



# **Constitution and Bylaws of the Fallon Paiute-Shoshone Tribe**

**Version Sixteen**

**Tribal Election: October 2, 2010**

**BIA Approval: December 3, 2010**

Amendment No. 37  
Amendment No. 38  
Amendment No. 39  
Amendment No. 40

Article II Section 1(d)  
Article III Section 4(a)(3)  
Article V Section 5  
Article V Section 6

- Applicable ("live") sections are in the left column.
- Obsolete ("dead") sections are in the right column.

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## History of the Constitution and Bylaws - Fallon Paiute-Shoshone Tribe

<u>Version</u>	<u>Amendment</u>	<u>Section</u>	<u>Election</u>	<u>Approval</u>
Original			12/08/1963	6/12/1964
Two	1	Article III Section 1	Unknown	8/13/1971
		Article III Section 2		
		Article IV Section 4		
Three	2	Article III Section 1	Unknown	4/28/1980
	3	Article III Section 3		
	4	Article IV Section 1		
Four	5	Article II Section 2 (Bylaws)	2/19/1983	9/27/1983
Five	6	Article IV Section 3	1/08/1994	2/24/1994
	7	Article IV Section 4		
Six	8	Article VI Section 1(h)	Unknown	3/13/1995
	9	Article II Section 1 (Bylaws)		
	10	Article V Section 1		
	11	Article IX		
Seven	12	Article III Section 4	Unknown	11/22/1999
	13	Article IV Section 5		
	14	Article III Sections 1, 3, 5; Article I Sections 3, 4, 5 (Bylaws)		
Eight	15	Article II Section 3	Unknown	12/14/2000
Nine	16	Article III Section 4 (a)(4)	1/13/2001	3/15/2002
Ten	17	Article V Section 2	1/12/2002	6/03/2002
	18	Article IV Section 4		
	19	Article III Section 2		
	20	Article II Section 2 (Bylaws)		
	21	Article V Section 2 (4)		
	22	Article V Section 4		
	23	Article IV Section 5		
	24	Article V Section 1		
	25	Article V Section 3		
	26	Article III Section 4 Number 3		
Eleven	17	Article V Section 2	n/a	6/10/2005
	18	Article IV Section 4		
	19	Article III Section 2		
	20	Article II Section 2 (Bylaws)		
	21	Article V Section 2 (4)		
	22	Article V Section 4		
	23	Article IV Section 5		
	24	Article V Section 1		
	25	Article V Section 3		
	26	Article III Section 4 Number 3		
Twelve	27	Article II Section 1 (d)		10/21/2005
Thirteen	28	Preamble	12/16/2006	4/13/2007
	29	Article III Section 4(b), Article IV Section 4(a)		
	30	Article III Section 3		

# History of the Constitution and Bylaws - Fallon Paiute-Shoshone Tribe

(continued)

<u>Version</u>	<u>Amendment</u>	<u>Section</u>	<u>Election</u>	<u>Approval</u>
	31	Article X		
Fourteen	All Amendments were re-numbered-Roman numerals changed to Arabic numbers.			6/04/2010
Fifteen	No. 32	Article IV Section 2 (a), (b), and (c)	10/04/2008	10/28/2008
	No. 33	Article VI Section 1 (j) and (k)		
	No. 34	Article III Sections 2 and 3		
	No. 35	Article V Sections 1, 2, and 3		
	No. 36	Article III Section 4 (a) and (b)		
Sixteen	No. 37	Article II Section 1(d)	10/02/2010	12/03/2010
	No. 38	Article III Section 4(a)(3)		
	No. 39	Article V Section 5		
	No. 40	Article V Section 6		



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**APPLICABLE SECTIONS**

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**OBSOLETE SECTIONS**

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CONSTITUTION AND BYLAWS  
OF THE  
PAIUTE-SHOSHONE TRIBE  
OF THE  
FALLON RESERVATION AND COLONY

PREAMBLE

Amendment Number Corrected to 28 by BIA: June 4, 2010

Amendment 28 – Preamble

We, the members of the Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada, hereinafter referred to as the Fallon Paiute-Shoshone Tribe, in order to form a Tribal organization to exercise the privileges and powers of self-government, to conserve and develop our resources for the social and economic well-being of our members, and to preserve and protect the civil rights of our members, do hereby ordain and establish this Constitution and Bylaws.

(BIA Approved: April 13, 2007)

ARTICLE I  
TERRITORY

The jurisdiction of the Paiute-Shoshone Tribe shall extend to all lands within the boundaries of the Fallon Indian Reservation and Fallon Indian Colony, and to such other lands as may hereafter be added thereto.

ARTICLE II  
MEMBERSHIP

Section 1. The membership of the Paiute-Shoshone Tribe shall consist of all living persons in the following categories, provided such persons are not members of some other tribe or band:

(a) All persons whose names appear on the Fallon Allotment Schedules as approved by the Secretary of the Interior.

(b) All persons of Indian blood whose names appear on the Census of the Fallon Reservation as of January 1, 1940.

PREAMBLE

We, the members of the Fallon Reservation and Fallon Colony, Churchill County, Nevada, hereinafter referred to as the Paiute-Shoshone Tribe, in order to form a tribal organization to exercise the privileges and powers of self-government, and to conserve and develop our resources for the social and economic well-being of our members, do hereby ordain and establish this Constitution and Bylaws.

(Original – BIA Approved: June 12, 1964)

