

**CROW TRIBAL LEGISLATURE
SEPTEMBER 30th, 2013 SPECIAL SESSION**

JOINT ACTION RESOLUTION NO. JAR13-17

INTRODUCED BY DARRIN OLD COYOTE, CHAIRMAN
CROW TRIBAL EXECUTIVE BRANCH

JOINT ACTION RESOLUTION OF THE CROW TRIBAL LEGISLATURE AND THE
CROW TRIBAL EXECUTIVE BRANCH ENTITLED:

**“APPROVAL OF AMENDMENTS TO THE FISCAL YEAR 2013 CROW TRIBAL
BUDGET TO AUTHORIZE EXPENDITURE OF BONUS PAYMENTS FROM THE
TRACT I COAL LEASE WITH WESTMORELAND RESOURCES, INC.”**

WHEREAS, Article IV, Section 3(d) of the Crow Tribal Constitution and Bylaws requires the Executive Branch of the Crow Tribal Government to prepare an annual budget for the operation of the Tribal Government, including separate budgets for the Legislative and Judicial Branches, for approval by the Legislative Branch and the Secretary of the Interior; and

WHEREAS, Article V, Section 2(e) of the Constitution empowers the Legislative Branch to grant final approval or disapproval of the annual budget prepared by the Executive Branch; and

WHEREAS, CLB12-05, a Revised Annual Budget for the Operation of the Crow Tribal Government and the Expenditure of Tribal Revenue for Fiscal Year 2013 (the “FY2013 Budget”), was approved by the Legislature on December 20, 2012, and by the Chairman of the Executive Branch on December 21, 2012, and the said FY2013 Budget did not authorize expenditure of any proceeds from new coal development agreements; and

WHEREAS, JAR13-03 granting Final Approval of the Exploration Agreement and Coal Lease between the Crow Tribe of Indians and Westmoreland Resources, Inc. (the “WRI Tract I Coal Lease”) was approved by the Legislature on March 6, 2013 and by Chairman on March 12, 2013; and

WHEREAS, upon execution of the WRI Tract I Coal Lease on March 25, 2013, the Tribe received an initial Bonus Payment in the amount of \$500,000, and expenditure of such payment was authorized and budgeted by JAR13-03; and

WHEREAS, pursuant to the Escrow Agreement approved by JAR13-03, upon execution of the WRI Tract I Coal Lease on March 25, 2013, an additional **\$1.2 Million** was paid by WRI into an escrow account with First Interstate Bank to be released to the Tribe upon approval of the WRI Tract I Coal Lease by the Secretary of the Interior or her designee; and

WHEREAS, upon approval of the WRI Tract I Coal Lease by the Secretary of the Interior or her designee, the Tribe will receive an additional Bonus payment in the amount of **\$1.8 million**; and

WHEREAS, the Rocky Mountain Regional Director, Bureau of Indian Affairs, has notified the Tribe that he intends to approve the WRI Tract I Coal Lease on or about September 27, 2013, subject to certain non-substantive clarifications in the WRI Tract I Coal Lease as described in the attached clarification letter from the Chairman of the Crow Tribe concurred in by the President of WRI (the "Clarification Letter");

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

Section 1. The Amended 2013 fiscal year budget for the expenditure of Crow Tribe revenue as approved by CLB12-05 is hereby approved as follows:

- (a) The Crow Tribal Revenue Budget for Coal, Oil, Gas Bonus & Leases is increased by the amount of \$3.0 Million to reflect receipt of the escrowed Bonus Payment and the additional Bonus Payment due upon Secretarial approval;**
- (b) Expenditure of the \$3.0 million additional Bonus Payments is authorized as follows: Increase Account # 60200 Salaries by \$3.0 Million.**

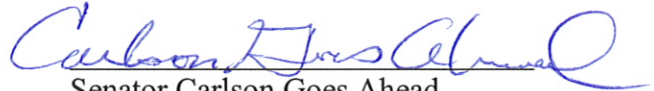
Section 2. The attached Clarification Letter to the WRI Tract I Coal Lease and Exploration Agreement is hereby ratified and approved.

Section 3. This Resolution is effective immediately upon approval by the Legislative Branch and the Chairman of the Executive Branch.

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CERTIFICATION

I hereby certify that this Joint Action Resolution entitled "**APPROVAL OF AMENDMENTS TO THE FISCAL YEAR 2013 CROW TRIBAL BUDGET TO AUTHORIZE EXPENDITURE OF BONUS PAYMENTS FROM THE TRACT I COAL LEASE WITH WESTMORELAND RESOURCES, INC.**" 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 30th day of September, 2013.



Senator Carlson Goes Ahead
Speaker of the House
Crow Tribal Legislature

ATTEST:



Senator R. Knute Old Crow, Sr.
Secretary, Crow Tribal Legislature



EXECUTIVE ACTION

I hereby

X approve,

_____ veto

this Joint Action Resolution entitled "**APPROVAL OF AMENDMENTS TO THE FISCAL YEAR 2013 CROW TRIBAL BUDGET TO AUTHORIZE EXPENDITURE OF BONUS PAYMENTS FROM THE TRACT I COAL LEASE WITH WESTMORELAND RESOURCES, INC.**" 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 30th day of September, 2013.



Darrin Old Coyote, Chairman
Crow Tribal Executive Branch

Joint Action Resolution "Approval of Amendments to the Fiscal Year 2013 Crow Tribal Budget to Authorize
Expenditure of Bonus Payments from the Tract I Coal Lease with Westmoreland Resources, Inc."

Bill or Resolution: JAR13-17 **Introduced by:** Chairman Darrin Old Coyote **Date of Vote:** 9/30/2013
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>
L. Other Medicine	<u> X </u>	<u> </u>	<u> </u>
A.Coyote-Runs, Sr.	<u> X </u>	<u> </u>	<u> </u>
L. Not Afraid.	<u> X </u>	<u> </u>	<u> </u>
M. Covers Up, Sr.	<u> X </u>	<u> </u>	<u> </u>
P. Alden, Jr.	<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>
B. Hugs	<u> </u>	<u> </u>	<u> </u>
G. Real Bird, Jr.	<u> X </u>	<u> </u>	<u> </u>
M. Backbone	<u> </u>	<u> </u>	<u> </u>
G. Stewart	<u> X </u>	<u> </u>	<u> </u>
R. K. Old Crow, Sr. <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> 16 </u>	<u> 0 </u>	<u> 0 </u>

Result of Vote:

Passed

Not Passed

Tabled

Veto-Override

Carlson Goes Ahead 09.30.13 *R. Knute Old Crow, Sr.*

Senator Carlson Goes Ahead
Speaker of the House

Date

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

Date