



**Constitution and By-Laws
For The Blackfeet Tribe Of The
Blackfeet Indian Reservation
Of Montana**

Approved December 13, 1935

Amendment	I	-	Approved	January 18, 1946
Amendment	II	-	Approved	May 24, 1950
Amendment	III	-	Approved	August 30, 1962
Amendment	IV	-	Approved	August 3, 1964
Amendment	V	-	Approved	August 3, 1964
Amendment	VI	-	Approved	August 3, 1964
Amendment	VII	-	Approved	August 3, 1964
Amendment	VIII	-	Approved	March 7, 1974
Amendment	IX	-	Approved	April 28, 1978
Amendment	X	-	Approved	October 19, 1998
Amendment	XI	-	Approved	October 19, 1998

Constitution and By-Laws For The Blackfeet Tribe Of The Blackfeet Indian Reservation Of Montana

We, the adult members of the Blackfeet Indian Tribe, pursuant to the authority vested in us by Section 16 of the Act of June 18, 1934 (48 Statutes at large, page 986), and amendments thereto, do hereby organize for the common welfare of said tribe and the members thereof, and for such purpose do adopt the following constitution for the government, protection, and common welfare of the said tribe and members thereof.

ARTICLE I - TERRITORY

The jurisdiction of the Blackfeet Tribe shall extend to the territory within the confines of the Blackfeet Reservation boundaries as defined in the agreement of September 26, 1895; and to such other lands as may be hereafter added thereto under any law of the United States, except as otherwise provided by law.

ARTICLE II - MEMBERSHIP

AMENDMENT III

Section 1. The members of the Blackfeet Tribe shall consist as follows:

- (a) All persons of Indian blood whose names appear on the official census roll of the tribe as of January 1, 1935.
- (b) All children prior to the adoption of this amendment to any blood member of the Blackfeet Tribe maintaining a legal residence within the territory of the Reservation at the time of such birth.
- (c) All children having one-fourth (1/4) degree of Blackfeet Indian blood or more born after the adoption of this amendment to any blood member of the Blackfeet Tribe.

(AMENDMENT III APPROVED AUGUST 30, 1962)

Section 2. The tribal council shall have the power to promulgate ordinances, subject to review by the Secretary of the Interior, governing future membership and the adoption of new members.

ARTICLE III - GOVERNING BODY

AMENDMENT IV

Section 1. The governing body of the Blackfeet Tribe shall consist of a council known as the Blackfeet Tribal Business Council.

AMENDMENT IX

Section 2. The Blackfeet Tribal Business Council shall consist of nine (9) members duly elected from the four (4) districts of the Blackfeet Indian Reservation which are designated as follows: Browning District, Heart Butte District, Seville District, and Old Agency District.

The election of all Tribal Council members shall be submitted to the entire electorate of the Reservation, provided that no one shall be elected as a councilman who has not resided within the exterior boundaries of the Blackfeet Reservation for a period of 1 year immediately prior to being a candidate and who has not resided in the district from which he or she is a candidate at least six (6) months immediately prior to the time when he or she shall become a candidate for such office.

(AMENDMENT I & IV SUPERSEDED BY AMENDMENT IX APPROVED APRIL 28, 1978)

Section 3. In lieu of the districts herein described the tribal council shall have the power to establish communities, and the basis of representation on the tribal council from such communities, subject to popular vote.

Section 4. (a) The tribal council so organized shall elect from its membership: (1) A chairman; (2) A vice chairman.

(b) The tribal council shall elect from within or outside of its own membership: (1) A secretary; (2) A sergeant-at-arms; (3) Such other officers and committees as may be deemed necessary.

ARTICLE IV - ELECTIONS AND NOMINATIONS FOR THE TRIBAL COUNCIL

AMENDMENT X

Section 1. At the first General election following the adoption of this amendment, the candidate from each District having the largest total

vote shall be elected for a term of four (4) years. The candidate elected to a position from each District having the second largest total vote shall be elected for a term of two (2) years, except that the candidates elected to positions in the Browning District and having the second and third largest total votes shall be elected for a term of two (2) years. In all General elections thereafter, members of the Blackfeet Tribal Business Council shall be elected for a term of four (4) years by the eligible voters of the Blackfeet Tribe.

