

APRIL 2007 CROW TRIBAL LEGISLATURE

BILL NO. CLB07-09

INTRODUCED BY
MIGHTY FEW DISTRICT

A BILL FOR AN ACT ENTITLED:

**"ESTABLISHMENT OF A LIMITED LIABILITY COMPANY FOR THE
PURPOSE OF MANAGEMENT OF TRIBAL LEASES"**

WHEREAS: THE CROW TRIBAL LEGISLATURE HAS AS AUTHORIZED BY THE
CROW CONSTITUTION THE FOLLOWING

**Section 2. Powers and Duties. The powers and duties of the Legislative
Branch shall be:**

- a. to promulgate and adopt laws, resolutions, ordinances, codes, regulations, and guidelines in accordance with this Constitution and federal laws for the governance of the Crow Tribe of Indians and for providing for the manner of the sale, disposition, lease or encumbrance of tribal lands, interests in land, or other assets of the Crow Tribe of Indians; for providing for the levying of taxes, licensing of members and non-members for various purposes; for the exclusion of persons not legally entitled to reside or remain within the exterior boundaries of the Crow Indian Reservation;
- b. to adopt legislation, not inconsistent with this Constitution, which is necessary in exercising the duties conferred upon the three branches of government;
- c. to adopt legislation chartering instrumentalities of the Crow Tribe for the purposes of economic development, housing, education or other purposes not inconsistent with this Constitution;
- d. to grant final approval or disapproval of items negotiated by the Executive Branch of Government pertinent to the sale, disposition, lease or encumbrance of Tribal lands, interests in lands or mineral assets provided that a process for such approval or disapproval may be established by legislation;
- e. to grant final approval or disapproval of an annual budget prepared by the Executive Branch of Government; and
- f. to grant final approval or disapproval of limited waivers of sovereign immunity by the Executive Branch of Government when waivers are necessary for business purposes provided that a process for such approval or disapproval may be established by legislation.”, AND

**"ESTABLISHMENT OF A LIMITED LIABILITY COMPANY FOR THE PURPOSE OF MANAGEMENT OF TRIBAL
LEASES"**

WHEREAS; SPECIFICALLY THE CROW TRIBAL LEGISLATURE HAS THE AUTHORIZED CONSTITUTIONAL DUTY AS FOLLOWS;

- g. "to adopt legislation chartering instrumentalities of the Crow Tribe for the purposes of economic development, housing, education or other purposes not inconsistent with this Constitution;"; AND

WHEREAS: THE CROW TRIBAL LEGISLATURE HAS DETERMINED THAT IT WOULD BE IN THE BEST INTEREST OF THE CROW TRIBE TO ESTABLISH A BUSINESS ENTITY LIMITED LIABILITY COMPANY (LLC) FOR PURPOSES OF MANAGEMENT OF TRIBAL LEASED LAND AND FOR OTHER PURPOSES, AND

WHEREAS;THE CROW TRIBAL LEGISLATURE DECLARES AS CROW TRIBAL POLICY THAT THE PURPOSE OF THE PROPOSES LLC FOR BUSINESS PURPOSES SHALL BE A "PROFIT MAKING BUSINESS ENTITY, AND

NOW THEREFORE BE IT HEREBY DECLARED AND RESOLVED:

BY THIS ACTION THERE IS HEREBY ESTABLISHED A TRIBAL LIMITED LIABILITY COMPANY (LLC)

THE LEGAL NAME OF THE TRIBAL LIMITED LIABILITY COMPANY SHALL BE THE "APSAALOOKE TRIBAL LEASING COMPANY, LLC".

THE "APSAALOOKE TRIBAL LEASING COMPANY, LLC" SHALL BE A PROFIT MAKING TRIBAL LIMITED LIABILITY COMPANY THAT SHALL BE OPERATED AT ALL TIMES IN A PROFESSIONAL BUSINESS-LIKE PROFESSIONAL MANNER SUCH THAT REASONABLE PROFITS ARE PRODUCED BY THE OPERATION AND MANAGEMENT OF THE HEREIN NAMED LLC.

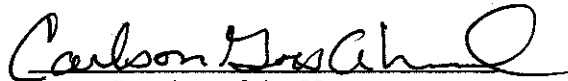
THE CROW TRIBAL LEGISLATURE INTENDS TO BY FURTHER LEGISLATIVE ACTION IN THE FUTURE TO VEST ALL TRIBAL LEASES IN THE "APSAALOOKE TRIBAL LEASING COMPANY, LLC".

