

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

A TERO RESOLUTION TO INSTITUTE A "(BAT) PROGRAM FEE", TO BE UTILIZED AS A SOURCE OF FUNDS FOR THE ADMINISTRATION OF THE APPRENTICESHIP & TRAINING PROGRAM OF THE THREE AFFILIATED TRIBES.

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 best 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, The Tribal Business Council delegated to the Tribal Employment Rights Commission all of its constitutional authority and power to implement the federally recognized policy of Indian preference in employment and in contracting, Pursuant to the TERO Ordinance Enacted May 13, 1983 by Resolution #83-122-S; and

WHEREAS, On October 19th, 1988, the Tribal Business Council formally approved and adopted the "Standards of Apprenticeship" in Cooperation with the Bureau of Apprenticeship and Training (BAT) and delegated the Tribal Employment Rights Commission to serve as the administering body as Apprenticeship Committee to carry out the promotion, maintenance and supervision of these standards; and

WHEREAS, On November 15, 1988, the Regional Director of Bureau of Apprenticeship and Training formally registered the "Standard of Apprenticeship" in accordance with the basic standards of the Bureau of Apprenticeship and Training (BAT) established by the Secretary of Labor, Registration Number VIII-91095; and

WHEREAS, The TERO Commission/Apprenticeship Committee has established a Apprenticeship Officer position to administer the program, however there remains the need to acquire adequate funding for such a position; and

THEREFORE, BE IT RESOLVED, The TERO Commission/Apprenticeship Committee formally requests to the Tribal Business Council to require Covered Employers to contribute to the Apprenticeship Fund, the required (BAT) Program Fee, which is calculated by 1/2 of 1% of the total gross contract cost of a Construction Development project entered into, per project entered into; and

BE IT FURTHER RESOLVED, This fee is due upon the commencement of the project, per project, failure to pay this fee will result in sanctions, pursuant to the TERO Ordinance of the Three Affiliated Tribes; and

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council hereby formally approves and adopts the "(BAT) Program Fee", to be paid into the Apprenticeship Fund, 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, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 9th day of March, 1995; that the foregoing Resolution was duly adopted at such Meeting by the Affirmative vote of 5 members, 0 members opposed, 1 members abstained, 1 members not voting, and said Resolution has not been rescinded or amended in any way.

Dated the 9th day of March, 1995.

Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST


Chairman, Tribal Business Council