# CROW TRIBAL LEGISLATURE JULY 24, 2017 SPECIAL SESSION

### **JOINT ACTION RESOLUTION NO. JAR17-19**

INTRODUCED BY ALVIN NOT AFRAID, JR., CHAIRMAN CROW TRIBAL EXECUTIVE BRANCH

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

"RESOLUTION APPROVING THE CROW TRIBE'S PURCHASE OF ALLOTTED TRUST LANDS USING LBBP LEASE REVENUES PURSUANT TO CLB15-06."

**WHEREAS**, the land base of the Crow Tribe is the foundation for maintaining Tribal sovereignty over Reservation lands and the preservation of Crow culture and traditions, and the Crow Tribe is committed to securing its land base and supporting economic development within the Crow Reservation; and

WHEREAS, pursuant to the Claims Resolution Act of 2010, Pub. L. 111-291, 124 Stat. 3064 (Dec. 8, 2010), approving the settlement of the *Cobell* litigation, the Secretary of the Interior has established and implemented the "Land Buy-Back Program for Tribal Nations," whereby settlement proceeds are used to purchase individual interests in allotted lands by the United States in trust for the Tribe on whose Reservation such lands are located; and

WHEREAS, pursuant to the Land Buy-Back Program, the Secretary has acquired more than 240,000 acres of individual interests in allotted lands on the Crow Indian Reservation, and such interests acquired in trust for the Crow Tribe currently generate in excess of \$950,000 per year in lease revenues (the "LBBP Lease Revenues"); and

WHEREAS, CLB15-06, enacted by the Legislative Branch and approved by the Chairman of the Executive Branch on July 16, 2015, authorized and directed the use of all LBBP Lease Revenues received by the Crow Tribe for the purchase of lands, and interests in land located on or near the Crow Indian Reservation, including business properties; repairs, improvements and initial working capital for Tribal economic development projects; and as security for loans used for such purposes; and

WHEREAS, CLB15-06 further directed that all such LBBP Lease Revenues be segregated in a new proceeds of labor account established by the BIA and OST, and deposited in a special Tribal investment account, to the extent they are not utilized for such loan payments; and

WHEREAS, JAR15-14, enacted by the Legislative Branch on October 14, 2015 and approved by the Chairman of the Executive Branch on October 15, 2015, authorized a \$3.3 million loan (the "Loan") for the purchase of the "Battlefield Express" business property, with the loan secured by and repaid from LBBP Lease Revenues; and

**WHEREAS**, the Executive Branch has identified and negotiated for the purchase by the Tribe, at appraised value as determined by BIA and OST, of certain tracts of individually-owned Trust Lands on the Crow Reservation as further described in the Appendix attached hereto and incorporated herein (the "Properties"); and

WHEREAS, the Chairman of the Executive Branch has authority and responsibility pursuant to the "enumerated powers" in Article IV, Section 3(a) of the Constitution and Bylaws of the Crow Tribe of Indians to represent the Crow Tribe in negotiations with Federal, State and local government and other agencies, corporation, associations, or individuals in matters of welfare affecting the Crow Tribe; and

WHEREAS, pursuant to Article V, Section 2(a) of the 2001 Crow Tribal Constitution, the Crow Tribal Legislature (hereinafter, the "Legislature") is vested with the power and duty to promulgate and adopt laws, resolutions, ordinances, codes, regulations, and guidelines in accordance with the Constitution and federal laws for the governance of the Crow Tribe of Indians, and for providing for the manner of the sale, disposition, lease or encumbrance of tribal lands, interests in lands or other tribal assets; and pursuant to Article V, Section 2(e) to grant final approval or disapproval of the annual budget prepared by the Executive Branch; and

**WHEREAS**, it is in the best interests of the Crow Tribe and Tribal members for the Tribe to use the LBBP Lease Revenues for purchasing the Properties;

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

Section 1. That the Executive Branch is hereby authorized to use the LBBP Lease Revenues, not otherwise required for repayment of the Loan, to purchase the Properties consisting of the allotted trust lands as further described in the Appendix attached hereto and incorporated into this Resolution, and to draw down the amount of \$787,000 from the PL Account established for LBBP Lease Revenues.