Section 2. Members of the Blackfeet Tribal Business Council shall be elected to specifically enumerated positions as follows: Positions one, two, three, four, five, six, seven, eight and nine. Positions one, two and three shall be from the Browning District; positions four and five shall be from the Heart Butte District; positions six and seven shall be from the Seville District; and positions eight and nine shall be from the Old Agency District.

Section 3. (a) A Primary election for membership on the Blackfeet Tribal Business Council shall be held on the first Tuesday in June of even numbered years, commencing in the year 2000.

(b) The two (2) candidates receiving the largest and second largest number of votes for each of the positions enumerated in Section 2 shall be certified as to their nominations as candidates for the General election by the Blackfeet Tribal Election Board within seventy-two (72) hours of the closing of the polls of the Primary election. In the event of a tie in any one position, those candidates tied with one of the top two shall be certified as to their nominations as candidates for the General election.

Section 4. (a) A General election for membership on the Blackfeet Tribal Business Council shall be held on the last Tuesday of June in even-numbered years commencing in the year of 2000.

(b) The candidate from one of the positions in each District having the largest total number of votes shall be elected for a term of four (4) years; the candidate or candidates who is elected to a position in each District and has the second largest number of votes shall be elected for a term of two (2) years, except that the candidates who are elected to positions from the Browning District and have the second and third largest number of votes shall be elected for a term of two (2) years. In all General elections thereafter, members of the Blackfeet Tribal Business Council

shall be elected for a term of four (4) years by the eligible voters of the Blackfeet Tribe.

(c) At the first General election following the adoption of this Amendment, the Blackfeet Tribal Election Board shall, within seventy-two (72) hours of the closing of the polls, certify the candidates from the positions as set forth in Section 4(b) as having been elected to the Blackfeet Tribal Business Council for either a two-year or four-year term.

(d) In each General election held thereafter, the candidates shall be certified within seventy-two hours of the closing of the polls of the General election as having been elected to a four-year term on the Blackfeet Tribal Business Council.

Section 5. (a) At the first General election following the adoption of this Amendment, the terms of office of the candidates in each District receiving the largest number of votes shall expire in four (4) years, on the second Thursday of July in an even-numbered year. The terms of office for the candidates who are elected to a position in each District and receive the second largest number of votes shall expire in two (2) years, on the second Thursday of July in an even-numbered year. Provided, however, that the terms of office of the candidates elected to a position from the Browning District and receiving the second and third largest number of votes shall expire in two (2) years, on the second Thursday of July in an even-numbered year.

(b) All candidates shall thereafter be elected for a term of four (4) years and the terms of office shall expire on the second Thursday in July of even-numbered years.

**(AMENDMENT IV & IX SUPERSEDED BY AMENDMENT X
APPROVED OCTOBER 19, 1998)**

Section 6. (a) Each qualified candidate for the Blackfeet Tribal Business Council shall file a notice of candidacy with the Blackfeet Tribal Election Board at least twenty (20) days prior to the primary election and shall at that time declare the one position sought.

(b) The list of primary election candidates shall be posted by the Blackfeet Tribal Election Board in at least ten (10) conspicuous locations

on or near the Blackfeet Indian Reservation not less than ten (10) days prior to the primary election.

Publication in a newspaper of general circulation on the Blackfeet Indian Reservation shall constitute two such postings.

(c) The list of General election nominees shall be posted by the Blackfeet Tribal Election Board in at least ten (10) conspicuous locations on or near the Blackfeet Indian Reservation not less than ten (10) days prior to the general election.

Publication in a newspaper of general circulation on the Blackfeet Indian Reservation shall constitute two such postings.

Section 7. All elections shall be held in accordance with the rules and regulations laid down by the Blackfeet Tribal Business Council or by an Election Board appointed by the Tribal Council.

