

the practical subdivision of the land in each case. If the land cannot be properly subdivided, the Tribal Council may issue to such heir or devisee a proportionate share in other lands or other interests in land of equal value.

- (d) If there are no eligible heirs or devisees of the decedent, the land shall be eligible for reassignment, the same as other Tribal lands.

SECTION 11. Improvements of any character made upon assigned land may be willed to and inherited by members of the Omaha Tribe. When fair division of improvements is not possible, the Tribal Council shall dispose of them under such regulations as it may provide for the benefit of such heirs. No permanent improvements may be removed from any Tribal or assigned land without the consent of the Tribal Council.

SECTION 12. No member of the Omaha Tribe may use or occupy Tribal lands except under an assignment or lease.

SECTION 13. Unassigned land shall be managed by the Tribal Council for the benefit of the members of the entire Tribe, subject to regulations of the Secretary of the Interior issued in accordance with Section 6 of the Act of June 19, 1934 (48 Stat. 984).

SECTION 14. Available Tribal funds may be used, with the consent of the Secretary of the Interior, to acquire land for the Omaha Tribe.

SECTION 15. The right to determine the amount of land and make assignments to each lawful assignee shall vest in the Tribal Council, whose decision shall be subject to the final approval of a board of review, consisting of the Superintendent of the Winnebago Agency as Chairman, and two (2) members of the Omaha Tribe at large to be selected by the Tribal Council. The economic needs of the individual, with due regard to land availability and limitation, together with the principles of justice and equity shall be the basic factors affecting the decision in land assignments of both the Tribal Council and the board of review. The decision of the board of review, as heretofore outlined, shall be final.

ARTICLE IX – AMENDMENTS

(Amended by Amendment XX, August 7, 2015)

This Constitution and Bylaws may be amended by a majority vote of the qualified voters of the Omaha Tribe voting at an election called for that purpose by the Tribe's Election Commission; but no amendment shall become effective until it has been approved by the Tribal Council. It shall be the duty of the Tribe's Election Commission to call an election on any proposed amendment, upon receipt of a written resolution by the Tribal Council, signed by at least a majority of the membership of the Tribal Council.

ARTICLE X – TRIBAL COURTS

(Added in its entirety by Amendment VI, December 30, 1981)

SECTION 1. The Omaha Tribal Court system shall consist of one (1) or more trial courts and an appellate court. The Tribal Council shall appoint a full-time Chief Judge and such Associate and Appellate Judges, full or part-time, and other judicial personnel as the Council may deem necessary.

SECTION 2. The term of the Chief Judge shall be four (4) years. He shall be responsible for administration of the Omaha Tribal Court system. The Chief Judge shall select a full-time Clerk of Court to serve at his pleasure. The Chief Judge may sit as a trial judge, but may not hear any appeal from his own trial court decisions, and shall not take part in or interfere with the rendering of the decision on appeal in such cases.

SECTION 3. The Tribal Council shall budget, appropriate, and pay reasonable sums for salaries of judges, clerks, and staff, and for operating and capital expenses of the court system on a continuing basis to ensure that the