

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 5 of the Constitution and Bylaws of the Three Affiliated Tribes provides, in part, that the Tribal Business Council, or the Election Board appointed thereby, shall make rules and regulations governing all elections; and
- WHEREAS, Part VI, Section 1 (b) of the Election Ordinance of the Three Affiliated Tribes provides, in part, that, after the election polling places close, the Tribal Election Board shall immediately proceed to canvass the ballots submitted thereto by the Segment Election Committees, together with the absentee ballots submitted thereto by the Secretary of the Tribal Business Council, and that said canvassing shall continue without adjournment until completed; and
- WHEREAS, Part VI, Section 1 (c) of the Election Ordinance of the Three Affiliated Tribes provides, in part, that the Tribal Election Board shall perform the canvassing of ballots one segment at a time and that said Board itself shall tally the votes from the ballots cast at the Segment Election polling places; and
- WHEREAS, The Tribal Election Board has reasonably anticipated that a relatively substantial number of ballots will be cast in the extended 1982 Regular Election and that, consequently, the canvassing of said ballots and the tallying of the votes therefrom without adjournment until completion thereof will require an inordinate amount of time at the place of canvassing; and
- WHEREAS, In view of the reasonably anticipated inordinate amount of time which will be required for the canvassing of the ballots cast in the extended Regular Election and the tallying of the votes therefrom, the Tribal Election Board has recently submitted a formal request to the Tribal Business Council that said Council take whatever action is necessary to authorize said Tribal Election Board to perform the duties inherent in the canvassing of ballots cast at the Segment Election polling places in the extended 1982 Regular Election in the following manner:
1. After the Segment Election polling places have closed at 7:00 p.m. and upon delivery of the first Segment Election ballot box to the Tribal Election Board at the place of canvassing, the Chairman and one (1) member of said Board shall remove themselves from the canvassing of the absentee ballots and

shall commence performance of the duties inherent in checking in the Segment Election ballot box and the contents included therein. Such two (2) members of the Tribal Election Board shall continue to perform such duties with respect to each of the remaining Segment Election ballot boxes, one at a time, in the order in which such ballot boxes are delivered to the Tribal Election Board at the place of canvassing.

2. Upon the completion by the two (2) members of the Tribal Election Board of the duties inherent in checking in a Segment Election ballot box and the contents therein, a judge of that respective Segment Election Committee shall secure any and all challenged ballot envelopes and, together with the two (2) members of the Tribal Election Board and said challenged ballot envelopes, shall move to the table at which the remaining three (3) members of the Tribal Election Board are canvassing the absentee ballots. The full Tribal Election Board shall then immediately rule on each of said challenged ballots and, upon completion thereof, the judge of that respective Segment Election Committee shall return to his or her Committee table and, together with the other members of said Committee, shall commence to perform the duties inherent in the canvassing of the respective Segment ballots and the tallying of the votes therefrom; provided however, that each Segment Election Committee, in the course of canvassing its ballots, shall set aside any and all ballots which said Committee should deem potentially illegal, for the subsequent ruling thereon by the full Tribal Election Board.

3. For the purpose of the simultaneous canvassing of ballots by the Segment Election Committees, each such Committee shall maintain its own official tally sheet and large tally board for public viewing.

4. After completion by a Segment Election Committee of the canvassing of all its ballots which have been deemed thereby as obviously countable ballots and of the tallying of the votes therefrom, the full Tribal Election Board shall commence its ruling on any and all ballots deemed by such Committee as potentially illegal, which ballots had been set aside by such Committee for such purpose.

5. Upon completion of the tallying by a Segment Election Committee of the votes from all of its countable ballots, the final total of all votes cast and counted for the respective Tribal Offices shall be computed by such Committee, and such totals shall be recorded on a large summary tally board for public viewing; and

WHEREAS, Having taken into consideration the request of the Tribal Election Board and the reasonable justification therefor, it is the considered judgment of the Tribal Business Council that said request is meritorious and that compliance therewith should operate to realize a substantial decrease in the time which will be required to complete the canvassing of all of the ballots cast in the extended 1982 Regular Election;

NOW, THEREFORE, BE IT RESOLVED, That, in the conduct and for the purpose exclusively of the extended 1982 Regular Election of the Three Affiliated Tribes, the Tribal Business Council, pursuant to its Constitutional power and authority hereby makes a rule authorizing the Tribal Election Board to perform the duties inherent in the canvassing of ballots cast at the Segment Election polling places in the extended 1982 Regular Election in the following manner:

1. After the Segment Election polling places have closed at 7:00 p.m. and upon delivery of the first Segment Election ballot box to the Tribal Election Board at the place of canvassing, the Chairman and one (1) member of said Board shall remove themselves from the canvassing of the absentee ballots and shall commence performance of the duties inherent in checking in the Segment Election ballot box and the contents included therein. Such two (2) members of the Tribal Election Board shall continue to perform such duties with respect to each of the remaining Segment Election ballot boxes, one at a time, in the order in which such ballot boxes are delivered to the Tribal Election Board at the place of canvassing.
2. Upon the completion by the two (2) members of the Tribal Election Board of the duties inherent in checking in a Segment Election ballot box and the contents therein, a judge of that respective Segment Election Committee shall secure any and all challenged ballot envelopes and, together with the two (2) members of the Tribal Election Board and said challenged ballot envelopes, shall move to the table at which the remaining three (3) members of the Tribal Election Board are canvassing the absentee ballots. The full Tribal Election Board shall then immediately rule on each of said challenged ballots and, upon completion thereof, the judge of that respective Segment Election Committee shall return to his or her Committee table and, together with the other members of said Committee, shall commence to perform the duties inherent in the canvassing of the respective Segment ballots and the tallying of the votes therefrom; provided however, that each Segment Election Committee, in the course of canvassing its ballots, shall set aside any and all ballots which said Committee should deem potentially illegal, for the subsequent ruling thereon by the full Tribal Election Board.

3. For the purpose of the simultaneous canvassing of ballots by the Segment Election Committees, each such Committee shall maintain its own official tally sheet and large tally board for public viewing.

4. After completion by a Segment Election Committee of the canvassing of all its ballots which have been deemed thereby as obviously countable ballots and of the tallying of the votes therefrom, the full Tribal Election Board shall commence its ruling on any and all ballots deemed by such Committee as potentially illegal, which ballots had been set aside by such Committee for such purpose.

5. Upon completion of the tallying by a Segment Election Committee of the votes from all of its countable ballots, the final total of all votes cast and counted for the respective Tribal Offices shall be computed by such Committee, and such totals shall be recorded on a large summary tally board for public viewing.

BE IT FURTHER RESOLVED, That the rule made herein shall have the effect of forthwith superseding any and all conflicting provisions currently set forth in the Election Ordinance of the Three Affiliated Tribes.

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, 8 were present at Special Meeting, thereof duly called, noticed, convened and held on the 28 day of October, 1982; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 8 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 28 DAY OF OCTOBER, 1982.

*Ellie Haller*  
SECRETARY, TRIBAL BUSINESS COUNCIL

ATTEST:

*Arthur H. Bente*  
CHAIRMAN, TRIBAL BUSINESS COUNCIL