

**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 VI, Section 3 of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to exercise all necessary sovereign authority - legislative and judicial - for the purpose of asserting the jurisdiction granted in Article I of the Constitution; and

WHEREAS, In 1983, via Resolution #83-122-S, the Tribal Business Council formally enacted the statutory law titled "Tribal Employment Rights Ordinance of the Three Affiliated Tribes of the Fort Berthold Reservation", which statutory enactment constituted a complete overhaul of its predecessor which had likewise governed Indian preference in employment and contracting on the Fort Berthold Reservation; and

WHEREAS, Since 1983, there have been a number of developments in federal judicial, statutory, and administrative law which would serve to justify and support the expansion of the scope of coverage of the Tribal Employment Rights Ordinance on the Fort Berthold Reservation; and

WHEREAS, Having reviewed, considered, and discussed certain amendments to the Tribal Employment Rights Ordinance as proposed by the Legal Department and Tribal Employment Rights Office of the Three Affiliated Tribes, the Tribal Business Council deems advisable and appropriate the immediate approval and enactment of such amendments;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes, pursuant to its Constitutional authority, hereby approves and enacts the following amendments to Chapter 4 of the Tribal Employment Rights Ordinance of the Three Affiliated Tribes of the Fort Berthold Reservation:

B. "Employee" shall mean any person employed for remuneration.

- D. "Employer" shall mean any person, partnership, corporation or other entity that employs, for wages, one or more employees.
- E. "Covered Employer" shall mean and include any employer who employs one or more employees who during any 30-day period, spend, cumulatively, 40 or more hours performing work within the exterior boundaries of the Fort Berthold Reservation.

BE IT FURTHER RESOLVED, That said legislative amendments shall become effective immediately.

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, 6 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the day of May 18, 1992; 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 said Resolution has not been rescinded or amended in any way.

Dated the 18th day of May, 1992.

John L. Rabbithead Jr.
Secretary, Tribal Business Council

ATTEST:

Walter S. Wilkins
Chairman, Tribal Business Council