

**APRIL SESSION 2016 CROW TRIBAL LEGISLATURE**

**JOINT ACTION RESOLUTION NO. JAR16-03**

**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 AUTHORIZING THE CHAIRMAN OF THE EXECUTIVE BRANCH  
TO OBTAIN A \$250,000 LINE OF CREDIT FROM FIRST INTERSTATE BANK.”**

**WHEREAS**, variations and delays in the timing of receipts of anticipated Crow Tribal General Fund and Federal revenues from time to time cause shortages of cash funds available to the Tribe to meet ongoing budgeted Tribal operational needs during each annual Tribal fiscal year;

**WHEREAS**, in order to mitigate the effects of fluctuations in the Tribe’s cash flow, the Executive Branch has made arrangements with First Interstate Bank for a Two Hundred Fifty Thousand Dollar (\$250,000) revolving Line of Credit to be drawn down from time to time as necessary to meet the Tribe’s cash requirements, paid down from time to time with interest as cash funds are received, and fully repaid on or before September 30, 2016 (the “Maturity Date”), at a variable interest rate equal to the Prime Rate plus 1.0% (currently 4.50 %); and

**WHEREAS**, drawdowns against the Line of Credit will be repaid from General Fund revenues due the Tribe that are included in approved annual Tribal Budgets or from Federal program funds when received; and

**WHEREAS**, the Chairman of the Executive Branch has authority and responsibility pursuant to the “enumerated powers” in Article IV, Section 3 of the Constitution and Bylaws of the Crow Tribe of Indians to represent the Crow Tribe in negotiations with Federal, State and local governments and other agencies, corporations, associations, or individuals in matters of welfare affecting the Crow Tribe; to “negotiate and approve or prevent any sale, disposition, lease or encumbrance of Tribal lands, interests in lands or other Tribal assets, including buffalo, minerals, gas and oil with final approval granted by the Legislative Branch;” and to “negotiate and approve limited waivers of sovereign immunity when such a waiver is necessary for business purposes in accordance with Article V, Section 2(f) of [the] Constitution;” and

**WHEREAS**, the Legislative Branch has authority and responsibility pursuant to its “powers and duties” in Article V, Section 2(d) of the Constitution “to grant final approval or disapproval of items negotiated by the Executive Branch of Government pertinent to the sale, disposition, lease or encumbrance of Tribal lands, interests in lands or mineral assets,” and in

Article V, Section 2(f) to “grant final approval or disapproval of limited waivers of sovereign immunity by the Executive Branch when waivers are necessary for business purposes;” and

**WHEREAS**, the Chairman of the Executive Branch has negotiated the terms of the Line of Credit with First Interstate Bank as set forth on the attached Promissory Note and Loan Agreement, including a limited waiver of sovereign immunity as set forth in Appendix C to the Loan Agreement; and

**WHEREAS**, the Line of Credit is in the best interests of the Crow Tribe, and the limited waiver of sovereign immunity is necessary for the business purpose of obtaining the Line of Credit;

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

**Section 1.** That the Line of Credit from First Interstate Bank in the amount of Two Hundred Fifty Thousand Dollars (\$250,000), in accordance with the terms and conditions in the (Appendix A) Promissory Note and the Loan Agreement (Appendix B) attached hereto and incorporated by reference, is hereby approved.

**Section 2.** That the limited waiver of sovereign immunity in substantially the form set forth to the Loan Agreement, attached hereto and incorporated by reference, is hereby approved.

**Section 3.** That the Chairman of the Executive Branch is hereby authorized to execute the Promissory Note and Loan Agreement and such additional documents and agreements and take such further actions on behalf of the Crow Tribe of Indians that are necessary to complete and to administer the loan transaction authorized in Sections 1 and 2 above.

**Section 4.** That this Resolution does not approve any additional expenditures or amendment to or increase in the FY2016 Tribal Budget approved by CLB15-13, or any subsequent approved Tribal Budget, because the funds borrowed are to be repaid from anticipated Tribal revenues already included in the approved Budgets or amendments thereto.

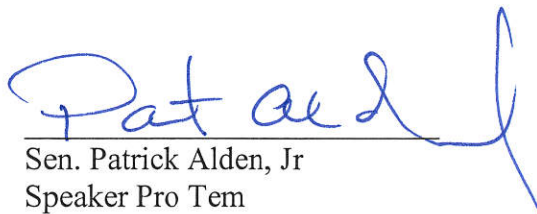
**Section 5.** That before the end of each Tribal fiscal year, the Comptroller shall provide a report with documentation to the Legislature detailing each advance and repayment on the Line of Credit during that fiscal year. The Line of Credit may be renewed annually on substantially the same terms upon approval of the Legislature by a Legislative Resolution before or at the end of each fiscal year as requested by the Executive Branch. The Comptroller shall also promptly report to the Legislature Finance Committee Chair (a) imminent default on the Line of Credit loan agreement by forwarding all notices of default issued by the Bank, and (b) whenever the maximum amount of the Line of Credit (\$250,000) has been advanced to the Tribe.

