

**AUGUST 10, 2006, SPECIAL SESSION OF THE CROW TRIBAL
LEGISLATURE**

LEGISLATIVE RESOLUTION NO. LR06-04

**INTRODUCED BY CARLSON GOES AHEAD, SPEAKER OF THE CROW
LEGISLATIVE BRANCH**

**LEGISLATIVE RESOLUTION OF THE CROW TRIBAL LEGISLATURE
ENTITLED:**

**A LEGISLATIVE RESOLUTION APPROVING THE MEMORANDUM OF
AGREEMENT (MOA) OF AUGUST 3, 2006 AND ESTABLISHING THE
AGENDA FOR THE SPECIAL SESSION OF AUGUST 10, 2006 "TO RESOLVE
DISAGREEMENTS CONCERNING THE CROW TRIBAL BUDGET FOR
FISCAL YEARS 2006 AND 2007, CROW LEGISLATIVE BRANCH BILLS NOS.
06-04 (CROW TRIBAL APPROPRIATIONS ACT) AND 06-05 (AMENDMENTS
TO THE CROW LAW AND ORDER CODE, JUVENILES AND DOMESTIC
RELATIONS), AND PROCEDURAL ISSUES REGARDING EXECUTIVE
BRANCH VETOES AND LEGISLATIVE BRANCH OVERRIDES AND
REFERENDUMS RELATED THERETO."**

WHEREAS, both branches of the Crow tribal government seek to quickly but thoughtfully resolve current disputes regarding the budget, recent legislation and procedural problems;

WHEREAS, both branches of government represent citizens of the Crow Nation, in different but sometimes overlapping capacities, and seek to better the lives of all Crow people;

WHEREAS, both branches of government desire to draft, adopt and implement legislation without violating provisions of the 2001 Crow Constitution;

WHEREAS, both branches of government desire to resolve their differences by negotiation and compromise in order to avoid protracted and expensive litigation in Crow Tribal Court as well as prevent a potential shutdown of Crow governmental operations;

WHEREAS, both branches of government desire to put aside their differences in order to continue making progress toward economic development, governmental stability, protection of Crow Indian children, and create transparency of fiscal management of the Crow tribal budget.

WHEREAS, The Executive Branch and the Legislative Branch of the Crow Tribal government have executed a Memorandum of Agreement (MOA) on August 3, 2006 that contains terms and conditions which if total accomplished will settle the difference between the Branchs.

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE CROW TRIBE:

THAT the MOA signed by the Chairman of the Executive Branch and the Speaker of the House of the Legislative Branch on August 3, 2006 is hereby APPROVED, incorporated by reference and made a part of this resolution as stated in part as follows:

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

THAT, this MOA shall be the agenda of the special session requested by Chairman Carl Venne and called by Speaker Carlson Goes Ahead upon execution of this MOA;

FURTHER, by joint action resolution, both branches of government hereby agree that CLB 06-04, Appropriations Act, and CLB 06-05, Amendments to the Crow Law and Order Code (Juvenile and Domestic Relations), are not effective law;

FURTHER, CLB 06-04 shall be redrafted, referred to the appropriate Crow legislative subcommittees for substantive revisions that are consistent with comments provided by the Crow legal department on July 21, 2006, and prepared for the October 2006 Crow legislative session, with an appropriate title change, and provisions including regularized meetings for financial reports consistent with the 2001 Crow Constitution, separation of federal and tribal monies for such reports, short and long term budget reports, and a process for budget modifications;

FURTHER, CLB 06-05 shall be redrafted, referred to the appropriate Crow legislative subcommittees for substantive revisions that are consistent with comments provided by the Crow legal department on July 21, 2006, and prepared for the October 2006 Crow legislative session and such legislation shall be amended to appropriately curtail its scope, modify grandparents' rights, and include child support guidelines instead of barring lease income and per capita payments;

