

JULY 2010 SPECIAL SESSION OF THE CROW TRIBAL LEGISLATURE

BILL NO. CLB10-05

INTRODUCED BY CEDRIC BLACK EAGLE, CHAIRMAN
CROW TRIBAL EXECUTIVE BRANCH

A BILL FOR AN ACT ENTITLED:

**“AN ACT TO AMEND PORTIONS OF THE CROW/APSAALOOKE SECURED
TRANSACTION ACT”**

WHEREAS, the Chairman of the Executive Branch of the Crow Tribe of Indians (the “Crow Tribe”) referred to in the Constitution and Bylaws of the Crow Tribe of Indians adopted by the members of the Crow Tribe on July 14, 2001 (as amended to date, the “Constitution”), has authority and responsibility pursuant to the enumerated powers in Article IV, Section 3(d) of the Constitution to engage in any business that will further the economic well-being of the members of the Crow Tribe and undertake any economic development activity which does not conflict with the provisions of the Constitution; and

WHEREAS, the Legislative Branch referred to in the Constitution (the “Crow Tribal Legislature”) has authority and responsibility pursuant to its powers and duties in Article V, Section 2(b) of the Constitution 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; and

WHEREAS, the Crow Tribal Legislature has authority and responsibility pursuant to its “powers and duties” in Article V, Section 2(c) of the Constitution “to adopt legislation, not inconsistent with the Constitution, which is necessary in exercising the duties conferred upon the three branches of government;” and

WHEREAS, in April 2006, Title 15, Chapter 2 of the Crow Law and Order Code was amended to include the Crow/Apsaalooke Secured Transaction Act; and

WHEREAS, there is a need to amend the legislation to more specifically address security interests in pledged revenues, for example, in a gaming transaction where money is to be loaned in exchange for a pledge of casino revenues;

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

Section 1. That the Amendments attached hereto and incorporated herein by reference, are approved and shall be codified in the Crow Law and Order Code under Title 15, Chapter 2, The Crow/Apsaalooke Secured Transaction Act.

Section 2. That these Amendments shall become effective immediately upon enactment by the Crow Tribal Legislature and approval by the Chairman of the Executive Branch.

Amendments to the Crow/Apsaalooke Secured Transaction Act

Section 1. Section 15-9-312. (b) Possession of money is hereby amended by including the phrase “and/or pledged revenues” after “perfection with respect to proceeds,” so that the section now reads:

Section 15-9-312. (b) Except as otherwise provided in the provisions of this Crow/Apsaalooke Secured Transaction Act dealing with perfection with respect to proceeds and/or pledged revenues, a security interest in money may be perfected only by the secured party taking possession under the provisions of this Crow/Apsaalooke Secured Transaction Act dealing with perfection by possession.

Section 2. Section 15-9-304 (reserved) is hereby amended to read in its entirety:

Section 15-9-304. Notwithstanding any provision to the contrary, a security interest granted by a Tribal Party in Pledged Revenues shall be created and attach upon the giving of value and the granting of such security interest in a writing executed by that Tribal Party. Such security interest may be perfected only by the filing of an initial financing statement in the same manner and in the same location as if all of such Pledged Revenues were accounts.

Section 3. **Section 15-9-106. GENERAL DEFINITIONS** is hereby amended to include the following definitions in alphabetical order:

“Pledged Revenues” means all of a Tribal Party’s money, earnings, income and revenues (and any proceeds thereof), and all of the Tribal Party’s rights to and interest with respect to receiving the foregoing before actual possession thereof, whether in the form of money, deposit accounts, investments, accounts, instruments or other assets, and the proceeds thereof, in which such Tribal Party has granted a security interest to a secured party in a writing signed by the Tribal Party.

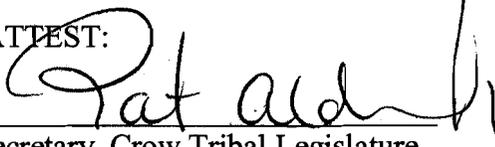
“Tribal Party” means any of the Tribe and any division, subdivision, branch, department, board, committee, commission, agency, authority, enterprise, instrumentality, component or entity wholly-owned or wholly-controlled, directly or indirectly, by the Tribe, along with the successors and assigns of each.

CERTIFICATION

I hereby certify that this Bill: "AN ACT TO AMEND PORTIONS OF THE CROW/APSAALOOKE SECURED TRANSACTION ACT" was duly passed by the Crow Tribal Legislature with a vote of 15 in favor, 1 opposed, and 2 abstained and that a quorum was present on this 9th day of July, 2010.


Speaker of the House
Crow Tribal Legislature

ATTEST:


Secretary, Crow Tribal Legislature

EXECUTIVE ACTION

I hereby

approve

veto



this Bill for an act entitled: "AN ACT TO AMEND PORTIONS OF THE CROW/APSAALOOKE SECURED TRANSACTION ACT" 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 12 day of July, 2010.


