



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.crowlegislativebranch.org

Prior:

Arrow Creek

Carlson Goes Ahead
Lawrence DeCrane
Bryce J. Hugs

Big Horn:

Valley of the Give Away

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

Dunmore:

Black Lodge

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

Reno:

Center Lodge

Shawn E. Backbone, Sr.
Kenneth G. Shane
Speaker of the House
Arnold Coyote-Runs, Sr.

Lodge Grass:

Valley of the Chief

Manuel Covers Up, Sr.
Rudolph K. Old Crow
Secretary of the House
Leroy Not Afraid

Wyola:

Mighty Few

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

Staff

G. Jay Harris
Staff Attorney

Leslie Plainfeather
Legal Assistant

Jackie Blacksmith
Administrative Officer

William Old Crow
Finance Officer
Admin. Asst.

Sheri Chandler
Office Assistant

Kenny Pretty On Top
Maintenance/Custodian
Sergeant at Arms

HAND DELIVERED

January 27th, 2012

CLB11-05

**A BILL FOR AN ACT TITLED: AN ACT TO REPEAL CLB02-17 AND TO AMEND
THE CROW LAW AND ORDER CODE IN ORDER TO ESTABLISH A PROCESS
FOR ANY AND ALL FUTURE WAIVERS OF CROW TRIBAL SOVEREIGN
IMMUNITY TO BE PRESENTED TO THE CROW LEGISLATURE.**

(2) Sets of Originals Attached with Veto Override Bill

1. Notice of Veto Override - Certificate of Services (1pg.)
2. 1/17/2012 Veto Override Roll Call Vote (1 pg)
3. 1/16/2012 Chairman's Statement on VETO Legislation CLB11-05
4. 10/20/2011 CLB11-05 – (Pages 1-5)
5. 10/20/2011 Roll Call Vote – (1pg.)
6. January 2002 CLB02-17 – (Pages 1-3)
7. 10/27/2011 Official Certificate of Delivery to Attorney William Watt
8. Attached Petition Signature sheet

Senator R. Knute Old Crow, Sr.
Secretary of the House
Legislative Branch of the
Crow Tribal Government



Crow Country

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NOTICE OF VETO OVERRIDE

Pryor:

Arrow Creek

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THIS IS AN OFFICIAL NOTICE AS AUTHORIZED BY LAW, CLB06-08 and "An Act to Establish a Time Limit for Executive Veto, A Veto Override Process and Referendum Process."

The Crow Legislature in Regular Session on January 17th, 2012 took the following;

VETO OVERRIDE Action relative to **CLB11-05 A BILL FOR AN ACT TITLED: AN ACT TO REPEAL CLB02-17 AND TO AMEND THE CROW LAW AND ORDER CODE IN ORDER TO ESTABLISH A PROCESS FOR ANY AND ALL FUTURE WAIVERS OF CROW TRIBAL SOVEREIGN IMMUNITY TO BE PRESENTED TO THE CROW LEGISLATURE.**


BILL IS ATTACHED, INCORPORATED BY REFERENCE AND MADE A PART HERETO.

Done and dated this day of 17TH Day of January 2012.


Senator Kenneth G. Shane
Speaker of the House


Senator R. Knute Old Crow, Sr.
Secretary of the House

CERTIFICATE OF SERVICE

I , Legal Counsel, Crow Executive Branch
was served:

1. NOTICE OF VETO OVERRIDE ACTION REGARDING
CLB11-05 A BILL FOR AN ACT TITLED: AN ACT TO REPEAL CLB02-17 AND TO AMEND THE CROW LAW AND ORDER CODE IN ORDER TO ESTABLISH A PROCESS FOR ANY AND ALL FUTURE WAIVERS OF CROW TRIBAL SOVEREIGN IMMUNITY TO BE PRESENTED TO THE CROW LEGISLATURE.

By: 
Senator R. Knute Old Crow, Sr.
Secretary of the House
Crow Legislative Branch

at Approx. 1:27 a.m./p.m.

Done and dated this 27 day Jan., 2012.



VETO OVERRIDE – ROLL CALL

A BILL FOR AN ACT TITLED: AN ACT TO REPEAL CLB02-17 AND TO AMEND THE CROW LAW AND ORDER CODE IN ORDER TO ESTABLISH A PROCESS FOR ANY AND ALL FUTURE WAIVERS OF CROW TRIBAL SOVEREIGN IMMUNITY TO BE PRESENTED TO THE CROW LEGISLATURE FOR FINAL APPROVAL IN ACCORDANCE WITH THE 2001 CROW CONSTITUTION.

