



Sisseton - Wahpeton Oyate

LAKE TRAVERSE RESERVATION

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TRIBAL COUNCIL RESOLUTION NO. SWO-24-034

Establishment of the Tribal Council Legislative Process for Tribal Codes

- WHEREAS,** The Sisseton-Wahpeton Oyate is organized under a Constitution and By-laws adopted by the members of the Tribe on August 1-2, 1966, and approved by the Commissioner of Indian Affairs on August 25, 1966, and last amended effective November 15, 2006; and
- WHEREAS,** The Constitution ARTICLE III, Section 1, states that, the Sisseton-Wahpeton Oyate shall be governed by a Council, and ARTICLE VII, Section 1, states that, the Council shall have the following powers: (a) to represent the Tribe in all negotiations with Federal, State and local governments; (b) to acquire, own, use, manage, lease and otherwise encumber and to dispose of Tribal property, both real and personal, wherever situated; (c) to engage in any business that will further the economic development of the Tribe and its Members, and to use Tribal funds or other resources for such purposes; (d) to make rules governing the relationship of the members of the Tribe, to Tribal property, and to one another as members of the Tribe; (e) to hire employees and agents, including legal counsel, directly or as independent contractors, and to compensate them for their services; (f) to deposit Tribal funds to the credit of the Tribe, without limitations of the amount in any account; (g) to take any action by ordinance, resolution, or otherwise which are reasonably necessary through committees, boards, agents or otherwise, to carry into effect the for-going purposes; (h) to promote public health, education, charity, and such other services as may contribute to the social advancement of the members of the Sisseton-Wahpeton Oyate; (i) adopt resolutions regulating the procedures of the Tribal Council, its officials and committees in the conduct of Tribal Affairs; and
- WHEREAS,** The Sisseton-Wahpeton Oyate Tribal Council recognizes that its Legislative duties are an essential and vital responsibility of the Tribal Council and it is critical to improve the Legislative Process for the Sisseton-Wahpeton Oyate; and
- WHEREAS,** The Tribal Council has determined that Code revision, amendment, notice and approval shall be completed by the Tribal Council; and
- WHEREAS,** The Sisseton-Wahpeton Oyate Tribal Council establishes this Legislative Process for Tribal Codes pursuant to Article VII – Powers, of the Revised Constitution and By-Laws of the Sisseton-Wahpeton Oyate as follows:

Process

1. Tribal Council drafts or accepts a proposed amendment or Tribal Law.
2. Tribal Council works with legal counsel to review draft and/or make amendments or revisions.
3. Tribal Council posts the proposed draft/amendments to the Sisseton-Wahpeton Oyate Tribal Council website page at <https://www.swo-nsn.gov/government/tribal-council/>.
4. Tribal Council takes the draft code and/or amendments or revisions to their next District meeting for District review. Tribal Council may also post on District online pages, or provide copies at each respective District center.
5. Tribal Council shall hold a public hearing prior to Tribal Council approval. This public hearing will be in-person and in an online format prior to Tribal Council approval.
6. Tribal Council works with legal counsel for final review of draft and/or make amendments or revisions pursuant to District/Public input.
7. Tribal Council approves, in Resolution form, the Revised/new Code.
8. New/Revised Code is stamped and initialed in preparation for public posting.
9. New/Revised Code is placed on the SWO Legal Department Website at <https://www.swo-nsn.gov/departments/justice-department/legal-department/>. Tribal Council reserves the right to work with an online code publishing entity for public dissemination. Website addresses herein may be updated from time to time, which shall be provided by the Tribe to the public.

Accelerated Process

In rare instances, such as public health and safety emergencies or instances of political integrity, economic security or health and welfare occurrences, the Tribal Council must pass a New/Revised Code in an accelerated manner. In this instance, if time allows, Tribal Council will make every effort to hold a public hearing, if time allows, regarding the New/Revised Code prior to Tribal Council approval.

WHEREAS, Amendments and Revisions shall include the Legislative History in the Resolution showing new language underlined and deleted language ~~stricken~~, accompanied with an explanation for each change; and

WHEREAS, Original copies of Tribal Code shall be kept by the SWO Legal Department; and

WHEREAS, Tribal Council may in the future, contract with a code publishing service for Sisseton-Wahpeton Oyate code of law.



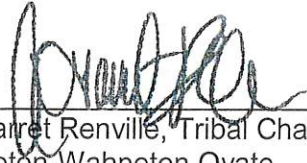
Establishment of the Tribal Council Legislative Process for Tribal Codes

FURTHER, IT BE RESOLVED, the contents of this Resolution shall supersede any and all prior resolutions and motions regarding revision and amendment of Tribal law; and

FINALLY, BE IT RESOLVED, That the Tribal Council of the Sisseton-Wahpeton Oyate of the Lake Traverse Reservation hereby approves the Tribal Council Legislative Process.

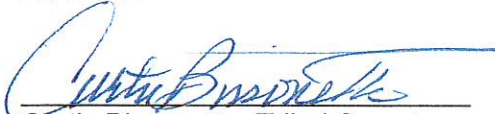
CERTIFICATION

We, the Undersigned duly elected Tribal Chairman and Tribal Secretary of the Sisseton-Wahpeton Oyate Tribal Council, do hereby certify that the above resolution was duly adopted by the Sisseton-Wahpeton Oyate Tribal Council, which is composed of 10 members (representing a total of 15 Tribal Council weighted votes and two Executive Committee votes for a total of 17 votes) of whom 9 constituting a quorum, were present at a Tribal Council meeting, duly noticed, called, convened and held at the TiWakan Tio Tipi, Agency Village, South Dakota, April 10, 2024, by a vote of 11 for, 5 opposed, 0 abstained, 0 absent from vote, 1 not voting, and that said Resolution has not been rescinded or amended in any way.



J. Garret Renville, Tribal Chairman
Sisseton-Wahpeton Oyate

ATTEST:



Curtis Bissonette, Tribal Secretary
Sisseton-Wahpeton Oyate