Section 8. Voting places shall be designated by the Tribal Council, or, if so authorized by the Council, by the Election Board.

Section 9. All elections shall be by secret ballot.

Section 10. Any member of the Blackfeet Tribe eighteen (18) years of age or older shall be eligible to vote when he or she presents himself or herself to the polling place wherein he or she is assigned to vote.

**(AMENDMENT II & VIII SUPERSEDED BY AMENDMENT IX
APPROVED APRIL 28, 1978)**

**(AMENDMENT IX SUPERSEDED BY AMENDMENT X
APPROVED OCTOBER 19, 1998)**

(AMENDMENT XI - APPROVED OCTOBER 19, 1998)

ARTICLE V - VACANCIES AND REMOVAL FROM OFFICE

Section 1. If a council member or official shall die, resign, permanently leave the Reservation, be removed for cause or be recalled pursuant to Section 4 herein, the Council shall declare the position vacant and shall elect to fill the unexpired term, provided that the person elected to fill the

unexpired term shall be a resident of the district in which the vacancy occurred.

Section 2. The Blackfeet Tribal Business Council may expel a member for cause by two-thirds (2/3) or more members of the entire Blackfeet Tribal Business Council voting for expulsion. Before any vote for expulsion is taken on the matter, such member shall be given an opportunity to answer any and all charges at a designated Council meeting, and the decision of the Blackfeet Tribal Business Council shall be final.

Section 3. Any member of the Blackfeet Tribe who has ever been convicted of a felony in any court for which he has not received a pardon or a restoration of civil rights shall be ineligible for office and any Tribal Council member or other tribal officer found guilty by the Blackfeet Tribal Business Council of gross neglect of duty, misconduct reflecting on the dignity of the Tribe or Blackfeet Tribal Business Council, habitual drunkenness, or repeated unexcused absences from official functions shall be expelled from office and shall be barred from holding any tribal office for the next succeeding term.

Section 4. Upon a petition to the Blackfeet Tribal Business Council by at least twenty percent (20%) of the total eligible voters of the Blackfeet Tribe, a recall election shall be held within thirty (30) days of the submitting of the petition to the Tribal Council to determine whether a member of the Blackfeet Tribal Business Council shall be recalled and removed from office. The vote of a majority of the qualified voters voting in the recall election shall be conclusive and binding.

If a majority of the qualified voters voting in a recall election vote to recall a member of the Blackfeet Tribal Business Council, the member of the Tribal Council shall be recalled and removed from office upon certification of the recall election by the Blackfeet Tribal Election Board. The certification of the recall election shall occur with seventy-two (72) hours of the recall election.

If a majority of the qualified voters voting in a recall election vote not to recall a member of the Blackfeet Tribal Business Council, the member of the Tribal Council shall remain in office and continue to perform the duties and responsibilities of a member of the Tribal Council.

(AMENDMENT IV APPROVED AUGUST 3, 1964)

**(AMENDMENT IV SUPERSEDED BY AMENDMENT XI
APPROVED OCTOBER 19, 1998)**

ARTICLE VI - POWERS OF THE COUNCIL

Section 1. Enumerated Powers - The council of the Blackfeet Reservation shall exercise the following powers, subject to any limitations embodied in the statutes or the Constitution of the United States, and subject further to all express restrictions upon such powers contained in this constitution and the attached by-laws.

(a) To negotiate with the federal, state and local governments on behalf of the tribe and to advise and consult with the representatives of the Interior Department on all activities of the Department that may affect the Blackfeet Tribe.

(b) To employ legal counsel for the protection and advancement of the rights of the Blackfeet Tribe and its members; the choice of counsel and the fixing of fees to be approved by the Secretary of the Interior.

(c) To prevent the sale, disposition, lease or encumbrance of tribal lands, interests in lands or other tribal assets, without consent of the tribe.

(d) To advise the Secretary of the Interior in regard to all appropriation estimates or federal projects for the benefit of the Blackfeet Tribe prior to the submission of such estimates to the Bureau of the Budget and Congress.

