

# **JANUARY 2011 REGULAR SESSION OF THE CROW TRIBAL LEGISLATURE**

## **Legislative Resolution No. 11-02**

Introduced by the Judicial Committee

A Legislative Resolution Titled:

### **“A RESOLUTION OF THE LEGISLATURE AMENDING THE RULES OF ORDER TO ESTABLISH A PROCEDURE FOR THE CERTIFICATION OF PETITIONS FOR LEGISLATION”**

**WHEREAS**, the Crow Tribal Legislature (“Legislature”) is authorized to adopt resolutions, regulations and guidelines for the governance of the Crow Tribe of Indians pursuant to Article V, Section 2(a) of the Constitution and Bylaws of the Crow Tribe of Indians, and

**WHEREAS**, the meetings of the Legislature shall be conducted in accordance with the most current version of the Robert’s Rules of Order and any rules of conduct duly adopted by the Legislature; and

**WHEREAS**, the 2001 Crow Constitution in Article V, as to a Crow Legislator’s proposed legislation reads in part as follows:

“Section 6. Proposed Legislation. ... At least fifteen (15) days prior to the commencement of the legislative session, each member may submit proposed legislation, with a petition bearing signatures, addresses and enrollment numbers of at least ten percent (10%) of the District’s eligible voters, as recorded in the voter registration roles of each District, to the Secretary of the Legislature. The Secretary of the Legislature shall provide notice to all members of the Legislature, ten (10) days prior to the commencement of the session, with a list of proposed legislation for consideration by the Legislature as duly submitted by the members of the Legislature. ...”; and

**WHEREAS**, Article XI of the 2001 Constitution protects the right of tribal members to free speech and to petition for a redress of grievances; and

**WHEREAS**, the Legislature has determined there is a need to establish and more clearly define a procedure for Legislative member introduction of proposed legislation; and

**WHEREAS**, as to the procedure, the Legislature has determined there is a need to protect the identity of signatories to Petitions for proposed legislation; and

**WHEREAS**, the Legislature recognizes there is a need to certify that the petition meets the requirements of Article V, Section 6 of the 2001 Constitution that is quoted hereinabove.

**“A LEGISLATIVE RESOLUTION AMENDING THE RULES OF ORDER TO ESTABLISH A PROCEDURE FOR  
THE CERTIFICATION OF PETITIONS FOR LEGISLATION”**



**NOW THEREFORE, BE IT RESOLVED BY THE CROW TRIBAL LEGISLATURE IN  
REGULAR SESSION:**

**1. Declaration of Legislative Branch Policy.**

The identity of signatories and all related information concerning petition signatories for proposed legislation is private and confidential and the Crow Legislative Branch shall at all times maintain, highly protect and secure this information.

**AND BE IT FURTHER RESOLVED:**

**2. Establishment of Procedure for Certification of Petitions.**

The Legislative Branch of the Crow Tribe of Indians hereby this action does establish the following procedure for security and certification of Petitions for proposed Legislation. The Legislative Branch Rules of Order are hereby amended to reflect this Resolution.

**CROW LEGISLATIVE BRANCH RULE GOVERNING PETITION PROTECTION  
AND PROCEDURE**

**Rule 30.      Petition Protection and Procedure.**

- A.      ***Procedure for Issuing Petitions.*** A Legislator who desires to file a petition for proposed legislation shall obtain the proper petition from the Legislative Branch Administrative Officer or designee. The Administrative Officer shall number each issued petition and shall maintain a permanent record of all petitions issued and returned. Upon issuance of a petition the Administrative Officer shall create a secure permanent file which shall contain all documents related thereto as well as an activity sheet which shall be initialed by the acting Administrative Officer as to each and every activity. The proposed legislation shall be attached to each petition. The petition with the proposed legislation shall contain an original Legislative Branch stamp. The Administrative Officer shall issue a certificate of delivery which shall be attached to a copy of the original petition. The copy with the certificate of delivery shall be placed in a permanent legislative session file. The Legislator requesting the petition shall return each issued petition to the Administrative Officer. The Legislator shall complete a sworn notarized affidavit subject to the contempt powers of the Crow Legislature that the signatures on the returned petition are authentic, true, correct and accurate as to the constitutional requirements of "bearing signatures, addresses and enrollment numbers of at least ten percent (10%) of the District's eligible voters, as recorded in the voter registration roles of each District." The Legislator's sworn notarized affidavit shall be filed in the permanent file. Upon receipt of the returned petition, the Administrative Officer shall time stamp the original and shall deliver a certificate of receipt to the Legislator. A copy of the receipt shall be placed in the legislative permanent file with the original signed petition and Legislator's affidavit.



