

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, Article IV, Section 3(a) of the Constitution and Bylaws of the Three Affiliated Tribes provides as follows:

"The regular election to fill all vacancies on the Tribal Business Council shall be held on the third Tuesday of September in even numbered years, or, in the event the election cannot be held on said date, on a date designated by the Tribal Business Council which shall be within thirty (30) days of the date heretofore specified;"

and

WHEREAS, Therefore, said Constitution and Bylaws expressly authorizes and empowers the Tribal Business Council to extend the date of a regular election beyond the third Tuesday of September, in the event that the circumstances surrounding a respective election so warrant; and

WHEREAS, The recently published Notice of Regular Election provides that such Election shall be held on the 21st day of September, 1982 (i.e., on the third Tuesday of September, 1982); and

WHEREAS, The Election Ordinance of the Three Affiliated Tribes (Ordinance 72-1, as revised May 29, 1980) imposes a substantial obligation upon the Tribal Election Board in the context of the conduct of the Regular Election in general, and particularly in the context of the test of the eligibility of those qualified voters who have filed their respective Notices of Candidacy for Tribal Office; and

WHEREAS, Seven (7) seats on the Tribal Business Council, in addition to the position of Chief Judge of the Fort Berthold Tribal Court, must be filled by popular vote in the 1982 Election, and forty-nine (49) qualified voters of the Three Affiliated Tribes have filed their respective Notices of Candidacy for Tribal Office; and

WHEREAS, The substantial obligation imposed upon the Tribal Election Board, as identified hereinabove, has been excessively augmented as a result of the inordinate number of qualified voters who have filed their respective Notices of Candidacy for Tribal Office; and

WHEREAS, In view of the substantial amount of time and effort required for the Tribal Election Board to fully satisfy its obligation to test, for the purpose of final certification, the respective eligibility of each of the forty-nine (49) candidates currently running for Tribal Office in a fair and equitable manner, the Tribal Election Board has deemed it not only advisable, but also mandatory, that the 1982 Regular Election be extended for a period of seven (7) days beyond the 21st day of September, 1982; and

WHEREAS, Based upon the circumstances brought to the attention of the Tribal Business Council in support of the express request made by the Tribal Election Board that the date of the 1982 Regular Election be extended, it is the considered position of the Tribal Business Council that said Council should exercise its constitutional power and authority to extend the date of the 1982 Regular Election beyond the 21st day of September, 1982, in an effort to ensure that said Election shall be conducted with fairness and propriety;

NOW, THEREFORE, BE IT RESOLVED, That the date of the 1982 Regular Election shall hereby be extended for a period of seven (7) days beyond the third Tuesday of September, and that said Regular Election shall be held on the 28th day of September, 1982.

BE IT FURTHER RESOLVED, That any and all time periods, as prescribed by the Election Ordinance of the Three Affiliated Tribes (Ordinance 72-1, as revised May 29, 1980), which remain to be complied with by the Tribal Election Board in the conduct of the 1982 Regular Election, shall be extended accordingly [i.e., for a period of seven (7) days], and that, specifically with regard to absentee voters, any non-resident qualified voter of the Three Affiliated Tribes shall be sent an absentee ballot for the purpose of voting, if written request therefor is received by the Secretary of the Tribal Business Council on or before the 18th day of September, 1982.

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 11 members of whom 7 constitutes a quorum, 9 were present at a Special Meeting, thereof duly called, noticed, convened and held on the 2 day of September, 1982; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 8 members, 1 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 2 DAY OF SEPTEMBER, 1982.


SECRETARY, TRIBAL BUSINESS COUNCIL

ATTEST:


CHAIRMAN, TRIBAL BUSINESS COUNCIL