

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0254-23_

SPONSOR: Steven Arviso

TITLE: An Action Relating to the Law and Order Committee and the Budget and Finance Committee; Approving the Fund Management Plan for the Fire and Rescue Services Fund

Date posted: November 27, 2023 at 4:57PM

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SUMMARY OF PROPOSED LEGISLATION

Tracking No. 0254-23

DATE: September 29, 2023

**RE: AN ACTION RELATING TO THE LAW AND ORDER
COMMITTEE AND THE BUDGET AND FINANCE
COMMITTEE; APPROVING THE FUND MANAGEMENT
PLAN FOR THE FIRE AND RESCUE SERVICES FUND**

Purpose of this Legislation:

to approve the Fund Management Plan for the Fire & Rescue Services Fund.

OLC No. 23-088-1

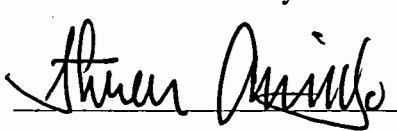

5-DAY BILL HOLD PERIOD
Website Posting Time/Date
Posting End Date: 12-02-23
Eligible for Action: 12-03-23

Law & Order Committee
Thence
Budget & Finance Committee

1 PROPOSED STANDING COMMITTEE RESOLUTION

2 25th NAVAJO NATION COUNCIL - First Year, 2023

3 Introduced by:

4 
5 

6 (Prime Sponsor)

7 

8 Tracking No. 0254-23

9 AN ACTION

10 RELATING TO THE LAW AND ORDER COMMITTEE AND THE
11 BUDGET AND FINANCE COMMITTEE; APPROVING THE FUND
12 MANAGEMENT PLAN FOR THE FIRE AND RESCUE SERVICES FUND
13

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15 **BE IT ENACTED:**

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17 **SECTION ONE. AUTHORITY**

18 A. The Law and Order Committee is a standing committee of the Navajo Nation Council with
19 oversight authority over the Navajo Nation Division of Public Safety and the Division's
20 subordinate departments and programs, including the Navajo Nation Department of Fire &
21 Rescue Services. 2 N.N.C. §601(C)(1); Resolution No. LOCMA-06-18.

22 B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council
23 with the delegated authority to approve fund management plans, after recommendation by
24 the appropriate Oversight Committee and the affected Navajo Nation branch, division, or
25 program. 2 N.N.C. §301(B)(14).

26
27 **SECTION TWO. FINDINGS**

28 A. The Plan of Operation for the Department of Fire & Rescue Services (the "Department") was
29 approved in LOCMA-06-18. The Department is responsible for:

- 30 1. Suppression and control of fires that threaten the life, health, and property of persons;

- 1 2. Providing emergency life support measures, urgent medical care, and transportation to
- 2 medical facilities;
- 3 3. Emergency and disaster area evacuations;
- 4 4. Fire safety education programs;
- 5 5. Hazardous waste handling and storage;
- 6 6. Building inspections and plan reviews to ensure compliance with applicable fire, safety,
- 7 and building codes.

8 B. The Department's Plan of Operation specifically provides that the Department "shall be
9 staffed sufficiently to accomplish the purposes and objectives stated herein." A copy of
10 LOCMA-06-18 is attached hereto as **EXHIBIT 1**.

11 C. In 2018 the Navajo Nation Council established the "Fire and Rescue Services Fund" ("FRS
12 Fund") via Resolution No. CJA-07-18. CJA-07-18 was later amended by CO-74-18. A copy
13 of CO-74-18 is attached as **EXHIBIT 2**.

14 D. The FRS Fund receives money from the Navajo Nation's Sales Tax, codified at 24 N.N.C.
15 §601 - §624. Specifically, 24 N.N.C. §620 was amended to provide that a certain percentage
16 of Sales Tax revenue is deposited into the FRS Fund for use by the Department. Resolution
17 Nos. CJA-07-18 and CO-74-18 are incorporated herein by this reference.

18 E. In 24 N.N.C. §620 there is no mention of who may apply for, or who may receive, money
19 from the FRS Fund. However, according to the wording in Resolution No. CJA-07-18, the
20 intent of the Navajo Nation Council in establishing the FRS Fund was to set up a source of
21 funding particularly for the Navajo Nation Department of Fire & Rescue Services, under the
22 Navajo Nation Division of Public Safety.

23 F. The amended provisions of 24 N.N.C. §620(C) require that money in the FRS Fund is to be
24 appropriated pursuant to a fund management plan approved by the Budget and Finance
25 Committee of the Navajo Nation Council.

26 G. The attached **EXHIBIT 3** is a proposed Fund Management Plan for the FRS Fund. The Plan
27 provides that money in the FRS Fund shall be used by the Department for goals, activities,
28 projects, and purposes related to the Department's responsibility to provide fire and rescue-
29 related services to communities on the Navajo Nation and surrounding areas, as described in
30 the Department's Plan of Operation.

1 H. The proposed FMP provides that FRS Fund money may be used for the following:

- 2 1. maintaining a balanced budget for the Department each fiscal year, which will require
3 sufficient appropriations for all of the Department's operating expenses;
- 4 2. adding, renovating, or refurbishing facilities, furnishings, equipment, vehicles, and
5 supplies, to improve working conditions at the Department, to broaden the scope of fire
6 & rescue services provided by the Department, and to facilitate faster and more efficient
7 emergency response time by the Department;
- 8 3. purchasing new vehicles and equipment, which will involve expenses for registration fees,
9 insurance, vehicle use/transportation, regular maintenance, necessary upgrades or
10 equipment installations, and repairs;
- 11 4. covering employee expenses that may include the hiring of additional staff, paying
12 overtime or holiday pay, higher salaries and wages or grade/step increases, employee
13 reclassifications, training and education, licensing or certifications or awards, and travel
14 expenses such as lodging and meals;
- 15 5. covering professional/consultant contracts for services such as, but not limited to,
16 telecommunications and internet/technology-related planning, hardware, software,
17 programming, data management, or other related services that will assist the Department
18 in modernizing, improving, and quickening its emergency response activities, and in
19 providing immediate emergency notifications for the public.

20 I. The Budget and Finance Committee finds that the proposed Fund Management Plan is in the
21 best interest of the Navajo Nation.

22
23 **SECTION THREE. APPROVAL**

24 The Navajo Nation hereby approves the Fund Management Plan for the Fire & Rescue Services
25 Fund established in Resolution No. CJA-07-18, as amended by CO-74-18, which Plan is
26 attached hereto as **EXHIBIT 3**.

27
28 **SECTION FOUR. EFFECTIVE DATE**

29 This legislation shall become effective in accordance with 2 N.N.C. §301(B)(14) and 2 N.N.C.
30 §221(C).

1 **SECTION FIVE. SAVING CLAUSE**

2 If any part of this Action is determined invalid by the Supreme Court of the Navajo Nation, or
3 by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the
4 remainder of this Action shall be the law of the Navajo Nation.

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