Bill or Resolution: CLB11-05 **Introduced by:** Sen. CJ. Stewart & BL District **Date of Vote:** 1/17/2012

Representative:	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>
S. Backbone	<u>X</u>	<u> </u>	<u> </u>
A. Coyote-Runs, Sr.	<u>X</u>	<u> </u>	<u> </u>
M. Covers Up, Sr.	<u>X</u>	<u> </u>	<u> </u>
L. Not Afraid	<u> </u>	<u>X</u>	<u> </u>
P. Alden, Jr.	<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> </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> </u>	<u> </u>
R. K. Old Crow, Sr. <i>Secretary of the House</i>	<u>X</u>	<u> </u>	<u> </u>
K. Shane <i>Speaker of the House</i>	<u>X</u>	<u> </u>	<u> </u>
Totals:	<u>16</u>	<u>1</u>	<u>0</u>

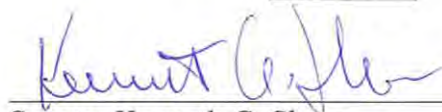
Result of Vote:

Passed

Not Passed

Tabled

Veto-Override



Senator Kenneth G. Shane
Speaker of the House

Date

 1-26-12

Senator R. Knute Old Crow, Sr.
Secretary of the House

Date



Crow Country

CROW TRIBE EXECUTIVE BRANCH

Post Office Box 159 -BACHEEITCHE Ave.

Crow Agency, Montana 59022

P: 406.638.3732 F: 406.638.3773

Cedric Black Eagle, Chairman
Calvin Coolidge Jefferson, Vice-Chairman
Scott Russell, Secretary
Darrin Old Coyote, Vice-Secretary

HAND DELIVERED

January 16, 2012

RECEIVED
JAN 17 2012

BY:

Hon. Kenneth G. Shane, Speaker of the House
Hon. Rudolph K. Old Crow, Secretary
Crow Tribal Legislature

Re: Request for Committee Meetings on New and Vetoed Legislation

Dear Mr. Speaker and Mr. Secretary:

Congratulations on your elections as the Constitutional Officers of the Legislature. We look forward to working with you during the coming year on legislation to benefit the Crow people.

This is to request the opportunity for representatives of the Executive Branch to meet with the appropriate Legislative Committees to discuss alternatives to overriding my veto of the following legislation, *prior* to it coming to the floor for votes on overriding the veto:

- 1) CLB No. 11-05: Repeal of CLB 02-17 which authorized limited waivers of sovereign immunity in contracts not exceeding \$1.00; and
- 2) CLB11-06: Request to USF&W to establish MOA for violations of Eagle Protection laws.

We would also appreciate the opportunity to meet with the appropriate Committees on the new legislation submitted by the Executive Branch for the January Session, i.e., Appendix B of the Mining Code, and the Stray Animal protection law.

Please convey my requests above to the Chairs of the appropriate Committees when they have been selected. Thanks for your cooperation.

Sincerely,

Cedric Black Eagle, Chairman

OCTOBER 2011 REGULAR SESSION OF THE CROW TRIBAL LEGISLATURE

CLB No. 11-05

Introduced by Senator Conrad J. Stewart

Co-introduced by Senator V. Jeannie Pretty Paint and Senator H. Noel Two Leggins

For and on behalf of the Black Lodge District

A Bill for an Act Titled:

An Act to Repeal CLB 02-17 and to Amend the Crow Law and Order Code in Order to Establish a Process for Any and All Future Waivers of Crow Tribal Sovereign Immunity to Be Presented to the Crow Legislature for Final Approval in Accordance with the 2001 Crow Constitution.

Legislative Findings:

WHEREAS, under Article V, Section 2(a) of the 2001 Crow Tribal Constitution, the Crow Tribal Legislature ("Legislature") has the power and duty to promulgate and adopt laws, resolutions, ordinances, codes, regulations, and guidelines in accordance with this Constitution and federal laws for the governance of the Crow Tribe of Indians; and

WHEREAS, under Article IV, Section 3(k) of the 2001 Constitution, the Crow Tribal Executive Branch ("Executive Branch") has the power and responsibility to negotiate and approve limited waivers of sovereign immunity when such a waiver is necessary for business purposes in accordance with Article V, Section 2(f) of this Constitution; and