Section 2. For purposes of optimizing on tribal land purchases, the Crow Tribe shall establish priorities for the use of the land within sixty (60) days of its acquisition. In the event, that the Crow Tribe chooses to lease the land within that timeframe, the BIA shall include a public open bidding process.

Section 3. Upon request by the Chairman of the Executive Branch, additional land purchases using LBBP Lease Revenues pursuant to CLB15-06 shall be authorized by Legislative Resolution.

Section 4. That the Tribal Budget for the Third and Fourth Quarters of FY2017 enacted by CLB17-02 is hereby amended to approve the expenditure of LBBP Lease Revenues for the purchases of the Properties as authorized by this Resolution.

Section 5. That this Action shall only be executed exclusively under the 2001 Constitution and Bylaws of the Crow Tribe of Indians. Actions taken outside the processes of the 2001 Constitution shall be without any force and effect and void on their face.

Section 6. That the authorization granted herein is effective on the date of approval of this Resolution, and is subject only to such further approvals as are required by Federal law.

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

### **APPENDIX**

#### CERTIFICATION

I hereby certify that this Joint Action Resolution entitled "RESOLUTION APPROVING THE CROW TRIBE'S PURCHASE OF ALLOTTED TRUST LANDS USING LBBP LEASE REVENUES PURSUANT TO CLB15-06" 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 24<sup>th</sup> day of August, 2017.

Senator Eric Birdinground Speaker of the House Crow Tribal Legislature

ATTEST:

Senator Gordon Real Bird, Jr.

Secretary

Crow Tribal Legislature



#### **EXECUTIVE ACTION**

I hereby

X APPROVE

VETO

this Joint Action Resolution Entitled "RESOLUTION APPROVING THE CROW TRIBE'S PURCHASE OF ALLOTTED TRUST LANDS USING LBBP LEASE REVENUES PURSUANT TO CLB15-06" 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 28 day of Angus 7, 2017.

Alvin Not Afraid, Jr., Chairman Crow Tribal Executive Branch

## "JOINT ACTION RESOLUTION APPROVING THE CROW TRIBE'S PURCHASE OF ALLOTTED TRUST LANDS USING LBBP LEASE REVENUES PURSUANT TO CLB15-06."

Bill or Resolution: <u>JAR17-19</u> Introduced by: <u>Chairman Alvin NotAfraid</u>, Jr. Date of Vote: <u>8/24/2017</u> Number

REPRESENTATIVE:	Yes	No	Abstained
G. Three Irons		· <del></del>	
B. Rogers	X	8	
F. White Clay	X	·	
P. Hill	X	0	
S. Real Bird	X	1	
V. Nomee		X <del></del>	
T. Yellowtail	X	Parameter Commence	
T. Gros Ventre	-		
P. Alden, Jr.			
E. Deputy	X		
P. Spotted Horse, Sr.	B	-	
L. DeCrane	X		
J. Demontiney	X		
B. Hugs	X		
B. Good Luck	X		
H. Male Bear, Jr.	X		_
G. Real Bird, Jr.	X		
Secretary of the House			
Eric Birdinground	X		
Speaker of the House			
Total:	13	0	0
Result of Vote:			
Passed	Not Passed	Tabled	Veto-Override
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Speaker of the nouse	260	actary of the not	usc

