

FEBRUARY 22nd , 2011 SPECIAL SESSION OF THE CROW TRIBAL LEGISLATURE

CLB No. 11-03

Introduced by Executive Branch Chairman Cedric Black Eagle

A Bill for an Act Titled:

An Act to Amend the Election Ordinance to Establish and Affirm the Procedures for Tribal Ratification Votes, Including the Crow Tribe-Montana Water Compact and Crow Tribe Water Rights Settlement Act of 2010

WHEREAS, the Crow Tribal Legislature (“Legislature”) is vested with the power and duty pursuant to Article V, Section 2(a) of the 2001 Constitution to promulgate and adopt laws, resolutions, ordinances, codes, regulations, and guidelines in accordance with the 2001 Crow Constitution and federal laws for the governance of the Crow Tribe of Indians; and

WHEREAS, the Crow Tribal Executive Branch (“Executive Branch”) is vested with the authority and responsibility pursuant to Article IV, Section 4(a) of the 2001 Crow Constitution to implement all laws, resolutions, codes and policies duly adopted by the Legislature; and

WHEREAS, water is the most vital element of the Crow Tribe’s existence and, therefore, the protection of Crow tribal water rights, access to water, and water quality is paramount; and

WHEREAS, the Crow Tribe-Montana Water Rights Compact entered into by the State of Montana and Crow Tribe (“Compact”) was ratified by the Montana Legislature on June 22nd, 1999; and

WHEREAS, the Crow Tribe Water Rights Settlement Act of 2010 (“Settlement Act”) was passed by the United States Congress as Title IV of the Claims Resolution Act of 2010, Public Law 111-291, and signed by President Barack Obama (Awé Kootáa Bilaxpáak Kuuxshish) on December 8th, 2010; and

WHEREAS, the Settlement Act ratifies and confirms the Compact, authorizes and directs the Secretary of the Interior to execute the Compact, and provides for a federal

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A Bill for an Act to Amend the Election Ordinance to Establish and Affirm the Procedures for Special Tribal Ratification Votes, Including the Crow Tribe-Montana Water Compact and Crow Water Rights Settlement Act of 2010

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contribution for the settlement of Crow water claims and other matters related to implementing the Compact; and

WHEREAS, Article VII of the Compact requires Crow tribal ratification in order for the Compact to become effective; and

WHEREAS, Section 410(e)(1)(E) of the Settlement Act provides that the Act shall not become enforceable until after:

- 1) The Crow Tribe has ratified the Compact by submitting the Settlement Act and the Compact to a vote by the Crow tribal membership for approval or disapproval; and
- 2) The Crow tribal membership has voted to approve the Settlement Act and the Compact by a majority of the votes cast on the day of the vote, as certified by the Interior Secretary and the Crow Tribe; and

WHEREAS, due to the magnitude of this issue for the Crow Tribe and its members, it is very important that the vote of the Crow tribal membership for approval or disapproval of the Compact and Settlement Act (the "Ratification Vote") be conducted to ensure a fair and accurate voting process to the maximum extent possible; and

WHEREAS, Article I of the 2001 Crow Constitution provides that the Crow Tribal General Council shall consist of "all adult enrolled members of the Crow Tribe of Indians eighteen (18) years of age or older who are entitled to vote;" and

WHEREAS, the Legislature and Executive Branch have agreed upon the process for conducting the Ratification Vote as set forth in this Act; and

WHEREAS, since 2003, all Tribal elections have been successfully administered under Title 21 ("Election Ordinance") of the 2005 Crow Law and Order Code, but the Election Ordinance does not by its terms apply to the Ratification Vote or other special Crow Tribal General Council votes that may take place from time to time; and

WHEREAS, the Legislature and the Executive Branch hereby establish and affirm, as an amendment to the Crow Tribal Election Ordinance, the lawful procedure for all future Crow Tribal General Council votes as may be required under federal or Tribal law; and

WHEREAS, in making amendments to the Election Ordinance the Legislature seeks to utilize, to the fullest extent possible, the current process by which tribal elections are conducted by the Crow Tribal Election Commission, the Crow Tribal Secretary, and the District Election Judges.

NOW, THEREFORE, BE IT HEREBY ENACTED AS CROW TRIBAL LAW BY THE CROW TRIBAL LEGISLATURE, IN SPECIAL SESSION:

Section 1. Declaration of Crow Tribal Policy.

