

THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

February 10, 2022

Hon. Seth Damon
Office of the Speaker
Post Office Box 3390
Window Rock, AZ 86515

RE: CJA-11-22, *An Act Relating Law and Order, Naabik'iyáti' and the Navajo Nation Council; Amending Navajo Nation Election Code at 11 N.N.C. § 282(A), Voter Registration Time Period*

Dear Speaker Damon,

The obstacles and challenges Navajo voters face have become more apparent in the past years, especially during this battle with the pandemic. One of the greatest challenges is geography and travel to register to vote and cast ballots. This amendment to increase the Voter Registration Time Period will ensure fair elections by allowing the Navajo Election Administration more time to adequately register voters, including absentee voters.

We appreciate the Navajo Board of Election Supervisors for recommending this amendment and the Navajo Nation Council for presenting this resolution. Pursuant to the authority vested in the Navajo Nation President, I am signing into law CJA-11-22.

Sincerely,

Handwritten signature of Jonathan Nez in black ink.

Jonathan Nez, *President*
THE NAVAJO NATION

Handwritten signature of Myron Lizer in black ink.

Myron Lizer, *Vice President*
THE NAVAJO NATION

RESOLUTION OF THE
 NAVAJO NATION COUNCIL
 24th NAVAJO NATION COUNCIL - FOURTH YEAR, 2022

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'íyátí 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'íyátí 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 thirty (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 thirty (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:

§ 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 forty (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.

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.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24th 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 27th day of January 2022.


Honorable Seth Damon, Speaker
24th Navajo Nation Council

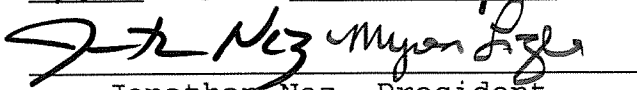
Feb 3, 2022
DATE

Motion: Honorable Pernell Halona
Second: Honorable Paul Begay, Jr.

Speaker Seth Damon not voting

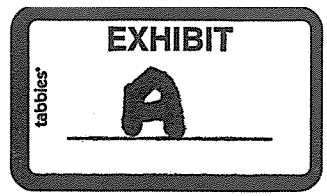
ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 10th day of February, 2022.


Jonathan Nez, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2022 for the reason(s) expressed in the attached letter to the Speaker.

Jonathan Nez, President
Navajo Nation



BOESO-031-21

PROPOSED RESOLUTION
OF THE NAVAJO BOARD OF ELECTION SUPERVISORS

Recommending That the Navajo Nation Council Amend 11 N.N.C. § 282(A), Voter
Registration Provisions of the Election Code, To Allow More Time for Encoding
Registration Information Prior to An Election

WHEREAS:

1. The Navajo Board of Election Supervisors implements and enforces the Navajo Nation Election Code; 11 NNC §321(A); pursuant to this responsibility, the Board has the authority to ensure fair elections.
2. Under the Navajo Nation Election Code, voter registration closes on the same day absentee balloting starts. This creates a problem. The Election Administration upon closing of the voter registration period must promptly ensure that all information is encoded. Within the same time period, the process for absentee voting begins. Many Navajo voters participate in Navajo Nation elections through absentee voting, and this participation must not be unnecessarily impaired.
3. It is necessary that the start of the closing time period for voter registration be changed to an earlier date. This earlier date will permit the Navajo Election Administration more time to ensure that all voters desiring to vote in an upcoming election are properly registered, including absentee voters.

NOW THEREFORE BE IT RESOLVED THAT:

The Navajo Board of Election Supervisors recommends that the Navajo Nation Council amend the Navajo Nation Election Code at 11 N.N.C. § 282(A) as follows:

§ 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.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Board of Election Supervisors at a duly called meeting within the Navajo Nation in Window Rock, Arizona during which a quorum was present and that the same was passed by a vote of 7 in favor, 0 opposed, and 0 abstained, this 14th day of October, 2021.

**Motion: Melvin Harrison
Second: Shirley Bedonie**

R Ma

**Raymond Maxx, Vice Chairperson
Navajo Board of Election Supervisors**

NAVAJO NATION

983

1/27/2022

Navajo Nation Council 2022 Winter Session

12:56:17 PM

Amd# to Amd#	Legislation 0222-21: Amending	PASSED
MOT Halona, P	Navajo Nation Election Code at	
SEC Begay, P	11 N.N.C. SS282 (A), Voter	
	Registration Time Period	

Yeas : 21	Nays : 0	Excused : 1	Not Voting : 1
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Yea : 21

Begay, E	Daniels	Nez, R	Tso, C
Begay, K	Freeland, M	Slater, C	Tso, D
Begay, P	Halona, P	Smith	Wauneka, E
Brown	Henio, J	Stewart, W	Yazzie
Charles-Newton	James, V	Tso	Yellowhair
Crotty			

Nay : 0

Excused : 1

Walker, T

Not Voting : 1

Tso, E

Presiding Speaker: Damon