APPLICABLE SECTIONS	OBSOLETE SECTIONS
<p>(c) All persons of Indian blood whose names appear on the Census of the Fallon Colony as of January 1, 1940.</p> <p><u>Amendment 37 – Article II – Membership, Section 1(d)</u>  Direct descendents of persons in the above categories, provided that such descendents possess 1/8 or more Fallon Indian blood, whether Fallon Paiute, Fallon Shoshone, or any combination of Fallon Indian blood.  (BIA Approved: December 3, 2010)</p> <p><u>Sec. 2.</u> The official membership roll shall be prepared in accordance with an ordinance adopted by the Business Council and approved by the Commissioner of Indian Affairs or his duly authorized representative. Such ordinance shall contain procedures for enrollment, application form, approval or disapproval of application, disapproval notice, appeal procedure, and provisions for keeping the roll on a current basis.</p> <p><u>Amendment Number Corrected to 15 by BIA: June 4, 2010</u>  <u>Amendment 15 – Article II, Membership, Section 3</u>  Section 3. The Business Council shall have the power to promulgate ordinances subject to the approval of the Commissioner of Indian Affairs, or his duly authorized representative, governing future membership and loss of membership. After December 31, 1999, adoption shall no longer be a viable method of acquiring tribal members and after that date, the Business Council shall have no power to authorize individuals to become new members of the tribe by adoption or to promulgate ordinances which allow for membership to be acquired in the Tribe by adoption. This Amendment has no effect upon individuals who have acquired membership in the Tribe by way of adoption on or before December 31, 1999.  (BIA Approved: December 14, 2000)</p>	<p><u>Amendment Number Corrected to 27 by BIA: June 4, 2010</u>  NOTE: BIA mistakenly identified <u>Approval Date</u> as <u>10/12/2005</u> when this amendment was approved on June 4, 2010.  <u>Amendment 27 – Article II Section 1(d)</u>  Direct descendents of person in the above categories, provided that such descendents possess 1/8 or more Fallon Paiute and/or 1/8 Fallon Shoshone Indian Blood only.  (BIA Approved: October 21, 2005)</p> <p>(d) Direct descendants of persons in the above categories, provided that such descendants possess one-fourth or more Paiute and/or Shoshone Indian blood.  (Original – BIA Approved: June 12, 1964)</p> <p><u>Sec. 3.</u> The Business Council shall have the power to promulgate ordinances, subject to the approval of the Commissioner of Indian Affairs, or his duly authorized representative, governing future membership, loss of membership and the adoption of new members.  (Original – BIA Approved: June 12, 1964)</p>



APPLICABLE SECTIONS	OBSOLETE SECTIONS
<p style="text-align: center;"><b>ARTICLE III</b> <b>GOVERNING BODY</b></p> <p><u>Amendment Number Corrected to 14 by BIA: June 4, 2010</u>  <u>Amendment 14 – Article III, Governing Body, Section 1, 3, and</u>  <u>5</u>  Section 1. The governing body of the Paiute-Shoshone Tribe of the Fallon Reservation and Colony shall be the Fallon Business Council, composed of a Chairman, Vice-Chairman, Secretary, Treasurer, and three (3) members.  (BIA Approved: November 22, 1999)</p> <p><u>Amendment No. 34 – Article II – Governing Body, Section 2</u>  The members of the Business Council shall be elected by the eligible voters of the Tribe and shall serve a term of four (4) years or until their successors are elected and sworn into office.  (BIA Approved on July 1, 2010 <u>for October 28, 2008</u>)</p>	<p><u>Amendment Number Corrected to 2</u>  <u>by BIA: June 4, 2010</u>  <u>Amendment 2 – Article III, Governing</u>  <u>Body, Section 1</u>  Section 1. The governing body of the Paiute-Shoshone Tribe shall be the Fallon Business Council, composed of a Chairman, Vice-Chairman, a Secretary-Treasurer and four (4) Council members.  (BIA Approved: April 28, 1980)</p> <p><u>Amendment Number Corrected to 1</u>  <u>by BIA: June 4, 2010</u>  NOTE: BIA mistakenly identified <u>Approval Date as 8/19/1971</u> when this amendment was approved on June 4, 2010.  <u>Amendment 1 – Article III,</u>  <u>GOVERNING BODY, Section 1</u>  Section 1. The governing body of the Paiute-Shoshone Tribe shall consist of seven (7) members, which shall be known as the Fallon Business Council.  (BIA Approved: August 13, 1971)</p> <p><u>Section 1.</u> The governing body of the Paiute-Shoshone Tribe shall consist of five (5) members, which shall be known as the Fallon Business Council.  (Original – BIA Approved: June 12, 1964)</p> <p><u>Amendment Number Corrected to 19</u>  <u>by BIA: June 4, 2010</u>  <u>Amendment 19 – Article III,</u>  <u>Governing Body, Section 2</u>  The members of the Business Council shall be elected by the qualified voters of the Tribe and shall serve a term of four (4) years, or until their successors are elected. The four (4) Business Council members elected in the regular election of 2002 shall serve four (4) year terms. (The three (3) Council members elected in the regular election of 2001 shall serve a three (3) year term). In the regular election of 2004 and in the regular election every two (2) years thereafter, the elected Council members shall serve four (4) year terms.  (BIA Approved: June 3, 2002)</p>

APPLICABLE SECTIONS	OBSOLETE SECTIONS
<p><u>Amendment No. 34 – Article III – Governing Body, Section 3</u>  The officers of the Business Council-Chairman, Vice-Chairman, Secretary, and Treasurer – shall be elected by the eligible voters of the Tribe and shall serve a term of four (4) years or until their successors are elected and sworn into office.  (BIA Approved on July 1, 2010 <u>for October 28, 2008</u>)</p>	<p><u>Amendment Number Corrected by</u>  <u>BIA on June 10, 2005</u>  Amendment 18 Corrected to  Amendment XIV</p> <p><u>Amendment Number Corrected to 1</u>  <u>by BIA: June 4, 2010</u>  NOTE: BIA mistakenly identified  <u>Approval Date</u> as 8/19/1971 when  this amendment was approved on  June 4, 2010.  <u>Amendment 1 – Article III,</u>  <u>GOVERNING BODY, Section 2</u>  <u>Sec. 2.</u> The members of the  Business Council shall be elected by  the qualified voters of the Paiute-  Shoshone Tribe and shall serve a  term of two (2) years, or until their  successors are elected. The terms of  the members of the Business Council  shall be staggered. Four (4)  members shall be elected in the first  year after the adoption of the  amended constitution and three (3)  members shall be elected in the  second year after the adoption of the  new constitution.  (BIA Approved: August 13, 1971)</p> <p><u>Sec. 2.</u> The members of the  Business Council shall be elected  by the qualified voters of the  Paiute-Shoshone Tribe and shall  serve a term of two (2) years, or  until their successors are elected.  (Original – BIA Approved: June  12, 1964)</p> <p><u>Amendment Number Corrected to 30</u>  <u>by BIA: June 4, 2010</u>  <u>Amendment 30 – Article III –</u>  <u>Governing Body, Section 3</u>  The officers of the Fallon Business  Council: Chairman, Vice- Chairman,  Secretary, and Treasurer shall be  elected by the eligible voters of the  Fallon Paiute-Shoshone Tribe and  shall serve a term of four (4) years.  (BIA Approved: April 13, 2007)</p> <p><u>Amendment Number Corrected to 14</u>  <u>by BIA: June 4, 2010</u>  <u>Amendment 14 – Article III,</u>  <u>Governing Body, Section 1, 3, and 5</u>  Section 3. The Officers of the Fallon  Business Council:  Chairman, Vice-  Chairman, Secretary, and  Treasurer shall be  elected by the eligible</p>



## APPLICABLE SECTIONS

## OBSOLETE SECTIONS

voters of the Paiute-Shoshone Tribe of the Fallon Reservation and Colony an shall serve a term of two (2) years.

