

# **April 2010 Regular Session of the Crow Tribal Legislature**

Legislative Resolution **No. 10-14**

Introduced by the Gaming Committee

A Legislative Resolution Titled:

## **A Resolution of the Crow Tribal Legislature Ratifying the Montana-Crow Tribal Class III Gaming Compact and All Current Amendments Thereto**

Legislative Findings:

**WHEREAS**, the Crow Tribal Legislature is authorized to adopt laws, resolutions, ordinances, codes, regulations and guidelines for the governance of the Crow Tribe of Indians pursuant to Article V, Section 2(a) of the Constitution and Bylaws of the Crow Tribe of Indians;

**WHEREAS**, unless the State of Montana fails to negotiate in good-faith with the Crow Tribe, a state-tribal gaming compact is required under the 1988 Indian Gaming Regulatory Act in order for the Crow Tribe to conduct Class III gaming on the Crow Reservation;

**WHEREAS**, the Crow Tribe is the sole owner of the Apsaalooke Casino Enterprise, a corporation which operates the Little Big Horn Casino, including Class III electronic video gaming and seeks to expand such gaming and all other forms of Class III gaming;

**WHEREAS**, all Class III gaming on the Crow Indian Reservation is conducted pursuant to the original 1993 Crow-Montana Class III Gaming Compact and the six amendments thereto;

**WHEREAS**, between 2003 and 2009 the Chairman of the Executive Branch of the Crow Tribe has agreed to and signed a total of four (4) amendments to the original 1993 Crow-Montana Class III Gaming Compact without seeking final approval from the Crow Tribal Legislature;

**WHEREAS**, the 2001 Crow Constitution requires either a delegation of legislative authority to the Executive Branch or final approval in the form of ratification by the Legislature in order for a Class III gaming compact or amendment thereto be effective as Crow Tribal law;

**WHEREAS**, on July 14, 2004 Tribal Chairman Carl Venne signed into law Joint Action Resolution 04-03, which authorized the Tribal Chairman and his designees to “investigate and pursue additional gaming opportunities for the Crow Tribe, and to negotiate agreements to provide for expanded Tribal gaming activities, with such agreements to be presented to the Legislature for final approval as required by the Crow Tribal Constitution”;

**WHEREAS**, the Crow Tribal Legislature has not delegated authority to the Executive Branch to enter into binding amendments, additions to, or revisions of the original Crow-Montana Class III Gaming Compact;

**WHEREAS**, the Executive Branch of the Crow Tribe cannot enter into a lawful Class III gaming compact without final approval in the form of ratification by the Crow Tribal Legislature;

**WHEREAS**, officials from the United States Department of the Interior have approved the last five amendments to the original Crow-Montana Class III Gaming Compact without a clear understanding of the separation of powers of the Crow Tribal government;

**WHEREAS**, the Crow Tribal Legislature seeks to ensure that Class III gaming on the Crow Reservation be in accordance with the 2001 Constitution and By-laws of the Crow Tribe of Indians and is conducted on terms entirely beneficial to the Crow people and in their best interests.

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

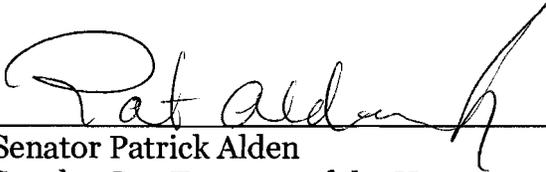
That, the Montana-Crow Tribal Class III Gaming Compact and its seven amendments are hereby ratified and confirmed by the Crow Tribal Legislature;

That, the Executive Branch of the Crow Tribal Government is requested to continue to represent the Crow Tribe in good-faith negotiations with the State of Montana on further Compact amendments;

That, finally, any and all Executive Branch proposals to further amend the 1993 Montana-Crow Tribal Gaming Compact or to enter into a new Class III gaming compact shall not be submitted to the United States Department of the Interior until final approval has been given by the Crow Tribal Legislature in the form of a resolution, which shall be considered part of the compact or amendment thereto.

**CERTIFICATION**

I hereby certify that this **LR10 -14** was duly approved by the Crow Tribal Legislature with a vote of 17 in favor, 0 opposed, and 0 abstained and that a quorum was present on this 22<sup>ND</sup> day of **April 2010**.



Senator Patrick Alden  
Speaker Pro Tempore of the House  
Crow Tribal Legislature

Attest:

  
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Senator Noel Two Leggins  
Secretary Pro Tempore  
Crow Tribal Legislature

