

**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 X of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to propose Constitutional amendments to the qualified voters of the Three Affiliated Tribes by requesting that the Secretary of the Interior call and conduct a Secretarial Election on the proposed amendments, provided that such request is supported by a two-thirds vote of the Tribal Business Council; and

WHEREAS, The Tribal Business Council has determined that, as the elected governing body of the Three Affiliated Tribes, it could provide more extensive representation of and improved services to the membership of the Tribes through an increase in the membership of the Council from seven (7) to nine (9) members, which increase would be realized by providing for the election of the positions of Council Secretary and Treasurer at large by all eligible Tribal voters; and

WHEREAS, The Tribal Business Council, in recent meetings, has considered, discussed and selected various options for amending identified individual Constitutional provisions requiring amendment in conjunction with and as a consequence of the proposed increase in the membership of the Council; and

WHEREAS, The Tribal Business Council has reviewed and approved the language of the amendment set forth in the attached document titled "Proposed Amendment of Constitution and Bylaws of Three Affiliated Tribes Relating to Increase in Membership of Tribal Business Council From Seven (7) to Nine (9) Members" and is intent on the Secretary of the Interior calling a Secretarial Election on the proposed Constitutional amendment at the earliest practicable time;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes, pursuant to Article X of the Tribal Constitution and Bylaws, hereby formally approves the proposed amendment set forth in the attached document titled

**PROPOSED AMENDMENT OF CONSTITUTION AND BYLAWS
OF THREE AFFILIATED TRIBES
RELATING TO INCREASE IN MEMBERSHIP
OF TRIBAL BUSINESS COUNCIL
FROM SEVEN (7) TO NINE (9) MEMBERS**

CONSTITUTION, Article III, Section 2

To be amended as follows:

The Tribal Business Council shall consist of ~~(7)~~ nine (9) members. The Chairman, Treasurer, and Secretary of the Tribal Business Council shall each be elected at large by a majority of all of the votes cast for the respective Office of Chairman, Treasurer, and Secretary. The six (6) other Council members shall be elected from segments, one Council member to be elected from each of the following segments by a majority of all of the votes cast for the office of Council representative from that respective segment:

- White Shield..... 1 representative
- Twin Buttes..... 1 representative
- New Town/
Little Shell..... 1 representative
- Mandaree..... 1 representative
- Four Bears..... 1 representative
- Parshall/
Lucky Mound..... 1 representative

Language of amendment to read as follows:

The Tribal Business Council shall consist of nine (9) members. The Chairman, Treasurer, and Secretary of the Tribal Business Council shall each be elected at large by a majority of all of the votes cast for the respective Office of Chairman, Treasurer, and Secretary. The six (6) other Council members shall be elected from segments, one Council member to be elected from each of the following segments by a majority of all of the votes cast for the office of Council representative from that respective segment:

- White Shield..... 1 representative
- Twin Buttes..... 1 representative
- New Town/
Little Shell..... 1 representative
- Mandaree..... 1 representative
- Four Bears..... 1 representative

Parshall/
Lucky Mound.....1 representative

CONSTITUTION, Article III, Section 5

To be amended as follows:

Within three (3) days after the installation of the successful candidates for Council positions elected at the general election, the newly constituted Tribal Business Council shall meet and organize ~~by electing a Vice Chairman, a Secretary, and a Treasurer from its own members;~~ which organization shall include the election of a Vice Chairman from among and by the vote of the six (6) segment representatives of the Council exclusively; provided that, if such vote is tied, the Chairman of the Council shall vote to break the tie. and The Tribal Business Council, from within or outside its own members, it may elect or appoint a Sergeant-at-Arms and such other officers and committees as it may find necessary.

