

JULY 2015 CROW TRIBAL LEGISLATURE

BILL NO. CLB 15-06

INTRODUCED BY DARRIN OLD COYOTE, CHAIRMAN
CROW TRIBAL EXECUTIVE BRANCH

A BILL FOR AN ACT ENTITLED:

“AN ACT AUTHORIZING AND DIRECTING THE USE OF ALL TRIBAL LEASE REVENUES FROM LANDS ACQUIRED IN THE LAND BUY-BACK PROGRAM FOR TRIBAL LAND PURCHASES, INCLUDING ECONOMIC DEVELOPMENT PROPERTIES.”

WHEREAS, the land base of the Crow Tribe is the foundation for maintaining Tribal sovereignty over Reservation lands and the preservation of Crow culture and traditions, and the Crow Tribe is committed to securing its land base and supporting economic development within the Crow Reservation; and

WHEREAS, pursuant to the Claims Resolution Act of 2010, Pub. L. 111-291, 124 Stat. 3064 (Dec. 8, 2010), approving the settlement of the *Cobell* litigation, the Secretary of the Interior has established and implemented the “Land Buy-Back Program for Tribal Nations,” whereby settlement proceeds are used to purchase individual interests in allotted lands by the United States in trust for the Tribe on whose Reservation such lands are located; and

WHEREAS, pursuant to the Land Buy-Back Program, the Secretary has acquired more than 240,000 acres of individual interests in allotted lands on the Crow Indian Reservation, and such interests acquired in trust for the Crow Tribe currently generate in excess of \$950,000 per year in lease revenues (the “LBBP Lease Revenues”); and

WHEREAS, it is in the best interests of the Crow Tribe and Tribal members for the Tribe to use the LBBP Lease Revenues for purchasing land, including economic development properties, and as collateral for loans and other financing for such land purchases; and

WHEREAS, Resolution No. 90-34 entitled “A Resolution of the Crow Tribal Council of the Crow Tribe of Indians Rescinding Resolution No. 76-02 and Programming All Unencumbered recurring Tribal Income for the Purpose of Per Capita Payments,” enacted by the Crow Tribal Council on July 14, 1990, provides, among other things, that all unencumbered recurring income from leases and permits be programmed for the purpose of paying per capita payments to all Crow Tribal members; and

WHEREAS, proceeds from all trust income for surface and subsurface use of other Tribally-owned trust lands, where an agreement or encumbrance does not exist, including royalties from Tribal coal and oil and gas production, are available for per capita payments; and

WHEREAS, pursuant to Article V, Section 2(a) of the 2001 Crow Tribal Constitution, the Crow Tribal Legislature (hereinafter, the “Legislature”) is vested with the power and duty to promulgate and adopt laws, resolutions, ordinances, codes, regulations, and guidelines in accordance with the 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 lands or other tribal assets; and pursuant to Article V, Section 2(e) to grant final approval or disapproval of the annual budget prepared by the Executive Branch;

NOW, THEREFORE, BE IT ENACTED BY THE CROW TRIBAL LEGISLATURE:

Section 1. All revenues received by the Crow Tribe from leases or permits for the use of Tribally-owned trust land now or hereafter acquired pursuant to the Land Buy-Back Program for Tribal Nations (“LBBP Lease Revenues”) shall be dedicated and used for the following purposes:

(a) the purchase of lands and interests in lands located on or near the Crow Indian Reservation, including business properties for purposes of Tribal economic development, and including lands held in fee or in trust, with the consent of the owners of such lands or interests in lands;

(b) for repairs, improvements, and initial working capital for Tribal economic development projects, provided that amounts used for such purposes shall be repaid as a first priority from profits earned by such Tribal economic development enterprises; and

(c) as security, collateral and/or a source of repayment for loans or other types of financing used for the purposes described in Subsections (a) and (b) above.

Section 2. A separate line item shall be added to the annual Tribal budget for the expenditure of LBBP Lease Revenues pursuant to this Act, subject to approval by the Crow Tribal Legislature in accordance with Article V, Section 2(e) of the Constitution and Bylaws of the Crow Tribe of Indians.

Section 3. The Secretary of the Interior, through the Bureau of Indian Affairs and the Office of the Special Trustee for American Indians, is hereby requested, authorized and directed to maintain a special identifying code for lands acquired in the Land-Buy-Back Program, and segregate the LBBP Lease Revenues from other Tribal trust income, including but not limited to establishment of a new special “proceeds of labor” (PL) account to which such LBBP Lease Revenues would be transferred, and remit such LBBP Lease Revenues to the Crow Tribe for use pursuant to this Act and other applicable Tribal law as determined and administered by the Crow Tribe in its sole discretion.

Section 4. The Tribal Finance Department shall establish a separate special restricted investment bank account into which all LBBP Lease Revenues shall be deposited, to the extent they are not utilized to make loan payments for the purposes specified and as authorized in this Act.

