

**APRIL 2023 REGULAR SESSION OF THE  
CROW TRIBAL LEGISLATURE**

**LEGISLATIVE RESOLUTION NO. LR 23-03**

Introduced by Sen. Dean Don't Mix, Chair of the Health and Human Services Committee, and  
Sen. Newton Old Crow, Jr., Chair of the Judicial Committee

A LEGISLATIVE RESOLUTION TITLED:

**A RESOLUTION OF THE CROW TRIBAL LEGISLATURE TO RE-ESTABLISH THE  
ETHICS COMMITTEE AS A SPECIAL AD HOC COMMITTEE.**

**WHEREAS** the Crow Tribal Legislature (the "Legislature") has the power and duty under Article V, Section 2 of the Crow Tribal Constitution and Bylaws to promulgate and adopt laws, resolutions, and guidelines in accordance with the Constitution and federal laws for the governance of the Crow Tribe; and

**WHEREAS** in accordance with Article V, Section 1 of the Crow Tribal Constitution the Legislature shall operate as a separate and distinct branch of the Crow Tribal Government and shall exercise a separation of powers from the other branches of tribal government; and

**WHEREAS** in accordance with Article V, Section 3 of the Crow Tribal Constitution, 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 Legislature has the constitutional authority to provide for the establishment of Branch rules and policies governing its review of proposed legislation and other matters requiring legislative action; and

**WHEREAS** the Legislature enacted LR 10-20 (*Branch Policy and Procedure for Legislative Resolutions*), identifying that Legislative Resolutions are the expression of the voice of the elected Senators of the Legislature, which is based on the inherent sovereign authority of the Crow Tribal General Council, as delegated the Legislature by the Crow Tribal Constitution, and which categorizes different types of legislative resolutions, including but not limited to those which provide for "legislative reprimand...or other disciplinary action"; and

**WHEREAS** Article VIII of the 2001 Crow Constitution establishes that improper conduct by the elected officials of the Executive Branch and Legislature such as abuse of alcohol is punishable by removal or recall and provides that the Crow Tribal General Council, through its Legislative Branch, shall define through adopted policy what specifically constitutes abuse of alcohol, among other forms of improper conduct; and

**WHEREAS** the Legislature announced its policy in LR 11-12 that elected representatives in tribal government hold a special responsibility to serve as role models and as

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beacons of hope for positive change from the various societal ills affecting the Crow Tribe, including irresponsible use of alcohol; and

**WHEREAS** the Legislature, acting through its Ethics Committee, has previously disciplined Legislators for improper conduct, in a manner consistent with commonly held notions of due process, e.g.- proper investigation, notice and opportunity to be heard; and

**WHEREAS** the Legislature enacted LR 13-10, consolidating standing committees of the legislature to only six committees, thereby dispersing the Ethics Committee, and leaving uncertainty as to how allegations of improper conduct made against members of the Legislature should be addressed; and

**WHEREAS** Section 4 of LR 13-10 provides that the Legislature may establish, by Legislative Resolution, special committees for such purposes and for such duration as deemed necessary and proper; and

**WHEREAS** the Legislative Health and Human Services and Judicial Committees met on February 9, 2023, and mutually agreed that it was in the best interests of the Crow Tribe that the Legislative Branch re-establish the Ethics Committee as an ad hoc committee, responsible for addressing allegations of improper conduct made against sitting legislators, drafting a Legislative Code of Ethics for approval of the full body, and developing procedural rules to ensure that all such complaints are addressed in a consistent and fair manner; and

**WHEREAS** the Health and Human Services and Judicial Committees further agreed that the ad hoc ethics committee should consist of the following five (5) ex officio members: the Speaker of the House, Secretary of the House, Chair of the Health and Human Services Committee, Chair of the Judicial Committee, and Vice-Chair of the Judicial Committee; and

**WHEREAS** the Legislature now seeks to approve by Legislative Resolution, the re-establishment of the Ethics Committee as a special ad hoc committee, which will initially be convened for so long as it takes to draft the proposed code of ethics and procedural rules, and to process existing complaints and/or allegations of improper conduct made against elected officials of the Crow Tribe Legislative Branch.

