

# **August 10th, 2010 Special Session of the Crow Tribal Legislature**

## **Legislative Resolution No. LR10-21**

Introduced by Senator Oliver Half, Jr. Center Lodge District

A Legislative Resolution Titled:

### **A Resolution of the Crow Tribal Legislature to Establish Executive Branch Reporting Standards and to Enhance Reporting to the Crow Tribal General Council**

Legislative Findings:

**WHEREAS**, the Crow Tribal General Council adopted a three-branch form of government upon passage of the 2001 Crow Constitution and whereas the Legislative Branch of Government is vested with the law-making and final approval authorities previously exercised by the General Council;

**WHEREAS**, by adoption of the 2001 Crow Constitution the Crow Tribal General Council sought to establish a government in which a separation of powers would be exercised and in which the Legislature would be in a position similar to the United States Congress and the legislatures of the states;

**WHEREAS**, the United States Congress serves as the primary and strongest oversight authority for the operations of the federal government and whereas the Crow Legislature has the same role in Crow tribal government;

**WHEREAS**, the 2001 Crow Constitution provides for a close relationship between the General Council and Legislature, including the establishment of the Legislature as the only constitutional entity representing the six districts of the Crow Reservation;

**WHEREAS**, the Legislature has a special relationship to the General Council which should be strengthened in order to bring Crow tribal government closer to the General Council.

**Now, therefore, be it hereby resolved by the Crow Tribal Legislature in Special Session:**

#### **Section 1. Quarterly Financial Reports from Executive Branch.**

(a) Procedure, requirements.

On or before the first day of the months of January, April, July, and October the Executive Branch shall be expected to provide complete financial reports to the Legislature in accordance with Section 4 (b) of the 2001 Constitution. The purpose of this timing expectation is to allow the Legislature and any committees therein to review the report prior to the commencement of the regularly-scheduled session.

(b) Content.

All such reports should comply with all applicable Generally Accepted Accounting Principles and Governmental Accounting Standards Board promulgated rules and guidelines applicable to financial reporting in government, and should include at a minimum an accurate and complete income statement, balance sheet of tribal assets and liabilities, budget performance report, and a statement of cash flows from all tribal activities. Upon receiving any such complete financial report, the Legislature shall make available to the General Council a complete copy of the report by publication on the official website of the Legislature and, if any request for a hard copy is made by a member of the General Council, by charging a reasonable fee for reproduction of the report.

(c) When no complete report provided.

In the event that no report which meets the requirement of the 2001 Constitution is received, the General Council shall receive notice from the Legislature that no report was made and an inquiry shall be directed from the Speaker of the House to the Tribal Secretary to request a written explanation as to why no report was produced in a timely fashion. If no complete financial report is produced by the Executive Branch and no adequate explanation is given by the Tribal Secretary, the Speaker of the House shall confer with the Legal Office of the Legislature on whether to recommend to the Legislature a legal action to compel Executive adherence to the constitutional requirement of financial reporting to the Legislature.

**Section 2. Quarterly Performance Reports from Executive Branch.**

(a) Procedure, requirements.

At least fifteen (15) days before the first day of every regular session, the Tribal CEO shall be expected to deliver to the Legislature a certified compilation of the quarterly reports of all tribal organizations (including all agencies, departments, programs, and enterprises). Immediately upon receiving all such reports, the Legislature shall make available to the General Council a complete copy of said reports by publication on the official website of the Legislature and, if any request for a hard copy is made by a member of the General Council, by charging a reasonable fee for reproduction of the reports. These reports shall be considered "Quarterly Performance Reports" and each tribal organization (whether it be an agency, department, program, or enterprise) shall include the following information:

