

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0015-23\_

SPONSOR: George Tolth

**TITLE: An Action Relating to the Naabik'iyáti' Committee; Supporting the Proposal to Amend the Constitution of New Mexico to Provide for the Creation of an Independent Redistricting Commission to Develop Redistricting Plans for Congressional Districts, State Legislative Districts and the Districts of Other Districted State Offices**

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**Executive Director  
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P.O. Box 3390  
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## LEGISLATIVE SUMMARY SHEET

Tracking No. 0015-23

**DATE:** February 8, 2023

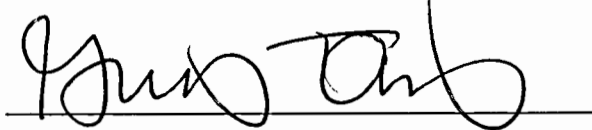
**TITLE OF RESOLUTION:** AN ACTION RELATING TO THE NAABIK'YATI' COMMITTEE; SUPPORTING THE PROPOSAL TO AMEND THE CONSTITUTION OF NEW MEXICO TO PROVIDE FOR THE CREATION OF AN INDEPENDENT REDISTRICTING COMMISSION TO DEVELOP REDISTRICTING PLANS FOR CONGRESSIONAL DISTRICTS, STATE LEGISLATIVE DISTRICTS AND THE DISTRICTS OF OTHER DISTRICTED STATE OFFICES

**PURPOSE:** If approved, this resolution will support the State of New Mexico House Joint Resolution 1 which proposes to amend the Constitution of New Mexico to provide for the creation of an independent redistricting commission to develop redistricting plans for congressional districts, state legislative districts and the districts of other districted state offices.

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 STANDING COMMITTEE RESOLUTION  
25<sup>TH</sup> NAVAJO NATION COUNCIL -- First Year, 2023

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0015-23

AN ACTION

RELATING TO THE NAABIK'IYATI' COMMITTEE; SUPPORTING THE  
PROPOSAL TO AMEND THE CONSTITUTION OF NEW MEXICO TO  
PROVIDE FOR THE CREATION OF AN INDEPENDENT REDDISTRICTING  
COMMISSION TO DEVELOP REDDISTRICTING PLANS FOR  
CONGRESSIONAL DISTRICTS, STATE LEGISLATIVE DISTRICTS AND THE  
DISTRICTS OF OTHER DISTRICTED STATE OFFICES

WHEREAS:

- A. The Naabik'iyati' Committee is a standing committee of the Navajo Nation Council with the power to review and continually monitor the programs and activities of federal and state departments and to assist development of such programs designed to serve the Navajo People and the Navajo Nation through intergovernmental relationships between the Navajo Nation and such departments. 2 N.N.C. §§ 700(A), 701(A)(7). The Naabik'iyati' Committee also has authority to assist and coordinate all requests for information, appearances and testimony to proposed, county, state and federal legislation impacting the Navajo Nation. 2 N.N.C. § 701(A)(6).
- B. In 2020, organizations in New Mexico came together with several members of the New Mexico legislature and created the New Mexico Redistricting Task Force ("Task Force"). Navajo Nation Human Rights Commission was invited to become a member of the Task Force. At the end of 2020, the Task Force issued a report on ways to

1 enhance the citizen participation in the New Mexico redistricting activities. The Task  
2 Force report is entitled “Redistricting Taskforce in New Mexico: Recommendations  
3 Developed by the New Mexico First Redistricting Taskforce 2020.”

4 C. During the 2021 New Mexico legislative session, Senate Bill 304 was introduced and  
5 enacted into law in April 2021. The bill established the first New Mexico citizen  
6 redistricting commission, enacted the redistricting principles such as community of  
7 interest, contiguity, etc., and prescribed for counties to consider indigenous boundaries  
8 such as Navajo chapter boundaries when drawing new precinct boundaries.

9 D. During the 2021 redistricting activities in New Mexico, the newly established New  
10 Mexico Citizen Redistricting Commission (“Redistricting Commission”) conducted  
11 public meetings throughout the state, including several meetings on and near the  
12 Navajo Nation. The Redistricting Commission recommended redistricting maps for the  
13 congressional, House of Representatives, Senate, and Board of Education to the New  
14 Mexico legislature. In December 2021, the New Mexico legislature considered and  
15 adopted the redistricting plans for the New Mexico congressional districts, House and  
16 Senate districts and Board of Education.

17 E. In 2022, the Task Force reconvened to assess the effectiveness of the newly established  
18 Redistricting Commission. University of New Mexico professor, Dr. Gabriel Sanchez,  
19 issued a report based on polls conducted that indicated a substantial proportion of the  
20 people that were surveyed indicated that the Redistricting Commission was effective,  
21 which causes more citizens to follow the 2021 redistricting activities. However, the  
22 New Mexico legislature did not substantially follow the recommendations of the  
23 Redistricting Commission, instead formulated its own redistricting plans. Professor  
24 Sanchez’s report indicates that New Mexico citizens that were surveyed recommended  
25 that an entirely independent redistricting commission be instituted in New Mexico by  
26 amending the New Mexico constitution allowing for the independent redistricting  
27 commission.

28 F. Navajo Nation extends into Arizona, New Mexico and Utah. Arizona and Utah use  
29 census blocks to redistrict congressional, legislative, school boards, and county  
30 commissions. However, New Mexico does not allow the use of census blocks when

1 redistricting instead it requires the use of precincts. Precincts are designed and  
2 approved by the county commissions and are for the purpose of accommodating  
3 registered voters, not population shifts based on the latest census count.

4 G. In 2000, citizens of Arizona enacted Proposition 106 that amended the Arizona  
5 Constitution to remove the legislature from adopting redistricting plans by empowering  
6 the Arizona Independent Redistricting Commission to adopt congressional and  
7 legislative redistricting plans. Navajo Nation participated in the 2001, 2011, and 2021  
8 redistricting activities.

9 H. The House Joint Resolution 1, a joint resolution proposing to amend the Constitution  
10 of New Mexico to provide for the creation of an independent redistricting commission  
11 to develop redistricting plans for congressional districts, state legislative districts and  
12 the districts of other districted state offices is attached as Exhibit A.

13  
14 **NOW, THEREFORE, BE IT RESOLVED:**

15 A. The Navajo Nation hereby supports New Mexico House Joint Resolution 1, attached as  
16 **Exhibit A**, to amend the New Mexico Constitution to allow for the establishment of an  
17 independent redistricting commission that would have the authority to adopt  
18 congressional and statewide redistricting plans.

19 B. The Navajo Nation further recommends that the House Joint Resolution 1 be amended  
20 to allow for the use of census blocks rather than precinct boundaries when redistricting  
21 in New Mexico congressional, legislative, and other districts.