

The SHOSHONE-BANNOCK TRIBES



Constitution* And Bylaws

*Amended as of August 15, 2013

FORT HALL RESERVATION
IDAHO

**CONSTITUTION AND BYLAWS
FOR THE
SHOSHONE-BANNOCK TRIBES
OF THE
FORT HALL RESERVATION OF IDAHO**

PREAMBLE

We, the Shoshone-Bannock Tribes of the Fort Hall Reservation, Idaho, in order to establish a more responsible government, promote our general welfare, conserve and develop our lands and resources, and secure to ourselves and our posterity the power to exercise certain rights of self-government not inconsistent with Federal laws, do ordain and establish this Constitution for the Shoshone-Bannock Tribes of the Fort Hall Reservation. *(Amendment No. I, Adopted February 15, 1985, approved by Portland Area Director March 13, 1985).*

Article I - Territory

The jurisdiction of the Shoshone-Bannock Tribes shall extend to the territory within the present confines of the Fort Hall Reservation and to such other lands without such boundaries as may hereafter be added thereto under any law of the United States except as otherwise provided by law.

Article II - Membership

SECTION 1. The membership of the Shoshone-Bannock Tribes shall consist as follows:

- (a) All persons of Indian blood whose names appear on the official census roll of the Shoshone-Bannock Tribes as of January 1, 1935, provided that such roll may be corrected within 6 months after approval of this constitution and bylaws of the Fort Hall Business Council with the approval of the Secretary of the Interior.

(b) All children born to any member of the Shoshone-Bannock Tribes who is a resident of the reservation at the time of the birth of the said children.

SEC.2. The business council shall have the power to propose ordinances, subject to review by the Secretary of the Interior, governing future membership and the adoption of members by the Shoshone-Bannock Tribes.

SEC.3. No property rights shall be acquired or lost through membership in this organization except as provided herein.

Article III - The Fort Hall Business Council

SECTION 1. The governing body of the Shoshone-Bannock Tribes of the Fort Hall Reservation shall be a council known as the Fort Hall Business Council.

SEC.2. The business council shall consist of seven council members to be elected from the reservation-at-large as set forth hereafter.

SEC.3. In order to assure that tribal members throughout the reservation are adequately represented, the business council annually shall designate representatives for the various districts from among its members as follows: Gibson and Fort Hall districts, two council members each; Lincoln Creek, Ross Fork Creek, and Bannock Creek, one council member each.

SEC.4. The business council shall have the power to change the districts and the number of representatives for each district based upon community organization or otherwise, as deemed advisable, such change to be made by ordinance, but the total number of council members to be elected on a reservation-wide basis, as provided for in Section 2 of Article III of this Constitution, shall not be changed by the council.

SEC.5. The business council so organized shall elect from within its own number (1) a chairman and (2) a vice chairman, and from within or without its own membership (3) a secretary and (4) a treasurer, and the council also may appoint or employ such other officers and committees as may be deemed necessary.

SEC.6. No person shall be a candidate for membership on the business council unless he or she shall be a member of the Shoshone-Bannock Tribes of the Fort Hall Reservation, and shall have resided within the reservation for a period of one year next preceding the election, and shall be at least 25 years of age.

SEC.7. The business council of the Shoshone-Bannock Tribes of the Fort Hall Reservation shall be the sole judge of the qualifications of its members. (*Amendment No. III, Adopted February 15, 1985, amended above Sections 2, 3, 4, 5, and 6, approved by Portland Area Director March 13, 1985*).

Article IV - Nominations and Elections

SECTION 1. The first election of a business council under this Constitution shall be called, held, and supervised by the present business council within 30 days after the ratification and approval of this constitution. At the first election, the candidate receiving the highest number of votes in the Gibson, Fort Hall, and Lincoln Creek districts shall serve 2 years. The candidates receiving the next highest number of votes in the Gibson and Fort Hall districts shall serve 1 year, and the candidates receiving the highest number of votes in the Ross Fork and Bannock Creek districts shall serve 1 year, and thereafter elections for the business council shall be held every year and shall be called at least 60 days prior to the expiration of terms of office. The term of office of a councilman shall be for a period of 2 years unless otherwise provided herein.

SEC.2. The business council or an election board appointed by the council, shall determine rules and regulations governing all elections.