**Section 6. That the approval granted herein is effective on the date of approval of this Resolution.**


**\* \* \* Remainder of Page Intentionally Left Blank \* \*\***

**CERTIFICATION**

I hereby certify that this Joint Action Resolution entitled “**RESOLUTION AUTHORIZING THE CHAIRMAN OF THE EXECUTIVE BRANCH TO OBTAIN A \$250,000 LINE OF CREDIT FROM FIRST INTERSTATE BANK**” was duly enacted by the Crow Tribal Legislature with a vote of 13 in favor 0 opposed, and 0 abstaining and that a quorum was present on this 20<sup>th</sup> day of April, 2016.

  
Sen. Patrick Alden, Jr  
Speaker Pro Tem  
Crow Tribal Legislature

**ATTEST:**

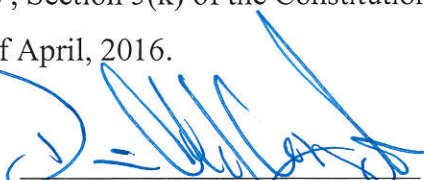
  
Sen. Tyson Gros Ventre  
Secretary Pro Tem  
Crow Tribal Legislature



**EXECUTIVE ACTION**

I hereby  
X approve or  
\_\_\_\_\_ veto.

This Joint Action Resolution entitled “**RESOLUTION AUTHORIZING THE CHAIRMAN OF THE EXECUTIVE BRANCH TO OBTAIN A \$250,000 LINE OF CREDIT FROM FIRST INTERSTATE BANK**” pursuant to the authority vested in the Chairman of the Crow Tribe by Article V, Section 8 and Article IV, Section 3(k) of the Constitution and Bylaws of the Crow Tribe of Indians, on this 27 day of April, 2016.

  
Darrin Old Coyote, Chairman  
Crow Tribal Executive Branch

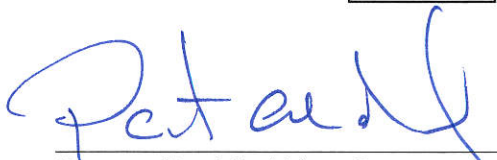
**JAR: "RESOLUTION AUTHORIZING THE CHAIRMAN OF THE EXECUTIVE BRANCH TO OBTAIN A \$250,000 LINE OF CREDIT FROM FIRST INTERSTATE BANK."**

**Bill or Resolution:** JAR16-03 **Introduced by:** Chairman Darrin Old Coyote **Date of Vote:** 4/20/2016  
**Number**


<u>Representative:</u>	<b>Yes</b>	<b>No</b>	<b>Abstained</b>
G. Three Irons	_____	_____	_____
B. Rogers	<u>  X  </u>	_____	_____
F. White Clay	<u>  X  </u>	_____	_____
P. Hill	<u>  X  </u>	_____	_____
E. Birdinground	_____	_____	_____
S. Real Bird	<u>  X  </u>	_____	_____
V. Nomee	<u>  X  </u>	_____	_____
T. Gros Ventre	<u>  X  </u>	_____	_____
V. Crooked Arm	_____	_____	_____
P. Spotted Horse, Sr.	_____	_____	_____
L. DeCrane	<u>  X  </u>	_____	_____
C. Goes Ahead	<u>  X  </u>	_____	_____
B. Hugs	_____	_____	_____
G. Real Bird, Jr.	<u>  X  </u>	_____	_____
B. Good Luck	<u>  X  </u>	_____	_____
H. Male Bear, Jr.	<u>  X  </u>	_____	_____
P. Alden, Jr. <i>Secretary of the House</i>	<u>  X  </u>	_____	_____
R. Old Crow, Sr. <i>Speaker of the House</i>	<u>  X  </u>	_____	_____
<b>Totals:</b>	<u>  13  </u>	<u>    0    </u>	<u>    0    </u>

Result of Vote:

**Passed**
         
  **Not Passed**
         
  **Tabled**
         
  **Veto-Override**

  
 \_\_\_\_\_  
 Senator Patrick Alden, Jr.  
 Speaker Pro-Tem

4-20-16  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Senator Tyson Gros Ventre  
 Secretary Pro-Tem

4-20-16  
 \_\_\_\_\_  
 Date