(e) To manage all economic affairs and enterprises of the Blackfeet Reservation, including all oil leases on tribal lands and the disposition of all oil royalties from tribal lands, in accordance with the terms of a charter to be issued to the Blackfeet Tribe by the Secretary of the Interior.

(f) To make assignments of tribal lands to members of the Blackfeet Tribe in conformity with Article VII of this constitution.

AMENDMENT VI

(g) To manage tribal affairs in an acceptable and businesslike manner and in accordance with the administrative plan, called the Plan of Operations,

and by amendments as necessary, subject to approval by the Secretary of the Interior or his duly authorized representative. All salaries or remuneration shall be paid as set forth in the Plan of Operations. The tribe shall pay only for services officially authorized in the administrative plan and actually received. The amount shall be a matter of public record.

(AMENDMENT VI APPROVED AUGUST 3, 1964)

(h) To regulate and license all business or professional activities conducted upon the reservation, subject to the approval of the Secretary of the Interior and to levy assessments for public purposes, provided that any assessments upon nonmembers trading or residing within the jurisdiction of the tribe shall be subject to the approval of the Secretary of the Interior.

(i) To exclude from the land owned by the tribe or its members persons not legally entitled to reside thereon, under ordinances which shall be subject to review by the Secretary of the Interior.

(j) To requisition community labor for public purposes of the tribe and to purchase land from members of the tribe under condemnation proceedings in courts of competent jurisdiction, subject to review by the Secretary of the Interior.

(k) To promulgate ordinances for the purposes of safeguarding the peace and safety of residents of the Blackfeet Indian Reservation, and to establish minor courts for the adjudication of claims or disputes arising amongst the members of the tribe, and for the trial and punishment of members of the tribe charged with the commission of offenses set forth in such ordinances.

(l) To regulate the inheritance of real and personal property other than allotted lands within the Blackfeet Reservation, subject to review by the Secretary of the Interior.

(m) To encourage and foster Indian arts, crafts, culture and traditions.

(n) To enact ordinances not inconsistent with Article II of this constitution, governing adoption and abandonment of membership, and to keep at all times a correct roll of the Blackfeet Reservation.

(o) To provide for the appointment of guardians for minors and mental incompetents, by ordinances or resolutions, subject to the approval of the Secretary of the Interior.

(p) To promulgate rules and regulations governing fishing, hunting and trapping of the Blackfeet Reservation.

(q) To adopt resolutions regulating the procedure of the council itself, and of other tribal agencies and tribal officials of the reservation.

(r) To delegate to subordinate boards or to cooperative associations which are open to all members of the tribe any of the foregoing powers, reserving the right to review any actions taken by virtue of such delegated powers.

Section 2. Manner of Review - 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 ten (10) days thereafter, approve or disapprove the same. If the superintendent shall approve any ordinance or resolution, it shall thereupon become effective, but the superintendent shall transmit a copy of the same, bearing his endorsement, to the Secretary of the Interior, who may, within ninety (90) days from the date of enactment, rescind the said ordinance or resolution for any cause, by notifying the tribal council of such decision. If the superintendent shall refuse to approve any resolution or ordinance submitted to him, within ten (10) days after its enactment, he shall advise the Blackfeet Tribal Business Council of his reason thereof. If these reasons appear to the council insufficient, it may, by a majority vote, refer the ordinance or resolution to the Secretary of the Interior, who may, within ninety (90) days from the date of its enactment, approve the same in writing, whereupon the said ordinance or resolution shall become effective.

Section 3. Future Powers - The council of the Blackfeet Reservation may exercise further powers as may in the future be delegated to the council by the members of the tribe or the Secretary of the Interior or by any other duly authorized official or agency of the state or federal government.

Section 4. Reserved Powers - Any right and powers heretofore vested in the tribe or band of the Blackfeet 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 Blackfeet Reservation through the adoption of appropriate by-laws and constitutional amendments.

