

**RESOLUTION NUMBER TMBC390-05-23 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 (a) 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,** for the convenience of community members and governmental operations, and to enhance economic opportunity and investment, the Tribe desires to publish its ordinances and other laws of general applicability on the Internet; and
- WHEREAS,** the Tribe has worked with Open Law Library (“OLL”) to recodify the Tribe’s ordinances and publish them in a new electronic tribal law library at <https://law.tmchippewa.com>; and
- WHEREAS,** OLL is a 501 (c)(3) non-profit with the mission to help governments make all their official laws freely and openly accessible to the public in human and computer readable formats, and OLL develops and maintains software systems for the performance of this mission; and
- WHEREAS,** OLL’s software is capable of ensuring that the published code is:
- (a) Preservable- All published laws will be maintained in a manner that meets or exceeds all requirements for level 2 preservation as specified by the National Digital Stewardship Alliance,
 - (b) Authenticatable- All published laws will be authenticatable as the official laws of the Tribe. Authentication will use Open Law Library certificates, and
 - (c) Accessible- All published laws will be available to the public through OLL or the Tribe indefinitely.
- WHEREAS,** the Tribe, as part of establishing its new online Turtle Mountain Law Library, intends to recodify its ordinances as the Turtle Mountain Band of Chippewa Indians Tribal Code. This codification includes reorganizing and renumbering ordinances and codes; and
- WHEREAS,** the Tribe wishes to make the Turtle Mountain Band of Chippewa Indians Tribal Code the

official version of the Tribe's ordinances; and

THEREFORE BE IT RESOLVED that the Tribe:

Section 1. Recodification

- (a) The Council hereby codifies its current ordinances as the Turtle Mountain Band of Chippewa Indians Tribal Code.
- (b) As part of this recodification, the Tribal Council authorizes administrative corrections to replace inaccurate citations and references within the individual ordinances and codes, update renumbering within and between ordinances, correct typos, and make other similar minor changes that do not change the substantive content of the ordinances and codes that are part of the Turtle Mountain Band of Chippewa Indians Tribal Code. All such corrections are included as Attachment 1.

Section 2. Official Version

The electronic version of the Turtle Mountain Band of Chippewa Indians Tribal Code, which is published online using OLL software and which is part of the Turtle Mountain Law Library, shall be the official version of such code. Additionally, this Turtle Mountain Band of Chippewa Indians Tribal Code shall be in the public domain.


Section 3. Enactment and Effective Date

The Tribal Council hereby enacts the Turtle Mountain Band of Chippewa Indians Tribal Code, which shall become effective on May 23, 2023.

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 **six (6)** constituting a quorum were present at a meeting duly called, convened and held on the **23rd day of May, 2023** that the foregoing resolution was adopted by an affirmative vote of **five (5) in favor** – Representatives Lynn Gourneau, Ron Trottier Sr., Kenneth Malaterre, Jon Jon Keplin and Chad Counts; three (3) absent- Representatives Blaine “Slugger” Davis, Craig Lunday and Elmer Davis Jr.; none (0) opposed; with the Tribal Chairman not voting.

(☒) SIGNED INTO LAW/Dated this 4th day of June, 2023
(☐) VETOED/Dated this _____ day of _____, 2023


Jolean A. Morin, Tribal Secretary 6/1/23


Jamie Azure, Tribal Chairman