SEC.3. All elections shall be by secret ballot.

SEC.4. Commencing in 1985 and each year thereafter in which a general election is authorized under Article IV, Section 1 of this Constitution, a primary election shall be held on a reservation-wide basis at least 60 days prior to the general election. Any qualified member of the Shoshone-Bannock Tribes may announce his or her candidacy for the primary election by petition signed by not less than 12 eligible voters. Petitions for nomination to run in the primary election shall be filed with the secretary of the business council at least 30 days prior to the primary election. It shall be the duty of the secretary to post in at least three public places on the reservation at least two weeks before the primary election the names of all candidates for the council who have met these requirements. Incumbent council members who wish to seek re-election to another term of office shall not be required to file for or to run in the primary election if such members shall file with the secretary at least 30 days prior to the primary election a petition for nomination to run in the general election, which shall be signed by not less than 12 eligible voters. The number of candidates receiving the highest number of votes in the primary election shall qualify for the general election, provided the number of candidates thus qualifying shall be the same as the number of council seats to be selected in the general election, plus one additional candidate for each incumbent council member who has not filed for re-election. It shall be the duty of the secretary to post in at least three public places on the reservation at least two weeks before the general election the names of all candidates selected in the primary election and the names of all incumbent council members who have properly filed to seek re-election. The candidates or the incumbents receiving the highest number of votes in the general election shall serve terms of office as set forth in Article IV, Section 1 of this Constitution. *(Amendment No. IV, Adopted February 15, 1985, approved by Portland Area Director March 13, 1985).*

SEC.5. The business council or a board appointed by the business council shall certify to the election of the members of the business council within 5 days after the election returns.

SEC.6. Any member of the Shoshone-Bannock Tribes of the Fort Hall Reservation who is 21 years of age or over, and who has maintained legal residence for at least 1 year on the Fort Hall Reservation shall be entitled to vote.

SEC.7. The business council or a board appointed by the business council shall designate the polling places and appoint all election officials.

Article V - Vacancies and Removal From Office

SECTION 1. If a member of the business council shall die, resign, or be removed or recalled from office, permanently leave the Reservation, or shall be found guilty of a felony or misdemeanor involving dishonesty in any Indian, State, or Federal court, the business council shall declare the position vacant. A general election conducted on a reservation-wide basis shall be held within 60 days of the date that the vacancy occurs to fill the unexpired term if at least 180 days of that term remain on the date the vacancy occurs. Any qualified member of the Tribes may announce his or her candidacy for such general election by a petition signed by not less than 12 eligible voters, which shall be filed with the secretary of the business council at least 30 days prior to such general election. It shall be the duty of the secretary to post in at least three public places on the reservation at least two weeks before any such general election the names of all candidates for the vacant position who have met these requirements. No primary election shall be held to fill any vacated position prior to expiration of the term of office. *(Amendment No. VI. Adopted February 15, 1985, approved by Portland Area Director March 13, 1985).*

SEC.2. The business council may by four affirmative votes expel any member for neglect of duty or gross misconduct. Before any vote for expulsion is taken on the matter, such member or official shall be given a written statement of the charges against him at least 5 days before the meeting of the business council before which he is to appear, and an opportunity to answer any and all charges at such designated council meeting. The decision of the business council shall be final.

SEC.3. Upon receipt of a petition signed by one-third of all eligible voters on a reservation-wide basis calling for the recall of any member of the council, it shall be the duty of the council to call an election on such recall petition. No member may be recalled in any such election unless at least 30 percent of all the eligible voters on a reservation-wide basis shall vote at such election, and a majority of those voting are in favor of the recall. (*Amendment No. V, adopted February 15, 1985, approved by Portland Area Director March 13, 1985*).

Article VI - Powers and Duties of the Business Council

SECTION 1. The business council of the Fort Hall Reservation shall exercise the following powers, subject to any limitations imposed by the Statutes or the Constitution of the United States, and subject further to all express restrictions upon such powers contained in this constitution and bylaws and subject to review at any annual or special meeting of the Shoshone-Bannock Tribes.