It is the policy of the Crow Tribe to provide for the highest level of fairness, integrity, due process, and security in the voting process for the Crow-Montana Water Compact and Crow Water Rights Settlement Act Ratification Vote. Accordingly, it is the policy of the Crow Tribe to apply the same legal standards and measures of security to protect the secrecy and sanctity of tribal voting that are contained in the Election Ordinance to the Ratification Vote and in all future Crow Tribal General Council votes as may be required by federal or tribal law.

Section 2. Crow Tribe-Montana Water Compact and Crow Water Rights Settlement Act Ratification Vote.

- a) **Date of Ratification Vote.** The Ratification Vote shall be held on a Saturday at the six (6) District polling places on the Reservation, with the exact Saturday to be determined by the Crow Tribal Secretary; *provided that*, the Ratification Vote shall take place within ninety (90) calendar days of the effective date of this Act and at least fifteen (15) days advance public notice must be provided by the Tribal Secretary before any such vote may take place.
- b) **Time of Ratification Vote.** The District polling places shall be open between 9:00 a.m. and 8:00 p.m. on the date of the Ratification Vote. The polling places shall not close for any period of time during polling hours.
- c) **Conduct of Ratification Vote.** The Ratification Vote shall be conducted by the District Election Judges and the Crow Election Commission pursuant to their duties, authorities and responsibilities as set forth in Articles V and VI of the Crow Election Ordinance and Sections 3 and 4 of this Act. Voting will be by secret ballot.
- d) **Majority Vote of Tribal Membership.** In accordance with the Crow Tribe Water Rights Settlement Act, the Crow tribal membership shall determine whether or not to approve the Compact and Settlement Act by a majority of the votes cast on the day of the vote. "Crow tribal membership" shall have the same meaning as the Crow Tribal General Council.

- e) **Role of Crow Tribal Secretary.** For the purpose of the Ratification Vote, the Crow Tribal Secretary shall have authority and responsibility as set forth in the Election Ordinance and any other applicable Crow tribal law. The Crow Tribal Secretary shall not delegate any authority or duty under this Act unless such delegation is made, in writing, to the Crow Tribal Vice-Secretary.
- f) **Applicable Ratification Vote Procedures.** The Ratification Vote shall be conducted according to the procedures governing General Elections held in the Districts in the Election Ordinance, as clarified, modified and set forth in Sections 3 and 4 of this Act, except that (1) the District registration rules for Legislative elections shall not apply, and adult enrolled Tribal members may cast their vote in any District that they choose; and (2) the votes shall be counted by the District Election Judges and by the Crow Tribal Election Commission. Under no circumstances may any voter be allowed to vote more than once.

Section 3. Crow Tribal Ratification Votes.

- a) **Definition of Tribal Ratification Vote.** Any federal or Crow tribal law which requires a majority vote of the Crow tribal membership in order to validate or finalize previous federal and/or Crow Tribal Government action shall be considered a Crow tribal ratification vote and subject to this Act. All tribal ratification votes shall be conducted in accordance with this Section irrespective of whether a simple majority or a larger majority is required under applicable law. Tribal ratification votes shall not include initiatives or referendums for the Crow Tribal General Council under Article IX of the 2001 Crow Constitution.
- b) **Method of Tribal Ratification Vote.** All Crow tribal ratification votes shall be by secret ballot on a ballot form approved in advance by the Crow Election Commission.
- c) **Duties and Responsibilities of Crow Election Commission.** The Crow Election Commission, as identified under Article I, Section 4 and Article VI, Section 1 of the Crow Election Ordinance, shall have the following duties and responsibilities in order to conduct tribal ratification votes:
 - (1) To receive, inspect, and deliver ballots to the polling place or polling places on the day of the ratification vote;
 - (2) To receive ratification voting results from the polling place or polling places;
 - (3) To count the votes;

- (4) To certify the final ratification vote result;
- (5) To hear all contests to ratification vote results;
- (6) To cross-check voter lists to detect or prevent voter fraud;
- (7) To conduct recounts if necessary;
- (8) To request assistance from tribal and/or federal employees for security and other purposes;
- (9) To determine the appropriate polling place or polling places for the ratification vote, if not otherwise provided for under applicable law;
- (10) To recognize, when assembled as a Commission, the respective roles and responsibilities of each Commissioner under this Section; and
- (11) To establish written internal standard operating procedures and internal policies to assist in the conducting of tribal ratification votes in accordance with this Section, this Act, and any other applicable tribal and federal law.