EACH VESTED LEASE PLACED IN "APSAALOOKE TRIBAL LEASING COMPANY, LLC" SHALL BE MANAGED IN SUCH A WAY THAT THE MAXIMUM (HIGHEST AND BEST USE) VALUE FOR THE LEASE IS RECEIVED.

THE ESTABLISHED "APSAALOOKE TRIBAL LEASING COMPANY, LLC" SHALL HAVE THE AUTHORITY TO RECEIVE INDIVIDUAL TRIBAL MEMBER LEASES FROM THE MEMBERS WHO DESIRE TO HAVE THEIR INDIVIDUAL LEASES MANAGED BY THE LLC.

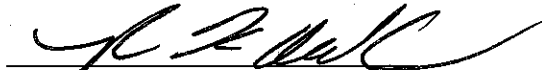
CERTIFICATION

I hereby certify that this BILL; "ESTABLISHMENT OF A LIMITED LIABILITY COMPANY FOR THE PURPOSE OF MANAGEMENT OF TRIBAL LEASES" was duly enacted by the Crow Tribal Legislature with a vote of 16 in favor, 0 opposed, and 0 abstaining, and that a quorum was present on this 10th day of April, 2007.



Speaker of the House
Crow Tribal Legislature
~Servant of the Apsáalooke Nation~

ATTEST:


Secretary, Crow Tribal Legislature

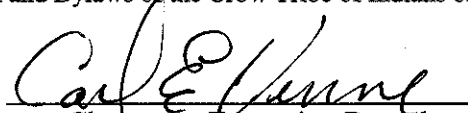
EXECUTIVE ACTION

I hereby

Approve

Veto

THIS BILL "ESTABLISHMENT OF A LIMITED LIABILITY COMPANY FOR THE PURPOSE OF MANAGEMENT OF TRIBAL LEASES" pursuant to the authority vested in the Chairman of the Crow Tribe by Article V, Section 8 of the Constitution and Bylaws of the Crow Tribe of Indians on this 10 day of April, 2007.



Chairman, Executive Branch
Crow Tribe of Indians

**CERTIFICATE OF ORGANIZATION
OF
APSAALOOKE TRIBAL LEASING COMPANY, LLC**

As authorized by the Crow Tribe of Indians, a federally-recognized Indian Tribe, pursuant to its inherent sovereign powers, its Constitution and Bylaws, and the Apsaalooke Limited Liability Company Act (the "Act") codified in the Crow Law and Order Code, Title 18, Chapter 5, and pursuant to BILL No. ____, approved on _____, 2007, the organizer hereby causes this Certificate of Organization to be filed with the Office of the Tribal Secretary for the purpose of creating the limited liability company described herein.

Article 1.

The name of the limited liability company is Apsaalooke Tribal Leasing Company, LLC.

Article 2.

The street address and mailing address of the Company's initial designated office is 1 Bacheeitché Avenue, Crow Agency, Montana 59022.

Article 3.

The name of the Company's agent for service of process is William C. Watt, his street address is 1 Bacheeitché Avenue, Crow Agency, Montana 59022 and his mailing address is P.O. Box 340, Crow Agency, Montana 59022.

Article 4.

Apsaalooke Tribal Leasing Company, LLC is wholly owned by the Crow Tribe, and shall possess the Crow Tribe's sovereign immunity, subject to limited waivers as authorized by the Company's Operating Agreement.

IN WITNESS WHEREOF, this certificate of organization has been executed by the organizers on _____, 2007.

Organizer

Organizer

Filed pursuant to the Apsaalooke Limited Liability Act and Bill No. ____ on this ____ day of _____, 2007.

Tribal Secretary

Bill or Resolution Number CLB07-09 Introduced by Wyola Date of Vote April 10, 2007
 District

Representative:	Yes	No	Abstained
L. Plain Bull	✓		
O. Costa	✓		
V. Crooked Arm	✓		
M. Not Afraid	✓		
R. Iron	✓		
B. House	✓		
E. Fighter	✓		
L. Costa	✓		
L. Hogan	✓		
S. Fitzpatrick	✓		
K. Real Bird			
M. Covers Up	✓		
L. Not Afraid	✓		
B. Shane	✓		
J. Stone	✓		
D. Wilson			
R. Old Crow <i>Secretary of the House</i>	✓		
D. Goes Ahead <i>Speaker of the House</i>	✓		
Totals:	<u>16</u>	<u>0</u>	<u>0</u>

Result of Vote:

Passed Not Passed Tabled Veto Override

Signature Officer: Carlson Date: 4.10.07