

**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 IV, Section 5 of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to promulgate rules and regulations governing the conduct of all elections of the Three Affiliated Tribes; and
- WHEREAS,** Article VI, Section 5(1) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to adopt resolutions regulating the procedures of the Council and of other Tribal instrumentalities; and
- WHEREAS,** As a result of the tie vote between the two candidates for the Twin Buttes Segment representative position on the Tribal Business Council in the March 10, 1987 General Election of the Three Affiliated Tribes, a special runoff election between such candidates must be conducted, as mandated by Article IV, Section 3(a) of the Constitution and by Part IX of the Election Ordinance of the Three Affiliated Tribes; and
- WHEREAS,** An inordinate amount of time and Tribal funds have been expended in the conduct of the 1986 Tribal Business Council election as a result of the numerous election contests filed with, heard, and ruled on by the Fort Berthold Tribal Court at various stages in the election process; and
- WHEREAS,** For the purpose of realizing the final disposition of the 1986 Tribal Business Council election at the earliest practicable date and in the interest of the fiscal welfare and governmental functioning of the Tribes, it is the considered judgment of the Tribal Business Council that certain modifications in the election procedures, as prescribed by the Tribal Election Ordinance, should be made and formally adopted by the Council for the purpose exclusively of the conduct of the special runoff election for the Twin Buttes Segment representative position on the Tribal Business Council; and

WHEREAS, The Tribal Business Council has been informed by legal counsel that there exist no legal impediments to the modifications in the election procedures as proposed by the Council; and

WHEREAS, Each of the two candidates involved in the special runoff election has been informed by the Tribal Business Council of the proposed election procedure modifications and has formally expressed his respective agreement therewith for the purpose exclusively of the conduct of such special runoff election; and

WHEREAS, The proposed modifications in the election procedures will, in no manner nor to any extent, adversely affect the eligibility of any qualified voter of the Three Affiliated Tribes to vote in the special runoff election at issue, as prescribed by Article IV, Section 2(a) of the Constitution and by Part III, Section 1 of the Election Ordinance of the Three Affiliated Tribes;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes, pursuant to its Constitutional authority, hereby makes and adopts the following modifications in the election procedures for the purpose exclusively of the conduct of the special runoff election for the Twin Buttes Segment representative position in the 1986 Tribal Business Council election:

1. Notice of the election shall be published exclusively via the Tribal news media (i.e., the Tribal newspaper and FM radio station) and via posting in the Twin Buttes Segment in appropriate and conspicuous locations.

2. The Tribal Election Board shall be constituted by three (3) qualified voters of the Three Affiliated Tribes.

3. The Tribal Election Board shall assume the responsibilities and perform the duties of the Segment Election Committee, as delegated to said Committee in Part V, Section 4 and in Part VI of the Election Ordinance of the Three Affiliated Tribes.

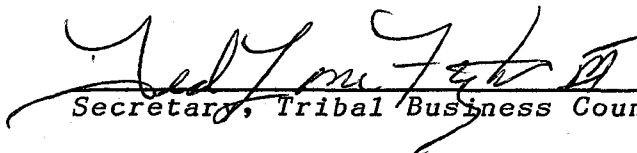
4. After 3:00 p.m. on the date of the election, two (2) Bureau of Indian Affairs police officers shall secure from the United States Post Office, in New Town, North Dakota, the locked receptacle containing all absentee ballot return envelopes having reached and been maintained at said Post Office on or before said date, for delivery thereof to the place of canvassing of the ballots before or by 7:00 p.m. on said date.

BE IT FURTHER RESOLVED, That, for the purpose exclusively of the conduct of the special runoff election for the Twin Buttes Segment representative position in the 1986 Tribal Business Council election, the election procedures enumerated immediately hereinabove shall supersede the correlative election procedures prescribed in the Election Ordinance of the Three Affiliated Tribes.

C E R T I F I C A T I O N

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, 5 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 22nd day of May, 1987; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 22nd day of May, 1987.


Secretary, Tribal Business Council

ATTEST:


Chairman, Tribal Business Council