Provided that, if the polling place is in one location and not located at each of the districts, the duties and responsibilities in Parts (1) and (2) above shall be determined by the Election Commission.

Provided further that, Paragraph (11) above shall not be considered administrative rule-making or regulatory authority.

d) Duties and Responsibilities of Crow Tribal Election Judges. The District Election Judges, as provided for under Article V of the Election Ordinance, shall exercise the following duties and responsibilities:

- (1) To oversee ratification vote activities at the polling place(s);
- (2) To protect the rights of voters at the polling place(s);
- (3) To check voter qualifications;
- (4) To determine challenges to voter qualifications at the polling place(s);

- (5) Distribute ballots at the polling place(s);
- (6) To assist person with disabilities and/or language difficulties at the polling place(s);
- (7) To collect and count ballots at the polling place(s);
- (8) To enforce security and electioneering rules and regulations at the polling place(s);
- (9) To return all cast, unused, and spoiled ballots to the Crow Election Commission; and
- (10) To verify the results of the ratification votes cast at the District polling place, if applicable.

e) Duties and Responsibilities of Crow Tribal Secretary. The Tribal Secretary, as a member of the Crow Election Commission under Article VI, Section 1 of the Election Ordinance, shall exercise the following duties and responsibilities:

- (1) To preside over the Election Commission as Chairperson;
- (2) To cast a tie-breaking vote for the Election Commission in the event of a tie vote on any matters requiring a majority vote for the Election Commission to take action;
- (3) To assemble the Election Commission for purposes of pre-vote meetings, training, contests, and other administrative functions;
- (4) To supervise the drafting, printing, and distribution of the actual ballots as well as any sample ballots;
- (5) To exercise any other voting-related functions provided for under tribal law, including administrative planning and logistical preparation.

Provided that, all such authority under this Act may be delegated in writing from the Tribal Secretary to the Tribal Vice-Secretary.

f) Compensation of Election Commission and Election Judges. All Election Commission members and all Election Judges shall be compensated at a rate of two-

hundred dollars (\$200.00) per day for any days committed to training, required meetings, election challenges including recounts, or other administrative responsibilities up to a total of one-thousand dollars (\$1,000.00) per tribal ratification vote. In addition, the six Election Commissioners and all Election Judges shall each be paid three-hundred dollars (\$300.00) for their services during the actual day that a tribal ratification vote takes place. All Election Commissioner and Election Judges shall also be compensated with mileage to and from their primary place of residence at a rate in accordance with the updated federal mileage standards for one (1) orientation meeting prior to the day of the vote.

g) Certification of Ratification Vote. The Crow Election Commission shall have the exclusive authority to certify tribal ratification voting results. Any such certification shall be in writing on a letter of certification and shall be signed by each of the six Election Commissioners and the Tribal Secretary attesting to the truth and completeness of the voting result within 48 hours after the ratification vote polls have closed. The letter of certification must indicate the total number of all “yes” votes and the total number of all “no” votes. The letter of certification shall be posted in a public place in every District of the Crow Reservation no later than three (3) days after the vote result is certified for a period of at least fourteen (14) days and shall be delivered to the four Executive Branch officials, the Crow Tribal Legislature, the Chief Judge of the Crow Tribal Court, and the Bureau of Indian Affairs Superintendent the following business day after the vote result is certified.

h) Contests and Appeals.

i) Any enrolled tribal member eligible to vote who is denied a ballot on the day of the vote may contest that denial by filing a contest pursuant to the procedures provided for in Article IX of the Election Ordinance, except that the \$500.00 deposit for filing contests required in Article IX shall not be required.

ii) The Election Commission shall issue a written statement of findings within thirty (30) days to any individual wrongfully denied a ballot to vote in a tribal ratification vote, stating that the member should have been issued a ballot in the tribal ratification vote at issue, and that the individual shall be entitled to vote in future Crow Tribal elections. This shall constitute full relief in addressing the denial of a ballot to the tribal member asserting he/she was denied such rights.

iii) The results of the ratification vote shall be upheld as final unless there are a sufficient number of substantiated wrongful denials of the right to vote in the ratification vote at issue that such denials could have affected the outcome of the vote

i) Provisional Balloting.

