

**CROW TRIBAL LEGISLATURE
DECEMBER 15, 2015 SPECIAL SESSION**

JOINT ACTION RESOLUTION NO. JAR15-17

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:

**“RESOLUTION RATIFYING AND APPROVING THE TEMPORARY TRANSFER OF
\$750,000 FROM THE ECONOMIC DEVELOPMENT ACCOUNT LOAN FUND TO
THE GENERAL FUND FOR TRIBAL OPERATIONS PURPOSES, TO BE RESTORED
WITH THE NEXT BIG METAL OPTION/BONUS PAYMENT.”**

WHEREAS, the Chairman of the Executive Branch has authority and responsibility pursuant to the “enumerated powers” in Article IV, Section 3(d) of the Constitution and Bylaws of the Crow Tribe of Indians to “administer any funds within the control of the Tribe and make expenditures from available funds for tribal purposes, including salaries and expenses of Tribal Officials or employees”; and

WHEREAS, the Crow Tribal Legislature and the Crow Tribal Executive Branch enacted Joint Action Resolution No. JAR13-19 on October 24, 2013 to approve a loan agreement for a loan from First Interstate Bank in the amount of Ten Million Dollars (\$10,000,000.00), secured by interest from the 107th Settlement Trust Fund (the “Loan”), for the purposes of funding land purchases and economic development projects, and paying off the 2013 Unsecured Line of Credit, and such Loan closed on November 1, 2013; and

WHEREAS, pursuant to Joint Action Resolution No. JAR13-19, the balance of the Loan proceeds, after repayment of the 2013 Unsecured Line of Credit and transaction costs for the Loan, have been deposited in a separate Economic Development Account with First Interstate Bank; and

WHEREAS, JAR13-19 requires that all future expenditures from the Economic Development Account be approved by additional Joint Action Resolutions; and

WHEREAS, Tribal General Fund revenues for FY2016 from the coal severance tax will be reduced by in excess of \$2 million compared to what was previously anticipated; and

WHEREAS, in order to provide immediate funding for Tribal Government operations during the week of November 23, 2015, the Chairman of the Executive Branch, in consultation with the Finance Committee of the Legislative Branch, has determined that the best interests of the Tribe will be served by temporarily transferring \$750,000 from the Economic Development Account to the Tribal General Fund, and restoring such amount to the Economic Development Account with the next Big Metal Option and/or Bonus Payment(s); and

WHEREAS, the Chairman of the Executive Branch has made arrangements with First Interstate Bank to transfer \$750,000 from the Economic Development Account to the General Fund, and such transfer was completed on November 25, 2015;

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

Section 1. The transfer of Seven Hundred Fifty Thousand Dollars (\$750,000) from the Economic Development Account to the Tribal General Fund during the week of November 23, 2015 for the purpose of meeting immediate funding needs for Tribal Government operations is hereby ratified and approved, subject to Section 2 below.

Section 2. The Executive Branch shall ensure that the funds transferred pursuant to Section 1 above shall be restored to the Economic Development Account with the next Option and/or Bonus Payment(s) received from Cloud Peak Energy, Inc. pursuant to the 2013 Big Metal Option to Lease Agreement; and the Crow Tribal Budget shall be deemed amended upon receipt and disbursement of such funds.

Section 3. The effective date of this Resolution is November 18, 2015.

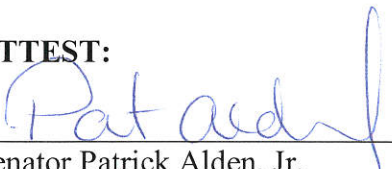
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CERTIFICATION

I hereby certify that this Joint Action Resolution entitled “**RESOLUTION RATIFYING AND APPROVING THE TEMPORARY TRANSFER OF \$750,000 FROM THE ECONOMIC DEVELOPMENT ACCOUNT LOAN FUND TO THE GENERAL FUND FOR TRIBAL OPERATIONS PURPOSES, TO BE RESTORED WITH THE NEXT BIG METAL OPTION/BONUS PAYMENT**” was duly enacted by the Crow Tribal Legislature with a vote of 8 in favor 6 opposed, and 0 abstaining and that a quorum was present on this 15th day of December, 2015.



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

ATTEST:


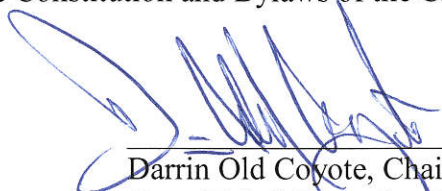
Senator Patrick Alden, Jr.
Secretary
Crow Tribal Legislature



EXECUTIVE ACTION

I hereby
 X approve or
 veto.

This Joint Action Resolution entitled “**RESOLUTION RATIFYING AND APPROVING THE TEMPORARY TRANSFER OF \$750,000 FROM THE ECONOMIC DEVELOPMENT ACCOUNT LOAN FUND TO THE GENERAL FUND FOR TRIBAL OPERATIONS PURPOSES, TO BE RESTORED WITH THE NEXT BIG METAL OPTION/BONUS PAYMENT**” 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 15 day of December, 2015.



Darrin Old Coyote, Chairman
Crow Tribal Executive Branch

JOINT ACTION RESOLUTION ENTITLED: "RESOLUTION RATIFYING AND APPROVING THE TEMPORARY TRANSFER OF \$750,000 FROM THE ECONOMIC DEVELOPMENT ACCOUNT LOAN FUND TO THE GENERAL FUND FOR TRIBAL OPERATIONS PURPOSES, TO BE RESTORED WITH THE NEXT BIG METAL OPTION/BONUS PAYMENT."

Bill or Resolution: JAR15-17 **Introduced by:** Chairman Darrin Old Coyote **Date of Vote:** 12/15/2015
Number

<u>Representative:</u>	Yes	No	Abstained
G. Three Irons	<u> X </u>	<u> </u>	<u> </u>
B. Rogers	<u> </u>	<u> X </u>	<u> </u>
F. White Clay	<u> X </u>	<u> </u>	<u> </u>
P. Hill	<u> </u>	<u> X </u>	<u> </u>
E. Birdinground	<u> X </u>	<u> </u>	<u> </u>
S. Real Bird	<u> </u>	<u> X </u>	<u> </u>
V. Nomee	<u> </u>	<u> </u>	<u> </u>
T. Gros Ventre	<u> </u>	<u> </u>	<u> </u>
V. Crooked Arm	<u> </u>	<u> </u>	<u> </u>
P. Spotted Horse, Sr.	<u> X </u>	<u> </u>	<u> </u>
L. DeCrane	<u> </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> </u>	<u> X </u>	<u> </u>
B. Good Luck	<u> </u>	<u> X </u>	<u> </u>
H. Male Bear, Jr.	<u> </u>	<u> X </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> 8 </u>	<u> 6 </u>	<u> 0 </u>

Result of Vote:


Passed

 Not Passed

 Tabled

 Veto-Override


12-15-15
 Senator R. Knute Old Crow, Sr. Date
 Speaker of the House


12-17-15
 Senator Patrick Alden, Jr. Date
 Secretary of the House