

**RESOLUTION NUMBER TMBC1750-08-00 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 April 26, 1962, April 3, 1975, October 25, 1990, June 26, 1992, January 22, 1993, February 3, 1995 and February 5, 1997; and
- WHEREAS,** Article IX (a) Section 1 of the Turtle Mountain Constitution and By-laws empowers the Tribal Council with the authority to represent the Band and negotiate with the Federal, State and Local Governments and with private persons; and
- WHEREAS,** Article IX (a) Section 5 of the Turtle Mountain Constitution and By-laws empowers the Tribal Council with the authority to enact ordinances, subject to the review of the Secretary of the Interior, or his duly authorized representative, governing conduct of the members of the Band and Indians from other tribes on the reservation, providing for the maintenance of law and order and the administration of justice; and
- WHEREAS,** the Tribal Council adopted resolution TMBC1650-04-00 on the 12th day of April, 2000, approving a 30 day comment period for comments to be submitted in writing to the Tribal Office, for the proposed amendments to Chapter 26 of the Turtle Mountain Tribal Code:

26.1116 – Operating a Dance Hall for public social dances and other activities. Modify the penalty provision of this section from: “Any person violating this provision shall be guilty of a class 2 offense”, to “*Any person violating subsection (a), (b), (c), (e), (g), and (h) shall be guilty of a class 2 offense. Person’s violating subsection (d), (f) and (i) shall be guilty of a class 3 offense*”.

26.1118 – Protection of law enforcement officials of the Turtle Mountain Jurisdiction. Add the following to the current section: “*Any person who shall commit a battery upon any duly appointed law enforcement official, while engaged in or on account of the performance of his or her official duties, shall be guilty of a class 4 offense*”.

26.1119 – Protection of tribal officials and employees of the Turtle Mountain Band of Chippewa Indians. Add the following to the current section: “*Any person who shall commit a battery upon any duly elected or appointed tribal official, while engaged in or on account of the performance of his or her official duties, shall be guilty of a class 4 offense*”.

26.1120 – Resisting lawful arrest. Add the following to the current section: “*If in the course of such resistance or assistance, a duly appointed law enforcement official incurs any physical injury, the person or persons shall be guilty of a class 4 offense*”.

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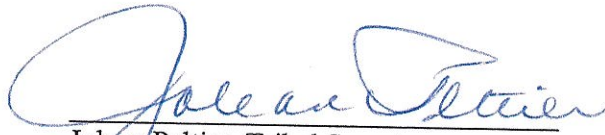
TMA/ Admin

WHEREAS, the Tribal Office has not received written comments; now

THEREFORE BE IT RESOLVED, the Tribal Council is hereby adopting the proposed amendments to Chapter 26.

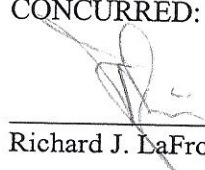
CERTIFICATION

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 **3rd day of August, 2000** that the foregoing resolution was adopted by an affirmative vote of **six (6)** in favor, none opposed with the Chairman not voting.



Jolean Peltier, Tribal Secretary

CONCURRED:



Richard J. LaFromboise, Tribal Chairman