

RESOLUTION NUMBER **TMBC856-03-20** OF THE DULY ELECTED AND CERTIFIED GOVERNING BODY
OF THE TURTLE MOUNTAIN BAND OF CHIPPEWA


- WHEREAS, 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, In accordance with the Tribal Code, Title 22.0503 Emergency rule, states "If the Tribal Council finds that an imminent peril to the Tribal health, safety, or welfare requires adoption of a rule upon less notice than provided in this chapter and states in writing its reasons for that finding, it may proceed, without prior notice or hearing or upon any abbreviated notice and hearing it deems practicable, to adopt an emergency rule. The rule will take effect immediately upon adoption and may last for a period not longer than one hundred twenty (120) days, from the date of its filing with the Tribal Council Secretary but the adoption of an identical rule pursuant to the procedures provided in this Section is not precluded. Authority to promulgate an emergency rule will not be delegated by the Tribal Council to an agency" and
- WHEREAS, the Tribal Council finds an imminent peril to the Tribal health, safety, or welfare of the Community in that the Centers of Disease Control and Prevention and other public health authorities have advised taking precautions to reduce the possibility of exposure to the COVID-19 virus and to slow the spread of the disease; and
- WHEREAS, the Emergency Rule for Curfew shall also apply to adults; now

THEREFORE BE IT RESOLVED that The Tribal Council enacts an emergency rule for a 10 p.m. to 6 a.m. curfew for adults. Such curfew shall apply to prohibit the loitering, non-essential driving, group congregating and unnecessary gathering. This curfew is such a precaution to limit large gatherings of people and the unnecessary travel to prevent the potential spread of the disease. This curfew allows for the continuation of businesses to be open to provide for the purchase of gasoline, necessary food and beverages, and personal care items. Violations of this curfew shall result in a forfeiture of \$100 for the first offense, \$200 for the second offense, and \$300 for a third offense; and


BE IT FURTHER RESOLVED that any fines brought in for violations of this rule, shall be placed into a Law Enforcement Account to prolong funding for law enforcement.

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 *seven (7)* constituting a quorum were present at a meeting duly called, convened and held on the *30th day of March, 2020* that the foregoing resolution was adopted by an affirmative vote of *six (6) in favor*-Reps. Stuart LaFountain, Jim Baker, Chad Counts, Loann Jerome, Nathan Davis and Ron Trottier, Sr.; two (2) absent-Reps. Lynn Gourneau and Bernice Poitra; none (0) opposed; with the Chairman not voting.


Jolean A. Morin, Tribal Secretary 3/30/20

SIGNED INTO LAW/Dated the 30th day of March, 2020
 VETOED/Dated this ___ day of _____, 2020


Jamie Azure, Tribal Chairman