

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0065-20\_\_\_\_\_

SPONSOR: Amber Kanazbah Crotty

**TITLE: An Action Relating to an Emergency; Approving minimized procedures for accepting donations during the COVID-19 emergency declaration; Temporarily waiving certain provisions of 2 N.N.C. § 1010**

*Date posted: March 20, 2020 at 10:12am*

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0065-20

**DATE:** March 20, 2020

**TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY; APPROVING MINIMIZED PROCEDURES FOR ACCEPTING DONATIONS DURING THE COVID-19 EMERGENCY DECLARATION; TEMPORARILY WAIVING CERTAIN PROVISIONS OF 2 N.N.C. § 1010**

**PURPOSE:** This resolution, if approved, would temporarily expedite the Nation's acceptance of gifts and donations.

**This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.**

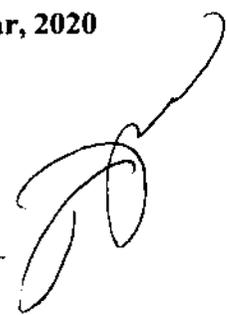
OLC No. 20-113-1

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL – Second Year, 2020

INTRODUCED BY

\_\_\_\_\_  
(Prime Sponsor)



TRACKING NO. 0065-20

**AN ACTION**

**RELATING TO AN EMERGENCY; APPROVING MINIMIZED PROCEDURES FOR ACCEPTING DONATIONS DURING THE COVID-19 EMERGENCY DECLARATION; TEMPORARILY WAIVING CERTAIN PROVISIONS OF 2 N.N.C. § 1010**

BE IT ENACTED:

**SECTION ONE. AUTHORITY**

- A. The Navajo Nation Council is the governing of body of the Navajo Nation. 2 N.N.C. § 102 (A).
- B. The Navajo Nation Council has the authority to direct where additional revenues are deposited. Pursuant to 12 N.N.C. § 820 (K), “[f]unds received in excess of the initial or current revenue projection shall be deposited into the General Fund Unreserved, Undesignated Fund balance unless otherwise designated by the Navajo Nation Council.”
- C. The President of the Navajo Nation shall, for and on behalf of the Navajo Nation, accept or decline gifts of property, provided, that any such acceptance or refusal of a gift of an estimated value in excess of one thousand dollars (\$1,000) shall be with the concurrence of the Naabik’iyáti’ Committee [formerly Government Services Committee]. 2 N.N.C. § 1010.

1 D. Pursuant to 2 N.N.C. §164 (A)(16) "[m]atters constituting an emergency shall be  
2 limited to the cessation of law enforcement services, and disaster relief services, fire  
3 protection services or other direct services required as an entitlement under Navajo  
4 Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation.  
5 Such an emergency matter must arise due to the pressing public need for such  
6 resolution(s) and must be a matter requiring final action by the Council."  
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## 8 **SECTION TWO. FINDINGS**

- 9 A. In light of the Navajo Nation's Emergency Declaration, attached as **Exhibit A**,  
10 regarding the outbreak of the COVID-19 virus, as well as the emergency services  
11 required to mitigate its effects, there is a great need to expedite access to all available  
12 resources, financial and otherwise, to address the health and safety of the Navajo  
13 people and their communities during the pandemic emergency.
- 14 B. Under 2 N.N.C. § 1010, the Navajo Nation cannot spend donated funds or use donated  
15 property with an estimated value in excess of one thousand dollars (\$1,000) until the  
16 donation has been accepted by the President and concurred to by the Naabik'iyáti'  
17 Committee.
- 18 C. Temporarily shortening the times and steps necessary for the Nation to accept a  
19 monetary or property donation is a reasonable approach to providing the Nation  
20 expedited access to resources, financial and otherwise, to address the health and safety  
21 of the Navajo people and their communities during the pandemic emergency.  
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## 23 **SECTION THREE. TEMPORARILY WAIVING 2 N.N.C. § 1010**

24 The Navajo Nation hereby temporarily replaces 2 N.N.C. § 1010's reference to the  
25 Naabik'iyáti' Committee with Speaker of the Navajo Nation Council and temporarily  
26 waives 2 N.N.C. § 1010's requirement that the Naabik'iyáti' Committee concur with the  
27 President's acceptance or refusal of a gift of an estimated value in excess of one thousand  
28 dollars (\$1,000)  
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1     **SECTION FOUR. APPROVING TEMPORARY PROCEDURES TO ACCEPT**  
2     **DONATIONS**

- 3     A. The Navajo Nation Council hereby authorizes the Speaker to act alone, without  
4         resolution, on behalf of the Naabik'iyáti' Committee to concur with the President's  
5         acceptance or refusal of a gift to the Navajo Nation with an estimated value in excess  
6         of one thousand dollars (\$1,000) pursuant to 2 N.N.C. § 1010.
- 7     B. The Controller is hereby required to notify the President and Speaker of any financial  
8         donation made by a donor who owes money to the Navajo Nation; if the donor is in  
9         arrears as to the money owed to the Nation, the Controller shall apply the donated  
10         funds to clear the arrears before depositing the donated funds into the General Fund  
11         Unreserved, Undesignated Fund balance pursuant to 12 N.N.C. § 820 (K).

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13     **SECTION FIVE. EFFECTIVE DATE**

14     The provisions of this Action shall become effective in accord with 2 N.N.C. § 221 (B)  
15     and (B) and shall expire when the Declaration of Emergency is lifted.

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