



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

A Resolution Entitled: "Adoption of rules governing the Conduct of official Tribal Election Events"

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-laws pursuant to said Act; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, The Constitution of the Three Affiliated Tribes 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 provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

WHEREAS, Article IV, Section 5 of the Constitution provides that all tribal general and primary elections shall be held under the supervision of the Tribal Business Council or an election board appointed by the Tribal Business Council and the Tribal Council or the Election Board appointed by the Tribal Council shall make rules and regulation governing all elections and shall designate the polling places and election officers; and

WHEREAS, pursuant to such authority the Tribal Business Council adopted the Election Ordinance of the Three Affiliated Tribes in 1986 which further provides that the Tribal Business Council shall have the power to adopt rules governing the conduct of elections; and

WHEREAS, due to the disrespectful conduct that was recently demonstrated toward the election board and other election officials during the tribal primary election which prohibited the Election Board from conducting the election in a professional manner the Tribal Business Council believes that election rules should be adopted governing the conduct of tribal elections; and



NOW, THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby adopts the following amendment to Part II, Section 4 of the Election Ordinance of the Three Affiliated Tribes as sub-section C.

- C. No person shall during the conduct of any official election event conducted under this ordinance make direct or indirect verbal or physical contact with any election official unless authorized to do so under this ordinance as a poll watcher for any candidate for office, provided however that qualified voters may during polling times direct questions to an election official regarding voting procedures. An official election event shall be defined as and include polling during the primary or general election and canvassing of ballots, or any recount of ballots or election hearing held under this ordinance. Election official is defined as and includes election board members, segment committee members, election judges, clerks and election board attorney. Members of the public who attend any official election event shall maintain a distance of at least 25 feet from any election official during the conduct of any official election event. Violation of this provision will result in immediate removal from the premises upon which election event is taking place by law enforcement or the sergeant at arms. Willful and continued violation of this provision is a class II misdemeanor.

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 Special Meeting thereof duly called, noticed, convened, and held on the 23rd day of October 2008; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman voting. [] not voting.

Dated this 23rd day of October 2008.

ATTEST:

Barry L. B...
Acting Tribal Secretary,
Tribal Business Council
Three Affiliated Tribes

Marcus Wells Jr.
Tribal Chairman, Marcus Wells Jr.
Tribal Business Council
Three Affiliated Tribes