



**NCA 15-119**

**CLASSIFICATION: #22. HEALTH AND SAFETY**

**A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 22, CHAPTER 3. ENTITLED "FIRE PROTECTION"**

**Be It enacted by the National Council of the Muscogee (Creek) Nation:**

**SECTION ONE. AMENDMENT.** These amendments shall be codified in Title 22, Chapter 3 of the Code of Laws of the Muscogee (Creek) Nation; provided that for purposes of codification of said amendment and its inclusion in pocket parts of the Code of Laws of the Muscogee (Creek) Nation, the Codification Committee is hereby authorized: (1) to approve any changes related to the manner in which sections, articles, chapters and sub-chapters are designated consistent with the format in the Code of Laws published in 2010 by West Publishing Company; (2) to include footnoted references to the legislative history in said pocket parts to the Code of Laws and (3) to note in said pocket parts any editorial correction of minor clerical or grammatical errors in the following amendment, without further National Council approval:

**TITLE 22. HEALTH AND SAFETY**

**CHAPTER 3. FIRE PROTECTION**

**SUBCHAPTER 1. AGREEMENTS OR COMPACTS**

**§ 3-101. Authorization**

A. The Muscogee (Creek) National Council authorizes the Principal Chief, or his designee, to negotiate and enter into an agreement/compact with municipal, county or rural fire districts for fire protection on Tribal and/or trust lands, or Indian owned lands throughout the Muscogee (Creek) Nation.

B. The fee negotiated shall be consistent with the fees charges by the respective fire districts for fire protection on non-restricted lands.

**SUBCHAPTER 2. GRANT PROGRAM FOR RURAL VOLUNTEER FIRE DEPARTMENTS**

**§ 3-201. Definitions**

A. Firefighting equipment shall mean any necessary equipment, tools, supplies, or provisions for the purpose of this subchapter.

B. New construction shall mean an original or new building built on site. New construction funds are not to be used to ~~construct~~ add additional structures to an existing building or to construct on a new site. The intent of new construction funds ~~is~~ are to assist those departments that do not currently have a structure in place.

C. Maintenance or improvements shall mean any equipment, tools, vehicles, etc. necessary to enable the rural fire departments to improve and maintain the upkeep of the Rural Fire station/houses.

D. Rural volunteer fire departments shall mean recognized firefighting organizations that exist to assist rural areas in the firefighting and fire prevention.

**§ 3-202. Eligibility**

~~Rural volunteer fire departments which have received ANY funding for firefighting purposes from the Nation ARE NOT eligible to apply for and are not receive funds for a period of three (3) years from the funding date that are located within the Nation's jurisdictional boundaries are eligible to apply for a grant if all requirements are met in § 3-203.~~

**§ 3-203. Applications**

A. Rural volunteer fire departments must submit an application proposal to the Health, Education & Welfare Committee of the National Council for (1) new construction or (2) firefighting equipment or (3) maintenance or improvements. Funding for new construction is limited to five thousand dollars (\$5,000). Funding for firefighting equipment is two thousand dollars (\$2,000). Funding for maintenance or improvement is limited to five thousand dollars (\$5,000).

B. Rural volunteer fire departments must submit a "Certificate of Incorporation."

C. Rural volunteer fire departments must submit a "Certificate of Self Insurance" or equivalent verification of insurance.

D. A line item budget and no less than three quotes must be submitted for all equipment or construction projects.

E. Upon receiving a rural volunteer fire department grant, the grant recipient must agree to waive the annual fee(s) for all Muscogee (Creek) citizens that reside within the rural fire department district.

**§ 3-204. Limitation on grants**

Rural Volunteer fire departments may receive no more than five thousand dollars (\$5,000.00) ~~assistance per request~~ each fiscal year. A newly formed rural volunteer fire department would ~~NOT~~ shall not receive new construction and firefighting equipment funds collectively.

**§3-205. Approval and Accountability**

**A.** ~~The Tribal Affairs~~ Health, Education & Welfare Committee of the National Council shall ~~forward~~ provide the Principal Chief approved proposals a copy of each application for a grant that has been approved ~~to the Chief's office after verifying pertinent information contained within the applications.~~ Upon signature of the application by the Principal Chief, the Controller shall pay the grant award to the rural volunteer fire department.

