

APRIL 2005 CROW TRIBAL LEGISLATURE

JOINT ACTION RESOLUTION NO. JAR05-02

**INTRODUCED BY CARL E. VENNE, CHAIRMAN
CROW TRIBAL EXECUTIVE BRANCH**

**JOINT ACTION RESOLUTION OF THE CROW TRIBAL LEGISLATURE AND
THE CROW TRIBAL EXECUTIVE BRANCH ENTITLED:**

“APPROVAL OF REVISED FY 2005 BUDGET.”

WHEREAS, Article IV, Section 3(d), of the Constitution and Bylaws of the Crow Tribe provides that the Executive Branch shall “prepare an annual budget for the operation of the Tribal Government, including separate budgets for the Legislature and Judicial Branches, for approval by the Legislative Branch of the government and the Secretary of the Interior”; and

WHEREAS, Article V, Section 2(e) of the Constitution empowers the Legislative Branch to grant final approval or disapproval of the annual budget prepared by the Executive Branch; and

WHEREAS, the budget for FY 2005 has previously been approved by the Crow Legislature and the Secretary of the Interior; and

WHEREAS, additional funds have become available to the Crow Tribe which make it advisable to amend the FY 2005 budget; and

WHEREAS, most of the additional funds are the proceeds of settlement of litigation known as *Crow Tribe vs. Norton*, filed in the United States District Court for the District of Columbia as 1:02cv00284 (RCL); and

WHEREAS, Article IV, Section 3(a) of the Constitution provides that the Executive Branch shall “represent the Crow Tribe of Indians in negotiation with Federal, State and local governments and other agencies, corporations, associations, or individuals in matters of welfare, education, recreation, social services and economic development affecting the Crow Tribe of Indians”; and

WHEREAS, the litigation to be settled is a matter affecting the welfare of the Crow Tribe and the Constitution does not require the consent of the Legislature for the settlement of litigation commenced and negotiated by the Executive Branch; and

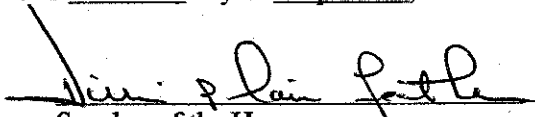
WHEREAS, the Executive Branch nevertheless wishes to advise the Legislature of the settlement agreement in this matter;

NOW, THEREFORE, BE IT RESOLVED BY THE CROW TRIBAL LEGISLATURE AND THE EXECUTIVE BRANCH:

“That the Crow Tribal Legislature acting jointly with the Crow Tribal Executive Branch hereby approves the Revised FY 2005 Budget attached and incorporated by this reference, which contains a plan for use of the settlement proceeds in the litigation known as *Crow Tribe vs. Norton* referenced in the Joint Action Resolution.”

CERTIFICATION

I hereby certify that this Joint Action Resolution, approval of revised FY 2005 Budget, was duly approved by the Crow Tribal Legislature with a vote of 17, in favor, 0 opposed, and 0 abstained, and that a quorum was present on this 18th day of April, 2005.


Speaker of the House
Crow Tribal Legislature

ATTESTS:


Secretary, Crow Tribal Legislature

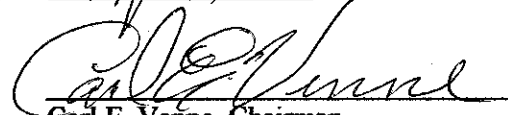
EXECUTIVE ACTION

I hereby

✓ approve

_____ veto

this Joint Action Resolution, approval of revised FY 2005 Budget, 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 22 day of April, 2005.


Carl E. Venne, Chairman
Crow Tribal Executive Branch

April 2005

Revised 2005 Budget

Bill or Resolution Number JAR05-02 Introduced by: Executive Date of Vote 4-18-05
 Representative

