

**CROW TRIBAL LEGISLATURE  
NOVEMBER 2018 SPECIAL SESSION**

**BILL NO. CLB18 - 04**

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

**A BILL FOR AN ACT ENTITLED:**

**“APPROVAL OF THE ANNUAL BUDGET FOR THE OPERATION OF THE CROW  
TRIBAL GOVERNMENT AND THE EXPENDITURE OF TRIBAL REVENUE FOR  
FISCAL YEAR 2019.”**

**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**, a budget for the expenditure of Crow Tribal revenue has been developed by the Executive Branch for the full Fiscal Year 2019 commencing on October 1, 2018 and ending September 30, 2019 from the following sources of Tribal revenue:

<b>1. General Fund of the Crow Tribe</b>	<b>\$</b>	<b>8,751,059</b>
<b>2. 107<sup>th</sup> Judgment Fund</b>	<b>\$</b>	<b>2,495,250</b>
<b>3. Indirect Cost Fund</b>	<b>\$</b>	<b><u>1,500,000</u></b>
<b>TOTAL</b>	<b>\$</b>	<b>12,746,309</b>

**WHEREAS**, the Executive Branch has presented the attached line item budget for all three branches of the Crow Tribal Government;

<b>Crow Legislative Branch:</b>	<b>\$1,271,319</b>
<b>Crow Judicial Branch:</b>	<b>\$0</b>
<b>Crow Executive Branch:</b>	<b><u>\$6,474,992</u></b>
<b>Total:</b>	<b><u>\$7,746,311</u></b>

NOW, THEREFORE, BE IT ENACTED BY THE CROW TRIBAL LEGISLATURE:

**Section 1. Approval of the 2019 fiscal year budget for the expenditure of Crow Tribal revenue.** The attached 2019 fiscal year budget for the operation of the Crow Tribal Government

and the expenditure of Tribal revenues prepared by the Executive Branch and reviewed by the Legislative Branch is hereby approved by the Crow Tribal Legislature. The Crow Tribal Court budget of \$377,867 will be funded 100% with BIA 638 contract funds.

**Section 2. 2019 fiscal year budget amendments, when required.** All additional, un-budgeted revenues received by the Crow Tribe during the 2019 fiscal year, including those realized from the sale of tribal resources, shall be available for expenditure to address Tribal Program Debt, as identified in this Act, with the Executive Branch having the discretion to determine relative priorities of the Program Debt to be addressed, subject to the following:

Pursuant to Section 3(D) of CLB 07-08, revenues received in excess of the initial or current revenue projection individually greater than Four Hundred Thousand Dollars (\$400,000) shall require the Executive to submit an amendment to the current FY comprehensive budget for approval by the Legislature. "All excess revenue funds received shall be reported in the following quarterly financial session with the Legislature." In addition, the Executive Branch will prioritize any additional or excess revenues for the Legislative Branch up to \$350,000.

Pursuant to Section 7 of CLB 07-08, substantial budget reallocations from one department/program to another, individually exceeding Two Hundred Thousand Dollars (\$200,000) or fifty percent (50%) of the overall department/program budget (whichever is less) shall require legislative approval by Joint Action Resolution.

A Program Director, or the CPA, may submit written requests for a proposed budget modification to the CPA, who will review with the Comptroller to determine whether there are funds available to support the requested modification, so long as, the Director or CPA's request is accompanied by a signed document showing the appropriate Branch Chief concurs in the request for modification. "If funds are available, the Budget Modification shall be implemented without further action from the Legislative or Executive branches.

Under the Crow Tribal Constitution, the Executive Branch has the power 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; while the Legislative Branch has the power 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.

**Section 3. Tribal mineral royalties, special per-capita account.** In addition to the amounts provided for in the attached 2019 fiscal year budget, all mineral royalties paid to the credit of the Crow Tribe shall be directly deposited by the Office of Special Trustee in a special tribal revenue account separate and apart from the Crow Tribal General Fund and shall only be available for expenditure for the purpose of per-capita distribution to the enrolled tribal membership. Any additional mineral royalties received shall also be directly deposited into the special revenue account described herein and shall be distributed via per-capita payments to the enrolled tribal membership.