**B.** Each grant recipient shall expend funds in accordance with the approved grant budgets.

**C.** Each grant recipient shall submit the following records for expenditures of a grant award within (30) days of completion of the awarded assistance project: invoices or receipts with proof of payment evidenced by cancelled checks or other bank records. All records shall be provided to the Controller of the Muscogee (Creek) Nation.

**D.** Each grant recipient shall return any unexpended funds to the Controller for deposit in the Tribal Treasury.

**E.** In the event that a grant recipient does not turn in records as required by subsection C of this section, said grant recipient shall not be eligible to receive a grant award for a period of five (5) years and shall not be eligible to receive any financial assistance from the National Council and the Nation may seek full restitution of any and all funds received.

**SECTION TWO. EFFECTIVE DATE.** This Act shall become effective immediately upon proper approval and execution in accordance with the requirements of the Muscogee (Creek) Nation Constitution.

**ENACTED** by the Muscogee (Creek) National Council on this 20<sup>th</sup> day of June, 2015.

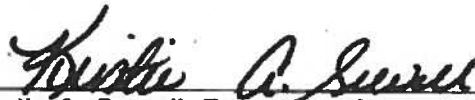
**IN WITNESS WHEREOF**, the Speaker of the Muscogee (Creek) National Council has hereto attached his signature.



Thomas Yahola, Speaker  
National Council  
Muscogee (Creek) Nation

CERTIFICATION

I, the undersigned, certify that the foregoing is a true extract from the minutes of the Muscogee (Creek) National Council comprised of Sixteen members with Fifteen members attending this meeting on the 20<sup>th</sup> day of June, 2015 and that the above is in conformity with the provisions therein adopted by a vote of 14 in favor, 0 against, and that said Law has not been rescinded or amended in any way and the above is the signature of the Speaker of the National Council.



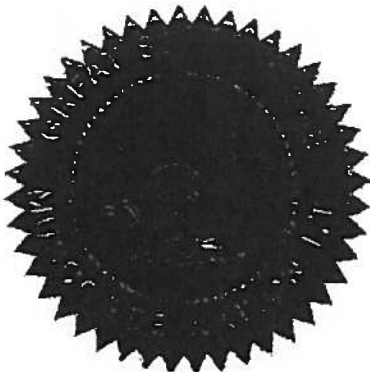
Kristie A. Sewell, Recording Secretary  
Muscogee (Creek) National Council

APPROVAL

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature on this 6<sup>th</sup> day of July, 2015 to the above Law, NCA 15-119 authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.



George Tiger, Principal Chief  
Muscogee (Creek) Nation





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D. Each grant recipient shall return any unexpended funds to the Controller for deposit in the Tribal Treasury.

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**SECTION TWO. EFFECTIVE DATE.** This Act shall become effective immediately upon proper approval and execution in accordance with the requirements of the Muscogee (Creek) Nation Constitution.

**ENACTED** by the Muscogee (Creek) National Council on this 20<sup>th</sup> day of June, 2015.

**IN WITNESS WHEREOF**, the Speaker of the Muscogee (Creek) National Council has hereto attached his signature.

  
\_\_\_\_\_  
Thomas Yahola, Speaker  
National Council  
Muscogee (Creek) Nation

**CERTIFICATION**

I, the undersigned, certify that the foregoing is a true extract from the minutes of the Muscogee (Creek) National Council comprised of Sixteen members with **Fifteen** members attending this meeting on the **20<sup>th</sup>** day of **June, 2015** and that the above is in conformity with the provisions therein adopted by a vote of **14** in favor, **0** against, and that said Law has not been rescinded or amended in any way and the above is the signature of the Speaker of the National Council.



Kristie A. Sewell, Recording Secretary  
Muscogee (Creek) National Council

**APPROVAL**

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature on this 6<sup>th</sup> day of July, 2015 to the above Law, NCA 15-119 authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.



George Tiger, Principal Chief  
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