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

1. That the Crow Tribal Legislature hereby re-establishes the Ethics Committee as a Special Ad Hoc Committee, consisting of the following ex officio members: the Speaker of the House, the Secretary of the House, the Chairs of the Health and Human Services Committee and Judicial Committee, and the Vice-Chair of the Judicial Committee, or their authorized designees.
2. That the Ethics Committee shall initially convene for such time as is required to complete the following duties:

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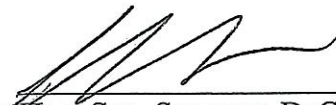
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- a. Draft a proposed Legislative Branch Code of Ethics and submit it to the full body for final approval and adoption.
  - b. Promulgate internal rules of the Committee for processing complaints and/or allegations of improper conduct made against elected officials of the Crow Tribe Legislative Branch and submit to the full body for final approval and adoption.
  - c. Process all existing complaints and/or allegations.
3. That, upon completion of the above-identified duties, the Ethics Committee shall disband, reconvening thereafter only as needed to address complaints and/or allegations of improper conduct made against elected officials of the Crow Tribe Legislative Branch.
  4. That nothing in this Legislative Resolution shall be interpreted to authorize the removal or recall of an elected representative of the Crow Tribe Legislative Branch outside of the statutorily required process set forth in Article VIII, Sections 2 & 3 of the Crow Tribal Constitution.
  5. That this Legislative Resolution shall take effect immediately upon its enactment.

### CERTIFICATION

I hereby certify that this Legislative Resolution entitled: "A RESOLUTION OF THE CROW TRIBAL LEGISLATURE TO RE-ESTABLISH THE ETHICS COMMITTEE AS A SPECIAL AD HOC COMMITTEE" was duly adopted by the Crow Tribal Legislature with a vote of 14 in favor, 1 opposed, and \_\_\_\_\_ abstained and that a quorum was present on the 13<sup>th</sup> day of April, 2023.

  
\_\_\_\_\_  
Hon. Sen. Sampson DeCrane  
Speaker of the House  
Crow Tribal Legislature

**ATTEST:**

  
Hon. Sen. Charla Takes Enemy  
Secretary of the House  
Crow Tribal Legislature




**"A RESOLUTION OF THE CROW TRIBAL LEGISLATURE TO RE-ESTABLISH THE ETHICS COMMITTEE AS A SPECIAL AD HOC COMMITTEE."**

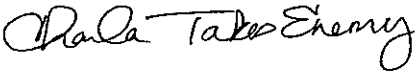
Bill or Resolution: LR 23-03 Introduced by: Health & Human Services Date of Vote 4/13/23

**REPRESENTATIVE:**

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
V. Pickett	<u>X</u>	<u>          </u>	<u>          </u>
D. Spotted	<u>X</u>	<u>          </u>	<u>          </u>
C. Other Medicine	<u>X</u>	<u>          </u>	<u>          </u>
Y. Little Light, Jr	<u>          </u>	<u>          </u>	<u>          </u>
L. Hogan III	<u>X</u>	<u>          </u>	<u>          </u>
C. Meeks	<u>X</u>	<u>          </u>	<u>          </u>
D. Don't Mix	<u>X</u>	<u>          </u>	<u>          </u>
H. Small	<u>X</u>	<u>          </u>	<u>          </u>
T. Gros Ventre	<u>          </u>	<u>X</u>	<u>          </u>
P. Alden, Jr	<u>X</u>	<u>          </u>	<u>          </u>
T. Plainfeather	<u>X</u>	<u>          </u>	<u>          </u>
J. Kills Pretty Enemy	<u>X</u>	<u>          </u>	<u>          </u>
B. Hugs	<u>          </u>	<u>          </u>	<u>          </u>
N. Old Crow, Jr	<u>          </u>	<u>          </u>	<u>          </u>
B. Good Luck	<u>X</u>	<u>          </u>	<u>          </u>
H. MaleBear-Stone	<u>X</u>	<u>          </u>	<u>          </u>
S. DeCrane <i>Speaker of the House</i>	<u>X</u>	<u>          </u>	<u>          </u>
C. Takes Enemy <i>Secretary of the House</i>	<u>X</u>	<u>          </u>	<u>          </u>
<b>TOTAL</b>	<u>14</u>	<u>1</u>	<u>0</u>

Result of Vote: **Passed**      Not Passed      Tabled      Veto-Override

  
 \_\_\_\_\_  
 Senator S. DeCrane      4/13/2023  
 Speaker of the House      Date  
 Crow Tribal Legislative Branch

  
 \_\_\_\_\_  
 Senator C. Takes Enemy      4/13/2023  
 Secretary of the House      Date  
 Crow Tribal Legislative Branch