

RESOLUTION NUMBER **TMBC572-10-11** 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 IX (a) Section 1 of the Turtle Mountain Constitution and By-Laws empowers the Tribal Council with the authority to represent the Band and to negotiate with 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 Tribe placed proposed amendments to Title 9, the Grandparents Rights out for a 30-day comment period; and
- WHEREAS, no comments were received on said amendments; now

THEREFORE BE IT RESOLVED that the Tribe is approving amendments to Title 9, Chapter 9.0217 for the following wording to be eliminated in its entirety: "The tribal court shall require mediation of the matter under this chapter before such a matter is brought to tribal court. If mediation fails and if the mediator agrees, the court may order the dispute arbitrated by the person who attempted mediation. Joinder of grandparents or of great-grandparents awarded visitation rights under this section must occur in any proceeding to terminate parental rights." Any other subsequent wording involving a mediation process will also be removed or amended accordingly."

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 **eight (8)** constituting a quorum were present at a meeting duly called, convened and held on the **27th day of October, 2011**, that the foregoing resolution was adopted by an affirmative vote of **seven (7) in favor** – Representatives Elmer Davis, Jr., Cindy Malaterre, Lorne Jay, Mike Malaterre, Curtis L. Poitra, Zelma Peltier and Jeff 'BJ' Delorme; one (1) absent-Representative Larry DeCoteau; with the Chairman not voting.


Jolean A. Morin, Tribal Secretary *10/28/11*

SIGNED INTO LAW/Dated this 28 day of October, 2011
 VETOED/Dated this _____ day of _____, 2011


Merle St. Claire, Chairman