

RESOLUTION NUMBER **TMBC284-09-05** OF THE DULY ELECTED AND CERTIFIED
GOVERNING BODY OF THE TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS

WHEREAS, the Turtle Mountain Band of Chippewa Indians, hereinafter referred to as the Tribe, is an unincorporated Band acting under a revised Constitution and By-Laws approved by the Secretary of the Interior on June 16th, 1959 and amendments thereto approved: and

WHEREAS, Article IV Section 2 of the Turtle Mountain Constitution empowers the Tribal Council with the authority to regulate its own procedure, except as specified in Article VI, to appoint subordinate committees, delegates, and employees not otherwise provided for in the constitution, and to provide tenure and duties: provided that any delegation of authority described in this Constitution shall be granted only by written resolution or ordinance and shall be withdrawn in the same manner; and

WHEREAS, The Seven Teachings and Traditions of the Anishinabe show that our people have never believed in throwing away those people who have difficulty getting a good start in life because our people, both children and adults, are our greatest resource; and

WHEREAS, the Tribe seeks to provide an avenue for tribal members to seek pardons for Tribal misdemeanor offenses only; and

WHEREAS, the Tribe wishes the existing Pardon Review Board to review applications for pardons of Tribal misdemeanors and to make recommendations to the Tribal Chairman for final pardon or pardon denial action; and

WHEREAS, the Tribe, on behalf of the Pardon Review Board, wishes to institute Policies and Procedures, a Pardon Application Form and Pardon Board Standards that have been duly published for a 30-day public comment; and

WHEREAS, the Tribe, on behalf of the Pardon Review Board, wishes to have the contents of these documents integrated into the Turtle Mountain Tribal Code, under Title 26.07; now

THEREFORE BE IT RESOLVED that the current Titles 26.0706 and 26.0707 are hereby rescinded and Title 26 shall be replaced with the following Pardon Board Definitions (to be numbered 26.0706), the Standards for Pardon Board (to be numbered 26.0707), Pardon Board Policies and Procedures (to be numbered 26.0708), and the Pardon Application Form (to be numbered 26.0709):

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BE IT FURTHER RESOLVED that the Tribal Chairman is hereby authorized to continue to grant or deny pardons to individuals upon the recommendation of the Pardon Review Board, operating under these newly enacted Definitions, Standards, Policies and Procedures and utilizing the newly enacted Pardon Application Form for Tribal misdemeanor offenses only.

CERTIFICATION

I, the undersigned Tribal Secretary of the Turtle Mountain Band Chippewa Indians, do hereby certify that the Tribal Council is composed of nine (9) members of whom **nine (9)** constituting a quorum were present at a meeting duly called, convened and held on the **29th day of September, 2005**, that the foregoing resolution was adopted by an affirmative vote of **eight (8) in favor** - Councilmen Ron Trottier, Troy DeCoteau, Jim Baker, Will Grant, David 'Sandy' Morin, Elmer Davis, Jr., Timmy Davis and Councilwoman Janice Azure; none (0) opposed; and the Chairman not voting.


Joleen Poitra, Tribal Secretary

- SIGNED INTO LAW/Dated this 7th day of October, 2005
- VETOED/Dated this ____ day of _____, 2005
- VETO OVERRIDDEN/Dated this ____ day of _____, 2005


Ken W. Davis, Chairman

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