- (a) To negotiate with the Federal, State, and local Governments on behalf of the tribes and to advise and consult with the representatives of the Interior Department on all activities of the Department that may affect the Fort Hall Reservation.
- (b) To employ legal counsel for the protection and advancement of the rights of the Shoshone-Bannock Tribes, the choice of counsel and fixing of fees to be subject to the approval of the tribes and of the Secretary of the Interior.

- (c) To purchase, exchange, sell, dispose of, or encumber Tribal fee lands, interests in fee lands, or other non-trust tribal property, to the extent permitted by tribal land and/or federal law, and to lease tribal land as permitted by tribal and federal law. (*Amendment No. VII, Adopted July 15, 2013, Approved by Northwest Regional Director August 18, 2013*).
- (d) To advise the Secretary of the Interior with regard to all appropriation estimates or Federal projects for the benefit of the Fort Hall Reservation prior to the submission of such estimates to the Bureau of the Budget and to Congress.
- (e) To make assignments of tribal land to members of the Shoshone-Bannock Tribes in conformity with Article VIII of this Constitution.
- (f) To undertake and manage all economic affairs and enterprises in accordance with the terms of a charter that may be issued to the Shoshone-Bannock Tribes by the Secretary of the Interior.
- (g) To appropriate for salaries of tribal officials or for public purposes of the reservation any available funds, provided that any such appropriation made prior to July 1, 1940, shall be subject to review by the Secretary of the Interior.
- (h) To levy taxes upon members of the Shoshone-Bannock Tribes and to require the performance of community labor in lieu thereof, and to levy taxes or license fees, subject to review by the Secretary of the Interior, upon non-members doing business within the reservation.
- (i) To exclude from the restricted land of the Fort Hall Reservation persons not legally entitled to reside therein, under ordinances which shall be subject to review by the Secretary of the Interior.
- (j) To enact resolutions or ordinances not inconsistent with Article II of this Constitution governing adoption and abandonment of membership.
- (k) To promulgate and enforce ordinances, which shall be subject to review by the Secretary of the Interior, governing the conduct of members of the Fort Hall Reservation, and

providing for the maintenance of law and order and the administration of justice by establishing a reservation court and defining its duties and powers.

- (l) To safeguard and promote the peace, safety, morals, and general welfare of the Fort Hall Reservation by regulating the conduct of trade and the use and disposition of property upon the reservation, provided that any ordinances directly affecting non-members of the reservation shall be subject to review by the Secretary of the Interior.
- (m) To charter subordinate organizations for economic purposes, and to regulate the activities of cooperative associations of members of the Shoshone-Bannock Tribes by ordinance, provided that any such ordinance shall be subject to review by the Secretary of the Interior.
- (n) To regulate the inheritance of property, real and personal, other than allotted lands within the territory of the Fort Hall Reservation, subject to review by the Secretary of the Interior.
- (o) To regulate the domestic relations of members of the tribes, subject to review by the Secretary of the Interior.
- (p) To provide for the appointment of guardians for minors and mental incompetents by ordinances or resolutions, subject to review by the Secretary of the Interior.
- (q) To cultivate and preserve native arts, crafts, culture, and Indian ceremonials.
- (r) To adopt resolutions regulating the procedure of the council itself and of other tribal agencies and tribal officials of the reservation.
- (s) To delegate to subordinate boards, committees, or cooperative associations which are open to all members of the tribes any of the foregoing powers, reserving the right to review any action taken by virtue of such delegated power.

SEC.2. Any resolution or ordinance which by the terms of this Constitution is subject to review by the Secretary of the Interior shall be presented to the superintendent of the reservation who shall, within 10 days thereafter, approve or disapprove the same,

and if such ordinance or resolution is approved, it shall there upon become effective, but the superintendent shall transmit a copy of the same, bearing his endorsement, to the Secretary of the Interior, who may, within 90 days from the date of enactment, rescind said ordinance or resolution for any cause, by notifying the council of such action: *Provided*, That if the superintendent shall refuse to approve any resolution or ordinance submitted to him within 10 days after its enactment, he shall advise the council of his reasons therefore, and the council, if such reasons appear to be insufficient, may refer it to the Secretary of the Interior, who may pass upon same and either approve or disapprove it within 90 days from its enactment.

SEC.3. The business council of the Shoshone-Bannock Tribes may exercise such further powers as may in the future be delegated to it by the Federal Government either through order of the Secretary of the Interior or by Congress, or by members of the Shoshone-Bannock Tribes (*Amendment No. II, Adopted February 15, 1985, approved by Portland Area Director March 13, 1985*).