- i) At any ratification vote conducted pursuant to this Article, a voter claiming to be validly enrolled but whose qualification or entitlement to vote cannot be immediately established at the polling place shall be entitled to cast a provisional ballot in accordance with this section.
- ii) A voter who desires to vote but does not show identification in accordance with this Article, and whose identity cannot be attested to by at least two Election Judges, may cast a provisional ballot.
- iii) A provisional ballot shall contain text clearly identifying it as a provisional ballot.
- iv) A voter casting a provisional ballot shall receive information and instructions on the voting and handling of provisional ballots.
- v) Each polling place shall be issued and have on hand a sufficient number of provisional ballots and provisional ballot envelopes.
- vi) Voting procedures for provisional ballots
 - a. A voter casting a provisional ballot shall complete and sign the provisional ballot envelope and cast the ballot.
 - b. The fact that a voter casts a provisional ballot shall be indicated on the signature sheet next to the voter's name.
 - c. The election judge shall examine the provisional ballot and shall inform the elector that the provisional ballot envelope must be signed in order for the provisional ballot to be counted.
 - d. If a voter casting a provisional ballot does not show identification as required, the election judge shall indicate on a space provided on the provisional ballot envelope that the voter did not show identification.
 - e. The provisional ballot envelope containing the marked provisional ballot shall be deposited in a ballot container. All provisional ballots cast shall remain sealed in their envelopes for return to the Election Commission.
 - f. After a voter casts a provisional ballot, the election judge shall give the voter a written notice that the voter who casts a provisional ballot has the right to know whether the ballot was counted and, if applicable, the reason the ballot was not counted.
 - g. Once a provisional ballot is given to an election judge, it may not be changed, retrieved, or nullified by the voter.
- vii) Verification of Provisional Ballot Information
 - a. The Election Commission shall immediately attempt to verify whether or not a voter who cast a provisional ballot is eligible to vote in ratification votes of the Crow Tribe;

- b. The Election Commission shall complete the preliminary verification of the voter's eligibility to vote before the ballot is counted in accordance with this Article within 48 hours of the day of the vote.
- c. If the voter signs but does not fill in all the information requested on the provisional ballot envelope, the ballot shall be counted only if the Election Commission is able to determine that the voter was eligible to vote.
- d. If the provisional ballot envelope is not signed, the Election Commission shall not count the vote, and shall inform the voter by certified mail of the deficiency in signature on the envelope and that the vote was not counted as a result of that deficiency.
- e. If the Election Commission verifies that a voter who cast a provisional ballot is eligible to vote, the provisional ballot shall be counted and, if necessary, the Election Commission shall certify amended results of the Tribal Ratification Vote.
- f. The Election Commission shall retain all original Provisional Ballots and accompanying documentation, including but not limited to: copies of signature sheets from district polling places, and original Provisional Ballot Envelope, in a secure location, and shall not destroy or discard Provisional Ballots and accompanying documentation until six (6) months from the date of the Tribal Ratification Vote.

Section 4. Application of Other Provisions of Crow Election Ordinance.

The following Articles and Sections of the Crow Election Ordinance, as contained in Title '21 of the 2005 Crow Law and Order Code, are incorporated into the lawful procedures governing any tribal ratification vote, including the changes of substance and form as provided below:

a) ARTICLE II – VOTER QUALIFICATION AND IDENTIFICATION

SECTION 1- ELIGIBILITY

- (1) Crow Tribal General Council members who are eighteen (18) years of age or older at the time of election shall be eligible to vote in any tribal ratification vote.
- (2) Except as provided in Paragraph (3) below, all individuals seeking to vote must provide valid proof of his/her identification. The following forms of identification are presumed to constitute valid proof of identification:
 - i) a Crow Tribal Identification card;

- ii) any government-issued photo identification card;
- iii) a valid employee photo identification card, issued by any branch, department, agency, or entity of the United States government or any Indian tribe, state, county, municipality, board, or political subdivision of a tribe or state government;
- iv) a valid United States Military identification card with a photograph of the tribal member;
- v) a valid student identification card with a photograph of the tribal member issued by an institution of higher education.

(3) An enrolled tribal member desiring to vote who has no identification as described in subsection (2) above who is known personally to at least two (2) of the election judges shall be allowed to cast a ballot as long as her/his name appears in the enrollment book listing eligible tribal voters on the date of the ratification vote.

