

Flandreau Santee Sioux Tribe

P.O. Box 283 Flandreau, SD 57028

Ph. 605-997-3891

Fax 605-997-3878

www.santeesioux.com



RESOLUTION NO. 19-57A

WHEREAS, the Flandreau Santee Sioux Tribe is a recognized Indian tribe organized pursuant to a Constitution and By-laws approved by the Secretary of Interior and Commissioner of Indian Affairs on April 24, 1936, amended February 7, 1941, and further amended November 16, 1967, and further amended November 14, 1984, and further amended May 17, 1997; and

WHEREAS, Article III of the Tribe's Constitution and By-laws provides that the governing body of the Tribe shall be the Executive Committee; and

WHEREAS, Article VIII Section 1 of said Constitution sets forth the Executive Committee's enumerated powers. Section 1(f) provides that the Executive Committee may promulgate and enforce ordinances governing and regulating the conduct of all persons on the reservation; and

WHEREAS, Article VIII Section 1(h) of said Constitution provides that the Executive Committee may adopt resolutions consistent with said Constitution and By-Laws, regulating the procedure of the Executive Committee itself and of other tribal agencies, tribal officials or tribal organizations of the Flandreau Santee Sioux Tribe; and

WHEREAS, The Executive Committee reaffirms its findings set forth in Tribal Resolution number 19-57 and reincorporates them by reference; and

WHEREAS, The Executive Committee also finds that while the decriminalization of some marijuana-related acts are in the best interests of the community, certain acts should still be prohibited as civil offenses.

NOW THEREFORE BE IT RESOLVED that the Flandreau Santee Sioux Tribe Tribal Law and Order Code is further amended. The amendments are attached hereto.

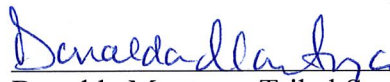
BE IT FURTHER RESOLVED that the Tribal Prosecutor is directed to provide notice of this resolution to the FSST Tribal Courts and tribal law enforcement agency.

[Certification follows on next page.]

CERTIFICATION

The foregoing Resolution was duly enacted and adopted on this 18th day of July, 2019, by the Executive Committee of the Flandreau Santee Sioux Tribe during a duly called meeting with a quorum was present of 4 In Favor, 0 Opposed, 0 Abstaining, and 3 Not Voting, as follows:

Vice President, Andrew Weston:	YES	NO	ABSTAIN	<u>NOT PRESENT</u>
Secretary, Donalda Montoya:	<u>YES</u>	NO	ABSTAIN	NOT PRESENT
Trustee I, Kristi Bietz:	<u>YES</u>	NO	ABSTAIN	NOT PRESENT
Trustee II, David Kills-A-Hundred:	<u>YES</u>	NO	ABSTAIN	NOT PRESENT
Trustee III, Kenneth Weston:	<u>YES</u>	NO	ABSTAIN	NOT PRESENT
Trustee IV, John Jason Armstrong:	YES	NO	ABSTAIN	<u>NOT PRESENT</u>
President, Anthony Reider (<i>If Required</i>):	YES	NO	ABSTAIN	NOT PRESENT



Donalda Montoya, Tribal Secretary



Anthony Reider, Tribal President

The following section of Title 9, Traffic Regulations, shall be amended to state:

Section 9-3-7. Open Container. It shall be a violation of this Title for any person to have or keep in a motor vehicle or having in his possession while in a vehicle, a bottle or receptacle containing alcoholic beverages which has been opened or the contents of which have been partly consumed.

While on a public roadway, it shall also be a violation of this Title for any person to ingest, process, handle, or possess any marijuana that is not contained in a closed package.

The following section of Title 9, Traffic Regulations, shall be amended to include:

Section 29-2-5. No public ingestion. It shall be a violation of this Title for any person to ingest marijuana in a public place.

Section 29-10-6. Dual Enforcement. Tribal law enforcement shall have dual authority to enforce the criminal and civil provisions of this Ordinance.