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S.75   \$ 2,297.14   \$ 20,100.00   \$20,100.00   18.75     S.75   \$ 300.00   \$ 25,125.00   1.000000   \$25,125.00   83.75     S.75   \$ 300.00   \$ 25,125.00   1.000000   \$25,125.00   83.75     S.76   \$ 300.00   \$ 25,125.00   1.000000   \$25,125.00   83.75     S.76   \$ 300.00   \$ 25,125.00   1.000000   \$25,125.00   83.75     S.76   \$ 20,100.00   \$ 25,125.00   1.000000   \$25,125.00     S.76   \$ 20,100.00   \$ 25,125.00   \$ 25,125.00   \$ 25,125.00     S.70   \$ 20,100.00   \$ 25,125.00   \$ 25,125.00   \$ 25,125.00     S.70   \$ 25,125.00   \$ 25,125.00   \$ 25,125.00   \$ 25,125.00     S.70   \$ 25,125.00   \$ 25	N S N SE NE NW	N S N SE NE NW	N S N SE NE NW	N S N SE NE NW	ALL PRINCIPLES		1.25							
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1000000 \$25,125.00 83.75   300.00 \$ 25,125.00   1,000000 \$25,125.00   83.75   300.00 \$25,125.00   1,000000 \$25,125.00   83.75   300.00 \$226,125.00   1,000000 \$226,125.00   1,000000 \$226,125.00   1,000000 \$226,125.00   1,000000 \$226,125.00   1,000000 \$226,125.00   1,000000 \$226,125.00   1,000000 \$226,125.00   1,000000 \$226,125.00   1,000000 \$226,125.00   1,000000 \$226,125.00   1,000000 \$226,125.00   1,000000 \$226,125.00   1,000000 \$226,125.00   1,000000 \$226,125.00   1,000000 \$226,125.00   1,0000000 \$226,125.00   1,0000000 \$226,125.00   1,0000000 \$226,125.00   1,0000000 \$226,125.00   1,0000000 \$226,125.00   1,0000000 \$226,125.00   1,0000000 \$226,125.00   1,0000000 \$226,125.00   1,0000000 \$226,125.00   1,00000000 \$226,125.00   1,00000000 \$226,125.00   1,00000000 \$226,125.00   1,00000000 \$226,125.00   1,00000000 \$226,125.00   1,00000000 \$226,125.00   1,000000000 \$226,125.00   1,000000000000000000000000000000000				TOTAL	TOTAL,		8.75		\$		1.000000	\$20,100.00	18.75	\$38,100.00
\$288,766.76 \$288,766.76 \$21.42 \$22.42	Sec. 21 T.003.00S R.031.00E		R.031.00E				83,75		S		1.000000	\$25,125.00	83.75	\$25 125 00
\$288,766.76 \$21.42 \$21.42 \$21.42 \$21.00.00 \$40.00 \$240,600.00 \$240,600.00 \$240,600.00 \$240,600.00 \$240,600.00 \$240,600.00 \$240,600.00 \$250,222.40 \$250	E1/2E1/2NW1/4NW1/4,NE1/4NW1/4,	E1/2E1/2NW1/4NW1/4,NE1/4NW1/4,	E1/2E1/2NW1/4NW1/4,NE1/4NW1/4,	1/4NW1/4,NE1/4NW1/4,										200
Total Acreage Total Acreage 1853.90  Total Acreage Accrued 1853.90  ### Accrued 1853.90  #### Accrued 1853.90  #### Accrued 1853.90  #### Accrued 1853.90	\$1/2NW1/4SE1/4NW1/4NW1/4,SW1/4SE1/4NW1/4NW1/4,	S1/2NW1/4SE1/4NW1/4NW1/4,SW1/4SE1/4NW1/4NW1/	S1/2NW1/4SE1/4NW1/4NW1/4,SW1/4SE1/4NW1/4NW1/	12/4NW1/4NW1/4,SW1/4SE1/4NW1/4NW1/	V1/4NW1/	4,								
\$288,766.76	W1/2E1/2NW1/4NE1/4,W1/2NW1/4NE1/4,	W1/2E1/2NW1/4NE1/4,W1/2NW1/4NE1/4,	W1/2E1/2NW1/4NE1/4,W1/2NW1/4NE1/4,	N1/4NE1/4,W1/2NW1/4NE1/4,	٤.									
\$288,766.76				•								Total Acreage		
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	Total Cost		Total Cost	Total Cost	Total Cost			Total Acreage						
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						\$288,766.76		821.4	12					
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100						\$240,600.00		681.3	25					
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18				•		\$38,100.00		18.7	75	-				
<b>3</b>					44	\$25,125.00		83.7	75					
	2	3.	2. 4	1	ì.	786,814.16		1853.5	000					
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