

JANUARY 2002 CROW TRIBAL LEGISLATURE

BILL NO. CLB0206

INTRODUCED BY: REPRESENTATIVE ANGELA RUSSELL, VALLEY OF THE CHIEFS DISTRICT  
AND MIKE NOT AFRAID, BLACK LODGE, DISTRICT

A BILL FOR AN ACT ENTITLED: AN ACT CREATING A RESERVATION WIDE WATER COMMISSION TO BE KNOWN AS THE "CROW RESERVATION WATER COMMISSION" WHO SHALL BE RESPONSIBLE FOR PROTECTING, PRESERVING AND IMPROVING THE QUALITY OF SURFACE AND GROUNDWATER ON THE RESERVATION AND FOR PROVIDING SAFE DRINKING AND WASTE WATER TREATMENT SYSTEMS FOR ALL RESIDENTS OF THE CROW INDIAN RESERVATION.

WHEREAS, the surface and ground water on the Crow Reservation are continuously threatened by pollution and discharge from archaic waste water treatment systems, agricultural run off and other non-point discharges creating an immediate and long term threat to the health, safety and welfare of all residents of the Crow Indian Reservation; and

WHEREAS, the residents of the Crow Indian Reservation have historically lacked clean drinking water and safe treatment and disposal of waste due to the lack of funding caused by the jurisdictional uncertainty and confusion over fee lands, trust lands and incorporated towns and the responsibility for the provision of drinking water and waste water service; and

WHEREAS, the Crow Tribe of Indians, Bureau of Affairs, Indian Health Service, Big Horn County, State of Montana and Environmental Protection Agency all share a portion of the responsibility for providing safe drinking water and waste water service for all Residents of the Crow Reservation; and

WHEREAS, the Crow Environmental Office has met with the aforementioned entities regarding the provision of safe drinking water and waste water treatment and disposal and has determined that it is in the best interest of the Crow Tribe to create and administer a Reservation-wide Water Commission, including the communities of Wyola, Lodge Grass, Crow Agency, Saint Xavier and Pryor, to provide safe drinking water and waste water treatment to all residents of the Crow Reservation regardless of the land status of the owner and tribal membership and to protect the surface and ground water of the Reservation from pollution and degradation; and

WHEREAS, there is available state and federal funding to assist the Tribe in creating and administering a Reservation-wide Water Commission to provide safe drinking water and waste water treatment and to protect surface and ground water from pollution and degradation;

WHEREAS, the Legislative and Executive Branches of the Crow Tribe believe the Commission should have representation from both branches, and the Crow Tribal Housing Authority;

BE IT ENACTED BY THE LEGISLATIVE AND EXECUTIVE BRANCHES OF THE CROW TRIBE:

**NEW SECTION. Section 1. Findings and Purpose.** (1) The health, safety and welfare of all Residents of the Crow Indian Reservation are continually threatened by pollution and degradation of surface and ground water that ultimately results in an immediate and long term threat to drinking water.

(2) Since the provision of drinking water and adequate treatment of waste water are both severely lacking on the

Crow Reservation, it is imperative for the Crow Tribe to establish and administer a program responsible for seeking private and public funding to enhance and provide both services Reservation wide to all residents who voluntarily opt for the provision of such services.


(3) The purpose of this part is to create what shall be known as the Crow Reservation Water Commission and further authorize the Commission to propose further legislation or adopt rules and regulations necessary and not inconsistent with this Title to carry out the purposes of this Title including but not limited to, seeking grants and funds for the planning, designing and overseeing of the construction of water projects and developing and administering a Crow Water Department to administer the water projects once constructed and operational.

**NEW SECTION. Section 2, Creation of Commission.** In order to achieve the purpose of Section 1, A Crow Tribal Water Commission shall be established. The Commission shall consist of six (6) members as follows: two (2) from the Executive Branch; two (2) from the legislative branch: one (1) from Crow Tribal Housing; and one (1) from at-large community members.

**NEW SECTION. Section 3. Codification instruction.** Section 1 is intended to be codified as an integral part of Title 58, Chapter 1, Part 101, et. Seq.

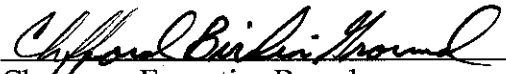
### CERTIFICATION

I hereby certify that this Bill was duly approved by the Crow Tribal Legislature with vote of 14 in favor, 0 opposed, and 0 abstained and that a quorum was present on this 5 day of March, 2002.

  
\_\_\_\_\_  
Ben Cloud  
Speaker of the House  
Crow Tribal Legislature

### EXECUTIVE ACTION

I hereby ~~Approved~~ approved, \_\_\_\_\_ veto this Bill 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.

  
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Clifford Birklin Horn  
Chairman, Executive Branch  
Crow Tribe of Indians

Bill or resolution number CLB0206 Introduced by Angela Russell Date of Vote MAR 05 2002

Representative	Yes	No	Abstain	No Vote
Bull Tail	✓	—	—	—
Costa	—	—	—	—
Crooked Arm	✓	—	—	—
Little Light	✓	—	—	—
Plain Feather	✓	—	—	—
Stewart	✓	—	—	—
Not Afraid	✓	—	—	—
Goes Ahead	—	—	—	—
Hogan	✓	—	—	—
Old Elk	✓	—	—	—
Passes	—	—	—	—
Pease	—	—	—	—
Medicine Horse	✓	—	—	—
Russell	✓	—	—	—
Real Bird	✓	—	—	—
Black Hawk	✓	—	—	—
Stone	✓	—	—	—
Cloud	✓	—	—	—
<b>Results</b> (If tie vote)	<u>14</u>	—	—	—
Vice Chair Goes Ahead	—	—	—	—
<b>Results</b>	<u>14</u>	—	—	—

Result of vote: Passed      Not Passed      Tabled      Veto Override

Signature of Officer: Blm Cloud      Date: 3-5-02