Section 5. During the term(s) of any loan financing secured by LBBP Lease Revenues as authorized in Section 1(c) of this Act, the Tribal Executive and Legislative Branches shall not take any actions disposing of the LBBP-acquired lands, through sale, exchange or otherwise, or dedicate such lands to any other uses, that would result in reducing LBBP Lease Revenues below the amounts necessary to make the loan payments.

Section 6. All previous Tribal resolutions or laws, or parts thereof which may be in conflict with this Act, including but not limited to Resolution No. 90-34, are hereby modified to be consistent with the Act; provided, however, that other unencumbered recurring trust income from Tribally-owned interests in surface and sub-surface lands shall remain available for per capita payments as provided in Resolution No. 90-34.

Section 7. This Act shall become effective immediately upon enactment by the Crow Tribal Legislature and approval by the Chairman of the Crow Tribal Executive Branch.

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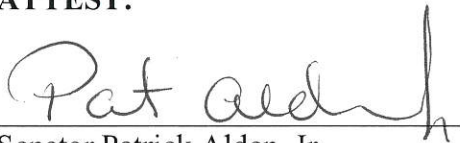
CERTIFICATION

I hereby certify that this Bill for an Act entitled "**AN ACT AUTHORIZING AND DIRECTING THE USE OF ALL TRIBAL LEASE REVENUES FROM LANDS ACQUIRED IN THE LAND BUY-BACK PROGRAM FOR TRIBAL LAND PURCHASES, INCLUDING ECONOMIC DEVELOPMENT PROPERTIES**" was duly approved by the Crow Tribal Legislature with a vote of 16 in favor, 1 opposed, and 0 abstained, and that a quorum was present on this 16th day of July, 2015.



Senator R. Knute Old Crow
Speaker of the House
Crow Tribal Legislature

ATTEST:



Senator Patrick Alden, Jr.
Secretary
Crow Tribal Legislature



EXECUTIVE ACTION

I hereby

X **APPROVE**
 VETO

this Bill for an Act entitled "**AN ACT AUTHORIZING AND DIRECTING THE USE OF ALL TRIBAL LEASE REVENUES FROM LANDS ACQUIRED IN THE LAND BUY-BACK PROGRAM FOR TRIBAL LAND PURCHASES, INCLUDING ECONOMIC DEVELOPMENT PROPERTIES**" 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 16 day of July, 2015.


Darrin Old Coyote, Chairman
Crow Tribal Executive Branch

"AN ACT AUTHORIZING AND DIRECTING THE USE OF ALL TRIBAL LEASE REVENUES FROM LANDS ACQUIRED IN THE LAND BUY-BACK PROGRAM FOR TRIBAL LAND PURCHASES, INCLUDING ECONOMIC DEVELOPMENT PROPERTIES."

Bill or Resolution: CLB15-06 **Introduced by:** Chairman Darrin Old Coyote **Date of Vote:** 7/16/2015
Number

<u>Representative:</u>	Yes	No	Abstained
G. Three Irons	<u> X </u>	<u> </u>	<u> </u>
B. Rogers	<u> X </u>	<u> </u>	<u> </u>
C. J. Stewart	<u> X </u>	<u> </u>	<u> </u>
P. Hill	<u> </u>	<u> </u>	<u> </u>
E. Birdinground	<u> X </u>	<u> </u>	<u> </u>
A. Coyote-Runs, Sr.	<u> </u>	<u> </u>	<u> </u>
V. Nomee	<u> X </u>	<u> </u>	<u> </u>
T. Gros Ventre	<u> X </u>	<u> </u>	<u> </u>
V. Crooked Arm	<u> X </u>	<u> </u>	<u> </u>
P. Spotted Horse, Sr.	<u> X </u>	<u> </u>	<u> </u>
L. DeCrane	<u> X </u>	<u> </u>	<u> </u>
C. Goes Ahead	<u> X </u>	<u> </u>	<u> </u>
B. Hugs	<u> X </u>	<u> </u>	<u> </u>
G. Real Bird, Jr.	<u> X </u>	<u> </u>	<u> </u>
B. Good Luck	<u> </u>	<u> X </u>	<u> </u>
G. Stewart	<u> X </u>	<u> </u>	<u> </u>
P. Alden, Jr. <i>Secretary of the House</i>	<u> X </u>	<u> </u>	<u> </u>
R. Old Crow, Sr. <i>Speaker of the House</i>	<u> X </u>	<u> </u>	<u> </u>
Totals:	<u> 15 </u>	<u> 1 </u>	<u> 0 </u>


Result of Vote:

Passed


Not Passed

Tabled

Veto-Override


 Senator R. Knute Old Crow, Sr.
 Speaker of the House

7-16-15
 Date


 Senator Pat Alden, Jr.
 Secretary of the House

7-16-15
 Date