(4) An enrolled tribal member who is unable to produce identification or is not known personally by two (2) election judges may cast a provisional ballot in accordance with the procedures outlined in Subsection 3(i) of this Act.

b) ARTICLE V – DISTRICT ELECTION JUDGES.

SECTION 6 – TRAINING

The Tribal Secretary will be responsible for training the election judges (including alternates), with respect to the requirements of the Crow Election Ordinance and this Act and any other relevant policies or guidelines developed pursuant to this Election Ordinance.

c) ARTICLE VI - ELECTION COMMISSION

SECTION 1 – COMPOSITION

The Chief Election Judge from each district and the Secretary of the Crow Tribe shall constitute the Election Commission. The Secretary, or the Vice-Secretary, shall chair the Election Commission. The Secretary shall vote only in the event of a tie.

d) ARTICLE VIII – CONDUCT OF TRIBAL RATIFICATION VOTES

SECTION 2 – VOTING DISTRICTS

The 2001 Constitution names six districts: 1) Valley of the Giveaway or Big Horn, 2) Black Lodge, 3) Valley of the Chiefs or Lodge Grass, 4) Arrow Creek or Pryor, 5) Center Lodge or Reno, and 6) Mighty Few or Wyola.

SECTION 3 – POLLING PLACES

- (1) Unless otherwise provided for under federal or tribal law, all tribal ratification votes must be conducted in the six districts at polling places to be determined by the Crow Election Commission.
- (2) Once a voter has voted and leaves the polling place, they will not be allowed to re-enter the polling place.

SECTION 4 – SECURITY OF POLLING PLACE(S)

- (1) Electioneering in the form of literature, campaign signs, and candidate campaigning will not be allowed inside the polling area or within two-hundred (200) feet of the polling places during the hours of a tribal ratification vote. Any Election Judge witnessing electioneering within the prohibited area shall have the Bureau of Indian Affairs police and/or the Crow Tribal security physically remove violators from the polling area. The Crow Tribe shall provide security for each district polling place, with such security to be appointed by the Election Commission. Any security officers shall be in full uniform and shall maintain professional conduct at all times.
- (2) No electronic communication devices, including cell phones, shall be allowed during voting hours on the person of any voter at any time while the voter is inside any building or structure which is being used as a polling place for a tribal ratification vote.

SECTION 5 – BALLOTS

- (1) All tribal ratification votes must be by secret ballot.
- (2) The Tribal Secretary shall prepare and supervise the printing and distribution of the ratification vote ballots. The ballots shall be numbered consecutively and provided in consecutive numbers to each polling place. The Secretary and Election Commission shall keep a record of the number of all ballots printed and

distributed. The Election Commission shall account for all ballots and report such results in its official minutes.

- (3) A number of ballots plainly marked "Sample Ballot" and printed on a paper of different color from that of the official ballots, and approved by the Election Commission, shall be published, distributed and posted in public places in each District to acquaint voters with the ballot and voting procedures at least seven (7) days before the ratification vote.

SECTION 6 – NOTIFICATION AND PUBLICATION

The Tribal Secretary shall post notice of all elections in the United State Post Office in each town located on the Crow Reservation and in the Bureau of Indian Affairs Office at Crow Agency. The Secretary shall also publish notice in the public section of the local newspaper at least fifteen (15) days before the election.

SECTION 7 – VOTING BY PERSONS WITH DISABILITIES OR LANGUAGE BARRIERS

If a voter presents him or herself and states that he or she, because of a physical disability or language barrier, is unable to mark the ballot, one (1) election judge and (1) security personnel will give assistance.

SECTION 8 – COUNTING BALLOTS FOR RATIFICATION VOTES

Immediately after the polls are closed all ballot boxes shall be taken to a secure room for counting by the Election Judges at the district polling places. The only persons who may be present for the counting are the district Election Judges, and BIA/Tribal police. Two of the Election Judges will be designated to keep the vote tally. The Chief Election Judge and one other Election Judge will read the ballots. The District's Chief Election Judge will unlock the ballot box. The Chief Election Judge and the other designated judge shall simultaneously read the result of the ballot aloud to the tallying judges. After the last ballot has been read, the tallying judges shall compare their tally sheets. When the tally sheets are identical and deemed correct, the election judges present shall sign the tally sheet. All used and unused ballots and tally sheets shall be relocked in the ballot box and sent to Crow Agency with a BIA Police Officer.