WHEREAS, under Article V, Section 2(f) of the 2001 Constitution, the Legislature has the power and duty to grant final approval or disapproval of limited waivers of sovereign immunity by the Executive Branch of Government when waivers are necessary for business purposes provided that a process for such approval or disapproval may be established by legislation; and

WHEREAS, under Article V, Section 2(b) of the 2001 Constitution, the Legislature has the power and duty to adopt legislation, not inconsistent with the 2001 Constitution, which is necessary in exercising the duties conferred upon the three branches of government; and

October 2011 Regular Session

CLB11-05 An Act to Repeal CLB02-17 and to Amend the CLOC to Establish a Process for Any and All Future Waivers of Crow Tribal Sovereign Immunity To Be Presented to the Crow Legislature for Final Approval in Accordance with the 2001 Crow Constitution.

WHEREAS, in March of 2002 the Legislature passed CLB 02-17, titled "An Act Authorizing the Executive Branch of the Crow Tribe to Negotiate, Approve, and Execute Any Contract Requiring a Waiver of Tribal Sovereign Immunity Equal To, or Less Than \$1.00 Without Final Approval of the Legislative Branch;" and

WHEREAS, the Legislature now seeks to ensure that all waivers of Crow tribal sovereign immunity be presented to the Legislature for review, analysis, and approval or disapproval and hereby this bill for an act seeks to establish a process for giving such approval or disapproval.

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

That CLB 02-17, titled "An Act Authorizing the Executive Branch of the Crow Tribe to Negotiate, Approve, and Execute Any Contract Requiring a Waiver of Tribal Sovereign Immunity Equal To, or Less Than \$1.00 Without Final Approval of the Legislative Branch" is hereby immediately and completely repealed and made void. And, further, that Title 3, Chapter 2, Part 206 of the 2005 Crow Law and Order Code (titled "Sovereign Immunity") is hereby immediately and completely repealed and made void.

The following process shall govern all future limited waivers of Crow tribal sovereign immunity.

Section 1. *PURPOSE*

The purpose of this legislation is to establish a process in which the Crow Legislative Branch of Government may review and analyze all proposed limited waivers of tribal sovereign immunity in accordance with Article V, Section 2(f) of the 2001 Crow Constitution. The intent of this legislation is to ensure that all proposed waivers presented to the Legislature from the Executive Branch are fully reviewed and analyzed by the Crow tribal government before approval or disapproval is made by the Legislature.

Section 2. *EXECUTIVE BRANCH PROPOSAL*

In accordance with CLB 05-11, as codified in Title 1, Chapter 2 of the 2005 Crow Law and Order Code, any Executive Branch proposals for limited waivers of Crow tribal sovereign immunity may be presented as a joint action resolution to the Crow Tribal Legislature. In addition, the proposal may take the form of a bill for an act.

Section 3. *LEGISLATIVE BRANCH REVIEW*

Upon receiving an Executive Branch proposal, the Secretary of the Legislature shall immediately assign any proposed waivers of tribal sovereign immunity to the appropriate Legislative Branch Committee for review. All Legislative Branch Rules of Order shall apply to any such proposed waivers of tribal sovereign immunity.

Section 4. *AMENDMENT TO 2005 CROW LAW AND ORDER CODE*

The Secretary of the Legislature shall amend Title 3, Chapter 2, Part 206 to include Section 1, Section 2, Section 3, and Section 5 of this legislation in the next edition of the Crow Law and Order Code. Accordingly, the term "legislation" shall be changed to "Part" when such codification takes place.

Section 5. *CROW TRIBAL GENERAL COUNCIL AUTHORITY*

Nothing in this legislation shall be construed as limiting the constitutional authority of the Crow Tribal General Council to enact law pursuant to Article IX of the 2001 Crow Constitution, including any such laws addressing limited waivers of tribal sovereign immunity provided that any such General Council action is otherwise consistent with the 2001 Constitution.

Section 6. *EFFECTIVE DATE*

This legislation shall take effect immediately upon being duly adopted by the Crow Tribal Legislature and its approval by the Executive Branch Chairman or, if no approval is made, at such time as is in accordance with the veto override provisions of Article V, Section 8 of the 2001 Crow Constitution and CLB 06-08.

Section 7. *NO RETROACTIVITY*

Nothing in this legislation shall effect or be construed as effecting any limited waivers of tribal sovereign immunity entered into lawfully prior to the effective date of this legislation.

