

**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 X of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to propose Constitutional amendments to the qualified voters of the Three Affiliated Tribes by requesting that the Secretary of the Interior call and conduct a Secretarial Election on the proposed amendments, provided that such request is supported by a two-thirds vote of the Tribal Business Council; and

WHEREAS, The Tribal Business Council has determined that, as the elected governing body of the Three Affiliated Tribes, it could provide more extensive representation of and improved services to the membership of the Tribes through an increase in the membership of the Council from seven (7) to nine (9) members, which increase would be realized by providing for the election of the positions of Council Secretary and Treasurer at large by all eligible Tribal voters; and

WHEREAS, The Tribal Business Council, in recent meetings, has considered, discussed and selected various options for amending identified individual Constitutional provisions requiring amendment in conjunction with and as a consequence of the proposed increase in the membership of the Council; and

WHEREAS, It is the intent of the Tribal Business Council to compile the various options selected and commit itself to formally approving the concepts of such options for amending the identified provisions of the Tribal Constitution through the enactment of this resolution, pending the process of drafting the actual language of the proposed amendments by the Tribal Legal Department;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby formally approves the attached concepts for amending various provisions of the Constitution of the Three Affiliated Tribes requiring

**COMPILATION OF COUNCIL-APPROVED
CONSTITUTIONAL AMENDMENTS
RELATING TO INCREASE IN MEMBERSHIP OF TRIBAL COUNCIL**

CONSTITUTION, ARTICLE III, SECTION 2 *(p. 4)*

membership of Council will increase from seven (7) to nine (9) members

addition of two (2) members will arise out of election by Tribal voters of Secretary and Treasurer (as opposed to selection by and from within 7-member Council itself)

Secretary and Treasurer will be elected "at large" by all eligible Tribal voters (as in the case of the Chairman)

[six (6) segment representatives will continue to be elected by their respective segments]

CONSTITUTION, ARTICLE III, SECTION 5 *(pp. 6-7)*

Vice Chairman will be selected from among six (6) segment representatives by vote of six (6) segment representatives only; if tie (3 to 3) vote, Chairman shall vote to break tie

Vice Chairman will serve two (2)-year term and will be selected in each election year

CONSTITUTION, ARTICLE IV, SECTION 3(f) [NEW] *(p. 16)*

Secretary and Treasurer will be elected to serve concurrent two (2)-year terms only in election held in 2002, will be elected to serve concurrent four (4)-year terms beginning with election held in 2004, and will be elected to serve concurrent four (4)-year terms in elections held every four (4) years thereafter (thus, beginning in 2004, successive four (4)-year terms of Chairman would be staggered with successive concurrent four (4)-year terms of Secretary and Treasurer)

CONSTITUTION, ARTICLE V, SECTION 1 *(p. 20)*

in lieu of the Council itself filling Council vacancies, a special election by voters eligible to vote for the position vacated will be held, provided that eighteen (18) months or more remain in the term of the position at the time the vacancy occurred

election process must be commenced within a period no greater than thirty (30) days from date vacancy occurred and this special election will include both a primary and a general election

if fewer than eighteen (18) months remain in the term of the position at the time the vacancy occurred, the Council will fill the vacancy in accordance with the current procedure set forth in this Section

CONSTITUTION, ARTICLE V, SECTION 2 *(pp. 20-21)*

minimum number of Council members voting in favor of removal required to remove member of Council will be increased from five (5) members to six (6) members

BYLAWS, ARTICLE III, SECTION 2 *(p. 35)*

minimum number Council members (other than Chairman who may unilaterally call special meeting of Council) required to call special meeting of Council will be increased from three (3) members to four (4) members

BYLAWS, ARTICLE III, SECTION 3 *(p. 35)*

number of Council members constituting quorum will be increased from five (5) members to six (6) members

*NEEDS
Amending*

**COMPILATION OF COUNCIL-APPROVED
CONSTITUTIONAL AMENDMENTS
RELATING TO INCREASE IN MEMBERSHIP OF TRIBAL COUNCIL**

CONSTITUTION, ARTICLE III, SECTION 2. (p. 4)

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Ag in case of tie Chairman break

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CONSTITUTION, ARTICLE V, SECTION 1 (p. 20)

in lieu of the Council itself filling Council vacancies, a special election by voters eligible to vote for the position vacated will be held, provided that in excess of one year remains in the term of the position at the time the vacancy occurred

election process must be commenced within a period no greater than thirty (30) days from date vacancy occurred

CONSTITUTION, ARTICLE V, SECTION 2 (pp. 20-21)

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BYLAWS, ARTICLE III, SECTION 3 (p. 35)

number of Council members constituting quorum will be increased from five (5) members to seven (7) members

amendment in conjunction with and as a consequence of the proposed increase in the membership of the Tribal Business Council from seven (7) to nine (9) members.

BE IT FURTHER RESOLVED, That the Tribal Business Council hereby directs the Legal Department of the Three Affiliated Tribes to draft the actual language of the proposed Constitutional amendments in accordance with the attached concepts for amending the identified Constitutional provisions and present the draft amendments to the Tribal Business Council for formal approval through a prospective resolution wherein, additionally, the Secretary of the Interior would be requested to call and conduct a Secretarial Election on the proposed amendments.

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, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 29th day of May, 2001; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 7 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 29th day of May, 2001.

Marcus Wells
Secretary, Tribal Business Council

ATTEST:

Ray G. Hall
Chairman, Tribal Business Council