SECTIONS 9 – ELECTION COMMISSION BALLOT COUNTING AND PREPARATION OF CONSOLIDATED RETURN FOR RATIFICATION VOTES

The Chief Election Judge of each District, escorted by a BIA Police Officer, shall take the locked ballot box and the unofficial District results to Crow Agency where they will be placed in a secured room. The only persons who may be present in the secured room for the counting are Election Commissioners, and BIA/Tribal police. The Election Commission Chairperson will unlock the six ballot boxes and the Commission will canvass the results by checking the number of ballots issued with the number of ballots counted, spoiled ballots, and provisional ballots. The Election Commission shall then count the ballots for each District and compare the totals to the unofficial District results. Two of the Election Commissioners will be designated to keep the vote tally. The Election Commission Chairperson and one other Election Commissioner will read the ballots. The Election Commission Chairperson and the other designated Commissioner shall simultaneously read the result of the ballot aloud to the tallying Commissioners. After the last ballot has been read, the tallying Commissioners shall compare their tally sheets. When the tally sheets are identical and deemed correct, the Election Commissioners shall sign the tally sheet. Immediately after completing its count and comparing it to the unofficial District results, the Election Commissioners shall determine the final vote count and shall prepare and sign a consolidated return indicating the total number of “yes” votes and the total number of “no” votes. The unofficial results of the vote shall be immediately posted in a public place or places deemed appropriate by the Election Commission in every District of the Crow Reservation.

SECTION 12 – SPOILED BALLOTS

A ballot shall be considered spoiled and invalid if it has a substantial erasure or marking other than those authorized on the ballot rendering it impossible for the Election Judges to clearly determine the voter’s intent. Election Judges shall keep all spoiled and invalid ballots and return them with the cast ballots to the Election Commission following each ratification vote.

SECTION 13 – RECOUNTS

- (1) Automatic recount: If the margin deciding the ratification vote is equal to or less than 1% of the number of votes cast, there shall be an automatic recount.

- (2) Notice of Recount: If a recount is required under this Section, the Election Commission, not later than two (2) business days after the first final vote result is determined, shall provide public notice of a recount to take place at a date, time, and location as determined by the Election Commission.

SECTION 14 – TIE VOTES

In the event of a tie vote, there shall be an automatic recount with notice as provided under Section 13 above. If, after a recount, the result of the ratification vote remains a tie, there shall be a new ratification vote held within thirty (30) days after the first ratification vote pursuant to further order from the Tribal Secretary and in accordance with this Act.

e) ARTICLE IX – CONTESTING RATIFICATION VOTE RESULTS

SECTION 3 – ELECTION COMMISSION PROCEDURES

Within five (5) days of receiving written notification that a person has alleged wrongful denial of his/her right to vote, the Election Commission shall accept or deny the allegation.

- (1) The Commission shall deny the allegation if it appears on the face of the allegation that no reasonable grounds for a contest have been met. Any such denial must be in writing and immediately provided to the person making the allegation by personal service or certified mail.
- (2) The Commission shall accept the allegation if it appears on the face of the allegation that there is reasonable grounds for a contest. Upon acceptance, the Commission shall schedule a hearing within (5) days. The Commission shall notify the person making the allegation of the date, time, and location of the hearing by personal service or certified mail.
- (3) Hearings shall be conducted in accordance with rules and regulations developed and approved by the Election Commission. Following a hearing, the Commission shall issue a decision, in writing, including any actions ordered.

SECTION 5 – DESTRUCTION OF RATIFICATION VOTE BALLOTS

Contents of ballot boxes or cans (paper products only) shall be destroyed six (6) months after all election proceedings have been determined to be final.

Section 5. Amendment to Article VI of Election Ordinance.

Article V, Section 5 of the Crow Election Ordinance is hereby deleted, and Article VI, Section 3 of the Crow Election Ordinance is hereby amended and, upon enactment of this Act into Crow tribal law, shall read as follows:

“All Election Commission members and all Election Judges shall be compensated at a rate of two-hundred dollars (\$200.00) per day for any days committed to training, required meetings, election challenges including recounts, or other administrative responsibilities up to a total of one-thousand dollars (\$1,000.00) per tribal election cycle. In addition, the six Election Commissioners and all Election Judges shall each be paid three-hundred dollars (\$300.00) for their services during the actual day that a tribal election takes place. All Election Commissioner and Election Judges shall also be compensated with mileage to and from their primary place of residence at a rate in accordance with the updated federal mileage standards for one (1) orientation meeting prior to the day of the vote.

