

[Home](#)

UNITED STATES

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

CONSTITUTION AND BYLAWS

OF THE

DEVILS LAKE SIOUX TRIBE

NORTH DAKOTA

APPROVED FEBRUARY 14, 1946

UNITED STATES

GOVERNMENT PRINTING OFFICE

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**CONSTITUTION AND BYLAWS
OF THE
DEVILS LAKE SIOUX TRIBE, NORTH DAKOTA**

We, the Devils Lake Sioux Tribe, in order to form a tribal government for the proper exercise of our tribal rights and responsibilities, do establish this Constitution.

ARTICLE I-JURISDICTION

The jurisdiction of the Devils Lake Sioux Tribe shall extend over the territory with the original confines of the Devils Lake Sioux Reservation.

ARTICLE II-MEMBERSHIP

SECTION 1. The membership of the Devils Lake Tribe shall consist of:

- a. All persons of Indian blood whose names appear on the official Census Roll of the Tribe as of January 1, 1944.
- b. The children of members of the Tribe who are residents of the reservation at the time of the birth of said children.

SEC. 2. The Tribal Assembly have the power to promulgate ordinances, subject to approval by the Secretary of the Interior, covering present and future membership and the adoption of new members.

ARTICLE III-ORGANIZATION

SECTION 1. The governing body of the Tribe, under the terms of Article III, Section 3, shall be the Executive Committee consisting of members as follows:

- a. The President of the Tribal Assembly who shall be Chairman.
- b. The Chairman of the four District Councils, one of whom shall be elected as Vice-Chairman.
- c. The Secretary and Treasurer of the Tribal Assembly, who shall be without vote, and shall serve as designated.

SEC. 2. There shall be four deliberative District Councils, viz, Crow Hill, Fort Totten, Mission and Wood Lake, consisting of assemblies of all adult members of the Tribe by Districts in which they reside. Each District Council shall elect, annually in April, a Chairman, a Vice-Chairman, a Secretary and a Treasurer. Each District Council shall also elect a Commissioner of Health, a Commissioner of Education, a Commissioner of Extension and a Commissioner of Welfare, to serve on the four respective Technical Commissions for the reservation.

SEC. 3. When a general meeting for all the adult members of the Tribe is called upon at least 15 days' notice, such meeting shall constitute a Tribal Assembly. The Tribal Assembly shall elect, annually in May, a President, a Secretary and a Treasurer.

The Tribal Assembly shall have the power to review all actions of the Tribal Executive Committee, including the power to rescind regulatory measures as of the date the Assembly so acts; however, no measure of the Executive Committee shall be subject to rescission by the Tribal Assembly at any other than the first Assembly meeting following enactment of the measure by the Executive Committee.

ARTICLE IV-POWERS

The Tribal Executive Committee shall exercise powers, not in conflict with Federal Law, as follows:

- a. The power to represent the Tribe in negotiations with Federal, State and private agencies.

- b. The power to make recommendations on the expenditure of Federal, State and Tribal funds for reservation purposes.
- c. The power to employ counsel in conformity with the statutory requirements governing attorney contracts.
- d. The power to regulate the conduct and domestic relations of members of the Tribe.
- e. The power to assess members to obtain funds with which to pay the expenses of any tribal activity.
- f. The power to promulgate ordinances, subject to approval by the Commissioner of Indian Affairs, providing for the exclusion from the reservation of persons not legally entitled to remain thereon.
- g. The power to charter subordinate associations and to delegate powers and prescribe duties to such organizations and to the District Councils and Technical Commissions.

ARTICLE V-MEETINGS

SECTION 1. All members of the Tribe, twenty-one years of age or over, who have resided on the reservation for a period of one year immediately prior to a given election shall have the right to vote in said election.

SEC. 2 The Executive Committee shall meet regularly on the last Tuesday of each month, or upon call of the President of the Tribal Assembly or upon request of a majority of the District Chairmen. At any meeting of the Executive Committee, three voting members of the Committee present shall constitute a quorum.

SEC. 3. Each of the District Councils shall meet monthly, each Council designating its own time and place of meeting. The Chairman of the Council may call special meetings. At any such meeting, the following members in each district shall constitute the quorum: Crow Hill-25, Fort Totten-25, Mission-50, Wood Lake-25.

SEC. 4. Regular meetings of the Tribal Assembly shall be held three times each year, in the first week of May and October and the second week of January. Special meetings may be called by the President or by a majority of the Executive Committee. At any meeting of the Tribal Assembly one hundred members present shall constitute a quorum.

ARTICLE VI-AMENDMENTS

Amendments to this Constitution and Bylaws may be made in the same manner in which this Constitution was adopted and, if approved by the Commissioner of Indian Affairs, shall become effective.

BYLAWS OF THE DEVILS LAKE SIOUX TRIBE

ARTICLE I-DUTIES OF OFFICERS

SECTION 1. The Officers of the Tribe and the District shall perform, in accordance with Robert's Rules of Order, all duties customary to the offices held and shall exercise any authority or responsibility delegated by the governing body to which the office is immediately subordinate.

SEC. 2. The Executive Committee shall prescribe the election rules and in the event of controversy over any election shall refer the issue to the Superintendent of the Fort Totten Agency for decision.

ARTICLE II-PROCEDURES OF GOVERNING BODIES

SECTION 1. Newly elected members of Tribal and District governing bodies shall be installed at the regular May meeting of the Tribal Assembly.

SEC. 2. The governing bodies, viz, Executive Committee, District Councils and Tribal Assembly, may prescribe their respective rules of procedure for meetings.

ARTICLE III-ADOPTION OF CONSTITUTION AND BYLAWS

This Constitution and Bylaws, when ratified by a majority vote of the adult members of the Devils Lake Sioux Tribe, who shall convene for this purpose at a widely advertised general tribal assembly, shall be submitted to the Commissioner of Indian Affairs and, if approved, shall become effective.

CERTIFICATION OF ADOPTION

The attached Constitution and Bylaws was submitted for ratification to the adult Indians of the Devils Lake Sioux Tribe, North Dakota, and was on April 14, 1944, duly ratified by a vote of 116 for, and 18 against, in a General Tribal Assembly which was called for the purpose of a Constitutional vote.

CHARLES BLACKBIRD

Chairman, Constitutional Assembly

AMELDA LEAF

Secretary, Constitutional Assembly

ARCHIE PHINNEY

Superintendent, Fort Totten Agency.

Approved: *February 14, 1946*

PAUL L. FICKINGER

Acting Commissioner of Indian Affairs