

**RESOLUTION OF THE GOVERNING BODY OF
THE THREE AFFILIATED TRIBES OF THE
FORT BERTHOLD RESERVATION**

- WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and
- WHEREAS,** The Constitution of the Three Affiliated Tribes generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and
- WHEREAS,** Article VI, Section 5(1) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to adopt resolutions regulating the procedure of the Tribal Business Council, other Tribal government entities, and Tribal officials; and
- WHEREAS,** Via Resolution Nos. 94-38-MW, 94-084-JJR, 00-171-DSB, the Tribal Business Council adopted a Tribal Gaming Ordinance, Chapter 27 of the Codified Laws of the Three Affiliated Tribes, which was approved by the National Indian Gaming Commission (NIGC) on November 17, 1994, March 8, 1995 and October 19, 2000; and
- WHEREAS,** The Tribal Gaming Ordinance provides broad powers to the Tribal Gaming Commission to adopt appropriate regulations relating to compliance, among other things, of the requirements of the Indian Gaming Regulatory Act (IGRA) and regulations issued to enforce the Act as promulgated by the National Indian Gaming Commission (NIGC); and
- WHEREAS,** The NIGC has, on July 24, 2000, issued proposed regulations requiring Tribes an opportunity to develop a plan to provide for the health and safety of employees and customers of tribal casinos; and
- WHEREAS,** Despite Tribal concerns about whether the NIGC has the authority to issue such regulations, the Tribe believes that the regulations will eventually be issued in final form and the Tribe will be required to comply with the new regulations; and
- WHEREAS,** Regardless of whether final regulations concerning health and safety issues are ever promulgated by the NIGC in final form, the Tribe believes that it is important to establish a health and safety code for the gaming operations of the Tribe; and
- WHEREAS,** It is important to develop a health and safety code that will comply with the likely final regulations to be promulgated by the NIGC, that will take into account healthy and safe working conditions, that will promote a healthy and safe environment for guests of

the Tribe's gaming operations and that will also reflect casino management concerns about these issues;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby establishes a temporary committee to develop and present for final adoption by the Tribal Business Council a health and safety code for the Tribe's gaming operations composed of the following officials: 1) One person selected by the Tribal Gaming Commission; 2) One person selected by the Tribal Environmental Division; 3) One person selected by the Co-General Managers of the 4 Bears Casino and Lodge; 4) One person representing the Indian Health Service, if the IHS is willing to participate in the development of the aforementioned regulations; and 5) One person from the Tribal Legal Department, it being understood that any member of the Tribal Business Council may also participate in the committee's work; and

THEREFORE BE IT FURTHER RESOLVED, that the temporary committee so established in the above paragraph shall develop a health and safety code for the Tribe's gaming operations that will at a minimum satisfy the requirements of the proposed regulations of the NIGC for the healthy and safe operation of Tribal gaming facilities, and will provide to the Tribal Business Council for their consideration a draft of the proposed code within 90 days of the date of passage of this resolution or within such longer period of time as might be permitted by the Tribal Executive Committee.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 6 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 26th day of October, 2000; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 26th day of October, 2000.

Daylon Spotted Bear
Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST.

Tex G. Hall
Tex G. Hall
Chairman, Tribal Business Council