Section 6. Codification Instructions.

Sections 1, 2, 3, and 4 of this Act shall be codified in Title 21 of the next edition of the Crow Law and Order Code as Article XIV of the Crow Election Ordinance.

Section 7. Severability Clause.

If any section, subsection, part, subpart, or other portion of this Act is declared unconstitutional by the Crow Tribal Judicial Branch, the remaining portion of the Act shall remain valid law unless the invalidated portion materially affects the just operation, in conformance with the established policy of this Act.

Section 8. Effective Date.

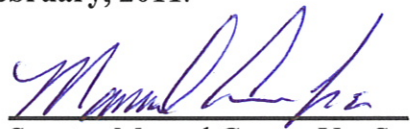
This Act shall be effective immediately upon passage by the Crow Tribal Legislature and signature by the Chairman of the Executive Branch or, if no signature approving the Act is made by the Chairman, as otherwise provided for under Crow tribal law.

CERTIFICATION

I hereby certify that this **Bill for an Act to Amend the Election Ordinance to Affirm the Procedures for Special Tribal Ratification Votes, Including the Crow Tribe-Montana Water Compact and Crow Water Rights Settlement Act of 2010** was duly approved by the Crow Tribal Legislature with a vote of:

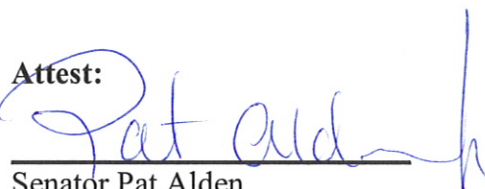
16 in favor
2 opposed
0 abstained

And that a quorum was present this 22nd day of **February, 2011**.



Senator Manuel Covers Up, Sr.
Speaker of the House
Crow Tribal Legislature

Attest:



Senator Pat Alden
Secretary of the Legislature
Crow Tribal Legislature



EXECUTIVE ACTION

I hereby:

X approve
veto

This **Bill for an Act to Amend the Election Ordinance to Affirm the Procedures for Special Tribal Ratification Votes, Including the Crow Tribe-Montana Water Compact and Crow Water Rights Settlement Act of 2010** on this 25 day of February, 2011.



Cedric Black Eagle
Chairman of the Executive Branch
Crow Tribe of Indians

An Act to Amend the Election Ordinance to Establish and Affirm the Procedures for Tribal Ratification Votes,
Including the Crow Tribe-Montana Water Compact and Crow Tribe Water Rights Settlement Act of 2010.

Bill or Resolution: CLB11-03 **Introduced by:** Chairman Cedric Black Eagle **Date of Vote:** 2/22/2011
Number

<u>Representative:</u>	Yes	No	Abstained
H. Two Leggins	<u>X</u>	<u> </u>	<u> </u>
V. Pretty Paint	<u>X</u>	<u> </u>	<u> </u>
C. J. Stewart	<u>X</u>	<u> </u>	<u> </u>
K. Shane	<u>X</u>	<u> </u>	<u> </u>
S. Backbone	<u>X</u>	<u> </u>	<u> </u>
O. Half, Jr.	<u>X</u>	<u> </u>	<u> </u>
W. Plainfeather	<u>X</u>	<u> </u>	<u> </u>
R. Old Crow, Sr.	<u>X</u>	<u> </u>	<u> </u>
M. Not Afraid	<u>X</u>	<u> </u>	<u> </u>
V. Crooked Arm	<u>X</u>	<u> </u>	<u> </u>
L. DeCrane	<u>X</u>	<u> </u>	<u> </u>
C. Goes Ahead	<u> </u>	<u>X</u>	<u> </u>
B. Hugs	<u>X</u>	<u> </u>	<u> </u>
G. Real Bird, Jr.	<u>X</u>	<u> </u>	<u> </u>
M. Backbone	<u>X</u>	<u> </u>	<u> </u>
D. Wilson	<u>X</u>	<u> </u>	<u> </u>
P. Alden, Jr.	<u>X</u>	<u> </u>	<u> </u>
<i>Secretary of the House</i>			
M. Covers Up, Sr.	<u> </u>	<u>X</u>	<u> </u>
<i>Speaker of the House</i>			
Totals:	<u>16</u>	<u>2</u>	<u>0</u>

