

## **OFFICIAL PRESS RELEASE**



### **Crow Legislature overrides Chairman Black Eagle's vetoes on legislation addressing tobacco tax revenues to Little Big Horn College and amendments to the Tribal Fiscal Management Act**

**April 13, 2011**

Crow Agency, Montana –

On the second day of the April 2011 Regular Session the Crow Tribal Legislature unanimously overrode Chairman Cedric Black Eagle's February vetoes of two pieces of legislation originally passed by the Legislature in January.

#### **Tobacco Tax Money to College Bill**

This bill for an act was supported by a petition signed by at least 10% of the General Council members of the Center Lodge District, and was introduced in the January 2011 Regular Session by Senator Oliver Half, Senator Kenneth Shane, and Senator Shawn Backbone. The bill is officially titled "An Act to Amend Title 13 of the Crow Law and Order Code to Ensure 100% of all Crow Tribe-State of Montana Tobacco Tax Agreement Funds Received by the Crow Tribe Shall Be Utilized by Little Big Horn College for the Education of Crow Tribal Members."

Currently, the Crow Tribe-State of Montana tobacco tax agreement (which was agreed to in 2005) allows for the Tribe's share of Crow Reservation tobacco tax revenue, currently about \$1,066,000, to be spent in accordance to the annual tribal budget. The bill would require all tobacco tax money not applied to service the College's current \$3 million loan repayment to First Interstate Bank to go directly to Little Big Horn College for academic-related expenses of tribal members. Under the terms of the proposed law, up to half a million dollars of tobacco tax revenue every year could be budgeted by the Tribe to pay off the First Interstate Bank loan, which was taken out in 2007 to finance the construction of new College library.

During the January session, the Legislature voted 16-0 in favor of the legislation, which was the product of several public meetings held by the Legislature's Education Committee, Chaired by Senator Gordon Real Bird, Jr., with participation from several College administrators, including President David Yarlott. On February 18th, the Chairman vetoed the bill without formal explanation.

The final roll call vote to override the Chairman's veto was 15 in favor, none opposed.

## **Amendments to the Crow Fiscal Management Act**

This bill for an act was supported by a petition signed by at least 10% of the General Council members of the Pryor District, and was introduced in the January 2011 Regular Session by Senator Carlson “Duke” Goes Ahead. The bill is officially titled “An Act to Amend the Crow Tribal Fiscal Management Act of 2007 to Increase Transparency, Accountability, and Professionalism in Tribal Accounting.”

The main purposes of the proposed amendments to the Fiscal Management Act (also known as the “FMA”) are to provide for full budgeting of all money the Crow government spends (including federal contract and grant funds) and to better track all receipts of revenue to the Tribe. In addition, the proposed amendments would do such things as ensure that the six districts of the Reservation each receive an annual budget of at least \$50,000 and that the districts each receive 1% of all net revenues received every year from mineral or energy development of tribal resources (for a total of 6%). Finally, the amendments adjust the threshold amount available to be shifted by the Executive Branch between programs before a budget amendment is required, clarifies the Tribal Comptroller’s duties, establishes that all salaries of tribal employees are public information, creates criminal and civil penalties for violations of the FMA, and ensures a true separation of finances between the three branches of tribal government

During the January session, the Legislature voted 15-0 in favor of the legislation, which was the product of many public meetings held by the Revenue Committee, Chaired by Senator Goes Ahead. On February 16th, the Chairman vetoed the bill without formal explanation.

The final roll call vote to override the Chairman’s veto was 15 in favor, none opposed.

### **The next step**

Under CLB 06-08 (introduced by Chairman Venne and passed by the Legislature) the Chairman has 45 days to call for a special referendum vote of the Crow General Council to reverse the Legislature’s veto-override. According to Article V, Section 8 and Article IX, Section 1 of the 2001 Crow Constitution, a two-thirds vote of at least 25% of the Council is needed to rescind the legislation. If the Chairman chooses not to refer the bills to the General Council, CLB 06-08 provides that the Chairman must sign the bills on the first day of the July Regular Session.

For more information, please contact the Crow Legislature at (406) 638-2023.

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