- B. ***Content of Petition.*** The petition form shall contain signatures, addresses and enrollment numbers of the District eligible voters as required by 2001 Constitution Article V, Section 6 quoted above. The Petition shall contain both a signature and a printed form of the signature. The printed signature, address and enrollment number for each signatory shall be legible. The petition shall contain a notice that the proposed Legislation is subject to revision and amendment in the legislative committee having jurisdiction as well as subject to amendment in the regular legislative session. The petition shall also contain the following statement:

**“It is the policy of the Crow Tribal Legislature that this petition and its contents (including signatures) are confidential and no person shall have the right to examine the signatures, except members of the Crow General Council in the course of signing, authorized officers of the Legislature, and the Tribal Secretary or Vice-Secretary as specifically provided for in established Legislative Branch policy. Under no circumstances will this petition or any portion thereof be shared or otherwise disseminated to any unauthorized person. Violation of this policy shall be subject to any penalties as provided for in Crow tribal law, including contempt of the Crow Tribal Legislature.”**

The approved petition form is attached, incorporated by reference, and made a part hereto as if stated herein.

- C. ***Administrative Certification.*** The Administrative Office and Administrative Officer Assistant each separately shall review, analyze, and verify each of the signatures for compliance of the requirements contained in this Rule and Article V, Section 6 of the 2001 Constitution. The Administrative Officer and the Administrative Assistant shall execute an affidavit subject the contempt powers of the Crow Legislature that the petition contains the signatures of the district eligible voters and that the requisite 10% district voter requirement is met or not met.
- D. ***Recording and Storage.*** When administrative review and certification is completed and finalized, the original petition(s) and affidavit(s) shall be placed in a permanent, secure, fire-proof file which shall not be opened except by written order of both the Speaker and Secretary of the Crow Legislature. If the petition(s) meet the legal requirement of this rule and the 2001 Constitution, the Administrative Officer shall provide a certified copy of the petition along with the Affidavit to the Secretary of the Legislature for review and further action in the appropriate regular or special legislative session. The Administrative Officer shall complete and file a certificate of delivery to the Secretary of the Legislature which shall be part of the permanent closed file for the legislative session.



- E. ***Certified Review by Secretary of Legislature.*** When the Secretary of the Legislature has completed his/her review of the petition(s), the Secretary of the Legislature shall certify by sworn affidavit that the signatories on the petition meet the requirements of this rule and of the 2001 Constitution. The finalized affidavit(s) shall contain a sworn statement subject to the contempt powers of the Crow Legislature for violation and shall be notarized. The Secretary of the Legislature shall deliver the certified copy of the petition(s) and the affidavit(s) to the Administrative Officer. At the time of delivery of the petition(s) and affidavit(s) to the Administrative Officer, the Secretary of the Legislature shall complete a certificate of delivery of the original affidavit(s) and the certified petition(s). The Secretary of the Legislature shall maintain a file of the certificate of delivery.
- F. ***Access to Petition and Record.*** The Administrative Officer shall file the certified copy of the petition(s) and a certified copy of the certificate of delivery from the Secretary of the Legislature in the secure, fireproof Legislative Branch file. This complete finalized permanent file shall not be opened except by direct written order of both the Speaker and Secretary of the Legislature. Any such order signed by the Speaker and the Secretary of the Legislature to open the file shall also be filed. Additionally, the Administrative Officer shall open the closed finalized file in the presence of a witness. Both the Administrative Officer and the witness must file a sworn notarized affidavit stating the time and date and the reason for opening the file as directed by the order from the Speaker and the Secretary of the Legislature.
- G. ***Review by Executive Branch Secretary.*** At any time within thirty (30) calendar days after final legislative passage of any bill which has been introduced by a legislator through a petition of General Council members, the Executive Branch Secretary (or, the Vice-Secretary upon delegation from the Executive Branch Secretary) upon written request to the Speaker and Secretary of the Legislature may examine the petition to verify that each of the signatures on the petition are valid and representative of registered voters. Provided that, any such examination by the Executive Branch Secretary must strictly adhere to the following conditions:
1. The examination must take place in the Legislative Branch Office during regular business hours; and
  2. The examination must be conducted exclusively by the Executive Branch Secretary (or Vice-Secretary upon delegation); and
  3. No recording devices of any type will be allowed in the possession of the Executive Branch Secretary (or Vice-Secretary) during the time the Executive Branch Secretary (or Vice-Secretary) is examining the petition; and