**Section 4. Drawdowns-Separation of Finances.** Pursuant to CLB 07-08, section 9, Separation of Finances, after approval of the annual comprehensive budget, each of the three branches of the Apsaalooke Nation will assume control over its own budget, with signature authority granted to each Branch Chief (Chairman of the Executive Branch, Speaker of the Legislative Branch, Chief Judge of the Judicial Branch).

Each branch's control over its own budget will be achieved through distributions from the Executive Branch to the Judicial and Legislative Branches of one-quarter of the approved annual budget for each branch; provided that, if the amount of anticipated, or actual, revenue in any given quarter be insufficient to allow for such distribution, the Executive shall make monthly distributions to the Judicial and Legislative Branches in an amount equal to 8.33% of the approved annual budget for each branch.

**Section 5. Reporting.** The Judicial and Legislative Branches shall provide the same quarterly reporting for expenditures made from these drawdowns, as is required of the Executive Branch. No later than July 31, 2019, all three Branches shall report on the fiscal management of the Crow Tribal Government's Expenditures, all sources of funding and revenues with federal funds versus tribal funds for the first and second quarter of the comprehensive full Budget for FY 2019, which shall include justifications for each expenditure of requested funds based on current and previous Branch/Department/Program budgets. This shall include all settlements received by the Crow Tribe during this period, and full assessment of debt service, liabilities and expenditures and revenues with narratives and justifications.

The Executive Branch Finance Department shall use the reports from the other two branches to provide a Comprehensive Summary Budget comparison report from the Abila Sage MIP accounting system for all three branches of the Crow Tribal Government, showing budgets and detailed expenditure reports for January 1st to March 31st, 2019 and April 1st to June 30th, 2019, until transition into the new accounting system.

**Section 6. Debt Service Reporting.** The Executive Branch will provide full listing of Crow Tribal Governments liabilities. The Legislative Branch hereby concurs with the Executive Branch in pursuing a consolidation of existing tribal loans into a new loan(s) that would raise additional funds for retiring past-due liabilities and/or to reduce current annual loan payments, with such loan(s) subject to further approval by the Legislative Branch after terms have been negotiated.

**Section 7. Program Debt.** Crow Tribal Executive Branch shall provide any and all audits pertaining to Executive Branch Departments/Programs/Entities, which delineate actual expenditures versus budgeted expenditures. Such reports/audits shall delineate federal versus tribal funds. Budget performance measures shall be implemented each Branch Chief shall establish a system for periodic policy review and program performance. Performance evaluations shall be attached to the proposed budget for the upcoming fiscal year.

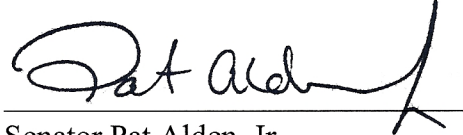
**Section 8.** This Act shall take effect immediately upon approval by the Tribal Chairman.

**[Remainder of page left blank intentionally.]**



## CERTIFICATION

I hereby certify that this Bill for an Act entitled “**APPROVAL OF THE ANNUAL BUDGET FOR THE OPERATION OF THE CROW TRIBAL GOVERNMENT AND THE EXPENDITURE OF TRIBAL REVENUE FOR FISCAL YEAR 2019**” was duly approved by the Crow Tribal Legislature with a vote of 12 in favor, 3 opposed, and 2 abstained, and that a quorum was present on this 15<sup>th</sup> day of November, 2018.



Senator Pat Alden, Jr.  
Speaker of the House  
Crow Tribal Legislature

ATTEST:



Senator Lawrence DeCrane  
Secretary  
Crow Tribal Legislature




## EXECUTIVE ACTION

I hereby

 **APPROVE**

\_\_\_\_\_ **VETO**

this Bill for an Act entitled “**APPROVAL OF THE ANNUAL BUDGET FOR THE OPERATION OF THE CROW TRIBAL GOVERNMENT AND THE EXPENDITURE OF TRIBAL REVENUE FOR FISCAL YEAR 2019**” 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 16<sup>th</sup> day of November, 2018.