Language of amendment to read as follows:

Within three (3) days after the installation of the successful candidates for Council positions elected at the general election, the newly constituted Tribal Business Council shall meet and organize, which organization shall include the election of a Vice Chairman from among and by the vote of the six (6) segment representatives of the Council exclusively; provided that, if such vote is tied, the Chairman of the Council shall vote to break the tie. The Tribal Business Council, from within or outside its own members, may elect or appoint a Sergeant-at-Arms and such other officers and committees as it may find necessary.

CONSTITUTION, Article IV, Section 3 (f) [NEW]

To be added as follows:

In the 2002 Tribal Business Council election, the Treasurer and the Secretary of the Council shall be elected to serve concurrent terms of only two (2) years, each of which terms shall expire in 2004 upon the election and installation of the successors to such positions. In the 2004 Tribal Business Council election, and in the elections held every

four (4) years thereafter, the Treasurer and the Secretary of the Council shall be elected to serve concurrent terms of four (4) years.

Language of amendment to read as follows:

In the 2002 Tribal Business Council election, the Treasurer and the Secretary of the Council shall be elected to serve concurrent terms of only two (2) years, each of which terms shall expire in 2004 upon the election and installation of the successors to such positions. In the 2004 Tribal Business Council election, and in the elections held every four (4) years thereafter, the Treasurer and the Secretary of the Council shall be elected to serve concurrent terms of four (4) years.

CONSTITUTION, Article V, Section 1

To be amended as follows:

If a Council member or officer shall segment representative of the Tribal Business Council should die, resign, or be permanently removed from the Reservation, or be removed from office for cause with fewer than eighteen (18) months remaining in the term of the position at the time the vacancy occurs, the Council shall have full authority to appoint a qualified Tribal member from the segment where the vacancy occurs to serve the unexpired term of said member or office appoint a Tribal member eligible to serve in such segment representative position for the purpose of serving throughout the remainder of the term of the position.

However, in case the Chairman's position becomes vacant due to the Chairman's death, resignation, permanent removal from the Reservation or removal from office for cause if the Chairman, the Treasurer, or the Secretary of the Council should die, resign, or be removed from office for cause with fewer than eighteen (18) months remaining in the term of the respective position at the time the vacancy occurs, the unexpired term of the Chairman such vacated position shall be filled served by a member segment representative of the Council, selected by a majority vote of the Council. In that instance, the Council shall promptly appoint, as herein provided in the paragraph above, to fill the vacancy created by a Council member the segment representative assuming the Chairman's vacated position of the Chairman, Treasurer, or Secretary.

If any member of the Tribal Business Council should die, resign, or be removed from office for cause with eighteen (18) months or more remaining in the term of the respective position at the time the vacancy occurs, the Council, in lieu of filling the vacancy itself by appointment for the unexpired term as provided above, shall call a special election in which eligible Tribal voters entitled to vote in an election to fill that

particular position on the Council shall elect a qualified candidate to serve throughout the remainder of the term of the vacated position. The election process shall be commenced within a period no greater than thirty (30) days from the date the vacancy occurred and shall include both a primary and a general election. If the Council position so vacated is that of the Treasurer or Secretary, the Council shall appoint a segment representative of the Council to temporarily and simultaneously assume the responsibilities of the vacated position, until such time as the position is filled by Tribal voters in the special election. If the Council position so vacated is that of a segment representative, the Council shall appoint a Tribal member eligible to serve in such segment representative position, until such time as the position is filled by Tribal voters in the special election.

Language of amendment to read as follows:

If a segment representative of the Tribal Business Council should die, resign, or be removed from office for cause with fewer than eighteen (18) months remaining in the term of the position at the time the vacancy occurs, the Council shall appoint a Tribal member eligible to serve in such segment representative position for the purpose of serving throughout the remainder of the term of the position.

However, if the Chairman, the Treasurer, or the Secretary of the Council should die, resign, or be removed from office for cause with fewer than eighteen (18) months remaining in the term of the respective position at the time the vacancy occurs, the unexpired term of such vacated position shall be served by a segment representative of the Council, selected by a majority vote of the Council. In that instance, the Council shall promptly appoint, as provided in the paragraph above, to fill the vacancy created by the segment representative assuming the vacated position of the Chairman, Treasurer, or Secretary.