[Remainder of page left blank intentionally]

October 2011 Regular Session

CLB11-05 An Act to Repeal CLB02-17 and to Amend the CLOC to Establish a Process for Any and All Future Waivers of Crow Tribal Sovereign Immunity To Be Presented to the Crow Legislature for Final Approval in Accordance with the 2001 Crow Constitution.

Page 4 of 5

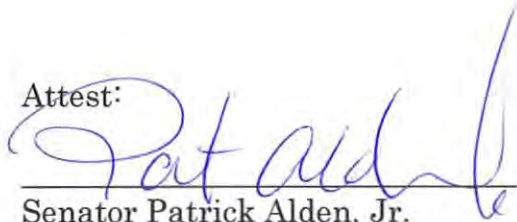
CERTIFICATION

I hereby certify that this Bill for an Act entitled An Act to Repeal CLB 02-17 and to Amend the Crow Law and Order Code in Order to Establish a Process for Any and All Future Waivers of Crow Tribal Sovereign Immunity to Be Presented to the Crow Legislature for Final Approval in Accordance with the 2001 Crow Constitution was duly adopted by the Crow Tribal Legislature with a vote of 17 in favor, and 0 opposed, and 0 abstained, and that a quorum was present on this 20th day of October , 2011.



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

Attest:



Senator Patrick Alden, Jr.
Secretary
Crow Tribal Legislature

EXECUTIVE ACTION

As Chairman of the Executive Branch of the Crow Tribal Government, I hereby:

_____ approve

X veto

this Bill for an Act entitled An Act to Repeal CLB 02-17 and to Amend the Crow Law and Order Code in Order to Establish a Process for Any and All Future Waivers of Crow Tribal Sovereign Immunity to Be Presented to the Crow Legislature for Final Approval in Accordance with the 2001 Crow Constitution in accordance with Article V, Section 8 of the 2001 Crow Constitution this 18th day of November, 2011.



Chairman Cedric Black Eagle
Executive Branch of Government
Crow Tribe of Indians

October 2011 Regular Session

CLB11-05 An Act to Repeal CLB02-17 and to Amend the CLOC to Establish a Process for Any and All Future Waivers of Crow Tribal Sovereign Immunity To Be Presented to the Crow Legislature for Final Approval in Accordance with the 2001 Crow Constitution.

Bill or Resolution: CLB11-05 **Introduced by:** Senators Black Lodge District **Date of Vote:** 10/20/2011
Number

<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	<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> </u>	<u> </u>	<u> </u>
M. Backbone	<u>X</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>
Totals:	<u>17</u>	<u>0</u>	<u>0</u>


Result of Vote:

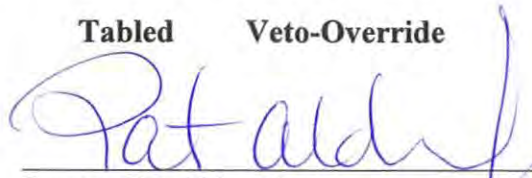
Passed

Not Passed

Tabled

Veto-Override


 Senator Manuel Covers Up, Sr.
 Speaker of the House
 Date


 Senator Pat Alden, Jr.
 Secretary of the House
 Date

JANUARY 2002 CROW TRIBAL LEGISLATURE

BILL NO. CLB0217

INTRODUCED BY: BLAINE BULL TAIL

BY REQUEST OF THE EXECUTIVE BRANCH OF THE TRIBE

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE EXECUTIVE BRANCH OF THE CROW TRIBE TO NEGOTIATE, APPROVE AND EXECUTE ANY CONTRACT REQUIRING A WAIVER OF TRIBAL SOVEREIGN IMMUNITY EQUAL TO, OR LESS THAN \$1.00 WITHOUT FINAL APPROVAL OF THE LEGISLATIVE BRANCH."

WHEREAS, there are many routine day to day business contracts of the Executive Branch of the Crow Tribe that many require a waiver Crow Tribal sovereign immunity where the total amount of the contract is equal to or less than \$1.00.

WHEREAS, the effectiveness of the Executive Branch of the Crow Tribe will be severely diminished if routine day to day business transactions involving contracts of \$1.00 or less cannot be finalized without the Executive Branch first receiving final approval from the Legislature.

WHEREAS, this act establishes a threshold of \$1.00 per contract for the delegation of legislative authority established by the requirements of Article IV, Section 3(k) and Article V, Section 2 (f) of the Constitution and Bylaws of the Crow Tribe of Indians, requiring final legislative approval before such contract is valid.

WHEREAS, this act will empower the Executive Branch of the Crow Tribe with the ability to conduct routine day to day business transactions for the betterment of the Tribe as a whole.