SEC.4. Any rights and powers heretofore vested in the tribes of the Fort Hall Reservation, but not expressly referred to in this Constitution, shall not be abridged by this Article, but may be exercised by the people of the Fort Hall Reservation through the adoption of appropriate bylaws and constitutional amendments.

SEC.5. Manner of review by the tribes. - The chairman of the business council shall call a general meeting of the tribes annually, at which time he shall report in detail to the tribes what has been done during the past year and set forth the plans of the business council for the coming year. This shall be freely discussed by the Indians at this general meeting and the wishes of the people may be expressed by resolutions which shall govern the future action of the business council, to be carried into effect by appropriate ordinances. The chairman may call special meetings of the tribes when necessary and shall do so upon a petition of at least 150 legal voters.

Article VII - Bill of Rights

SECTION 1. Suffrage. - All members of the tribes over the age of 21 years shall have the right to vote in all tribal reservation elections. The residence qualifications established by Article IV of this Constitution shall apply to all elections except elections for the amendment of this Constitution and Bylaws.

SEC.2. Economic rights. - All members of the tribes shall be accorded equal opportunities to participate in the economic resources and activities of the reservation.

SEC.3. Civil liberties. - All members of the tribes may enjoy without hindrance freedom of worship, conscience, speech, press, assembly, and association.

SEC.4. Rights of accused. - Any member of the Shoshone-Bannock Tribes accused of any offense shall have the right to a prompt, open, and public hearing, with due notice of the offense charged and shall be permitted to summon witnesses upon his own behalf. Trial by jury may be demanded by any prisoner accused of any offense punishable by more than 60 days imprisonment or \$45 fine. Excessive bail shall not be required and cruel punishment shall not be imposed.

Article VIII - Land

SECTION 1. Allotted Lands. - Allotted lands, including heirship lands, within the Fort Hall Reservation shall continue to be held as heretofore by their present owners. It is recognized that under existing law such lands may be condemned for public purposes, such as roads, public buildings, or other public improvements, upon payment of adequate compensation by the Tribes. It is further recognized that under existing law such lands may be inherited by the heirs of the present owner, whether or not they are members of the Shoshone-Bannock Tribes. Likewise, it is

recognized that under existing law the Secretary of the Interior may, in his discretion, remove restrictions upon such land, upon application by the Indian owner, whereupon the land will become subject to state taxes and may then be mortgaged or sold. The right of the individual Indian to hold or to part with his land, as under existing law, shall not be abrogated by anything contained in this Constitution, but the owner of restricted land may with the approval of the Secretary of the Interior, voluntarily convey his land to the Shoshone-Bannock Tribes either in exchange for money payment or in exchange for an assignment covering the same land or other land, as hereinafter provided. (*Amendment No. VIII, Adopted July 15, 2013, Approved by Northwest Regional Director August 18, 2013*).

SEC.2. Tribal Lands. - The unallotted lands of the Fort Hall Reservation, and all lands which may hereafter be acquired by the Shoshone-Bannock Tribes or by the United States in trust for the Shoshone-Bannock Tribes, shall be held as tribal lands, and no part of such land shall be mortgaged or sold. Tribal lands shall not be allotted to individual Indians but may be assigned to members of the Shoshone-Bannock Tribes, or leased, or other wise used by the tribes as hereinafter provided.

SEC.3. Leasing of tribal lands. - Tribal lands may be leased by the business council, with the approval of the Secretary of the Interior, for such periods of time as are permitted by law. In the leasing of tribal lands, preference shall be given, first, to Indian cooperative associations, and secondly, to individual Indians who are members of the Shoshone-Bannock Tribes.

SEC.4. Grant of "standard" assignments. - In any assignment of tribal lands which are now owned by the tribes or which hereafter may be acquired for the tribes by the United States or purchased by the tribes out of tribal funds, preference shall be given, first, to heads of families which have no allotted lands or interests in allotted lands.

No member of the Shoshone-Bannock Tribes who may hereafter have the restrictions upon his land removed and whose land may thereafter be alienated shall be entitled to receive an assignment of land as a landless Indian.