(BIA Approved: November 22, 1999)

Amendment Number Corrected to 3  
by BIA: June 4, 2010

NOTE: BIA mistakenly identified Section 3 as Section 2 when this amendment was approved on June 4, 2010.

Amendment 3 – Article III, Governing Body, Section 3

Section 3. The officers of the Business Council; Chairman, Vice-Chairman and Secretary-Treasurer shall be elected by the qualified voters of the Paiute-Shoshone Tribe and shall serve a term of two (2) years.

(BIA Approved: April 28, 1980)

Sec. 3. At the first Business Council meeting following the election, the Council shall elect from within its own members: (a) a Chairman, (b) a Vice-Chairman, and from within or without its own membership (c) a Secretary-Treasurer; and may appoint such other officers and committees as may be deemed necessary.

(Original – BIA Approved: June 12, 1964)

Amendment No. 36 – Article III-Governing Body, Section 4  
Business Council Qualifications and Filing Deadline:

- (a) Persons seeking to serve on the Fallon Business Council must be able to meet the following qualifications:
  - (1) Be an enrolled member of the Paiute-Shoshone Tribe of the Fallon Reservation and Colony; and
  - (2) Be at least twenty-one (21) years of age or older; and

Amendment 38 – Article III – Governing Body, Section 4(a)(3)

- (3) Have physically resided within the exterior boundaries of the Tribe, as described in Article I of the Constitution or Churchill County, Nevada, for at least one year prior to the election he/she is running in or at least one year prior to their appointment.

(BIA Approved: December 3, 2010)

Amendment No. 36 – Article III-  
Governing Body, Section 4

- (3) Have physically resided within the exterior boundaries of the Tribe, as described in Article I of the Constitution, for at least one year prior to the election he/she is running in or at least one year prior to their appointment; and

Amendment Number Corrected to 26  
by BIA: June 4, 2010

Amendment 26 – Article III, Section 4, Number 3

Section 4. Business Council Qualifications and filing Deadline.

- (a) Persons seeking to serve on the Fallon Business Council must be able to meet the following qualifications:

APPLICABLE SECTIONS	OBSOLETE SECTIONS
<p>(4) Never been convicted of any felony or gross misdemeanor in any Indian, State or Federal Court: and</p> <p>(5) Have successfully graduated from a high school and/or equivalent program and be able to provide proof of graduation.</p> <p>(b) Qualified Persons shall be eligible to be a candidate for the Business Council at a Tribal election provided that his or her name is provided to the Tribal Election Committee at least sixty (60) days prior to the election date.</p> <p>(BIA Approved on July 1, 2010 <u>for October 28, 2008</u>)</p>	<p>(1) Be an enrolled member of the Paiute-Shoshone Tribe of the Fallon Reservation and Colony; and</p> <p>(2) Be at least twenty-one (21) years of age; and</p> <p>(3) Live on the Fallon Paiute Shoshone Reservation and Colony or within seventy-five (75) miles of the boundaries thereof; and</p> <p>(4) Never been convicted of any felony or gross misdemeanor in any Indian, State or Federal Court.</p> <p>(BIA Approved: June 3, 2002)</p> <p><u>Amendment Number Corrected to 29 by BIA: June 4, 2010</u></p> <p><u>Amendment 29 – Article III Section 4(b)</u></p> <p>Qualified Persons shall be eligible to be a candidate for the Business Council at a Tribal election provided that his or her name is provided to the Tribal Election Committee at least sixty (60) days prior to the election.</p> <p>(BIA Approved: April 13, 2007)</p> <p><u>Amendment Number Corrected by BIA on June 10, 2005</u></p> <p><u>Amendment 26 Corrected to Amendment XXVII</u></p> <p><u>Amendment Number Corrected to 26 by BIA: June 4, 2010</u></p> <p><u>Amendment 26 – Article III, Section 4</u></p> <p>(b) A qualified persons shall be eligible to be a candidate for the Business Council at a Tribal election provided that his or her name is provided to the Tribal Election Committee at least thirty (30) days prior to the election date.</p> <p>(BIA Approved: June 3, 2002)</p> <p><u>Amendment Number Corrected to 16 by BIA: June 4, 2010</u></p> <p><u>Amendment 16 – Article III, Governing Body, Section 4</u></p> <p>Section 4. Business Council Qualifications and Filing Deadlines</p> <p>(a) Persons seeking to serve on the Fallon Business Council must be able to meet the following qualifications:</p> <p>(1) Be an enrolled member of the Paiute-Shoshone Tribe of the Fallon Reservation and Colony; and</p>



**APPLICABLE SECTIONS****OBSOLETE SECTIONS**

(2) Be at least twenty-one (21) years of age or older; and

(3) Have resided within the exterior boundaries of the Tribe, as described in Article I of the Constitution, for at least one year prior to the preceding election or at least one year prior to his/her appointment; and

(4) Have successfully graduated from a high school and/or equivalent program and be able to provide proof of graduation.

(b) Qualified persons shall be eligible to be a candidate for the Fallon Business Council at a tribal election provided that his/her name is provided to the election Committee at least thirty (30) days prior to the election date.

(BIA Approved: March 15, 2002)

Amendment Number Corrected to 12  
by BIA: June 4, 2010

Amendment 12 – Article III,  
Governing Body, Section 4

Section 4. Business Council  
Qualification and Filing Deadline.

