

RESOLUTION NUMBER **TMBC616-08-23** OF THE DULY ELECTED AND CERTIFIED GOVERNING BODY OF  
THE TURTLE MOUNTAIN BAND OF CHIPPEWA

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 bylaws 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 (b) Section 1 of the Turtle Mountain Constitution and Bylaws requires a 30-day comment period 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, there is a need to amend Title 25 of the Tribal Gaming Code to comply with the Tribal procedures for board appointments; and

WHEREAS, the Tribe placed the proposed amendments out for a thirty (30) day comment period to amend Title 25, Section 25.0101 Gaming Commission established (b) as follows; striking three and replacing two; (c) to read: The remaining members presenting each of the 4 voting districts to a two-year term ending in December of each even numbered year end; (d) striking three and replacing it with two and no comments were received; now

THEREFORE BE IT RESOLVED to approve the proposed amendments to Title 25, Section 25.0101 of the Gaming Code as noticed and will codify Title 25 of the Tribal Code accordingly.

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 **seven (7)** constituting a quorum were present at a meeting duly called, convened and held on the **24<sup>th</sup> day of August, 2023** that the foregoing resolution was adopted by an affirmative vote of **six (6) in favor** – Representatives Elmer Davis Jr., Ron Trottier Sr., Craig Lunday, Kenneth Malaterre, Jon Jon Keplin and Chad Counts; two (2) absent- Representatives Lynn Gourneau and Blaine “Slugger” Davis; none (0) opposed; with the Tribal Chairman not voting.

SIGNED INTO LAW/Dated this 25<sup>th</sup> day of August, 2023  
 VETOED/Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023

  
\_\_\_\_\_  
Joleen A. Morin, Tribal Secretary

8/25/23

  
\_\_\_\_\_  
Jamie Azure, Tribal Chairman

## PUBLIC NOTICE (June, 2023)

The Tribe is proposing to amend Title 25, Section 25.0101 Gaming Commission established **(b)** as follows; striking three (3) year term and replacing it with two (2) year term; **(c)** to read: The remaining members presenting each of the 4 voting districts to a striking ~~initial~~ two-year term ending in December of each even numbered year end; and **(d)** striking three (3) year term and replacing it with two (2) year term as shown on the attached documentation. Proposed amendments are attached to this notice with additions shown in red and other changes with strike throughs.

The proposed amendments are being placed out for a thirty (30) day comment period.

Copies of the proposed code amendment is available on the Tribal Records Dept Facebook page, at the Tribal Records Dept located in the Tribal Headquarters, on the website at: [www.tmchippewa.com](http://www.tmchippewa.com), or can be obtained in writing by request. Written



comments are to be submitted by mail to PO Box 900, Belcourt, ND 58316, by fax at 477-0916 or by email to [tribalrecordsdept@yahoo.com](mailto:tribalrecordsdept@yahoo.com). Please contact the Tribal Records Dept at 477-2602, 477-2677 or 477-2664 if there are any questions.

25.0101 Gaming Commission established.

1. There is hereby established the Turtle Mountain Band of Chippewa Gaming Commission, (Commission), which shall regulate all Class II and III gaming activities conducted on Indian Land as defined by the Indian Gaming Regulatory Act, (IGRA), 25 U.S.C. §§ 2701 *et seq.* The Commission shall consist of five (5) members, composed of a chairman and four (4) associate Commissioners.
  - a. The chairman and associate Commissioners shall be appointed and approved by resolution of the Tribal Council.
  - b. Within ninety (90) days of approval of this Restated Title 25 by the Indian Gaming Commission pursuant to the Indian Gaming Regulatory Act (IGRA), the Tribal Council shall appoint the initial chairman to a ~~three~~ two (2)-year term ending in December of 2021; and
  - c. The remaining members to a ~~initial~~ two-year term ending in December of each even numbered year end; and
  - d. Thereafter, the Tribal Council shall appoint by resolution, the chairman and associate Commissioners to terms of ~~three~~ two (2) years.
  - e. Commissioners are not employees but serve as needed for Gaming meetings.