BE IT ENACTED BY THE LEGISLATURE OF THE CROW TRIBE:


NEW SECTION. Section 1. Waiver of sovereign immunity in contracts with a value equal to or less \$1.00 by the Executive Branch allowed without final approval of legislature. (1) The Executive Branch of the Crow Tribe of Indians may negotiate, approve and execute any contract requiring a waiver of tribal sovereign immunity without the requirement of final legislative approval provided that the amount of any one contract shall not exceed \$1.00.

NEW SECTION. Section 2. Ratification of Existing Leases. (1) All existing leases (waivers) granted by the Crow Tribal Executive Branch equal to or below the threshold amount established herein ... are hereby adopted as valid.... All existing leases (waivers) granted by the Crow Tribal Executive Branch since July 14, 2001 that are in excess of the threshold amount established herein must be presented to the Crow Tribal Legislature for ratification at the April, 2002 Legislature Session."

NEW SECTION. Section 3. The threshold amount of \$1.00 implemented through this Bill supercede and nullify any threshold amount previously approved by the Crow Tribal General Council or any previous Tribal administration."

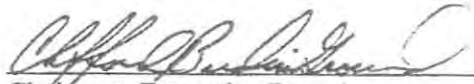
CERTIFICATION

I hereby certify that this Bill was duly approved by the Crow Tribal Legislature with a vote of 14 in favor, 2 opposed, and 0 abstained and that a quorum was present on this 12 day of MARCH, 2002.


Ben Cloud
Speaker of the House
Crow Tribal Legislature

EXECUTIVE ACTION

I hereby ~~approve~~ approve, _____ veto this Bill 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.


Chairman, Executive Branch
Crow Tribe of Indians

Bill #10

Bill or resolution number CLB0217 Introduced by Blaine Bull Tail Date of Vote MAR 12 2002

Representative	Yes	No	Abstain	No Vote
Bull Tail	✓	—	—	—
Costa	—	✓	—	—
Crooked Arm	✓	—	—	—
Little Light	✓	—	—	—
Plain Feather	—	—	—	—
Stewart	✓	—	—	—
Not Afraid	✓	—	—	—
Goes Ahead	—	✓	—	—
Hogan	✓	—	—	—
Old Elk	✓	—	—	—
Passes	✓	—	—	—
Pease	—	—	—	—
Medicine Horse	✓	—	—	—
Russell	✓	—	—	—
Real Bird	✓	—	—	—
Black Hawk	✓	—	—	—
Stone	✓	—	—	—
Cloud	✓	—	—	—
Results (If tie vote)	—	—	—	—
Vice Chair Goes Ahead	—	—	—	—
Results	14	2	—	—

Result of vote:

Passed

Not Passed

Tabled

Veto Override

Signature of Officer:

Ben Cloud

Date:

3-12-02



LEGISLATIVE BRANCH OF THE CROW TRIBAL GOVERNMENT

P.O. Box 309 – MAKAWASHA Avenue

Crow Agency, Montana 59022

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

Fax: (406) 638-2030

Crow Country

Legislative Branch

Prior:

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Dana Wilson

M. Tye Backbone

Gordon Real Bird, Jr.

Staff

Attorney Ron Arneson, Esq.

Attorney at Law

Gerald Jay Harris

Legal Clerk

Leslie Plain Feather

Legal Assistant

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

OFFICIAL CERTIFICATE OF DELIVERY

I, Patrick 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 SENATOR CONRAD J. STEWART,
CO-INTRODUCED BY SENATOR V. JEANNIE AND
SENATOR H. NOEL TWO LEGGINS

A BILL FOR AN ACT ENTITLED:

“AN ACT TO REPEAL CLB02-17 AND TO AMEND THE CROW LAW AND ORDER CODE IN ORDER TO ESTABLISH A PROCESS FOR ANY AND ALL FUTURE WAIVERS OF CROW TRIBAL SOVEREIGN IMMUNITY TO BE PRESENTED TO THE CROW LEGISLATURE FOR FINAL APPROVAL IN ACCORDANCE WITH THE 2001 CROW CONSTITUTION”

CLB11-05 To William C. Not

in the Position of: Attorney for the
Crow Executive Branch.

Done and dated this 27th day of October, 2011 @ 10:19 a.m./p.m.

Pat Alden Jr.
Secretary of the House
Legislative Branch of the
Crow Tribal Government

Served by:

Jackie M. Blacksmith
Legislative Branch Staff

Cc: file