

**RESOLUTION OF THE GOVERNING BODY OF THE  
THREE AFFILIATED TRIBES OF THE  
FORT BERTHOLD INDIAN 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 the enrolled members thereof; and,
- WHEREAS,** Article X, Amendments, of the Three Affiliated Tribes' Constitution states the constitution and bylaws may be amended by a majority vote of the qualified voters of the Tribes voting at an election called for that purpose by the Secretary of the Interior; and,
- WHEREAS,** Article I, Section 1, of the Bylaws of the Three Affiliated Tribes states the Chairman of the Tribal Business Council shall appoint, subject to the approval of the council, such standing committees and special committees, and other officers as the business may require; and,
- WHEREAS,** The Tribal Business Council of the Three Affiliated Tribes did establish, by resolution of July 13, 1995, a Constitution Revision Committee to execute the amendment process of the Constitution of the Three Affiliated Tribes regarding specific concerns and issues with the governmental structure of the Three Affiliated Tribes; and this committee commenced operations on December 4, 1997.
- WHEREAS,** The Constitution Revision Committee developed a vision statement, a plan of action, and held hearings in the six (6) tribal communities regarding the constitutional amendment process; and,
- WHEREAS,** The Constitution Revision Committee's original assignment of a complete, proposed revision of the Constitution of the Three Affiliated Tribes was changed to considering three (3) amendments, referred to as "The People's Amendments", which include: Recall, Referendum, and the establishment of a Civil Service Commission for tribal employees; and,
- WHEREAS,** The Tribal Business Council instructed the committee to submit a resolution for each proposed amendment to the tribal constitution of the Three Affiliated Tribes; and,

**WHEREAS,** The Constitution Revision Committee proposes adding a new Article VII, Tribal Civil Service Commission, to the tribal constitution, to read, as follows:

“The People of the Three Affiliated Tribes of the Fort Berthold Reservation hereby establish the Three Affiliated Tribes’ Civil Service Commission to ensure that, as far as practicable, the hiring, promotion, retention and dismissal of tribal employees shall be done according to merit and fitness standards to be developed and enforced by the said Civil Service Commission.

“This commission shall be governed by five (5) members. Two (2) members of this commission shall be appointed by the Tribal Business Council; two (2) members of this commission shall be appointed by representatives of the tribal employees; and the fifth member of this commission shall be elected by majority vote of the other members of the commission. If no candidate receives a majority vote after three (3) attempts, then the fifth member of the commission shall be selected by a drawing from among no more than two candidates proposed by the other members of the commission.

“The term for a member of this commission shall be four (4) years. Any member of this commission may be removed for good cause by a majority vote of the other members of the commission. ‘Good Cause’ for removal of a commission member shall be defined by regulations adopted by the Civil Service Commission. Any vacancy on this commission, for the unexpired term of that vacant seat, shall be filled by vote of the remaining members of the commission, according to regulations adopted by the commission for that purpose.

“The Civil Service Commission shall establish a category of ‘excepted employees’ who may serve as personal aides, advisors, or assistants to elected tribal officials. However, this excepted class of tribal employees shall not exceed ten (10) percent of the tribal workforce, as defined by regulations adopted by the Civil Service Commission.”

**NOW, THEREFORE, BE IT RESOLVED,** That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, acting pursuant to Article X, Amendments, of the tribal constitution, hereby approves, as set forth above, the proposed tribal civil service amendment that would add a new Article VII, Tribal Civil Service Commission, to the tribal constitution; and hereby requests the Secretary of the Interior to hold a special election on or about November 7, 1998, whereby the qualified tribal voters of the Three Affiliated Tribes may vote upon this proposed amendment to the Constitution of the Three Affiliated Tribes.

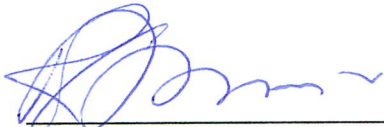
CERTIFICATION

I, the undersigned, as Executive 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 seven (7) members, of whom five (5) members constitute a quorum. 6 members were present at a Regular Meeting thereof duly called, noticed, convened and held on the 18<sup>th</sup> day of June 1998; and, that the foregoing resolution was duly adopted as such meeting by the affirmative vote of 4 members, with 2 members opposed, 0 members abstained, 0 members not voting, and that said resolution has not been rescinded or amended in any way.

Dated this 18<sup>th</sup> day of June 1998.

Daylon Spotted Bear  
Executive Secretary, Tribal Business Council

ATTEST:

  
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Chairman, Tribal Business Council