(a) Persons seeking to serve on the Fallon Business Council must be able to meet the following qualifications:

(1) Be an enrolled member of the Paiute-Shoshone Tribe of the Fallon Reservation and Colony; and

(2) Be at least twenty-one (21) years of age or older; and

(3) Have physically resided within the exterior boundaries of the Tribe, as described in Article I of this Constitution, for at least one (1) year prior to the preceding election or at least one (1) year prior to their appointment

(b) Qualified persons shall be

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**APPLICABLE SECTIONS**

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**OBSOLETE SECTIONS**

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Amendment Number Corrected to 14 by BIA: June 4, 2010  
Amendment 14 – Article III, Governing Body, Section 1, 3, and  
5

Section 5. At the tribal election following the approval of the separation of the Secretary-Treasurer position into two positions and elimination of one council member position, the current Secretary/Treasurer shall assume the office of Treasurer for the remainder of their term and the Secretary position shall be placed on the ballot for election for a two year term and one council member position at such election shall be eliminated.

(BIA Approved: November 22, 1999)

## ARTICLE IV NOMINATIONS AND ELECTIONS

Amendment Number Corrected to 4 by BIA: June 4, 2010  
Amendment 4 – Article IV, Nominations and Elections, Section  
1

Section 1. All members of the Paiute-Shoshone Tribe, who are eighteen (18) years of age or older, shall have the right to vote in all elections.

(BIA Approved: April 28, 1980)

Amendment No. 32 – Article IV – Nominations and Elections,  
Section 2. Election Provisions

- (a) All elections, whether for Council or by way of referendum, shall be conducted in accordance with an Ordinance, or ordinances adopted by the Council, which shall provide for election notices, polling places, ballots, election committees and their duties, and other necessary requirements. All elections shall

eligible to be a candidate for the Fallon Business Council at a tribal election provided that his name is provided to the Tribal Election Board at least thirty (30) days prior to the election date.

(BIA Approved: November 22, 1999)

Sec. 4. The members of the Tribe who are currently serving as members of the Business Council at the time this Constitution and Bylaws are approved, shall continue to serve until their term of office expires.

(Original – BIA Approved: June 12, 1964)

Section 1. All members of the Paiute-Shoshone Tribe who are 21 years of age or older, shall have the right to vote in all elections.

(Original – BIA Approved: June 12, 1964)

Sec. 2. All elections, whether for officers or by way of referendum, shall be conducted in accordance with an ordinance, or ordinances adopted by the Business Council, which shall provide for the dates of regular elections, election notice, polling places, ballots, and election committees and their duties, and any other necessary



APPLICABLE SECTIONS	OBSOLETE SECTIONS
<p>be by secret ballot.</p> <p>(b) Regular elections shall be held biennially on the first Saturday of October for the purpose of electing officers and members for the Business council and any special election matters at a regular election.</p> <p>(c) Any properly filed challenges to an election shall be filed with the Tribal Court within five (5) working days following the date of the election.</p> <p>(BIA Approved on July 1, 2010 for October 28, 2008)</p> <p>NOTE: BIA typo above in Part (a) - <u>by</u> was approved as <u>y</u>.</p>	<p>requirements. All elections shall be by secret ballot.</p> <p>(Original - BIA Approved: June 12, 1964)</p>
<p><u>Amendment Number Corrected to 6 by BIA: June 4, 2010</u></p> <p><u>Amendment 6 - Article IV, Nominations and Elections, Section 3</u></p> <p><u>Section 3.</u> Any eligible voter who provides written notice to the Election Committee, may vote by absentee ballot as provided in this section, at an election of the Paiute-Shoshone Tribe, if he/she is or expects to be: (a) Absent from the reservation/colony because of the nature of his/her vocation, business, or any other unavoidable cause; (b) Unable to go to the polling place due to unavoidable causes; (c) Is enrolled and attending an educational institution; or (d) In any branch of the armed forces of the United States of America.</p> <p>(BIA Approved: February 24, 1994)</p>	<p><u>Sec. 3.</u> Absentee ballots shall be furnished to eligible voters residing outside the jurisdiction of the Paiute-Shoshone Tribe upon the request of such member, except that members living in the town of Fallon, Nevada, shall be expected to participate in elections on the Reservation. To be valid the absentee ballot must be received by the Election Committee on or before the election date.</p> <p>(Original - BIA Approved: June 12, 1964)</p>
<p><u>Amendment Number Corrected to 18 by BIA: June 4, 2010</u></p> <p><u>Amendment 18 - Article IV, Nominations and Elections, Section 4</u></p> <p>No losing candidate for a position on the Business Council may be appointed to fill any vacancy on the Business Council which arises during the term of the position for which the losing candidate ran.</p> <p>(BIA Approved: June 3, 2002)</p>	<p><u>Amendment Number Corrected by BIA on June 10, 2005</u></p> <p><u>Amendment 17 Corrected to Amendment XVIII</u></p>
	<p><u>Amendment Number Corrected to 7 by BIA: June 4, 2010</u></p> <p><u>Amendment 7 - Article IV, Nominations and Elections, Section 4</u></p> <p><u>Section 4.</u> Any member of the Paiute-Shoshone Tribe who is twenty-one (21) years of age or older, and has resided within the territory of the Tribe, as described in Article I of this Constitution, at least one year preceding the election shall be eligible to be a candidate for the Business Council, provided his name is presented to the Election Committee at least thirty (30) days prior to the election date.</p> <p>(BIA Approved: February 24, 1994)</p>
	<p><u>Amendment Number Corrected to 1 by BIA: June 4, 2010</u></p> <p>NOTE: BIA mistakenly identified</p>

**APPLICABLE SECTIONS****OBSOLETE SECTIONS**

Amendment Number Corrected to 29 by BIA: June 4, 2010  
Amendment 29 – Article IV – Nominations and Elections,  
Section 4(a)

Any member of the Fallon Paiute-Shoshone Tribe who meets the qualifications to serve on the governing body, as described in Article III, Section 4, shall be eligible to be candidate for the Business Council, provided his or her name is presented to the Election Committee at least sixty (60) days prior to the election date.

(BIA Approved: April 13, 2007)

Amendment Number Corrected to 23 by BIA: June 4, 2010  
Amendment 23 – Article IV, Nominations and Elections,  
Section 5

A person may not serve on the Business Council simultaneously with his or her husband, wife, brother, sister, father, mother, son or daughter. Situations arising under this section shall be governed by the Tribal Election Code.

(BIA Approved: June 3, 2002)

Approval Date as 8/19/1971 when  
this amendment was approved on  
June 4, 2010.