- (1) an executive summary written by the lead management official of the tribal organization explaining the major operations of the organization during the past quarter and the short, mid, and long-term plans for continued operations;
- (2) a certified "statement of financial condition" authored by the chief financial officer or lead finance official of the tribal organization which explains the organization's financial state and adherence to the duly-enacted tribal budget;
- (3) an organizational chart showing the names of all permanent employees, all temporary employees, and all contractors with a short statement of function accompanying each position and the specific date that employee or contractor was hired;
- (4) a listing of all employees and contractors organized by order of their total income paid in the previous quarter (from highest to lowest) and irrespective of job title or authority;
- (5) a pie chart or other discernable illustration of what purposes or functions (such as payroll and benefits, operations, supplies, etc.) tribal funding was spent and generated by the tribal organization during the most recent quarter and in the current calendar and fiscal year-to-date.
- (6) any other information related to the performance of the tribal entity which is deemed appropriate by the Tribal Chairman, Tribal CEO or the Speaker of the House or the appropriate legislative committee chairperson and requested in writing by such entity at least 30 days prior to the beginning of the next regular session.

(b) When no complete report provided.

In the event an incomplete or inaccurate report is produced by the Tribal CEO, the Legislature should immediately conduct a hearing on the record concerning the report. The record of any such hearing should be made available to the General Council in the same manner as a Quarterly Performance Report.

### **Section 3. Effective Date.**

This Resolution shall be considered the established policy of the Crow Tribal Legislature immediately upon enactment and shall be posted in a public place in each district and in the Tribal Administration Building for a period of at least ninety (90) days from the date of passage. The Tribal CEO shall be expected to produce the initial Quarterly Performance Reports prior to the October 2010 Regular Session and in every regular session thereafter.

[Remainder of page left blank intentionally]

**CERTIFICATION**

I hereby certify that this Legislative Resolution entitled **A Resolution of the Crow Tribal Legislature to Establish Executive Branch Reporting Standards, and to Enhance Reporting to the Crow General Council** was duly enacted by the Crow Tribal Legislature with a vote of 17 in favor 0 opposed, and 0 abstaining and that a quorum was present on this **10th day of August, 2010.**

  
Senator Manuel Covers Up, Sr.  
Speaker of the House  
Crow Tribal Legislature

ATTEST:

  
Senator Patrick Alden, Jr.  
Secretary  
Crow Tribal Legislature



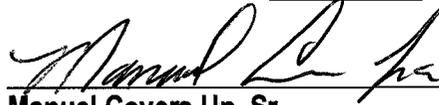
**Establish Executive Branch Reporting Standards and to Enhance Reporting to the Crow Tribal  
General Council**

**Bill or Resolution: LR10-21 Introduced by: Senator Half, Jr. Date of Vote: 8/10/2010  
Number**

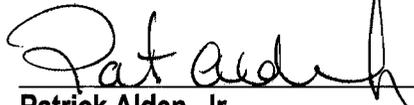
<u>Representative:</u>	<b>Yes</b>	<b>No</b>	<b>Abstained</b>
H. Two Leggins	<u>  X  </u>	<u>      </u>	<u>      </u>
V. Pretty Paint	<u>  X  </u>	<u>      </u>	<u>      </u>
C. J. Stewart	<u>  X  </u>	<u>      </u>	<u>      </u>
K. Shane	<u>  X  </u>	<u>      </u>	<u>      </u>
S. Backbone	<u>  X  </u>	<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. DeCrane	<u>  X  </u>	<u>      </u>	<u>      </u>
C. Goes Ahead	<u>  X  </u>	<u>      </u>	<u>      </u>
B. Hugs	<u>  X  </u>	<u>      </u>	<u>      </u>
G. Real Bird, Jr.	<u>  X  </u>	<u>      </u>	<u>      </u>
M. Backbone	<u>      </u>	<u>      </u>	<u>      </u>
D. Wilson	<u>  X  </u>	<u>      </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>  X  </u>	<u>      </u>	<u>      </u>
<b>Totals:</b>	<u>  17  </u>	<u>    0  </u>	<u>    0  </u>

Result of Vote:

**Passed**
         
  **Not Passed**
         
  **Tabled**
         
  **Veto-Override**

  
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**Manuel Covers Up, Sr.**  
**Speaker of the House**

Date

  
 \_\_\_\_\_  
**Patrick Alden, Jr.**  
**Secretary of the House**

Date