

THE NAVAJO NATION
LEGISLATIVE BRANCH
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LEGISLATION NO: _0275-22_

SPONSOR: Vince R. James

**TITLE: An Action Relating to an Emergency and the Navajo Nation Council;
Amending Navajo Nation Council Resolution No. CO-53-21; Extending the Deadline
for the Síhasin Fund Ganado Fire District Emergency Vehicle Expenditure Plan**

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0275-22

DATE: December 27, 2022

TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY AND THE NAVAJO NATION COUNCIL; AMENDING NAVAJO NATION COUNCIL RESOLUTION NO. CO-53-21; EXTENDING THE DEADLINE FOR THE SÍHASIN FUND GANADO FIRE DISTRICT EMERGENCY VEHICLE EXPENDITURE PLAN

PURPOSE: The legislation, if approved, will extend the deadline for the purchase of emergency equipment and vehicles for the Ganado Fire District to March 31, 2024.

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 NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL – Fourth Year, 2022

INTRODUCED BY

(Prime Sponsor)



TRACKING NO. 0275-22

AN ACTION

**RELATING TO AN EMERGENCY AND THE NAVAJO NATION COUNCIL;
AMENDING NAVAJO NATION COUNCIL RESOLUTION NO. CO-53-21;
EXTENDING THE DEADLINE FOR THE SÍHASIN FUND GANADO FIRE
DISTRICT EMERGENCY VEHICLE EXPENDITURE PLAN**

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).
- B. Pursuant to 2 N.N.C. §164 (A)(16), “[m]atters constituting an emergency shall be limited to the cessation of law enforcement services, and disaster relief services, fire protection services or other direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such an emergency matter must arise due to the pressing public need for such resolution(s) and must be a matter requiring final action by the Council.” 2 N.N.C. §164 (A)(16).

SECTION TWO. FINDINGS

- A. Ganado Fire District is a political subdivision of the State of Arizona that provides emergency services to the Navajo Nation communities of Ganado, Steamboat,

Kindahlichii, Klagetoh, Cornfields, Woodsprings, Cross Canyon, Bashbito, and Toyei, and others.

B. In October of 2021, the Navajo Nation Council adopted Resolution No. CO-53-71, attached as **Exhibit A**, enacting the Síhasin Fund Ganado Fire District Emergency Vehicle Expenditure Plan (“Ganado Fire District Plan”) pursuant to 12 N.N.C. §§ 2501 – 2508. The President of the Navajo Nation signed CO-53-71 into law on November 2, 2021.

C. The Ganado Fire District Plan was intended to supplement the Ganado Fire District’s purchase of emergency equipment, including emergency vehicles, necessary to meet the fire and other emergency needs of the Ganado Chapter and surrounding Navajo Nation communities.

D. Due to supply chain and other issues generated by the COVID pandemic, the Division of Community Development was not able to complete the purchase of the equipment set forth in the Ganado Fire District Plan by the deadline set forth in CO-53-21 at Section Four (F).

E. The Division of Community Development has requested that CO-53-21’s deadline be extended to March 31, 2024 to complete the purchase and allow the vendor to properly tailor the emergency vehicles to meet the Ganado Fire District’s specifications. *See Exhibit B.*

F. Given the current drought situation on the Navajo Nation, the danger of wildfires is extremely high. This legislation is offered as emergency action, because it meets the “fire protection services” purpose in 2 N.N.C. §164 (A)(16), and it also addresses a “pressing public need” as listed in 2 N.N.C. §164 (A)(16).

SECTION THREE. AMENDING AND EXTENDING CO-53-21

A. The Navajo Nation hereby amends CO-53-21, Section Four (F), as follows:

F. The funds allocated for the Ganado Fire District Emergency Vehicle Expenditure Plan shall revert to the Síhasin Fund principal if not spent or encumbered ~~within ninety (90) days of distribution to~~ by the Division of Community Development by no later than March 31, 2024, unless

recommended otherwise by the Resources and Development Committee
and approved by the Naabik'iyati' Committee.

SECTION FOUR. EFFECTIVE DATE

This legislation shall become effective pursuant to 2 N.N.C. § 221(B).

SECTION FIVE. SAVING CLAUSE

Should any provision(s) of this Action 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, the remainder of the Action shall remain the law of the Navajo Nation.

SECTION SIX. DIRECTIVES

The Division of Community Development shall provide a written report on the status of expenditures and project progress under the Síhasin Ganado Fire District Emergency Vehicle Expenditure Plan to the Naabik'iyati' Committee and to the Office of the President and Vice-President by the fifth day of each month following the enactment of this legislation.