



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

A Resolution Entitled: *“Three Affiliated Tribes Tribal Business Council Petition to the Secretary of Interior or his Authorized Representative Pursuant to Article X of the Three Affiliated Tribes Constitution and By-laws and 25 CFR Part 81 To Call a Secretarial Election on proposed Amendments to Article V of the Constitution”.*

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, 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, The Constitution and By-laws of the Three Affiliated Tribes was adopted by membership of the Tribes on May 15th, 1936 pursuant to the Indian Reorganization Act of 1934 and duly approved by the Secretary of Interior; and

WHEREAS, Article X of the Constitution provides that the Constitution and By-laws may be amended by a majority vote of the qualified voters of the Tribes voting at an election called for that purpose by the Secretary of Interior, provided that at least thirty (30) percent of those entitled to vote shall vote in such election; and

WHEREAS, Article X further provides that it shall be the duty of the Secretary of Interior to call an election on any proposed amendment to the Constitution when requested by a two-thirds (2/3) vote of the Tribal Business Council; and

WHEREAS, 25 CFR Part 81 provides federal regulations for petitioning the Secretary of Interior to call secretarial elections to amend tribal constitutions; and

WHEREAS, The Tribal Chairman appointed a constitutional Revision Committee to review the Tribal Constitution and make recommendations for constitutional amendments and said Committee is recommending amendments to Articles III, V and VIII of the Constitution; and

WHEREAS, Article V of the Constitution governs vacancies and removal from office for members of the Tribal Business Council; and



WHEREAS, The Constitution Revision Committee is recommending three separate amendments to Article V including; (1) the addition of a provision to Section 1 to provide that upon conviction of a felony a tribal business council member shall be subject to removal from office, (2) amend section 1 to require that when a tribal council member is removed from office for any reason authorized by Section 1 that the vacancy thereby created will be filled by a special election rather than by appointment by the tribal council, and (3) add a new Section 4 to Article V providing procedures to recall a tribal business council member; and

WHEREAS, The Tribal Business Council agrees with the proposed amendments to Article V of the Constitution.

NOW, THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes pursuant to Article X of the Constitution and 25 CFR Part 81 hereby petitions the Secretary of Interior or his authorized representative to call a secretarial election on the following proposed amendments to Article V of the Constitution of the Three Affiliated Tribes:

1. Add language to Section 1 that would provide that if a council member is convicted of a felony in any tribal, federal or state court, the Council member would be subject to removal from office.
2. Amend Section 1 to provide that if a tribal business council member is removed from office for any reason authorized by Section 1, the vacancy thereby created would be filled by a special election rather than by appointment by the Tribal Business Council, provided that if less than six months remain on the term then it would remain vacant until the next general election.
3. Adding a new Section 4 that would provide procedures for recall of a member of the tribal Business Council.
4. Change the number of tribal Council members under Section 2 necessary to remove a council member for cause from 5 to seven if the proposed amendment to Article III passes.

BE IT FINALLY RESOLVED that the proposed amendments to Article V shall be in the substantially the form as attached hereto.




CERTIFICATION

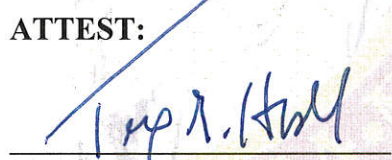
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 14th day of June, 2012; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 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 14th day of June, 2012.



Tribal Secretary, V. Judy Brugh
Tribal Business Council
Three Affiliated Tribes

ATTEST:


Tribal Chairman Tex G. Hall
Tribal Business Council
Three Affiliated Tribes