Amendment 1 – Article IV,  
NOMINATIONS AND ELECTIONS,  
Section 4

Sec. 4. Any member of the Paiute-Shoshone Tribe who is twenty-one (21) years of age or older, and has resided within the territory of the Tribe, as described in Article I of this Constitution, at least one-year next preceding the election, shall be eligible to be a candidate for the Business Council, provided his name is presented to the Election Committee at least fifteen (15) days prior to the election date.

(BIA Approved: August 13, 1971)

Sec. 4. Any member of the Paiute-Shoshone Tribe who is twenty-five (25) years of age or older, and has resided within the territory of the Tribe, as described in Article I of this Constitution, at least one-year next preceding the election, shall be eligible to be a candidate for the Business Council, provided his name is presented to the Election Committee at least fifteen (15) days prior to the election date.  
(Original – BIA Approved: June 12, 1964)

Amendment Number Corrected by  
BIA on June 10, 2005

Amendment 23 Corrected to  
Amendment XXIV

Amendment Number Corrected to 13  
by BIA: June 4, 2010

Amendment 13 – Article IV,  
Nominations and Elections, Section 5  
Section 5. No person who is an

## APPLICABLE SECTIONS

## OBSOLETE SECTIONS

### ARTICLE V VACANCIES AND REMOVAL

#### Amendment No. 35 – Article V – Vacancies and Removals, Section 1.

If a member of the Business Council or any other tribal officer shall die, resign, be removed or recalled from office, permanently leave the Reservation, or be found guilty of a felony or misdemeanor involving dishonesty in any Indian, State or Federal Court, the Business Council shall declare the position vacant and shall appoint an eligible member to fill the position in accordance with Section 2.

(BIA Approved on July 1, 2010 for October 28, 2008)

NOTE: BIA typo above in – dishonesty was approved as dishonestly.

immediate family member shall be permitted to serve on the Fallon Business Council at the same time. Procedures governing situations under this section shall be governed by the Tribal Election Code. Immediate family member is defined as: husband, wife, brother, sister, father, mother, son, or daughter, or any of the named relations established by marriage.

(BIA Approved: November 22, 1999)

#### Amendment Number Corrected to 24 by BIA: June 4, 2010

NOTE: BIA mistakenly identified Section 1 as Section 5 when this amendment was approved on June 4, 2010.

#### Amendment 24 – Article V, Vacancies and Removals, Section 1

If a member of the Business Council or any other tribal official shall die, resign, be removed or recalled from office, permanently leave the reservation, or be found guilty of a felony, or misdemeanor involving dishonesty, in any Indian, State, or Federal Court, the Business Council shall declare the position vacant and shall appoint an eligible member to fill the unexpired term. No losing candidate for a position on the Business Council may be appointed to fill any vacancy on the Business Council which arises during the term of the position for which the losing candidate ran.

(BIA Approved: June 3, 2002)

#### Amendment Number Corrected by BIA on June 10, 2005

Amendment 24 Corrected to Amendment XXV

#### Amendment Number Corrected to 10 by BIA: June 4, 2010

Amendment 10 – Article V,



## APPLICABLE SECTIONS

### Amendment No. 35 – Article V – Vacancies and Removals. Section 2.

In case the position of any officer or member of the Business Council shall become vacant before the expiration of the regular term for which he or she was elected, the vacancy shall be filled by appointment by the Business Council until the next general election, when it shall be filled by election for the remainder of the unexpired term.

(BIA Approved on July 1, 2010 for October 28, 2008)

## OBSOLETE SECTIONS

### Vacancies and Removal, Section 1

Section 1. If a member of the Business Council or any other tribal official shall die, resign, be removed or recalled from office, permanently leave the Reservation, miss three (3) consecutive regular Business Council meetings without good reason, or be found guilty of a felony, or a misdemeanor involving dishonesty, in any Indian, State, or Federal Court, the Business Council shall declare the position vacant and shall appoint an eligible member to fill the unexpired term.

(BIA Approved: March 13, 1995)

Section 1. If a member of the Business Council or any other tribal official shall die, resign, be removed or recalled from office, permanently leave the Reservation, or be found guilty of a felony, or misdemeanor involving dishonesty, in any Indian, State, or Federal Court, the Business Council shall declare the position vacant and shall appoint an eligible member to fill the unexpired term.

(Original – BIA Approved: June 12, 1964)

### Amendment Number Corrected to 17 by BIA: June 4, 2010

### Amendment 17 – Article V, Section 2, Vacancies and Removals

The Business Council shall, by a vote of six (6) members, remove any member of the Council for neglect or gross misconduct. Before any vote is taken in the matter, the accused member shall be given a written statement of the charges against him or her at least five (5) days prior to the meeting at which he or she is to appear, and he or she shall be given the opportunity to answer any and all charges at that time. The decision of the Business Council shall be final and non-reviewable by any court.

(BIA Approved: June 3, 2002)

### Amendment Number Corrected by BIA on June 10, 2005

### Amendment 16 Corrected to Amendment XVII

Sec. 2. The Business Council

APPLICABLE SECTIONS	OBSOLETE SECTIONS
<p><u>Amendment Number Corrected to 21 by BIA: June 4, 2010</u>  <u>Amendment 21 – Article V. Vacancies and Removals, Section 2 (4)</u>            If a member of the Business Council who is removed and/or recalled as of August 2001 or later for cause, the former members shall not be eligible to run or be appointed to any position on the Business Council for a seven (7) years following such removal.            (BIA Approved: June 3, 2002)</p> <p><u>Amendment No. 35 – Article V – Vacancies and Removal, Section 3.</u>            No losing candidate for a position on the Business Council may be appointed to fill any vacancy on the Business Council which arises during the term of the position for which the losing candidate ran.            (BIA Approved on July 1, 2010 <u>for October 28, 2008</u>)</p>	<p>may, by majority vote, expel any member of the Council for neglect of duty or gross misconduct. Before any vote is taken in the matter, the accused member shall be given a written statement of the charges against him at least five (5) days prior to the meeting at which he is to appear, and he shall be given the opportunity to answer any and all charges at that time. The decision of the Business Council shall be final.            (Original – BIA Approved: June 12, 1964)</p> <p><u>Amendment Number Corrected by BIA on June 10, 2005</u>  <u>Amendment 21 Corrected to Amendment XXII</u></p> <p><u>Amendment Number Corrected to 25 by BIA: June 4, 2010</u>  <u>Amendment 25 – Article V. Vacancies and Removals, Section 3</u>            Upon receipt of a petition signed by thirty (30) percent of the eligible voters of the Tribe calling for the recall of any member of the Council, it shall be the duty of the Tribal Secretary to verify the names and report the findings to the Business Council ten days after receipt. If the Tribal Secretary reports the petition is in order or if the Tribal Secretary fails to report to the Business Council within the ten (10) days but the petition is found by the Council to be in order the Council shall schedule a recall election within sixty (60) days after such report or finding is made. No member may be recalled in any such election unless at least thirty (30) percent of the eligible voters of the Tribe shall vote at such an election.            (BIA Approved: June 3, 2002)</p> <p><u>Amendment Number Corrected by BIA on June 10, 2005</u>  <u>Amendment 25 Corrected to Amendment XXVI</u></p>