FURTHER, due to constitutional ambiguities, a joint action resolution shall be presented in such special session to declare null and void the legal position of the Crow tribal legislature that inaction by the Crow tribal executive branch concerning the aforementioned legislation constitutes a veto; provided that such ambiguity concerning vetoes and overrides shall be resolved by joint action resolution in the October 2006 Crow legislative session;

FURTHER, such veto and override legislation shall contain deadlines for vetoes by the Chairman, overrides by the Crow tribal legislature and referendum timelines, in order to resolve constitutional ambiguities with such processes;

FURTHER, the Crow legal department, on behalf of the Crow tribal executive branch, shall submit (re)drafts of CLB 06-04, CLB 06-05 and veto & override legislation by September 11, 2006, to the Crow tribal legislature and incorporate all of the aforementioned contained in this MOA; if such legislation is not submitted by that date, the parties to this MOA shall return to their respective positions that existed immediately prior to this MOA;

FURTHER, the fiscal year 2006 Crow legislative budget issues shall be resolved, including the described \$30,000 overage and \$20,000 remainder;

FURTHER, the fiscal year 2007 Crow tribal budget shall be presented and voted upon "as is" with no additional reports or questions by the Crow tribal legislature of the Crow tribal executive branch, provided that the legislative budget for fiscal year 2007 shall be \$1,500,000;

FINALLY, each agenda item must be satisfactorily completed as agreed upon, including passage of the entire budget, otherwise each party may exercise its independent right to withdraw from this MOA prior to adjournment of the special session.

IN WITNESS WHEREOF, the leaders of both branches of Crow tribal government hereto subscribe their names."

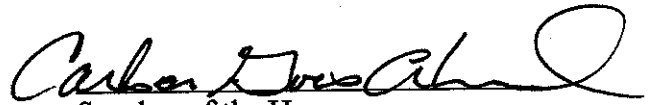
An official copy of the Executed MOA is attached, incorporated by reference and made a part of this jar.

FURTHER, THAT, this terms and conditions contained in the MOA of August 3, 2006 shall be the agenda of the special session requested by Chairman Carl Venne and called by Speaker Carlson Goes Ahead upon execution of this MOA;

CERTIFICATION

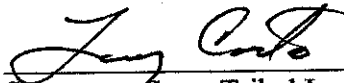
I hereby certify that this Joint Action Resolution, "A LEGISLATIVE RESOLUTION APPROVING THE MEMORANDUM OF AGREEMENT (MOA) OF AUGUST 3, 2006 AND ESTABLISHING THE AGENDA FOR THE SPECIAL SESSION OF AUGUST 10, 2006 "TO RESOLVE DISAGREEMENTS CONCERNING THE CROW TRIBAL BUDGET FOR FISCAL YEARS 2006 AND 2007, CROW LEGISLATIVE BRANCH BILLS NOS. 06-04 (CROW TRIBAL APPROPRIATIONS ACT) AND 06-05 (AMENDMENTS TO THE CROW LAW AND ORDER CODE, JUVENILES AND DOMESTIC RELATIONS), AND PROCEDURAL ISSUES REGARDING EXECUTIVE BRANCH VETOES AND LEGISLATIVE BRANCH OVERRIDES AND REFERENDUMS RELATED THERETO."

was duly approved by the Crow Tribal Legislature with a vote of 15 in favor, 0 opposed, and 0 abstained and that a quorum was present on this 10th day of AUGUST, 2006.



