

JANUARY 2004 CROW TRIBAL LEGISLATURE

CLB NO. 0406

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

**A BILL FOR AN ACT ENTITLED "AN ACT TO ADOPT AMENDMENTS TO
THE FISH AND GAME CODE, TITLE 12, OF THE CROW TRIBE
AND FOR OTHER PURPOSES"**

WHEREAS, the Crow Tribe formally adopted a Fish and Game Code on July 8, 1978, and this Fish and Game Code was quite limited in scope;

WHEREAS, amendments to this code were made from time to time; however, there were no major substantive changes;

WHEREAS, the Crow Tribe enacted Resolution No. _____, on the 13 day of January, 2000, adopting a Fish and Game Code codified as Title 12 and this Resolution was made retroactively effective to August 1, 1999;

WHEREAS, as mentioned in the above paragraph the initial Fish and Game Code was adopted in July, 1978 and the second in January, 2000, and the legislative body at the time was the Crow Tribal General Council;

WHEREAS, the Fish and Game Code enacted on the 13 day of January 2000, requires major revisions; however, should revisions be undertaken in a thoughtful and deliberate manner;

WHEREAS, the Fish and Game Code is part of the Department of Natural Resources of the Crow Tribe, within the Executive Branch of Government;

WHEREAS, the Department of Natural Resources has received funding from the United States Department Of Justice, and this will allow the Department of Natural Resources to create an additional five (5) bison ranger positions;

WHEREAS, employment standards and criteria and the job or position qualifications for these bison rangers are at least equal to entry level for the BIA Tribal police officers;

WHEREAS, these bison rangers are to be legally authorized, lawfully sworn and duly commissioned conservation officers, with the authority to perform all duties of a Police Officer where the circumstances at any situation requires the exercise of such authority and power of a police offer/Fish and Game Officer.

WHEREAS, the current and existing Title 12, Fish and Game Code was adopted prior to the creation of these new cadre of officers and these amendments are necessary to vest the Conservation Officers/Bison Pasture Rangers with the police power of the Crow Tribe.

NOW THEREFORE BE IT DULY ENACTED that Section 12-6-101 shall be amended to read as follows:

12-6-101. Regulation of Tribally owned buffalo. (1) It shall be unlawful for any person to hunt, fish, trap, poison, capture or kill by any means any bird, wild animal, or fish, or to be in possession of any parts thereof, anywhere within the confines of the area commonly referred to as the Crow Tribal Buffalo Pasture.

(2) It shall be unlawful for any person to kill capture or possess any part of buffalo belonging to the Crow Tribe of Indians without the express written permission of the Crow Tribal Chairman and the Director of the Natural Resources Department.

(3) It shall be unlawful for any person to kill, capture or possess any part of a buffalo belonging to the Crow Tribe of Indians any where within the Big Horn Mountains or within the exterior boundaries of the Crow Reservation.

(4) Buffalo are Crow Tribal Property and are not open game if they are out of the confinement of the area commonly referred to as the Crow Tribal Buffalo pasture.

NOW THEREFORE BE IT FURTHER ENACTED that Chapter 11, Enforcement, in pertinent part be amended to read as follows:

12-11-101. Enforcement Officers (1) Any provision of this code may be enforced by Tribal Conservation Officers/Bison Pasture Rangers of the Crow Natural Resources Department or other duly authorized Federal Officers as provided for by tribal or Federal law or by cooperative agreement.

(2) To be eligible to be hired and serve as a Conservation Officer or Bison Pasture Ranger, the person:

- (a) Must never have been convicted of a felony or of domestic violence as defined in the Brady law or a misdemeanor crime involving moral turpitude;
- (b) Must have a minimum of a high school diploma or a GED.
- (c) Must not have a dishonorable discharged from the Armed Services;
- (d) Preference in employment shall be given to veterans;
- (e) Must pass a drug screening test;
- (f) Must be certifiable with a handgun and be re-certifiable on a bi-annual basis;
- (g) Must be at least 21 years of age or older when hired;
- (h) Must become familiar with the Tribal Fish and Game Code;

- (i) Must complete basic police academy training within one-year of employment and subsequent annual training as required;
- (j) Must possess a valid state driver's license.

FURTHER BE IT ENACTED that upon passage of these proposed amendments, these amendments will be codified within Title 12 of the Fish and Game Code.

FINALLY, BE IT ENACTED that all of the powers and authorities of the Fish and Game Commission set forth within the current Title 12, Fish and Game Code, shall be vested in the Director of the Fish and Game Department of the Crow Tribal Natural Resources Division, until such time as the entire Fish and Game Code is reviewed and amended. Such amendments shall be presented to the Crow Tribal Legislature at the October, 2004 Legislative session for consideration.

CERTIFICATION

I hereby certify that this CLB 0406 was duly approved by the Crow Tribal Legislature with a vote of 16 in favor, 0 opposed, and 0 abstained and that a quorum was present on this 13th day of July, 2004.

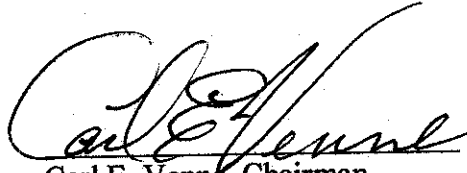

Speaker of the House
Crow Tribal Legislature

ATTEST:


Secretary, Crow Tribal Legislature

EXECUTIVE ACTION

I hereby ✓ approve, _____ veto this CLB 0406 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 13th day of JULY, 2004.



Carl E. Venne, Chairman
Crow Tribe of Indians

Amend Title 12 Fish & Game Code

Bill or Resolution Number CLB 04-06 Introduced by: Executive Date of vote: 7-13-04
 Representative

	Yes	No	Abstain
D. Goes Ahead	<input checked="" type="checkbox"/>		
Cloud	<input checked="" type="checkbox"/>		
O. Costa	<input checked="" type="checkbox"/>		
Iron	<input checked="" type="checkbox"/>		
Plain Feather	<input checked="" type="checkbox"/>		
Crooked Arm	<input checked="" type="checkbox"/>		
Stewart	<input checked="" type="checkbox"/>		
L. Costa	<input checked="" type="checkbox"/>		
C. Goes Ahead			
Hogan	<input checked="" type="checkbox"/>		
Old Elk	<input checked="" type="checkbox"/>		
K. Real Bird			
Pease	<input checked="" type="checkbox"/>		
Medicine Horse	<input checked="" type="checkbox"/>		
Not Afraid	<input checked="" type="checkbox"/>		
P. Real Bird	<input checked="" type="checkbox"/>		
Wilson	<input checked="" type="checkbox"/>		
Stone	<input checked="" type="checkbox"/>		
Totals:			

Results of Vote:

Passed Not Passed Tabled Veto Override

Signature of Officer: *Steve Blair-John* Date: July 13, 2004