APPLICABLE SECTIONS	OBSOLETE SECTIONS
<p><u>Amendment Number Corrected to 22 by BIA: June 4, 2010</u>  <u>Amendment 22 – Article V, Vacancies and Removals, Section 4</u>  As soon as the election is finalized, the outgoing Council members will be automatically removed from all signatory authority for the Fallon Paiute Shoshone Tribe.</p> <p>If a Council Member is removed or recalled from office, he or she will be automatically removed from all signatory authority for the Fallon Paiute Shoshone Tribe.</p> <p>If a Council position is otherwise declared vacant, the former holder of that position will be automatically removed from all signatory authority for the Fallon Paiute Shoshone Tribe.  (BIA Approved: June 3, 2002)</p> <p><u>Amendment 39 – Article V – Vacancies and Removal, Section 5</u>  Upon receipt of a recall petition on any Council member that is signed by thirty (30) percent of the eligible voters of the Tribe, the Tribal Secretary shall have ten (10) days to verify and confirm the names on the petition and report the findings to the Council. If the Tribal Secretary fails to report to the Council by the ten (10) day deadline, the Council shall appoint another Council Member to handle the duty and he/she shall have three (3) days to verify and confirm the names on the petition, and report the findings to the Council.  (BIA Approved: December 3, 2010)  NOTE: BIA mistakenly identified Section 5 as Section A.</p> <p><u>Amendment 40 – Article V – Vacancies and Removal, Section 6</u>  The Fallon Business Council shall have the authority to remove any member of the Council by a vote of six (6) members for neglect or misconduct. Before any vote is taken in the matter, the accused member shall be given a written</p>	<p>Sec. 3. Upon receipt of a petition signed by thirty (30) percent of the eligible voters of the Tribe calling for the recall of any member of the Council, it shall be the duty of the Council to call an election on such recall petition. No member may be recalled in any such election unless at least thirty (30) percent of the eligible voters of the Tribe shall vote at such election.  (Original – BIA Approved: June 12, 1964)</p> <p><u>Amendment Number Corrected by BIA on June 10, 2005</u>  Amendment 22 Corrected to Amendment XXIII</p>



statement of the charges against him or her at least five (5) days prior to the hearing. At that time, he or she shall be given the opportunity to answer any and all charges. The decision of the Council shall be final and not subject to any litigation in any court.

(BIA Approved: December 3, 2010)

NOTE: BIA mistakenly identified Section 6 as Section B.

## ARTICLE VI POWERS AND DUTIES OF THE BUSINESS COUNCIL

Section 1. The Business Council shall have the following powers, subject to any limitations imposed by 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 in behalf of the Tribe, and to advise and consult with representatives of the Department of Interior on all activities that may affect the Tribe.

(b) To employ legal counsel, subject to the approval of the Secretary of the Interior, or his duly authorized representative.

(c) To manage, lease, contract, assign, or otherwise deal with tribal lands and tribal resources.

(d) To enter into contracts with individuals, associations, partnerships, or corporations in behalf of the Tribe.

(e) To adopt tribal budgets and administer any funds within the control of the Tribe; to make expenditures from available funds for tribal purposes, including salaries and expenses of tribal officials or employees. All expenditures of tribal funds shall be authorized by resolution, duly enacted by the Business Council, and the amounts so expended shall be a matter of public record to the members of the Tribe at all reasonable times.

(f) To promulgate ordinances to exclude from trust lands of the Reservation persons not legally entitled to reside thereon, which shall be subject to review of the Secretary of the Interior.

**APPLICABLE SECTIONS****OBSOLETE SECTIONS**

(g) To levy taxes or assess fees upon members of the Tribe, or to require the performance of community labor in lieu thereof, for the payment of expenses of the Tribe, or to finance any project or program for the benefit of the Tribe as a whole, which shall be subject to approval by the members of the Tribe, and to levy taxes or license fees, subject to review by the Secretary of the Interior, upon non-members doing business on the Reservation.

Amendment Number Corrected to 8 by BIA: June 4, 2010  
Amendment 8 – Article VI. Powers and Duties of the Business Council, Section 1(h)

Section 1. (h) To promulgate and enforce ordinances governing the conduct of all people within the territorial boundaries of the Tribe, as provided by Federal Law; and to provide for the maintenance of law and order and establishment of a tribal court.  
(BIA Approved: March 13, 1995)

(i) To establish subordinate organizations for economic purposes and to delegate to such organizations, or to any subordinate boards or officials of the Tribe, any of the foregoing powers, reserving the right to review any action taken by virtue of such delegated power.

Amendment No. 33 – Article VI – Powers and Duties of the Business Council, Section 1.

(j) No Council officer/member shall accept a permanent appointment to any tribal employment position. Permanent employment to any position shall be through the normal employment processes of the tribe. Any Council officer/member who had been hired for tribal employment through the normal hiring process shall not be affected by this provision.

(k) All employment positions of the Tribe shall be hired through open and competitive methods with no provisions permitted for internal (in-house) hiring procedures.

(BIA Approved on July 1, 2010 for October 28, 2008)

Sec. 2. The Business Council may exercise such future powers which may be delegated to the Council by the members of the Tribe or the Secretary of the Interior.

(h) To promulgate and enforce ordinances which shall be subject to review by the Secretary of the Interior, governing the conduct of members of the Tribe; and to provide for the maintenance of law and order and establishment of a tribal court.  
(Original – BIA Approved: June 12, 1964)

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**APPLICABLE SECTIONS**

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**OBSOLETE SECTIONS**

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Sec. 3. Any rights or powers heretofore vested in the Tribe, but not expressly referred to in this Constitution, shall not be abridged by this Article, but may be exercised by the members through the adoption of appropriate bylaws and constitutional amendments.