The business council may, if it sees fit, charge a fee not to exceed \$5, on approval of an assignment made under this Section.

Assignments made under this section shall be for the primary purpose of establishing homes for landless Indians, and shall be known as standard assignments.

SEC.5. *Tenure of standard assignments.* - If any member of the tribes holding a standard assignment of land shall, for a period of 2 years, fail to use the land so assigned, or use such land for any unlawful purposes, his assignment may be canceled by the business council, after due notice and an opportunity to be heard, and the said land may be reassigned in accordance with the provisions of Section 4 of this Article. Upon the death of any Indian holding a standard assignment, his heirs or other individuals designated by him by will or by written request shall have a preference in the reassignment of the land, provided such persons are members of the Shoshone Bannock Tribes who would be eligible to receive a standard assignment.

SEC.6. *Grant of "exchange" assignments.* - Any member of the tribes who owns any restricted or unrestricted land or any interest therein may, with the approval of the Secretary of the Interior, voluntarily transfer his interest in such land to the tribes in exchange for an assignment to the same land or other land of equal value. If the assignee prefers, he may receive, in lieu of a specific tract of land, a proportionate share in a larger grazing unit.

Assignments made under this Section shall be known as exchange assignments.

SEC.7. *Leasing of exchange assignments.* - Exchange assignments may be used by the assignee or leased by him to cooperative associations of the members, or to individual members or, if no member nor cooperative association is able and willing to rent the land at a reasonable fee, then such assignments may be leased to non-members in the same manner as allotted lands.

SEC.8. *Inheritance of exchange assignments.* - Upon the death of the holder of any exchange assignments, such interests shall be reassigned by the business council to his heirs, or devisees, subject to the following conditions:

- (a) Such land may not be reassigned to any heir or devisee who is not a member of the Shoshone-Bannock Tribes, except that a life assignment may be made to the surviving widower or widow of the holder of an assignment.
- (b) Such lands may not be reassigned to any heir or devisee who already holds more than an economic unit of grazing land or other land or interest in lands of equal value, to be determined from time to time by the business council.
- (c) Such lands may not be subdivided among heirs or devisees into units too small for convenient management. No area of grazing land shall be subdivided into units smaller than 160 acres, and no area of agriculture land shall be subdivided into units smaller than 10 acres, except that land used for buildings or other improvements may be divided to suit the convenience of the parties. Where it is impossible to divide the land properly among the eligible heirs or devisees, the business council shall issue to such heirs or devisees interests in tribal land or property of the same value as the assignment of the decedent.
- (d) If there are no eligible heirs or devisees of the decedent, the land shall be eligible for reassignment in accordance with the provisions of Section 4 of this Article.

SEC.9. Inheritance of improvements. - Improvements of any character made upon assigned land may be bequeathed to and inherited by members of the Shoshone-Bannock Tribes or otherwise disposed of under such regulations as the business council shall provide. No permanent improvements shall be removed from the land without the consent of the business council.

SEC.10. Exchange of assignments. - Assignments may be exchanged between members of the Shoshone-Bannock Tribes by common consent in such manner as the business council shall designate.

SEC.11. Use of unassigned tribal land. - Tribal land which is not assigned, including tribal timber reserves, shall be managed by the business council for the benefit of the members of the entire tribe, and any cash income derived from such land accrue to the benefit of the tribes as a whole. All action of the business council with respect to such lands shall be in conformity with departmental regulations for the protection of Indian range and timber resources authorized by section 6 of the act of June 18, 1934.

SEC.12. Purchase of land by tribes. - Tribal funds may be used to acquire any land within or outside the Fort Hall Reservation. (*Amendment No. IX, Adopted July 15, 2013, Approved by Northwest Regional Director August 18, 2013*).

SEC.13. Method of making assignments. - Applications for assignments shall be filed with the secretary of the business council and shall be in writing, setting forth the name of the person or persons applying for the land and as accurate a description of the land desired as the circumstances will permit. Notices of all applications received by the secretary shall be posted by him in the agency office and in at least three conspicuous places on the reservation for not less than 20 days before action is taken by the business council.