Speaker of the House
Crow Tribal Legislature

ATTEST:



Secretary, Crow Tribal Legislature

CROW TRIBAL LEGISLATIVE SEAL:



Bill or Resolution Number **LR06-04** Introduced by: **Legislature** Date of Vote: **8/10/06**

Representative:	Yes	No	Abstain
L. Plain Bull	<u>X</u>	<u> </u>	<u> </u>
O. Costa	<u>X</u>	<u> </u>	<u> </u>
V. Crooked Arm	<u>X</u>	<u> </u>	<u> </u>
M. Not Afraid	<u>X</u>	<u> </u>	<u> </u>
R. Iron	<u> </u>	<u> </u>	<u> </u>
B. House	<u>X</u>	<u> </u>	<u> </u>
E. Fighter	<u>X</u>	<u> </u>	<u> </u>
L. Hogan	<u> </u>	<u> </u>	<u> </u>
S. Fitzpatrick	<u>X</u>	<u> </u>	<u> </u>
K. Real Bird	<u>X</u>	<u> </u>	<u> </u>
M. Covers Up	<u>X</u>	<u> </u>	<u> </u>
R. Old Crow	<u>X</u>	<u> </u>	<u> </u>
L. Not Afraid	<u>X</u>	<u> </u>	<u> </u>
B. Shane	<u>X</u>	<u> </u>	<u> </u>
J. Stone	<u> </u>	<u> </u>	<u> </u>
D. Wilson	<u>X</u>	<u> </u>	<u> </u>
L. Costa <i>Secretary of the House</i>	<u>X</u>	<u> </u>	<u> </u>
C. Goes Ahead <i>Speaker of the House</i>	<u>X</u>	<u> </u>	<u> </u>
Totals:	<u>15</u>	<u>0</u>	<u>0</u>

Results of Vote:

Passed

Not Passed

Tabled

Veto Override

Signature of Officer: Carlson Joseph Date: 8-10-06

MEMORANDUM OF AGREEMENT

Done and Dated August 2, 2006

**BY AND BETWEEN THE CROW TRIBAL EXECUTIVE BRANCH AND CROW
TRIBAL LEGISLATURE:**

**“TO RESOLVE DISAGREEMENTS CONCERNING THE CROW
TRIBAL BUDGET FOR FISCAL YEARS 2006 AND 2007, CROW
LEGISLATIVE BRANCH BILLS NOS. 06-04 (CROW TRIBAL
APPROPRIATIONS ACT) AND 06-05 (AMENDMENTS TO THE
CROW LAW AND ORDER CODE, JUVENILES AND DOMESTIC
RELATIONS), AND PROCEDURAL ISSUES REGARDING
VETOES AND OVERRIDES.”**

This Memorandum of Agreement (“MOA”) is hereby agreed to between the Crow Tribal Executive Branch and Crow Tribal Legislature.

WHEREAS, both branches of the Crow tribal government seek to quickly but thoughtfully resolve current disputes regarding the budget, recent legislation and procedural problems;

WHEREAS, both branches of government represent citizens of the Crow Nation, in different but sometimes overlapping capacities, and seek to better the lives of all Crow people;

WHEREAS, both branches of government desire to draft, adopt and implement legislation without violating provisions of the 2001 Crow Constitution;

WHEREAS, both branches of government desire to resolve their differences by negotiation and compromise in order to avoid protracted and expensive litigation in Crow Tribal Court as well as prevent a potential shutdown of Crow governmental operations;

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

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FURTHER, such veto and override legislation shall contain deadlines for vetoes by the Chairman, overrides by the Crow tribal legislature and referendum timelines, in order to resolve constitutional ambiguities with such processes;

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FURTHER, the fiscal year 2007 Crow tribal budget shall be presented and voted upon "as is" with no additional reports or questions by the Crow tribal legislature of the Crow tribal executive branch, provided that the legislative budget for fiscal year 2007 shall be \$1,500,000;

FINALLY, each agenda item must be satisfactorily completed as agreed upon, including passage of the entire budget, otherwise each party may exercise its independent right to withdraw from this MOA prior to adjournment of the special-session.

IN WITNESS WHEREOF, the leaders of both branches of Crow tribal government hereto subscribe their names.

FOR THE CROW LEGISLATIVE BRANCH


Speaker of the House, Crow legislature

Aug 3, 2006
Date

FOR THE CROW EXECUTIVE BRANCH


Chairman, Crow Tribal Exec. Branch

8/3/06
Date

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