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

**A BILL FOR AN ACT ENTITLED:**  
**“APPROVAL OF THE ANNUAL BUDGET FOR THE OPERATION OF THE CROW TRIBAL GOVERNMENT AND THE EXPENDITURE OF TRIBAL REVENUE FOR FISCAL YEAR 2019.”**

**Bill or Resolution:** CLB18-04 **Introduced by:** Chairman Alvin Not Afraid **Date of Vote:** 11/15/2018  
**Number**

<b>REPRESENTATIVE:</b>	<b>Yes</b>	<b>No</b>	<b>Abstained</b>
M. White Clay	<u>X</u>	<u>                    </u>	<u>                    </u>
D. Spotted	<u>X</u>	<u>                    </u>	<u>                    </u>
F. White Clay	<u>X</u>	<u>                    </u>	<u>                    </u>
L.Hogan, III	<u>X</u>	<u>                    </u>	<u>                    </u>
B. Brown	<u>X</u>	<u>                    </u>	<u>                    </u>
S. Real Bird	<u>                    </u>	<u>X</u>	<u>                    </u>
V. Nomee	<u>X</u>	<u>                    </u>	<u>                    </u>
T. Yellowtail	<u>X</u>	<u>                    </u>	<u>                    </u>
T. Gros Ventre	<u>X</u>	<u>                    </u>	<u>                    </u>
M. Not Afraid	<u>                    </u>	<u>                    </u>	<u>                    </u>
G. Bouyer	<u>X</u>	<u>                    </u>	<u>                    </u>
J. Demontiney	<u>                    </u>	<u>                    </u>	<u>X</u>
B. Hugs	<u>X</u>	<u>                    </u>	<u>                    </u>
N. Old Crow, Jr.	<u>X</u>	<u>                    </u>	<u>                    </u>
B. Good Luck	<u>                    </u>	<u>                    </u>	<u>X</u>
H. Stone, Jr.	<u>                    </u>	<u>X</u>	<u>                    </u>
L. DeCrane, <i>Secretary of the House</i>	<u>                    </u>	<u>X</u>	<u>                    </u>
P. Alden, Jr., <i>Speaker of the House</i>	<u>X</u>	<u>                    </u>	<u>                    </u>
<b>Total:</b>	<u>12</u>	<u>3</u>	<u>2</u>

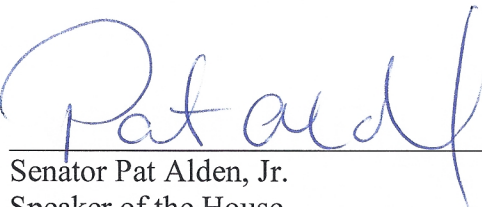
Result of Vote:

**Passed**

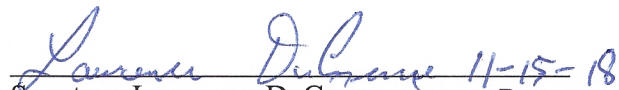
**Not Passed**

**Tabled**

**Veto-Override**

  
 Senator Pat Alden, Jr.  
 Speaker of the House  
 Crow Tribal Legislative Branch

Date

  
 Senator Lawrence DeCrane  
 Secretary of the House  
 Crow Tribal Legislative Branch

Date

REVENUE		FY2019			
		LEGISLATIVE	JUDICIAL	EXECUTIVE	TOTAL
<b>GENERAL FUND</b>					
COAL SEVERANCE TAX-WESTMORELAND	\$ -	\$ -		\$ 2,312,822	\$ 2,312,822
COAL - GROSS PROCEEDS WESTMORELAND				1,505,237	1,505,237
CONOCO				1,000,000	1,000,000
MT GAS TAX				1,205,000	1,205,000
TOBACCO TAX				1,187,500	1,187,500
DONATION INCOME				130,000	130,000
LEASE REVENUE				200,000	200,000
RENTAL REVENUE				3,000	3,000
UTILITY/PROPERTY TAX				255,000	255,000
PROGRAM REVENUE:					
BUFFALO SALES				300,000	300,000
TERO FEES				300,000	300,000
WATER DEPT FEES				102,500	102,500
FISH & GAME LICENSES				100,000	100,000
ARROW CREEK RANCH SALES				60,000	60,000
COURT FINES & FEES			55,000	-	55,000
TRIBAL AG EXTENSION SALES				25,000	25,000
GENERAL OPERATIONS FEES				10,000	10,000
<b>107TH FUND</b>					
SETTLEMENT PROCEEDS				2,495,250	2,495,250
<b>INDIRECT COST</b>					
50400 FEDERAL PORTION			-	1,500,000	1,500,000
<b>TOTAL REVENUE</b>	<b>\$ -</b>	<b>\$ 55,000</b>		<b>\$ 12,691,310</b>	<b>\$ 12,746,310</b>