	Yes	No	Abstain
B. Cloud	<input checked="" type="checkbox"/>		
C. Goes Ahead	<input checked="" type="checkbox"/>		
O. Costa	<input checked="" type="checkbox"/>		
V. Crooked Arm	<input checked="" type="checkbox"/>		
R. Iron	<input checked="" type="checkbox"/>		
J. Stewart	<input checked="" type="checkbox"/>		
E. Fighter	<input checked="" type="checkbox"/>		
L. Costa	<input checked="" type="checkbox"/>		
L. Hogan	<input checked="" type="checkbox"/>		
D. Old Elk	<input checked="" type="checkbox"/>		
K. Real Bird	<input checked="" type="checkbox"/>		
E. Pease	<input checked="" type="checkbox"/>		
S. Medicine Horse	<input checked="" type="checkbox"/>		
L. Not Afraid	<input checked="" type="checkbox"/>		
P. Real Bird	<input checked="" type="checkbox"/>		
D. Wilson			
J. Stone <i>Secretary of the House</i>	<input checked="" type="checkbox"/>		
W. Plain Feather <i>Speaker of the House</i>	<input checked="" type="checkbox"/>		
Totals:	<u>17</u>	<u>0</u>	<u>0</u>

Results of Vote: Passed Not Passed Tabled Veto Override

Signature of Officer: *W. Plain Feather* Date: 4-18-05

+Proposed Budget for Settlement from the Crow v. Norton Joint Stipulation of Settlement

Settlement Amount - \$10,000,000.00

The Crow Tribal Executive Branch has successfully negotiated a settlement of the Crow v. Norton litigation brought by the Crow Tribe for the United States' breach of trust responsibility. The settlement includes a \$10,000,000.00 payment to the Crow Tribe from the United States.

The Executive Branch as budgeted for the expenditure of the settlement funds as follows:

~~\$1,200,000.00~~

Crow Reservation District Community Projects. Funds shall be set aside for each Crow Reservation District to utilize upon submission of a proposal for projects to improve and serve the District population. Proposals must detail projects with a proposed budget and discuss how the project will serve the community population. Projects may include constructing District meeting center, improvements/repair of existing District centers, developing projects/programs to benefit the youth and elderly or other projects that will benefit the District community as a whole. District Legislators will oversee allocation of funds set forth in their respective Districts. The Legislators will provide an itemized accounting of funds to the Executive Branch Finance department.

~~\$1,000,000.00~~

Crow Tribal Education Department Scholarships. Funds shall be awarded to the Education Department to increase the funds available for scholarships to students seeking higher education. Award of funds shall be in accordance with scholarship guidelines established by the Crow Tribe in accordance with the Tribe's Self-Determination and Education Assistance contract with the Bureau of Indian Affairs. Presently, contract funds are insufficient to assist the 400 plus students applying for financial aid from the Crow Tribe. Presently, only 90 to 100 students are comfortably funded to attend institutions of higher education. Adequate education assistance to Crow students will insure higher success rates for the Crow Education Scholarship program.

~~\$500,000.00~~

Law Enforcement. Funds will be utilized to enhance law enforcement services provided by the Crow Tribe working in coordination with the Bureau of Indian Affairs law enforcement services. Presently, the BIA law enforcement funds provide only one-half of the necessary law enforcement officers leaving the Crow Reservation population in a situation of compromised public safety. Funds will address this critical shortage of law enforcement personnel.

\$ 440,000.00

Benefits to Elderly Crow Tribal Members. The Crow Tribe commenced an elderly financial assistance program approximately two years ago as many Crow elders do not qualify for social security benefits and survive on very limited incomes. Presently, the program provides financial assistance to 449 elderly Crow Tribal members. The additional funds will allow an increasing assistance provided to elderly tribal members.

\$ 100,000.00

Rebuild/Repair Mountain Cabins and Lookout. Five rustic log cabins exist across the Big Horn Mountain range utilized by Tribal members for subsistence hunting. In addition to the cabins, a "look-out" structure exists for proposed of fire control. All of these building were built excess of 50 years ago and in need of critical repair. Funds will be utilized to purchase pre-cut log kits for cabins that need replacement. Funds will also be allocated to the "look-out" structure for reinforcement.

\$ 500,000.00

Tribal Court Enhancement. Despite a Self-Determination and Education Assistance Contract with the Bureau of Indian Affairs, the Crow Tribal Court remains seriously under funded for the number of legal action processed yearly. The funded will be utilized to insure retention of attorney-trained judges and secure undated computer equipment for research and docketing in an effort to professionalize the Crow Tribal Court.

\$ 304,304.00

Payment for Solid Waste Disposal. Solid Waste Disposal on Crow Reservation has been a financial burden but critical serves for the reservation communities. Funds will be utilized to enter into a contract with a licensed, reputable provide for the disposal of solid waste from all reservation communities for a period of one year.

\$ 25,000.00

Crow Tribal Administration Water Usage. Funds will be utilized to pay water usage fees assessed by the Bureau of Indian Affairs for Tribal administration buildings.