ARTICLE VII - LAND

Section 1. Allotted Lands - Allotted lands, including heirship lands, within the Blackfeet Reservation, shall continue to be held as heretofore by their present owners. It is recognized that under existing laws such lands may be condemned for public purposes, such as roads, public buildings, or other public improvements, upon payment of adequate compensation, by any agency of the State of Montana or of the federal government, or by the tribe itself. It is further recognized that under existing law such lands may be inherited by their heirs of the present owners, whether or not they are members of the Blackfeet Tribe. 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 or her land to the Blackfeet Tribe, either in exchange for a money payment or in exchange for an assignment covering the same land or other land, as hereinafter provided.

Section 2. Tribal Lands - The unallotted lands of the Blackfeet Reservation, and all lands which may hereafter be acquired by the Blackfeet Tribe or by the United States in trust for the Blackfeet Tribe, including tribal timber reserve, 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 Blackfeet Tribe, or leased, or otherwise used by the tribe as hereinafter provided.

Section 3. Leasing of Tribal Lands - Tribal lands may be leased by the tribal council, with the approval of the Secretary of the Interior, for such periods of time as are permitted by law.

No lease of tribal land to a nonmember shall be made by the tribal council unless it shall appear that no Indian cooperative association or individual member of the tribe is able and willing to use the land and to pay a reasonable fee for such use.

Grazing permits covering tribal land may be issued by the tribal council, with the approval of the Secretary of the Interior, in the same manner and upon the same terms as leases.

Section 4. Grant of "Standard" Assignments - In any assignment of tribal lands which now are owned by the tribe or which hereafter may be acquired for the tribe by the United States or purchased by the tribe out of tribal funds, preference shall be given, first, to heads of families which are entirely landless, and second to heads of families which have no allotted lands or interests in allotted lands but shall have already received assignments consisting of less than forty (40) acres of irrigated agricultural land, one hundred and sixty (160) acres of dry agricultural land or three hundred and twenty (320) acres of grazing land, or other land or interests in land of equal value.

No allotted member of the tribe 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 tribal council may, if it sees fit, charge a fee of not to exceed \$2.00 on approval of an assignment made under this section.

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

Section 5. Tenure of Standard Assignments - If any member of the tribe holding a standard assignment of land shall for a period of one (1) year fail to use the land so assigned or shall use such land for any unlawful purposes, his assignment may be cancelled by the tribal 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 Blackfeet Tribe who would be eligible to receive a "standard" assignment.

Section 6. Grant of "Exchange" Assignments - Any member of the tribe who owns an allotment or any share of heirship land or any deeded

lands within the reservation may voluntarily transfer his interest in such lands to the tribe 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.

Section 7. Leasing of Exchange Assignments - Exchange assignments may be used by the assignee or leased by him to Indian cooperative associations, to individual members of the tribe, or, if no individual Indian or Indian cooperative association is able and willing to rent the land at a reasonable fee, such assignments may be leased to non-Indians, in the same manner as allotted lands.

Section 8. Inheritance of Exchange Assignments - Upon the death of the holder of any exchange assignments, such land shall be reassigned by the tribal council to his heirs or devisees, subject to the following conditions:

(a) Such lands may not be reassigned to any heir or devisee who is not a member of the Blackfeet Tribe, except that a life assignment may be made to the surviving child, widower or widow of the holder of an assignment.

(b) 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 eighty (80) acres, and no area of agricultural land shall be subdivided into units smaller than 2 1/2 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 tribal council shall issue to such heirs or devisees grazing permits or other interests in tribal lands of the same value as the assignment of the decedent.

(c) Such lands may not be reassigned to any heir or devisee holding under allotment or assignment more than two sections of grazing land or other land of equal value.

(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.

Section 9. Inheritance of Improvements - Improvements of any character made upon assigned lands may be bequeathed to and inherited by members of the Blackfeet Tribe or otherwise disposed of under such regulations as the tribal council shall provide. No permanent improvements shall be removed from the land without the consent of the tribal council.

Section 10. Exchange of Assignments - Assignments may be exchanged between members of the Blackfeet Tribe by common consent in such manner as the tribal council shall designate.

