

subject to the approval of the Community Council. Notice of such application for adoption must be publicly posted for a period of thirty (30) days. Any and all protests against the admission of such applicant or applicants shall be made in writing and filed with the Community Council before the expiration of the period of posting. The decision of the Community Council shall be subject to a popular vote at the next annual election.

**SEC. 3.** Any person who is a member of the Community, but has removed therefrom for a period of two (2) years, shall automatically forfeit all rights and privileges to the benefits of said community such as land assignments and sharing in community profits.

(a) Any member who does not have the rights and privileges of membership may acquire such rights and privileges by establishing residency in the Community for a period of five continuous years; provided that, if a member was a bona fide resident of the Community on the date this subsection (a) was approved by the required Community Vote, such member may acquire the rights and privileges of membership under such Community law as was in effect prior to the date of such vote.

**SEC. 4.** The Community Council may make ordinances governing the acquisition and loss of membership, subject to review by the Secretary of the Interior.

**SEC. 5.** The administration of the foregoing powers and of all bylaws and ordinances affecting community membership, shall be vested in a Membership Committee. The acts of such committee shall be subject to review by the Community Council.

**SEC. 6.** Nothing contained in this article shall be construed to deprive any Minnesota Mdewakanton Sioux Indian of any vested right.

#### ARTICLE IV - GOVERNING BODY

**SECTION 1.** The governing body of the Community organization shall be called "The Community Council of the Lower Sioux Indian Reservation", and shall be composed of five members who shall be duly elected by secret ballot by the qualified voters of the Community.

**SEC 2.** The first election of councilmen under this Constitution and Bylaws shall be called and conducted by a provisional election committee appointed by the present community committee under such rules and regulations as the community committee may prescribe. At said first election, councilmen shall be elected for a term of two (2) years. Each elective officer shall have the right of reelection at the expiration of his term of office.

**SEC. 2A.** Beginning with the 1997 election of councilmen, the three candidates receiving the most votes shall be elected for a term of four years. The two candidates receiving the fourth and fifth most votes shall be elected for a term of two years. At the end of such two year terms, there shall be a new election for these two positions. The two candidates receiving the most votes in the new election for these two positions shall be elected for a term of four years. Thereafter there shall be an election every two years for the councilmen positions whose terms expire that year, and all councilmen, the members of the Community Council shall meet and shall elect from their membership by secret ballot a President, a Vice President, a Secretary, a Treasurer, and an Assistant Treasurer, who shall hold office for a term of 2 years or until their successors are elected.

**SEC 3.** The provisional election committee provided for in Section 2 of this article shall issue an election certificate to those members of the Community Council so elected. Said members of the Community Council receiving such certificates of election shall meet and organize for business and

shall elect for their membership by secret ballot one President, a Vice President, a Secretary, a Treasurer, and an Assistant Secretary-Treasurer, who shall hold office for a term of 2 years or until their successor is elected. At the expiration of such term of office, election of officers shall be had for each succeeding term of 2 years.

**SEC 4.** The Community Council shall have authority to appoint subordinate officers, boards, and committees.

**SEC. 5.** The Community Council shall at its first meeting after election choose and appoint from among the community members the following department chairmen:

(1) A Land Chairman: To him shall be referred all matters pertaining to the parceling, exchange, or distribution of all lands within the confines of the Lower Sioux Reservation. He shall handle all matters pertaining to said lands and their proper use in such manner as the Council prescribes and regulates. In all cases of assignment of acreage to anyone entitled to receive such, he shall make his recommendations and findings to the Council, and the Council shall take such action as they think proper.

(2) An Agricultural Chairman: He shall have charge and management of Community Farm Projects, the promotion of economical farm management, and shall cooperate in the adoption and promotion of any recommendations of Federal and State agricultural experts.

(3) A Forest and Conservation Chairman: He shall direct the management, protection, and cultivation of all wood lots and forest areas so that a sustained yield is insured, and shall have charge of and promote the conservation and protection of all wildlife and game within the confines of the reservation, in cooperation with constituted authorities.

(4) A Public Welfare Chairman: He shall have charge of all matters relative to the public welfare of the Community, such as public health, employment, safety, law and order, and other duties which the Council may prescribe.

## ARTICLE V - POWERS

SECTION 1. Enumerated Powers.-- The Community Council shall exercise the following powers, subject to any limitations imposed by the constitution or statutes of the United States, and subject further to all express restrictions upon such powers contained in this Constitution and Bylaws.

(a) To negotiate with the Federal, State, and local Governments on behalf of the Community, and to advise and consult with the representatives of the Interior Department on all activities of the Department that may affect the Lower Sioux Indian Community.

(b) To employ counsel for the protection and advancement of the rights of the Community and its members, the choice of counsel and the fixing of fees to be subject to the approval of the Secretary of the Interior.

(c) To approve or veto any sale, disposition, lease, or encumbrance of community lands, interests in lands, or other community assets.

(d) To advise the Secretary of the Interior with regard to all appropriation estimates or Federal projects for the benefit of the Community prior to the submission of such estimates to the Bureau of the Budget and to Congress.