

1. Constitution, Article II – Membership:

The membership of the Lower Brule Sioux Tribe shall consist as follows:

(a) All persons whose names appear on the official census roll of the tribe as of April 1, 1935, or on the official census roll of September 2, 1958.

(b) All persons born to any member or descendant of any member of the Lower Brule Sioux Tribe, regardless of residence on the reservation.

2. Constitution, Article III – Governing Body:

The Tribal Council shall consist of seven (7) members. The voters shall elect at large a Chairman, Vice-Chairman, Treasurer, and three Resident Councilmen, all of whom must reside on the reservation. The voters shall also elect at large one At-Large Councilman, who must not reside on the reservation at the time of the election.

3. Constitution, Article IV – Elections – Section 1:

All enrolled members of the Lower Brule Sioux Tribe eighteen (18) years of age or over at the time of an election, except those not permitted to vote in accordance with subsection (c), shall be eligible to vote in person or absentee. Members who have forfeited civil rights due to a criminal conviction shall not be eligible to vote until that member's civil rights have been restored.

4. Constitution, Article IV – Elections – Section 3(d):

Petitions for nominations, along with a filing fee if required, shall be filed with the Chairman of the Election Board, on or before the third Friday in June of each election year. Filing fees may set by Tribal Council, and shall be reasonable and affordable for all members.

5. Constitution, Article VI – Powers of the Tribal Council - Section 1(a):

To employ legal counsel for the protection and advancement of the rights of the Lower Brule Sioux Tribe and its members, and to assist with economic development and business needs of the Lower Brule Sioux Tribe. Counsel employed under this Article shall represent the Lower Brule Sioux Tribe or an economic subdivision thereof, and shall not represent any individual tribal member nor the Election Committee. The purpose of any such engagement shall be clearly set forth in an engagement letter or similar document and shall be limited to the purposes stated in this subsection. The choice of the counsel and fixing of fees is subject to the approval of the Secretary of the Interior where required by law.

6. Constitution, Article VI – Powers of the Tribal Council – Section 1(r):

To promulgate ordinances regulating the sale, exchange, possession, and transportation of legal intoxicants on the Lower Brule Sioux Reservation. Any fee for a license shall be reasonable, and license shall be non-transferrable.

7. Constitution, Article VI – Powers of the Tribal Council – Section 1(s):

(1) To establish such tribal corporations as necessary to develop and operate Tribal business entities;

(2) To delegate such council powers to a tribal corporation as necessary to efficiently and responsibly conduct business; and (3) To reserve the right to review any action taken by virtue of such delegated power and the right to rescind establishment and delegation of powers pursuant to (a) and (b).

The governing body of any corporation established under this section shall consist of at least a majority of tribal members, who shall be appointed by the Tribal Council based on relevant experience and qualifications. Each corporation established under this section shall report to the Tribal Council annually the names of each member of its governing body and the compensation paid to each such member in his or her role as a member of the governing body. This annual report shall be publicly available to Tribal membership.

8. Bylaws, Article III – Compensation:

The Lower Brule Personnel Policies and Procedures shall be applicable to Council members and officers with respect to salary, leave, and benefits. For compensation purposes, Tribal Council members and officers shall be classified as Level X, Step Y.

9. Bylaws, Article IV – Meetings – Section 2, Quorum:

No amendment. Notes: With the addition of a seventh council member, a quorum of 5 is the best number. It provides an odd number for voting purposes. It also eliminates the need to provide for a quorum in emergency situations because the extra seat addresses that contingency.

10. Bylaws, Article IV – Meetings – Section 4, Ordinances and resolutions:

(a) Ordinances. All final decisions of the Tribal Council on matters of general and permanent interest to the members of the Tribe shall be embodied in ordinances.

(b) Resolutions. All final decisions of the Tribal Council on matters of temporary interest (such as action on the reservation budget for a single year, or petitions to Congress or the Secretary of Interior) or relating especially to particular individuals or officials (such as adoptions of members, instructions for tribal employees or rules of order for the Tribal Council) shall be embodied in resolutions.

(c) Motions. All questions of procedure (such as acceptance of committee reports or invitations to outsiders to speak) shall be decided by motion duly passed or by the ruling of the Chairman if no objection is heard.

(d) Publication. Ordinances shall be published from time to time on the Tribal website, and shall also be available for public inspection at the Tribal Office. Resolutions shall be recorded in a special book, which shall be open to public inspection at the Tribal office.

(e) Voting. Ordinances, resolutions, and motions require four (4) votes to pass. All matters of importance shall be fully discussed and a reasonable attempt shall be made to secure unanimous agreement.