DEBT SERVICE		FY2019			
		LEGISLATIVE	JUDICIAL	EXECUTIVE	TOTAL
USDA LOAN	\$ -	\$ -		\$ 170,856	\$ 170,856
USDA LOAN #2				33,456	33,456
BOND PAYMENT 1997			-	672,864	672,864
FIB NOTE 5452				411,661	411,661
FIB 2007 NOTE 4104				238,788	238,788
FIB 2013 NOTE 4686				898,402	898,402
SHAKOPEE LOAN (CASINO BLDG)				326,916	326,916
INTERNAL REVENUE SERVICE				564,299	564,299
MONTANA WORKERS' COMPENSATION				100,000	100,000
MT UNEMPLOYMENT INSURANCE				287,951	287,951
PROGRAM DEBT			250,000	1,044,807	1,294,807
<b>TOTAL DEBT SERVICE</b>	<b>\$ -</b>	<b>\$ 250,000</b>		<b>\$ 4,750,000</b>	<b>\$ 5,000,000</b>

EXPENSES		FY2019			
		LEGISLATIVE	JUDICIAL	EXECUTIVE	TOTAL
SALARIES	\$ 1,005,127	\$ -		\$ 1,000,787	\$ 2,005,914
FRINGE BENEFITS	42,264	-		150,118	192,382
SEVERANCE BENEFITS	113,178			300,236	413,414
ADVERTISING	1,250			1,875	3,125
APPELATE COURT				-	-
BURIAL ASSISTANCE				150,000	150,000
COMPUTER SERVICES/SUPP&MAINT	2,500			2,158	4,658
CONTRACTED SERVICES	21,500			368,500	390,000
CULTURAL EVENTS				25,000	25,000
CROW FAIR/NATIVE DAYS				25,000	25,000
DISTRICT COMMUNITY PROJECTS	37,500			-	37,500
DUES				1,483	1,483
STUDENT ASSISTANCE				-	-
ELECTIONS				50,000	50,000
FEES	125			15,520	15,645
FOOD COSTS	2,500			4,250	6,750
GSA VEHICLES				-	-
INSURANCE				600,000	600,000
JURY COST				-	-
MAINTENANCE & REPAIR	1,000			20,000	21,000
MILEAGE	2,500			8,605	11,105
POSTAGE	250			15,000	15,250
PRINTING				5,000	5,000
REAL ESTATE TAXES				150,250	150,250
SENIOR BENEFIT				2,649,700	2,649,700
SUPPLIES/OFFICE	2,500			10,375	12,875
SUPPLIES/OTHER	1,250			160,000	161,250
SANITATION SERVICES				291,900	291,900
TELEPHONE	14,125			72,598	86,723
TRAINING	1,250			2,930	4,180
TRAVEL/OFF-RESERVATION	20,000			25,594	45,594
UTILITIES	1,000			342,405	343,405
VEHICLE REPAIRS & MAINTENANCE	250			13,750	14,000
VEHICLE FUEL COST	1,250			11,960	13,210
<b>TOTAL EXPENSES</b>	<b>\$ 1,271,319</b>	<b>\$ -</b>		<b>\$ 6,474,992</b>	<b>\$ 7,746,310</b>
<b>TOTAL EXPENSES &amp; DEBT SERVICE</b>	<b>\$ 1,271,319</b>	<b>\$ -</b>		<b>\$ 11,224,991</b>	<b>\$ 12,746,310</b>
<b>BUDGET SURPLUS (DEFICIT)</b>	<b>\$ (1,271,319)</b>	<b>\$ 55,000</b>		<b>\$ 1,216,319</b>	<b>\$ 0</b>