

**CROW TRIBAL LEGISLATURE  
DECEMBER 20<sup>th</sup>, 2019 SPECIAL SESSION**

**BILL NO. CLB 19 - 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 2020.”**

**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**, the Crow Tribal Legislature and Executive Branches approved an interim budget for the first quarter of the fiscal year 2020 from October 1, 2019 through December 31, 2019 pursuant to CLB 19-03, adopted on September 19, 2019; and

**WHEREAS**, a budget for the expenditure of Crow Tribal revenue has been developed by the Executive Branch for the full Fiscal Year 2020 commencing on October 1, 2019 and ending September 30, 2020 from the following sources of Tribal revenue:

<b>1. General Fund of the Crow Tribe</b>	<b>\$</b>	<b>9,249,750</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>1,172,337</u></b>
<b>TOTAL</b>	<b>\$</b>	<b>12,917,338</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>\$2,170,174</b>
<b>Crow Judicial Branch:</b>	<b>\$0</b>
<b>Crow Executive Branch:</b>	<b><u>\$12,189,819</u></b>
<b>Total:</b>	<b>\$14,359,993</b>

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

**Section 1. Approval of the 2020 fiscal year budget for the expenditure of Crow Tribal revenue.** The attached 2020 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 \$303,999 will be funded 100% with BIA 638 contract funds.

**Section 2. 2020 fiscal year budget amendments, when required.** All additional, un-budgeted revenues received by the Crow Tribe during the 2020 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:

- a. 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."
- b. 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.
- c. 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.
- d. 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 2020 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, 2020, 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 2020, 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, 2020 and April 1st to June 30th, 2020, 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. The Crow Tribe will use the tribal finance policies when conducting a search for potential candidates for loan consolidation through a request for proposal process.

**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.

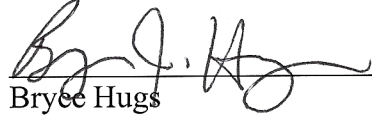
**Section 8.** This Act shall take effect immediately upon approval by the Tribal Chairman.

**[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 2020**" 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 30th day of December 2019.

  
Bryce Hugs  
Speaker of the House  
Crow Tribal Legislature


### ATTEST:

  
Newton Old Crow, Jr.  
Secretary of the House  
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 2020**" 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 30<sup>th</sup> day of December 2019.

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

**APPROVAL OF THE ANNUAL BUDGET FOR THE OPERATION OF THE CROW TRIBAL  
GOVERNMENT AND THE EXPENDITURE OF TRIBAL REVENUE FOR FISCAL YEAR 2020**

Bill or Resolution: CLB 19-04 Introduced by: Alvin J. Not Afraid, Jr. Date of Vote 12/30/19

<b>REPRESENTATIVE:</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>
M. White Clay	<u>X</u>	<u>          </u>	<u>          </u>
D. Spotted	<u>          </u>	<u>          </u>	<u>          </u>
F. Whiteclay	<u>          </u>	<u>          </u>	<u>          </u>
Y. Little Light	<u>X</u>	<u>          </u>	<u>          </u>
L. Hogan	<u>          </u>	<u>          </u>	<u>          </u>
B. Brown	<u>X</u>	<u>          </u>	<u>          </u>
T. Yellowtail	<u>X</u>	<u>          </u>	<u>          </u>
H. Small	<u>X</u>	<u>          </u>	<u>          </u>
T. Gros Ventre	<u>X</u>	<u>          </u>	<u>          </u>
M. Not Afraid	<u>X</u>	<u>          </u>	<u>          </u>
G. Bouyer	<u>X</u>	<u>          </u>	<u>          </u>
T. Plainfeather	<u>X</u>	<u>          </u>	<u>          </u>
L. DeCrane	<u>          </u>	<u>          </u>	<u>          </u>
S. DeCrane	<u>          </u>	<u>          </u>	<u>          </u>
B. Good Luck	<u>X</u>	<u>          </u>	<u>          </u>
H. Male Bear-Stone, Jr	<u>X</u>	<u>          </u>	<u>          </u>
B. Hugs	<u>X</u>	<u>          </u>	<u>          </u>
N. Old Crow, Jr.	<u>X</u>	<u>          </u>	<u>          </u>
<b>TOTAL</b>	<u>13</u>	<u>0</u>	<u>0</u>

Result of Vote: Passed Not Passed Tabled Veto-Override

Bryce Hugs  
 Senator Bryce Hugs  
 Speaker of the House  
 Crow Tribal Legislative Branch

12-30-19  
 Date

Newton Old Crow, Jr.  
 Senator Newton Old Crow, Jr.  
 Secretary of the House  
 Crow Tribal Legislative Branch

12/30/19  
 Date