Section 11. Use of Unassigned Tribal Land - Tribal land which is not leased or assigned, including tribal timber reserves, shall be managed by the tribe for the benefit of the members of the entire tribe, and any cash income derived from such land shall accrue to the benefit of the tribe as a whole.

AMENDMENT V

Section 12. Purchase of Land by Tribe - Tribal funds may be used to acquire land under the following circumstances:

(a) Patent in fee land within or adjacent to the boundaries of the Blackfeet Indian Reservation may be purchased either with funds under the control of the Blackfeet Tribal Business Council or, if the Secretary of the Interior so consents, with other tribal funds.

(b) Restricted or trust land, including land in heirship status, may, with the consent of the owner, be purchased with funds under the control of the Blackfeet Tribal Business Council or, if the Secretary of the Interior so consents, with other tribal funds, under such terms as may be agreed upon, and restricted or trust title taken.

(AMENDMENT V APPROVED AUGUST 3, 1964)

Section 13. Method of Making Assignments - Application for assignments shall be filed with the secretary of the 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 in the district in which the land is located for not less

than twenty (20) days before the action is taken by the council. Any member of the tribe 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 council and may if he so desires, appear before the council to present evidence. The secretary of the council shall furnish the superintendent or other officer in charge of the agency a complete record of all action taken by the council on 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 tribe.

The council shall draw up one or more forms for standard and exchange assignments, which shall be subject to the approval of the Secretary of the Interior.

ARTICLE VIII - BILL OF RIGHTS

AMENDMENT VIII

Section 1. Suffrage - Any member of the Blackfeet Tribe, eighteen (18) years of age or over, shall be eligible to vote at any election when he or she presents himself or herself at a polling place within his or her voting district.

(AMENDMENT VIII APPROVED MARCH 7, 1964)

Section 2. Economic Rights - All members of the tribe shall be accorded equal opportunities to participate in the economic resources and activities of the reservation.

Section 3. Civil Liberties - All members of the tribe may enjoy without hindrance freedom of worship, conscience, speech, press, assembly, and association.

Section 4. Rights of Accused - Any member of the Blackfeet Tribe accused of any offense shall have the right to a bond, open and public hearing, with due notice of the offense charged, and shall be permitted to summon witnesses on his own behalf. Trial by jury may be demanded by any prisoner accused of any offense punishable by more than thirty days imprisonment. Excessive bail shall not be required and cruel punishment shall not be imposed.

ARTICLE IX - REFERENDUM

Upon a petition of at least one-third (1/3) of the eligible voters of the Blackfeet Tribe, or upon the request of a majority of the members of the tribal council, any enacted or proposed ordinance or resolution of the council shall be submitted to popular referendum and the vote of a majority of the qualified voters voting in such referendum shall be conclusive and binding on the tribal council.

ARTICLE X - AMENDMENTS

This constitution and by-laws may be amended by a majority vote of the qualified voters of the tribe voting at an election called for that purpose by the Secretary of the Interior, provided that at least thirty (30) percent of those entitled to vote shall vote in such election; but no amendment shall become effective until it shall have been approved by the Secretary of the Interior. It shall be the duty of the Secretary of the Interior to call an election on any proposed amendment, at the request of two-thirds (2/3) of the council, or upon presentation of a petition signed by one-third (1/3) of the qualified voters, members of the tribe.

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BY-LAWS OF THE BLACKFEET TRIBAL BUSINESS COUNCIL OF MONTANA

ARTICLE I

To be eligible for membership on the Blackfeet Indian Tribal Council, it will be necessary that the Indian be a member of the Blackfeet Tribe, living on the Blackfeet Reservation for at least one (1) year and in the district from which he or she is a candidate for at least six (6) months immediately prior to the time at which he or she shall become a candidate for such office. The council in office shall determine whether or not he or she is an eligible candidate for the district which he or she proposes to represent.