Cedric Black Eagle, Chairman
Crow Tribal Executive Branch

A Bill for an Act Entitled: "AN ACT TO AMEND PORTIONS OF THE CROW/APSAALOOKE SECURED TRANSACTION ACT"

Bill or Resolution Number: CLB 10-05 Introduced by: Executive Branch Date of Vote: 7/9/2010

<u>Representative:</u>	YES	NO	ABSTAINED
H. Two Leggins	<u>X</u>	<u> </u>	<u> </u>
V. Pretty Paint	<u>X</u>	<u> </u>	<u> </u>
C.J. Stewart	<u>X</u>	<u> </u>	<u> </u>
K. Shane	<u>X</u>	<u> </u>	<u> </u>
S. Backbone, Sr.	<u>X</u>	<u> </u>	<u> </u>
O. Half, Jr.	<u>X</u>	<u> </u>	<u> </u>
W. Plainfeather	<u>X</u>	<u> </u>	<u> </u>
R. Old Crow, Sr.	<u>X</u>	<u> </u>	<u> </u>
M. Not Afraid	<u>X</u>	<u> </u>	<u> </u>
V. Crooked Arm	<u>X</u>	<u> </u>	<u> </u>
L. DeGrane	<u>X</u>	<u> </u>	<u>X</u>
C. Goes Ahead	<u>X</u>	<u> </u>	<u> </u>
B. Hugs	<u> </u>	<u> </u>	<u> </u>
G. Real Bird, Jr.	<u>X</u>	<u> </u>	<u> </u>
M. Backbone	<u>X</u>	<u> </u>	<u> </u>
D. Wilson	<u> </u>	<u>X</u>	<u> </u>
P. Alden, Jr. <i>Secretary of the House</i>	<u>X</u>	<u> </u>	<u> </u>
M. Covers Up, Sr. <i>Speaker of the House</i>	<u> </u>	<u> </u>	<u>X</u>
Totals:	<u>15</u>	<u>1</u>	<u>2</u>

Result of Vote:

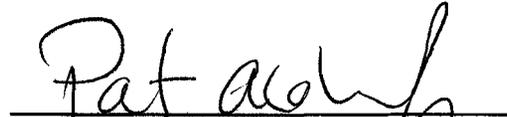
Passed

Not Passed

Tabled

Veto-Override


Manuel Covers Up, Sr. Date
 Speaker of the House


Patrick Alden, Jr. Date
 Secretary of the House



Crow Country

LEGISLATIVE BRANCH OF THE CROW TRIBAL GOVERNMENT

P.O. Box 309 – MAKAWASHA Avenue
Crow Agency, Montana 59022

Phone: (406) 638-2023/2025 ~~ Fax: (406) 638-2030

EMAIL: www.crowlegislature.org

Legislative Branch

Pryor:

Arrow Creek

Carlson Goes Ahead
Lawrence DeCrane
Bryce J. Hugs

Big Horn:

Valley of the Give Away

Vincent Crooked Arm
Marlin D. Not Afraid
Patrick Alden, Jr.

Secretary of the House

Dunmore:

Black Lodge

Conrad J. Stewart
V. Jeannie Pretty Paint
H. Noel Two Leggins

Reno:

Center Lodge

Shawn E. Backbone, Sr.
Kenneth G. Shane
Oliver Half, Jr.

Lodge Grass:

Valley of the Chief

Manuel Covers Up, Sr.
Speaker of the House
Rudolph K. Old Crow
Woodrow Plainfeather

Wyola:

Mighty Few

Dana Wilson
Gordon Real Bird, Jr.
M. Tye Backbone

Staff

Ronald Arneson, Esq.
Attorney At Law

Jay Harris
Law Clerk

Jackie Blacksmith
Administrative Officer

William Old Crow
Finance Officer
Admin. Asst.

Sheri Chandler
Office Assistant

Kenny Pretty On Top
Maintenance/Custodian
Sergeant at Arms

Leslie Plainfeather
Legal Assistant

OFFICIAL CERTIFICATE OF DELIVERY

I, Pat Alden, Jr., Secretary of the Legislative Branch of the Crow Tribal Government, hereby this Transitional Action do deliver a True and Correct Official copy of the Final Approval for the following Bill:

INTRODUCED BY CEDRIC BLACK EAGLE, CHAIRM
CROW TRIBAL EXECUTIVE BRANCH

A BILL FOR AN ACT ENTITLED:

“AN ACT TO AMEND PORTIONS OF THE CROW/APSALOOKE
SECURED TRANSACTION ACT”

No. CLB 10-05 to Michelle Waldy Bear in the
Position of: Administrative Assistant for the
Crow Tribal Executive Branch.

Done and dated this 28 day of July, 2010 @ 3:10 a.m./p.m.

Secretary of the House

Legislative Branch of the
Crow Tribal Government

Served by:

Legislative Branch Staff

Cc: file





LEGISLATIVE BRANCH OF THE CROW TRIBAL GOVERNMENT

P.O. Box 309 – 144 MAKAWASHA Avenue
Crow Agency, Montana 59022

Phone: (406) 638-2023/2025/2238

Fax: (406) 638-2030

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Wyola:

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Dana Wilson
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Staff

Attorney Ron Arneson, Esq.
Attorney at Law

Leslie Plain Feather
Legal Assistant

Gerald Jay Harris
Legal Clerk

Jackie Blacksmith,
Administrative Officer

William Old Crow
Finance Officer/Admin.
Assist.

Sheri Chandler
Office Assist./Receptionist
/Editor

Kenny Pretty On Top
Maintenance/Custodian
Sergeant at Arms

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I, Pat Alden, Jr. Secretary of the Legislative Branch of the Crow Tribal Government hereby
this Transitional Action do deliver a True and Correct Official copy

Of the Final Approval for the following:

INTRODUCE BY CEDRIC BLACK EAGLE, CHAIRMAN
CROW TRIBAL EXECUTIVE BRANCH

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

**“AN ACT TO AMEND PORTIONS OF THE CROW/APSAALOOKE
SECURED TRANSACTION ACT”**

CLB10-05 to Dehn Bon in the

Position of: Court clerk for the

Crow Tribal Judicial Branch.

Done and dated this 29th day of July, 2010 @ 4:24 a.m./p.m.

Pat Alden
Secretary Of The House
Legislative Branch of the
Crow Tribal Government

Served by:

Jackie Blacksmith
Legislative Branch Staff

Cc: file

