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*Chairman Boyd Gourneau
Vice Chairman Darrell Middletent
Secretary/Treasurer Orville Langdeau Jr.*

*Tribal Council Member John McCauley
Tribal Council Member Donnie Moore
Tribal Council Member Clyde Estes*

Lower Brule Sioux Tribal Council Meeting - September 19, 2018

RESOLUTION NO. 2018-228

***APPROVE CHANGES TO ELECTION RESOLUTIONS 2018-138, 2018-140,
2018-141***

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, a request was received from the Lower Brule Election Board to make corrections to Resolutions 2018-138, 2018-140, 2018-141; and

WHEREAS, Resolution 2018-138 to insert:

4.5 "Must be licensed to practice law and a member in good standing with the State Bar of South Dakota" and must submit proof of qualifications and proof of good with the State Bar of South Dakota at the time you submit your petition to the Lower Brule Election Board; and


Resolution 2018-140 strike out and all in 3rd WHEREAS

Resolution 2018-141 strike out and all 3rd WHEREAS and NOW THEREFORE BE RESOLVED; and

NOW THEREFORE BE RESOLVED, that the Lower Brule Sioux Tribal Council does hereby approve the changes to Resolutions 2018-138, 2018-140, 2018-14.

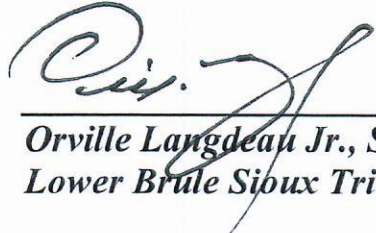
CERTIFICATION

The foregoing resolution was duly adopted by the Lower Brule Sioux Tribal Council assembled in Regular Session with a quorum present on the 19th day of September, 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

**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.