## ARTICLE VII LAND

Section 1. In the assignment of tribal lands, preference shall be given first, to heads of families who are entirely landless, and second, to heads of families whose assignments (or present allotments) consist of less than an economic unit. No member of the Tribe who has had the trust restrictions removed from his allotted land, or whose lands may be alienated, except to the Tribe, shall be entitled to receive an assignment of tribal lands as a landless Indian.

Sec. 2. If any member of the Tribe holding an assignment of tribal land shall, for a period of two years, fail to use the land so assigned or use such land for any unlawful purpose, his assignment may be cancelled by the Business Council, after due notice and an opportunity to be heard, and such lands may be reassigned. Upon the death of any member holding an assignment, his heirs or other individuals designated by him by will or by written request, shall have preference in the reassignment of the land, provided such persons are members of the Tribe and are eligible to receive an assignment of land.

Sec. 3. Applications for assignments shall be filed with the Secretary of the Business Council and shall be in writing, setting forth the name of the person or persons applying for the land, the purpose for which it will be used, and as accurate a description of the land desired as the circumstances will permit. The Secretary of the Council shall furnish the Superintendent, Nevada Indian Agency, a complete record of all approved assignments on the Reservation. The Business Council shall draw up forms to be used for making assignments, which shall be subject to approval of the Secretary of the Interior, or his duly authorized representative.



## ARTICLE VIII REFERENDUM

Upon receipt of a petition signed by at least thirty (30) percent of the eligible voters, or upon the request of a majority of the members of the Business Council, any enacted or proposed ordinance or resolution of the Council shall be submitted to a popular referendum, and the vote of the majority of the eligible voters voting in such referendum shall be conclusive and binding on the Business Council; provided, that at least thirty (30) percent of the eligible voters shall vote in such election, and provided further, that all enacted ordinances and resolutions shall be in effect until rescinded by the Council, or by referendum of the Tribe.

## ARTICLE IX AMENDMENTS

Amendment Number Corrected to 11 by BIA: June 4, 2010  
Amendment 11 – Article IX, Amendments

Upon receipt of a petition signed by at least thirty percent (30%) of the eligible voters, or upon the request of a majority of the entire Business Council members, this Constitution and Bylaws may be amended by a majority vote of the eligible voters of the Fallon Paiute-Shoshone Tribe, voting at an election called for that purpose by the Business Council; provided that at least thirty percent (30%) of those eligible to vote shall vote in such election and such amendment shall become effective upon approval by the Secretary of the Interior or his duly authorized representative.  
(BIA Approved: March 13, 1995)

## ARTICLE X BILL OF RIGHTS

Amendment Number Corrected to 31 by BIA: June 4, 2010  
Amendment 31 – Article X – Bill of Rights

The Fallon Paiute-Shoshone Tribe, in exercising powers of self-government shall not:

- (1) make or enforce any law prohibiting the free exercise of religion, or abridging the freedom of speech, or the press, or the right of the people peaceably to assemble and to petition for the redress of grievances;

This Constitution and Bylaws may be amended by a majority vote of the eligible voters of the Paiute-Shoshone Tribe, voting at an election called for that purpose by the Business Council; provided, that at least thirty (30) percent of those entitled to vote shall vote in such election and such amendment shall become effective upon approval by the Commissioner of Indian Affairs or his duly authorized representative.  
(Original – BIA Approved: June 12, 1964)

APPLICABLE SECTIONS	OBSOLETE SECTIONS
<ul style="list-style-type: none"> <li>(2) violate the right of the people to secure in their persons, houses, papers, and effects against unreasonable search and seizures, nor issue warrants, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized;</li> <li>(3) subject any person for the same offense to be twice put in jeopardy;</li> <li>(4) compel any person in any criminal case to be a witness against himself;</li> <li>(5) take any private property for public use without just compensation;</li> <li>(6) deny to any person in a criminal proceeding the right to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and at his own expense to have the assistance of counsel for his defense;</li> <li>(7) require excessive bail, impose excessive fines, inflict cruel and unusual punishments, and in no event impose for conviction of any one offense any penalty or punishment greater than imprisonment for a term of one year and a fine of \$5,000, or both;</li> <li>(8) deny to any person within its jurisdiction the equal protection of its laws or deprive any person of liberty or property without due process of law;</li> <li>(9) pass any bill of attainder or ex post facto law; or</li> <li>(10) deny to any person accused of an offense punishable by imprisonment the right, upon request, to a trial by jury of not less than six persons.</li> </ul> <p>(BIA Approved: April 13, 2007)</p>	

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APPLICABLE SECTIONS

OBSOLETE SECTIONS

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BYLAWS  
OF THE  
PAIUTE-SHOSHONE TRIBE  
OF THE  
FALLON RESERVATION AND COLONY

ARTICLE I  
DUTIES OF OFFICERS

Section 1. Chairman. The Chairman of the Business Council shall preside at all meetings of the Business Council. He shall perform all the duties of the Chairman and shall exercise any authority delegated to him by the Business Council.

Sec. 2. Vice-Chairman. The Vice-Chairman of the Business Council shall assist the Chairman when called upon to do so. In the absence of the Chairman, he shall preside. When so presiding he shall have all the rights, privileges and duties, as well as the responsibilities of the Chairman.

Amendment Number Corrected to 14 by BIA: June 4, 2010  
Amendment 14 – Article I, of the Bylaws. Duties of the  
Officers, Section 3, 4, and 5

Section 3. Secretary. The Secretary of the Fallon Business Council shall keep the minutes of all general tribal meetings and meetings of the Fallon Business Council. The Secretary shall certify the enactment of all ordinances, law and order codes, and resolutions, and shall make proper distribution. The Secretary shall attend to the giving of all required notices, and shall receive on behalf of the Fallon Business Council, all petitions provided for in the Constitution and shall attend to provide notices and information relating to meetings, notices, and decisions of the Fallon Business Council. The Secretary shall supervise over matters relating to enrollment, membership, and elections.

