

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0250-26_

SPONSOR: Amber Kanazbah Crotty

TITLE: An Action Relating to the Naabik'iyáti' Committee, and the Navajo Nation Council; Overriding the Navajo Nation President's Veto of Navajo Nation Council Resolution No. CJY-44-26

Date posted: October 21, 2026 at 6:19PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0250-26

DATE: October 7, 2026

TITLE OF RESOLUTION: AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; OVERRIDING THE NAVAJO NATION PRESIDENT'S VETO OF NAVAJO NATION COUNCIL RESOLUTION NO. CJY-44-26

PURPOSE: This legislation, if approved, would override the Navajo Nation President's veto of CJY-44-26.

FINAL AUTHORITY: Navajo Nation Council

VOTE REQUIRED: 2/3 Vote of Full Membership of 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.

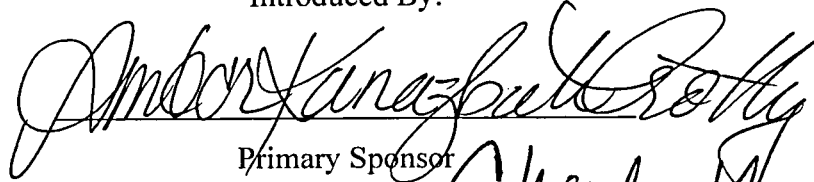
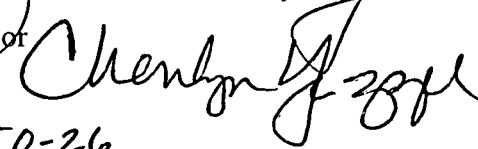
5-DAY BILL HOLD PERIOD:
Website Posting Time/Date:
Posting End Date: 10-26-26
Eligible for Action: 10-27-26

Naabik'iyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

25th NAVAJO NATION COUNCIL—Fourth Year, 2026

Introduced By:


Primary Sponsor 

Tracking No. 0250-26

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE, AND THE
NAVAJO NATION COUNCIL; OVERRIDING THE NAVAJO NATION
PRESIDENT'S VETO OF NAVAJO NATION COUNCIL RESOLUTION
NO. CJY-44-26

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. All proposed resolutions enacting new laws or amending existing law are subject to veto by the President of the Navajo Nation pursuant to 2 N.N.C. § 1005(C)(10) and (11), and may be overridden by the Navajo Nation Council pursuant to 2 N.N.C. § 164(A)(17).
- B. The Navajo Nation President shall have the power to veto legislation passed by the Navajo Nation Council subject to an override of the veto by a two-thirds (2/3) vote of the membership of the Navajo Nation Council. 2 N.N.C. § 1005(C)(11).
- C. A vetoed resolution shall be first submitted to the Naabik'iyáti' Committee before consideration by the Navajo Nation Council. 2 N.N.C. § 164(A)(17).

1 **SECTION TWO. FINDINGS**

2 A. Navajo Nation Council Resolution No. CJY-44-26 was duly considered and passed
3 by the 25th Navajo Nation Council by a vote of thirteen (13) in favor and five (5)
4 opposed on July 20, 2026. The title of CJY-44-26 is "AN ACT RELATING TO
5 THE LAW AND ORDER AND THE NAABIK'IYATI' COMMITTEES, AND
6 THE NAVAJO NATION COUNCIL; AMENDING THE NAVAJO NATION
7 ELECTION CODE AT 11 N.N.C. § 404(B)(11) TO REDUCE THE SIGNATURE
8 REQUIREMENTS FOR AN INITIATIVE PETITION," and is attached as **Exhibit**
9 **A.**

10 B. Pursuant to 2 N.N.C. § 1005(C)(11), the Navajo Nation President vetoed CJY-44-
11 26 on August 7, 2026, and returned the resolution with a veto message stating,
12 among other reasons, that the proposed initiative threshold should first receive
13 broader public consultation or be presented to the Navajo People through a
14 referendum, that the Commission on Navajo Government Development material
15 should not be treated as a formal recommendation of the Navajo People, that the
16 Board of Election Supervisors should be formally consulted, and that surrounding
17 state standards should not determine Navajo Nation law. The President's veto
18 message is attached as **Exhibit B.**

19 C. The Navajo Nation Election Code presently requires signatures from at least fifteen
20 percent (15%) of eligible registered voters for an initiative petition to place a
21 measure on the ballot. CJY-44-26 amends 11 N.N.C. § 404(B)(11) to require
22 signatures from seven percent (7%) of eligible registered voters who cast a vote in
23 the most recent General Election. The amendment therefore both lowers the
24 percentage and ties the signature calculation to voters who actually participated in
25 the most recent General Election.