If any member of the Tribal Business Council should die, resign, or be removed from office for cause with eighteen (18) months or more remaining in the term of the respective position at the time the vacancy occurs, the Council, in lieu of filling the vacancy itself by appointment for the unexpired term as provided above, shall call a special election in which eligible Tribal voters entitled to vote in an election to fill that particular position on the Council shall elect a qualified candidate to serve throughout the remainder of the term of the vacated position. The election process shall be commenced within a period no greater than thirty (30) days from the date the vacancy occurred and shall include both a primary and a general election. If the Council position so vacated is that of the Treasurer or Secretary, the Council shall appoint a segment representative of the Council to temporarily and simultaneously assume the responsibilities of the vacated position, until such time as the position is filled by Tribal voters in the special election. If the Council position so vacated is that of a segment representative, the Council shall appoint a Tribal member eligible to serve in such segment representative position, until such time as the position is filled by Tribal voters in the special election.

CONSTITUTION, Article V, Section 2

To be amended as follows:

The Tribal Business Council may remove a member for cause by ~~five (5)~~ six (6) or more members voting for such removal, but before any vote is taken on the matter, such member shall be given an opportunity to answer any and all charges at a designated meeting of the Council, and the decision of the Tribal Business Council shall be final as to the removal or retention of such member.

Language of amendment to read as follows:

The Tribal Business Council may remove a member for cause by six (6) or more members voting for such removal, but before any vote is taken on the matter, such member shall be given an opportunity to answer any and all charges at a designated meeting of the Council, and the decision of the Tribal Business Council shall be final as to the removal or retention of such member.

BYLAWS, Article III, Section 2

To be amended as follows:

Special meetings may be called by the Chairman or by any ~~three~~ four (4) Councilmen who shall notify all members of the Council at least twenty-four (24) hours before the time of convening such meeting unless a majority of the Council approves a shorter call in an emergency.

Language of amendment to read as follows:

Special meetings may be called by the Chairman or by any four (4) Councilmen who shall notify all members of the Council at least twenty-four (24) hours before the time of convening such meeting unless a majority of the Council approves a shorter call in an emergency.

BYLAWS, Article III, Section 3

To be amended as follows:

Five ~~(5)~~ Six (6) members shall constitute a legal quorum of the Tribal Business Council.

Language of amendment to read as follows:

Six (6) members shall constitute a legal quorum of the Tribal Business Council.

“Proposed Amendment of Constitution and Bylaws of Three Affiliated Tribes Relating to Increase in Membership of Tribal Business Council From Seven (7) to Nine (9) Members.”

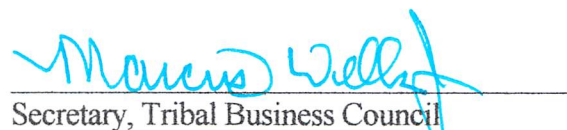
BE IT FURTHER RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes, pursuant to Article X of the Tribal Constitution and Bylaws, hereby requests that the Secretary of the Interior call a Secretarial Election on the proposed amendment of the Constitution and Bylaws of the Three Affiliated Tribes approved herein.

BE IT FURTHER RESOLVED, That the Tribal Business Council has determined that the proposed amendment set forth in the attached document should reasonably be deemed an “amendment”, as opposed to a “revision”, based on the March 04, 1988 Revised Guidelines for the Review of Proposed Constitutions, Revisions, and Amendments issued by the Acting Assistant Secretary – Indian Affairs.

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 7 members of whom 5 constitute a quorum, SEVEN were present at a SPECIAL Meeting thereof duly called, noticed, convened, and held on the 30 day of AUGUST, 2001; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 30 day of August, 2001.


Secretary, Tribal Business Council

ATTEST.


Chairman, Tribal Business Council