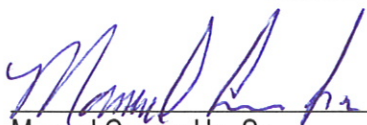
Result of Vote:

Passed

Not Passed

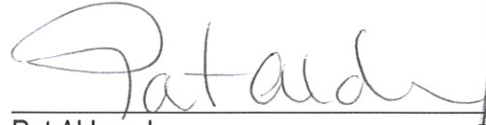
Tabled

Veto-Override



Manuel Covers Up, Sr.
Speaker of the House

Date



Pat Alden, Jr.
Secretary of the House

Date



Crow Country

Legislative Branch

Pryor:

Arrow Creek

Carlson Goes Ahead
Bryce Hugs
Lawrence DeCrane

Big Horn:

Valley of the Give Away

Vincent Crooked Arm
Marlin D. Not Afraid
Pat Alden, Jr.

Dunmore:

Black Lodge

Conrad J. Stewart
V. Jeannie Pretty Paint
H.Noel Two Leggins

Reno:

Center Lodge

Oliver Half, Jr.
Shawn E. Backbone, Sr.
Kenneth G. Shane

Lodge Grass:

Valley of the Chief

Manuel Covers Up, Sr.
Speaker of the House
R. Knute Old Crow, Sr.
Woodrow Plainfeather

Wyola:

Mighty Few

Dana Wilson
M. Tye Backbone
Gordon Real Bird, Jr.

Staff

Attorney Ron Arneson, Esq.
Attorney at Law

Leslie Plain Feather
Legal Assistant

Gerald Jay Harris
Legal Clerk

Jackie Blacksmith,
Administrative Officer

William Old Crow
Finance Officer/Admin.
Assist.

Sheri Chandler
Office Assist./Receptionist
/Editor

Kenny Pretty On Top
Maintenance/Custodian
Sergeant at Arms

LEGISLATIVE BRANCH OF THE CROW TRIBAL GOVERNMENT

P.O. Box 309 – 144 MAKAWASHA Avenue
Crow Agency, Montana 59022

Phone: (406) 638-2023/2025/2238

Fax: (406) 638-2030

OFFICIAL CERTIFICATE OF DELIVERY

I, Pat Alden, Jr. Secretary of the Legislative Branch of the Crow Tribal Government hereby
this Transitional Action do deliver a True and Correct Official copy

Of the Final Approval for the following:

Introduced by Executive Branch Chairman Cedric Black Eagle

A Bill for an Act Titled:

An Act to Amend the Election Ordinance to Establish and Affirm the Procedures for Tribal Ratification Votes, Including the Crow Tribe-Montana Water Compact and Crow Tribe Water Rights Settlement Act of 2010

CLB11-03 to Darren McDermott in the

Position of: Records clerk for the

Crow Tribal Judicial Branch.

Done and dated this 2 **day of** March, 2011 **@** 3:38 **a.m./p.m.**

Pat Alden Jr.
Secretary Of The House
Legislative Branch of the
Crow Tribal Government

Served by:

Jackie M. Blacksmith
Legislative Branch Staff

Cc: file



Certificate Number
2011-08 -B



Crow Country

Legislative Branch

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A Bill for an Act Titled:

**An Act to Amend the Election Ordinance to Establish and Affirm the
Procedures for Tribal Ratification Votes, Including the Crow
Tribe-Montana Water Compact and Crow Tribe Water Rights**

Settlement Act of 2010

CLB11-03 to Heather Whitman Rustin in the

Position of: Executive Branch Attorney for the

Crow Tribal Executive Branch.

Done and dated this 24 day of Feb, 2011 @ 3:52 a.m./p.m.

A handwritten signature in blue ink, appearing to read "Pat Alden Jr".

Secretary Of The House
Legislative Branch of the
Crow Tribal Government

Served by:

A handwritten signature in blue ink, appearing to read "Jackie Blacksmith".
Legislative Branch Staff

Cc: file



Certificate Number
2011-08 -A