Any member of the tribes wishing to oppose the granting of an assignment shall do so in writing, setting forth his objections to be filed with the secretary of the business council and may, if he so desires, appear before the business council to present evidence. The secretary of the business council shall furnish the superintendent or other officers in charge of the agency a complete record of all action taken by the business council upon applications for assignment of land, and a complete record of assignments shall be kept in the agency office and shall be open for inspection by members of the tribes. The business council shall draw up one or more forms for standard assignments, which shall be subject to the approval of the Secretary of the Interior.

Article IX - Referendum

SECTION 1. Upon a petition of at least one-third of the eligible voters of the Shoshone-Bannock Tribes, or upon the request of a majority of the members of the business council, any enacted or proposed ordinance or resolution of the council shall be submitted to a popular referendum, and the vote of the majority of the qualified voters voting in such referendum shall be conclusive and binding on the business council provided that at least 30 percent of the eligible voters shall vote in such election.

Article X - Amendments

SECTION 1. Amendments to the Constitution and Bylaws may be ratified and approved in the same manner as this constitution and bylaws. Whenever the business council shall, by a vote of five or more members, call for the submission of an amendment, the Secretary of the Interior shall call an election upon the proposed amendment. If at such election the amendment is adopted by a majority of the qualified voters of the tribes voting thereon and if at least 30 percent of those entitled to vote shall vote in such election, such amendment shall be submitted to the Secretary of the Interior and if approved by him, shall thereupon take effect.

BYLAWS FOR THE SHOSHONE-BANNOCK TRIBES OF THE FORT HALL RESERVATION OF IDAHO

Article I - The Business Council

SECTION 1. *Chairman of the business council.* - The chairman of the business council shall preside over all meetings of the tribes and all meetings of the business council. He shall perform all duties of a chairman and exercise any authority delegated to him by the business council. He shall vote only in the case of a tie.

SEC.2. *Vice chairman of the business council.* - The vice chairman of the business council shall assist the chairman when called upon to do so, and in the absence of the chairman, he shall preside. When so presiding, he shall have all the rights, privileges, and duties as well as responsibilities of the chairman.

SEC.3. *Secretary of the business council.* - The secretary of the business council shall conduct all tribal correspondence and keep a complete and accurate record of all matters transacted at council meetings. It shall be his duty to submit promptly to the superintendent of the jurisdiction, and to the Commissioner of Indian Affairs, copies of all minutes of regular and special meetings of the business council and the tribes.

SEC.4. *The treasurer of the business council.* - The treasurer of the business council shall accept, receive, receipt for, preserve, and safeguard all funds in the custody of the business council, whether same be tribal funds or special funds for which the business council is acting as treasurer or custodian. He shall deposit all such funds in such banks or elsewhere as directed by the business council and shall make and preserve a faithful record of such funds and shall report on all receipts and expenditures and the amount and nature of all funds in his possession or custody, such report being made in writing to the business council at regular meetings and at such other times as requested by the business council. He shall not pay out or otherwise

disburse any funds in his possession or custody, or in the possession or custody of the business council, except when properly authorized to do so by resolution duly passed by the business council.

The books and records of the treasurer shall be audited at least once each year by a competent auditor employed by the business council and at such other times as the business council or the commissioner of Indian Affairs shall direct. The treasurer shall be required to give a bond satisfactory to the business council and to the Commissioner of Indian Affairs. The treasurer shall be present at all special and regular meetings of the business council.

SEC.5. *Appointive officers.* - The duties of all appointive committees or officers appointed by the Fort Hall business council shall be clearly defined by resolution of the business council at the time of their creation or appointment. Such committees and officers shall report, from time to time as required, to the business council, and their activities and decisions shall be subject to review by the business council upon the petition of any person aggrieved.

Article II - Certification of Election

SECTION 1. Newly elected members who have been duly certified by the business council to the secretary shall be installed at the first regular meeting of the business council.

Article III - Installation of Councilmen

SECTION 1. Each member of the business council and each officer or subordinate officer elected or appointed hereunder shall take an oath of office prior to assuming the duties thereof by which oath he shall pledge himself to support and defend the Constitution of the United States and this Constitution and Bylaws. The following form of oath of office shall be given: "I, _____ do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies; that I will carry out faithfully and impartially the duties of my office to the best of my ability; and that I will

cooperate, promote, and protect the best interests of my people in accordance with this constitution and bylaws.”