\$ 200,000.00

Infrastructure Repair and Maintenance. Funds will be utilized to repair the Crow Tribal grandstands to insure the facility meets public safety standard. The grandstand was built approximately 35 years ago and is in critical need of structural reinforcement and refurbishing. In addition, the electrical systems throughout the Crow Tribal Campground area that houses the annual Crow Indian Fair and Rodeo is in need of safety updates and repair.

\$ 325,000.00

Funding Settlement in Litigation Against Crow Tribe. The Crow Tribe settled litigation commenced in the year 2000 against the

Crow Tribal Administration by separation employees. The litigation was settled to avoid negative case law precedent and to resolve this long-standing internal dispute. Funds will be utilized to fund the negotiated settlement and resolve claims against the Crow Tribe by the separated employees.

~~\$ 642,636.00~~

Debt Service on Tax Exempt Governmental Purpose Loan. The Crow Tribe obtained a \$10,000,000.00 tax exempt governmental purposes loan for infrastructure projects in 1999. The debt service on the loan has decreased available funds for governmental purposes. Payment of the debt from settlement funds will release committed operating funds for utilization for governmental services.

~~\$ 912,000.00~~

Fully Funded Barrett Settlement. The Crow Tribe is funding a settlement with the Bill Barrett Corporation to reimburse the company for funds provided to the Crow Tribe for mineral exploration and development. The funding of the settlement will allow Crow Tribal lands to be released for future mineral exploration and development.

~~\$ 1,000,000.00~~

Enhancement of Tribal Legal Services. The Crow Tribe has a need for specialized legal counsel for the various issues involved with Crow Tribe administration in the areas of litigation, negotiation and tribal government development and enhancement. The Crow Tribe's budget allocation for attorneys has limited necessary legal representation to protect the interest of the Crow Tribal government and its members.

~~\$ 500,000.00~~

Contract Medical Care. The Indian Health Service has extremely limited funding to provide for specialized medical care for Crow Tribal members. Funding will be utilized to provide necessary medical treatment that the Indian Health Service is unable to cover through available funding.

~~\$ 50,000.00~~

Wyola District Rodeo & Horseman Arena Construction. Funds shall be awarded to the Mighty Few District to complete the construction of the arena located in Wyola, Montana.

~~\$ 350,000.00~~

Apsaalooke Water/Waste Water Authority. Funds shall be awarded to the Apsaalooke Water and Waste Water Authority program to be used for the upgrades in Water and Sewer Systems and Lagoons within the exterior boundaries of the Crow Reservation; Crow Agency, Pryor, Wyola and Lodge Grass.

\$ 150,000.00

Crow Reservation District Community Projects attachment. Funds shall be awarded to all six (6) districts in the amount of \$25,000.00 each toward the development of process for community clean up.

\$ 25,000.00

Lodge Grass District Youth Center. Funds shall be allocated to the Lodge Grass district and utilized for the funding of activities for the Lodge Grass Youth Activity Center.

\$ 300,000.00

Monies Allocated to Public Schools. Funds shall be awarded to all three (3) public schools, which are located within the exterior boundaries of the Crow Reservation in the amount of \$100,000.00 each to the Wyola School, Lodge Grass School and Pryor School.

\$ 50,000.00

Crow Tribal Legislative Projects. Funds shall be awarded towards the development of a codification office and planning design to improved the branches facility.

\$ 100,000.00

Crow Tribal Executive Appraisals. Funds will be utilized to enhance the existing Tribal appraisal office towards the speedy process of appraisals for the Crow Tribal members.

\$ 312,000.00

Crow Tribal Youth Activities Complex Project. Funds shall be awarded to this project towards building a Crow Tribal Youth Activities Complex in the Crow Agency, Montana area.

\$ 400,000.00

Crow Tribal Housing Authority. Funds will be awarded for the purpose of enhancing the programs of the Apsaalooke Housing Authority.

\$ 40,000.00

Crow Tribal Basketball Camp Project. Funds will be awarded to the office of Executive Youth Activity programs. The monies will be utilized for a continuous basketball camp for all Apsaalooke youths, during the months of June, July, and August of 2005. In addition, the Youth Coordinator will be directed to select potential clinicians and to also manage all the particular evolvments in such endeavors.

\$ 574,000.00

Miscellaneous. The remaining balance of settlement funds shall be documented and used as discretionary funds for the Executive Branch of the Crow Tribe.