

**RESOLUTION NO. 2018-141
LOWER BRULE SIOUX TRIBE**

**APPROVE RESOLUTION ADOPTING RECOMMENDATION OF
ELECTION BOARD CONCERNING HEARING AND REPORTING OF
TESTING OF CANDIDATES FOR DRUGS**

WHEREAS, the Lower Brule Sioux Tribe is a federally recognized Indian Tribe organized pursuant to the Indian Reorganization Act of 1934; and

WHEREAS, as empowered by the Constitution and Bylaws, Article VI, Section 1, (e) the Tribal Council as authorized by law to safeguard and promote the peace, safety, morals, and general welfare of the Lower Brule Sioux Tribe and to regulate and conduct of trade and the use and disposition of property upon the reservation provided that any ordinance directly affecting nonmembers of the reservation shall be subject to review by the Secretary of the Interior; and

WHEREAS, the Election Board unanimously passed a recommendation to the Lower Brule Sioux Tribal Council to adopt a Resolution permitting the random testing of bodily fluids for drugs at any time during the election of any candidates for office or anyone submitting a petition for an elected office; and

WHEREAS, the Election Board decided unanimously that it shall be the duty of the Election Board to submit to the Lower Brule Sioux Tribal Council positive drug tests results providing those results are brought to the Election Board's attention and proven by substantial evidence during the course of an election Board hearing; and

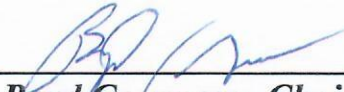
WHEREAS, the Election Board unanimously passed a recommendation to the Lower Brule Sioux Tribal Council that any positive drug test results may be considered when determining if a candidate is properly qualified to stand or be certified for office; and

NOW THEREFORE BE RESOLVED, that the Lower Brule Sioux Tribal Council does hereby formally adopts the recommendation of the Election Board stating it shall be the duty of the election Board to submit to the Lower Brule Sioux Tribal Council positive drug tests results providing those results are brought to the Election Board's attention and proven by substantial evidence during the course of an Election Board hearing; and

BE IT FURTHER RESOLVED, that the Lower Brule Sioux Tribal Council does hereby formally adopts the recommendation of the Election Board that any positive drug test results may be considered when determining if a candidate is properly qualified to stand or be certified for office.


CERTIFICATION

The foregoing resolution was duly adopted by the Lower Brule Sioux Tribal Council assembled in Regular Session with a quorum present on the 2nd day of May, 2018 by the affirmative vote of five members for, none against, none absent, and none not-voting.



Boyd Gourneau, Chairman
Lower Brule Sioux Tribe

ATTEST:



Orville Langdeau Jr., Secretary/Treasurer
Lower Brule Sioux Tribe