Article IV - Time and Place of Regular Meeting and Procedure

SECTION 1. Meetings. - Regular meetings of the business council shall be held on the second Tuesday of each month at Fort Hall, Idaho, at a designated building or hall where official records will be kept. Special meetings may be called by written notice signed by the chairman or by a majority of the business council members and when so called, the business council shall have power to transact business as in regular meetings.

SEC.2. Quorum. - No business shall be transacted unless a quorum is present. A quorum shall consist of five councilmen. A quorum at a general meeting of the tribes shall consist of at least 150 voters at the annual meeting, and 100 voters at a called meeting.

SEC.3. Order of business. - The following order of business is established for all meetings:

- Call to order by the chairman.
- Roll call.
- Ascertainment of a quorum.
- Reading of the minutes of the last meeting.
- Adoption of the minutes by vote or common consent.
- Unfinished business.
- New business.
- Adjournment.

SEC.4. Report of meetings. - It shall be the duty of each member of the business council to make reports concerning the proceedings of the business council to the members of the district from which he is elected.

SEC.5. Salaries. - The business council may prescribe such salaries for officers or members of the council as it deems advisable from such funds as may be available.

Article V - Ordinances and Resolutions

SECTION 1. Ordinances. - All final decisions of the business council on matters of general and permanent interest to the members of the Shoshone-Bannock Tribes shall be embodied in ordinances, such ordinances to be published from time to time for the information and education of the members of the Shoshone-Bannock Tribes.

SEC.2. Resolutions. - All final decisions of the business council on matters of temporary interest (such as action on the reservation budget for a single year, or petitions to Congress or the Secretary of the Interior) or relating especially to particular individuals or officers (such as adoption of members and instructions for tribal employees) or rules of order for the council shall be embodied in resolutions. Such resolutions shall be recorded in a special book which shall be open for inspection of the members of the Shoshone-Bannock Tribes.

SEC.3. Procedure. - All questions of procedure (such as acceptance of committee reports or invitations to outsiders to speak) shall be decided by motion of the business council or by ruling of the chairman if no objection is heard.

In all ordinances, resolutions, or motions the business council may act by majority vote, but all matters of importance shall be fully discussed and a reasonable attempt shall be made to secure unanimous agreement.

SEC.4. Legislative forms. - Every ordinance shall begin with the words: “*Be it enacted by the business council of the Shoshone-Bannock Tribes. . .*”

Every resolution shall begin with the words: “*Be it resolved by the business council of the Shoshone-Bannock Tribes. . .*”

Every ordinance or resolution shall contain a recital of the laws of the United States and the provisions of this constitution under which authority for the said ordinance or resolution is found.

Article VI - Ratification of Constitution and Bylaws

SECTION 1. - This Constitution and Bylaws shall be in full force and effect whenever a majority of the adult voters of the Shoshone-Bannock Tribes voting at an election called by the Secretary of the Interior in which at least 30 percent of the eligible voters shall vote, shall have ratified such constitution and bylaws, and the Secretary of the Interior shall have approved same, as provided in the act of June 18, 1934, as amended by the act of June 15, 1935.

CERTIFICATE OF ADOPTION

Pursuant to an order, approved March 13, 1936, by the Secretary of the Interior, the attached Constitution and Bylaws were submitted for ratification to the members of the Shoshone-Bannock Tribes of the Fort Hall Reservation and were on March 31, 1936, duly ratified by a vote of 358 for, and 86 against, in an election in which over 30 percent of those entitled to vote cast their ballots, in accordance with section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the act of June 15, 1935 (49 Stat. 378).

R.W. Dixey,
Chairman of Election Board.
Tom Cosgrove,
Secretary.

Charley Peterson,
Chairman of Business Council.
F.A. Gross,
Superintendent.

I, Harold L. Ickes, the Secretary of the Interior of the United States of America, by virtue of the authority granted me by the act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Constitution and Bylaws of the Shoshone-Bannock Tribes of the Fort Hall Reservation.

All rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Constitution and Bylaws are hereby declared inapplicable to the members of the Shoshone-Bannock Tribes of the Fort Hall Reservation.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and Bylaws.

Approval recommended April 21, 1936.

John Collier,
Commissioner of Indian Affairs.

Harold L. Ickes,
Secretary of the Interior.

[SEAL]

Washington, D.C., April 30, 1936.