4. No electronic communication devices of any type will be allowed in the possession of the Executive Branch Secretary (or Vice-Secretary) during the time the Executive Branch Secretary (or Vice-Secretary) is examining the petition; and

5. The examination shall, at all times, be recorded by a video recording device to ensure that no violations of these conditions have occurred; and

6. The Executive Branch Secretary (or Vice-Secretary) shall sign a statement agreeing to these conditions before having access to any petition for signatures.

H. ***Incorporation of Branch Policy, Effective Date.*** In accordance with Rule 29, Amendments, this LR shall officially become part of the Legislative Rules of Order as an amendment and shall be classified and attached as Rule 30. This Rule 30 shall become effective immediately upon passage by a majority of the members of the Crow Legislature in official session and upon signature by the Speaker and Secretary.

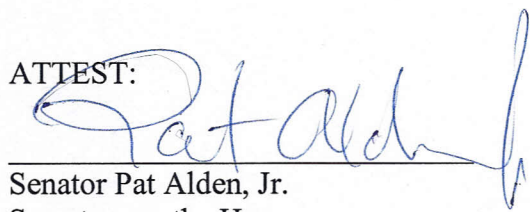
#### **CERTIFICATION**

I hereby certify that this **LR-02** "A LEGISLATIVE RESOLUTION AMENDING THE RULES OF ORDER TO ESTABLISHING A PROCEDURE FOR THE CERTIFICATION OF PETITIONS FOR LEGISLATION" was duly approved by the Crow Tribal Legislature with a vote of 13 in favor, 0 opposed, and 0 abstained and that a quorum was present on this 21<sup>st</sup> day of **January 2011**.



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

ATTEST:



Senator Pat Alden, Jr.  
Secretary or the House  
Crow Tribal Legislature









# PETITION SIGNATURE SHEET

FY – (insert fiscal year) (insert district)

\*(insert # of) Signatures Required (minimum) \* 10% Districts Eligible Registered Voters

Petition to in support of: “ [Action Petitioned For] “

*It is the policy of the Crow Tribal Legislature that this petition and it's contents (including signatures) are confidential and n o person shall have the right to examine the signatures, except members of the Crow General Council in the course of signing, authorized officers of the Legislature, and the Tribal Secretary of Vice-Secretary as specifically provided for in established Legislative Branch policy. Under no circumstances will this petition or any portion thereof be shared or otherwise disseminated to any unauthorized person. Violation of this policy shall be subject to any penalties as provided for in Crow tribal law, including contempt of the Crow Tribal Legislature.*

Name (PLEASE PRINT)	Signature	Address	Enrollment Number	Date
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FY – (insert fiscal year) (insert district)

\*(insert # of) Signatures Required (minimum) \* 10% Districts Eligible Registered Voters

Petition to in support of: “ [Action Petitioned For] “

Name (PLEASE PRINT)	Signature	Address	Enrollment Number	Date
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# PETITION SIGNATURE SHEET

FY – (insert fiscal year) (insert district)

\*(insert # of) Signatures Required (minimum) \* 10% Districts Eligible Registered Voters

Petition to in support of: “ [Action Petitioned For] “

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# PETITION SIGNATURE SHEET

FY – (insert fiscal year) (insert district)

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Petition to in support of: “ [Action Petitioned For] “

Name (PLEASE PRINT)	Signature	Address	Enrollment Number	Date
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