26 D. The initiative petition threshold is a ballot-access requirement, not a vote on the
27 merits of the proposed measure. CJY-44-26 does not authorize petition signers to
28 enact law by petition alone. A petition that satisfies 11 N.N.C. § 404(B)(11) only
29 permits the proposed measure to be placed before Navajo voters, who retain the
30 authority to approve or reject the measure through the election process.

- 1 E. For that reason, reducing the petition threshold does not permit seven percent (7%)
2 of voters to govern the remaining electorate. It permits a qualifying group of voters
3 to present a question to the electorate. The ultimate decision remains with Navajo
4 voters at the ballot box. The Council finds that this distinction answers the principal
5 concern in the veto message that a relatively small portion of the electorate could
6 compel a measure affecting the entire Nation: the petitioners may obtain ballot
7 access, but they cannot themselves enact the measure.
- 8 F. The Navajo Nation Council finds that the present fifteen percent (15%) requirement
9 can operate as a substantial barrier before voters may even place a proposal before
10 the electorate. CJY-44-26 preserves a meaningful screening requirement while
11 making the initiative process more usable by requiring support from seven percent
12 (7%) of voters who participated in the most recent General Election. This approach
13 links the threshold to recent voter participation rather than the full number of
14 registered voters, while preserving the separate requirement that the electorate itself
15 decide the proposed measure.
- 16 G. CJY-44-26 is supported by documented concerns regarding barriers to Native
17 political participation. The resolution cites reports identifying long travel distances,
18 limited access to election services, registration and voting information barriers,
19 limited mail and internet access, language access issues, and other obstacles
20 affecting Native voters. The President's veto message expressly recognizes these
21 concerns as legitimate. The Council finds that reducing an unnecessarily
22 burdensome petition threshold is a direct and reasonable response to barriers that
23 can make petition-based participation especially difficult across the Navajo Nation.
- 24 H. The President recommends additional consultation and consideration of a
25 referendum before the threshold is changed. The Council recognizes the value of
26 public participation in election-law policy. However, the veto message does not
27 identify any provision of Navajo Nation law requiring a referendum, a particular
28 period of public consultation, or direct voter approval as a condition precedent to
29 the Council's amendment of 11 N.N.C. § 404(B)(11). CJY-44-26 proceeded
30

1 through the legislative process and received final action from the Navajo Nation
2 Council pursuant to its legislative authority.

3 I. The President also questions whether the Commission on Navajo Government
4 Development material should be characterized as a formal recommendation of the
5 Navajo People or the Navajo Nation Council. The Council finds that the validity
6 and policy basis of CJY-44-26 do not depend upon treating the Commission's work
7 as an expression of the electorate. The Commission's statistics and recommendation
8 may be considered as supporting information, while the Council independently
9 determines, through the legislative process, whether the seven percent (7%)
10 threshold is appropriate under Navajo Nation law.

11 J. The President further urges formal consultation with the Board of Election
12 Supervisors because the Board administers the Navajo Nation election program,
13 including initiatives. The Council recognizes the Board's important administrative
14 role. However, the veto message does not identify any provision of Navajo Nation
15 law giving the Board approval authority over amendments to the Election Code or
16 making Board consultation a legal condition to the validity of such amendments.
17 CJY-44-26 establishes the legal petition threshold; the election program remains
18 responsible for administering the law as enacted.

19 K. The comparisons in CJY-44-26 to initiative processes in Arizona, Utah, and New
20 Mexico are comparative context rather than controlling law. The Council agrees
21 that the Navajo Nation, as a sovereign government, must determine its own
22 standard. Exercising that sovereign authority includes the Council's authority to
23 consider information from other jurisdictions without surrendering Navajo Nation
24 decision-making to those jurisdictions. The seven percent (7%) threshold is adopted
25 because the Council finds it appropriate for Navajo voters and the Navajo Nation
26 initiative process, not because another government requires it.

27 L. The Navajo Nation Council finds that the reasons stated in the President's veto do
28 not outweigh the purpose of CJY-44-26. The resolution expands meaningful access
29 to direct democracy without allowing petitioners to enact a measure themselves,
30 preserves a significant signature requirement before ballot access is obtained,

1 responds to documented barriers affecting Native voter participation, and leaves the
2 final decision on every qualifying initiative with Navajo voters. Overriding the veto
3 therefore strengthens the ability of the Navajo People to place issues before their
4 fellow voters while preserving the electorate's ultimate authority to approve or
5 reject the measure.

6 7 **SECTION THREE. OVERRIDING VETO**

8 The Navajo Nation Council hereby overrides the Navajo Nation President's veto of
9 Navajo Nation Council Resolution No. CJY-44-26.

10 11 **SECTION FOUR. EFFECTIVE DATE**

12 The override shall become effective upon certification of the Speaker of the Navajo
13 Nation Council, as provided for in 2 N.N.C. §§ 164(A)(17) and 221(A).