(AMENDMENT IX APPROVED APRIL 28, 1978)

ARTICLE II - INSTALLATION OF ELECTED BUSINESS COUNCIL CANDIDATES

The newly elected candidates to the tribal council shall be installed in office at the first regular meeting of the council after certificate of their election has been issued.

ARTICLE III - POLLING PLACES

Polling places shall be established as follows until otherwise provided by ordinance of the tribal council: Browning district; Seville district; Heart Butte district; Old Agency district; Agency Community Hall; Babb Ranger Station; Agency Community Hall; Heart Butte Community Hall; Little Badger Community Hall; Old Agency Community Hall.

ARTICLE IV - JUDGES AND CLERKS

On each election day there shall be employed and stationed at each polling place three (3) election judges and two (2) clerks, who shall be named by the council in office. The judges shall judge the election and the clerks will record and tally votes.

ARTICLE V - MEETINGS

Section 1. A regular Blackfeet Tribal Business Council meeting shall be called on the first Thursday of each month, and special meetings may be called by the Chairman of the Blackfeet Tribal Business Council at such times as are deemed necessary. Meetings will be held at the Tribal Headquarters in Browning, Montana. Regular Blackfeet Tribal Business Council meetings will be open to the public and from time to time the public will be invited to participate in the discussion of matters of importance to the tribe.

Section 2. Two-thirds (2/3) of the members of the entire Blackfeet Tribal Business Council must be present to constitute a quorum to legally transact the business of the Blackfeet Tribal Business Council.

Section 3. All decisions shall be by a majority vote of the Blackfeet Tribal Business Council members at meetings at which a quorum is present; with the exceptions that a two-thirds (2/3) vote of the entire Blackfeet Tribal Business Council shall be necessary to rescind any former action of the Blackfeet Tribal Business Council, and that this section shall not supersede any Article in this Constitution that requires a vote in conflict with this amendment.

(ARTICLE V AMENDED BY AMENDMENT VII APPROVED AUGUST 3, 1964)

ARTICLE VI - DUTIES OF OFFICERS

Chairman: The chairman shall preside at all council meetings.

Vice Chairman: Should the chairman not be present at a meeting, the vice chairman shall preside in his stead.

Secretary: The secretary shall call the roll at the opening of each meeting. He then shall read the minutes of the previous meeting. The minutes shall be approved by the council, after which it shall be the secretary's duty to call to the attention of the council any unfinished business of the previous meeting. Further, the secretary shall read to the council all communications which, during the month, have been received by said council. It shall be the duty of the secretary to answer all correspondence after it has been discussed and a decision made by the council.

Sergeant-At-Arms: It shall be the duty of the sergeant-at-arms to keep order at all council meetings.

ARTICLE VII - PROCEDURE OF ADOPTION

This Constitution and the attached By-laws, when adopted by a majority vote of the voters of the Blackfeet Tribe voting at a special election called by the Secretary of the Interior, in which at least thirty (30) percent of those entitled to vote shall vote, shall be submitted to the Secretary of the Interior for his approval, and shall be in force from the date of such approval.

CERTIFICATE OF ADOPTION

Pursuant to an order, approved October 19, 1935, by the Secretary of the Interior, the attached Constitution and By-laws were submitted for ratification to the members of the Blackfeet Tribe of the Blackfeet Reservation and were on November 13, 1935, duly accepted by a vote of 884 for and 157 against in an election in which over 30 percent of these 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 14, 1935 (Pub., No. 174, 74th Cong.).

JOSEPH W. BROWN,
Chairman of Election Board

JOSEPH W. BROWN,
Chairman of Blackfeet Tribal
Business Council

LEO M. KENNERLY,
Secretary

WARREN L. O'HARA,
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 By-laws of the Blackfeet Tribe of the Blackfeet 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 or By-laws are hereby declared inapplicable to the Blackfeet Tribe of the Blackfeet Reservation.

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

APPROVAL RECOMMENDED

A. C. MONAHAN,
Acting Commissioner of Indian Affairs

HAROLD L. ICKES,
Secretary of the Interior
/SEAL/

WASHINGTON, D. C., December 13, 1935