(BIA Approved: November 22, 1999)

Sec. 3. Secretary-Treasurer. The Secretary-Treasurer of the Business Council shall keep the minutes of all general tribal meetings and meetings of the Business Council. He shall certify the enactment of all ordinances and resolutions, and shall make proper distribution. He shall attend to the giving of all required notices, and shall receive on behalf of the Business Council, all petitions provided for in the Constitution. He shall have care and custody of all valuables for the Tribe, and shall deposit all funds in an approved depository. He shall disburse tribal funds as ordered by the Business Council, and shall maintain financial accounts, receipts and records, which shall be available for inspection by the members of the Tribe, and representatives of the Commissioner of Indian Affairs. He shall make periodic financial reports to the Business Council. All financial records of the Tribe



**APPLICABLE SECTIONS****OBSOLETE SECTIONS**

Amendment Number Corrected to 14 by BIA: June 4, 2010  
Amendment 14 – Article I, of the Bylaws, Duties of the Officers,  
Section 3, 4, and 5

Section 4. Treasurer. The Treasurer of the Fallon Business Council shall have care and custody of all valuables for the Tribe, and shall deposit all funds in an approved depository. The Treasurer shall disburse tribal funds as ordered by the Fallon Business Council, and shall maintain financial accounts, receipts and records, which shall be available for inspection by the members of the Tribe, and the Bureau of Indian Affairs. The Treasurer shall make periodic financial reports to the Fallon Business Council. All financial records of the Tribe shall be audited at least once each year, and at such other times as may be directed by the Fallon Business Council or the Bureau of Indian Affairs. The Treasurer shall be bonded at the expense of the Tribe.

(BIA Approved: November 22, 1999)

Amendment Number Corrected to 14 by BIA: June 4, 2010  
Amendment 14 – Article I, of the Bylaws, Duties of the Officers,  
Section 3, 4, and 5

Section 5. Appointive Officers and Committees. The duties of all committees and officers appointed by the Business Council, shall be clearly defined by resolutions of the Business Council at the time of their appointment. Such committees and officers shall report from time to time, as required, to the Business Council, and their activities and decisions shall be subject to approval of the Council.

(BIA Approved: November 22, 1999)

## ARTICLE II TIME AND PLACE OF MEETINGS

Amendment Number Corrected to 9 by BIA: June 4, 2010  
Amendment 9 – Article II of the Bylaws, Time and Place of  
Meetings, Section 1

shall be audited at least once each year, and at such other times as may be directed by the Business Council or Commissioner of Indian Affairs. The Secretary-Treasurer shall be bonded at the expense of the Tribe.

(Original – BIA Approved: June 12, 1964)

Sec. 4. Appointive Officers and Committees. The duties of all committees and officers appointed by the Business Council, shall be clearly defined by resolutions of the Business Council at the time of their appointment. Such committees and officers shall report from time to time, as required, to the Business Council, and their activities and decisions shall be subject to approval of the Council.

(Original – BIA Approved: June 12, 1964)

Section 1. Business Council Meetings. Regular meetings of the Business Council shall be

**APPLICABLE SECTIONS**

Section 1. Business Council Meetings. Regular meetings of the Business Council shall be held on the Reservation on the second and fourth Tuesday of each month, the time and place to be designated by the Council. Special meetings may be called by the Chairman, and shall be called by him upon receipt of written notice signed by a majority of the Business Council, and when so called, shall have the power to transact business as in regular meetings.

(BIA Approved: March 13, 1995)

Amendment Number Corrected to 20 by BIA: June 4, 2010

NOTE: BIA mistakenly did not identify this amendment for the Bylaws when it was approved on June 4, 2010.

Amendment 20 – Article II, Quorum, Section 2

Quorum. A quorum shall consist of five (5) members of the Business Council, and no business shall be transacted unless a quorum is present.

(BIA Approved: June 3, 2002)

Sec. 3. General Tribal Meetings. There shall be at least one general tribal meeting each year, to be held during the month of December. It shall be the duty of the Chairman of the Business Council to make a report at such meeting, on the activities of the Business Council throughout the year, and to outline proposed plans for the succeeding year. Special general tribal meetings may be called by the Chairman, and shall be called by him upon receipt of a petition signed by thirty (30) percent of the eligible voters. The time and place of such meetings shall be determined by the Business Council.

**OBSOLETE SECTIONS**

held at the Reservation on the second Tuesday of each month, the time and place to be designated by the Council. Special meetings may be called by the Chairman, and shall be called by him upon receipt of written notice signed by a majority of the Business Council, and when so called, shall have the power to transact business as in regular meetings.

(Original – BIA Approved: June 12, 1964)

Amendment Number Corrected by BIA on June 10, 2005

Amendment 19 Corrected to Amendment XX

Amendment Number Corrected to 5 by BIA: June 4, 2010

NOTE: BIA mistakenly did not identify this amendment for the Bylaws when it was approved on June 4, 2010.

Amendment 5 – Article II, Time and Place of Meetings, Section 2

Section 2. A quorum shall consist of four (4) members of the Business Council, and no business shall be transacted unless a quorum is present.

(BIA Approved: September 27, 1983)

Sec. 2. Quorum. A quorum shall consist of three (3) members of the Business Council, and no business shall be transacted unless a quorum is present.

(Original – BIA Approved: June 12, 1964)

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**APPLICABLE SECTIONS**

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**OBSOLETE SECTIONS**

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Sec. 4. Order of Business. The following order of business is established for all meetings:

- (a) Call to Order by the Chairman
- (b) Roll Call.
- (c) Reading of Minutes of previous meeting.
- (d) Reports of Committees.
- (e) Report of Treasurer.
- (f) Reading of Communications.
- (g) Unfinished Business.
- (h) New Business.
- (i) Adjournment.

ARTICLE III  
APPROVAL

This Constitution shall become effective upon approval by a majority vote of the eligible voters of the Paiute-Shoshone Tribe voting at an election called for that purpose by the Business Council and upon approval by the Commissioner of Indian Affairs, or his duly authorized representative.



PAIUTE-SHOSHONE TRIBE  
OF THE  
FALLON RESERVATION AND COLONY

CERTIFICATION OF ADOPTION

We, the undersigned, duly elected officers of the Fallon Business Council, hereby certify that the foregoing Constitution and Bylaws of the Fallon Reservation and Colony, was submitted for adoption to the qualified voters of the Fallon Reservation and Colony, and was on December 18, 1963, duly adopted by a vote of 40 for and 22 against, in an election in which over 45 percent of those entitled to vote cast their ballots.

/S/ Dell Steve  
Chairman, Fallon Business Council

/S/ Jenson Dyer  
Secretary, Fallon Business Council