

RESOLUTION NUMBER TMBC952-09-12 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 of Indians acting under a revised Constitution and By-laws approved by the Secretary of the Interior on June 16, 1959, and amendments thereto approved; and

WHEREAS, Article IX (a) Section 1 of the Turtle Mountain Constitution and Bylaws empowers the Tribal Council with the authority to represent the Band and to negotiate with the Federal, State and local governments and with private persons; and

WHEREAS, Article IX (a) Section 1 of the Turtle Mountain Constitution and Bylaws requires a 30-day comment period prior to the adoption of any ordinances or amendments to the Tribal Code, whether proposed by resolution or otherwise. Adoption must occur through a roll call vote of the Tribal Council at a publicly held meeting; and

WHEREAS, the Tribal Election Board requested clarification of two (2) issues in Title 13, the Tribal Election Code regarding residency and electronic voting; and

WHEREAS, the Tribe placed proposed amendments out for public comment and it was decided that the thirty (30) day residency requirement will not be inserted at this time; and

WHEREAS, the Tribe is proposing to amend Section 13.0201 and each subsequent section regarding tallying inserting "Tallying shall mean by hand or electronic equipment"; now

BE IT FURTHER RESOLVED that the Tribe is approving said amendments to Title 13, Section 13.0201 and each subsequent section regarding tallying inserting "Tallying shall mean by hand or electronic equipment."

CERTIFICATION

I, the undersigned Tribal Secretary of the Turtle Mountain Band of Chippewa Indians, do hereby certify that the Tribal Council is composed of nine (9) members of whom *eight (8)* constituting a quorum were present at a meeting duly called, convened and held on the *27<sup>th</sup> day of September, 2012*, that the foregoing resolution was adopted by an affirmative vote of *seven (7) in favor* – Representatives Cindy Malaterre, Jeff 'BJ' Delorme, Zelma Peltier, Curtis L. Poitra, Lorne Jay, Mike Malaterre and Elmer Davis, Jr.; one (1) absent-Representative Larry DeCoteau; with the Chairman not voting.

SIGNED INTO LAW/Dated this *5<sup>th</sup>* day of *October*, 2012  
 VETOED/Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2012

*Jolean A. Morin*  
Jolean A. Morin, Tribal Secretary

*Merle St. Claire*  
Merle St. Claire, Chairman

Received in Administration

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TMB, Turtle Mountain Agency