 2 N.N.C. § 970.

C. The Navajo Nation Council is an elected body authorized to enact laws of the Navajo Nation. See generally, 2 N.N.C. § 164.
SECTION TWO. FINDINGS

A. Under the Navajo Nation Election Code, the process for voter registration includes the encoding of all information for registration and voting purposes. Under the Code, voter registration ends 30 days before an election. 11 N.N.C. § 282(A). On the same day that voter registration ends, the process for absentee voting begins. See, Rule 1, Approving the Addition of an NEA E-mail Address on Absentee Voting Forms and Approving an Amendment to Rule 1 of the Rules and Regulations for Absentee Voting to Require that Such Ballots be Made Available No Less Than 30 Days Prior To An Election. BOESAP-020-18. (incorporated herein by this reference). All applications for absentee voting must be verified by the Election Administration. To ensure adequate time for encoding voter registration information and sufficient preparation for absentee voting, it is necessary to change the registration ending date to an earlier time.

B. The Navajo Board of Election Supervisors supports and recommends amending the Election Code at 11 N.N.C. § 282(A) as provided in attached EXHIBIT A.

C. It is in the best interests of the Navajo Nation to amend the voter registration time period for purposes of ensuring an orderly process for voter registration and absentee voting.

SECTION THREE. AMENDING ELECTION CODE

The Navajo Nation hereby amends section 282(A) the Navajo Nation Election Code as follows:

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§ 282. Registration form; appeal

A. A voter registration roll listing each registered voter by Chapter shall be maintained by the Board at the Election Administration in Window Rock. The Board shall keep the register open, subject to the provisions of subsection (A)(1) below, during regular business hours, beginning ten (10) days after each general, chapter or special election and continuing until 40
30 days prior to the next primary, general or chapter election or in the event of a special
election, until an election date for the special election is set.

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SECTION FOUR. EFFECTIVE DATE

The amendments enacted herein shall be effective upon its approval pursuant to 2 N.N.C. §221
and 2 N.N.C. §1005 (C) (10-12).

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.