

**Sisseton-Wahpeton Oyate  
of the  
Lake Traverse Reservation**

**Code of Laws**

**Chapter 55A – Debts Owed to the Sisseton-Wahpeton Oyate  
Tribal Council Members, Tribal Executives,  
Committee members, Commission members, and Board members**

- 55A-01-01** “Debt” means money owed to the Tribe, its Districts, or their Entities by Elected or Selected Officials or Tribal Members seeking candidacy for an Elected or Selected offices. “Debt” does not include monthly Tribal bills that are current.
- 55A-01-01.1** “Elected or Selected Officials” are defined as but not limited to Tribal Council Members, Tribal Executives, District Officers, Committee members, Commission members and Board members.
- 55A-01-01.2** “Elected or Selected Offices” are defined as but not limited to Tribal Council, Tribal Executive Offices, District Offices, Committees, Commissions and/or Boards.
- 55A-01-01.3** “Monthly Tribal bills” are defined as rent and utilities.
- 55A-02-01** All Elected and Selected Officials that have incurred a debt(s) while in office shall be:
1. Removed immediately from Tribal Council, Tribal Executive Office, District Offices, committees, commissions and/or boards; and
  2. Ineligible to run for an Elected or Selected office until actual payment in full of their entire debt(s).
- 55A-03-01** All Tribal members seeking candidacy for an Elected or Selected office that owe a debt(s) shall be deemed ineligible to run for such office until actual payment in full of their entire debt(s).
- 55A-04-01** Any person subject to removal from an Elected or Selected Office under Section 55A-01-01 of this Chapter shall not vote on any motion pertaining to his or her removal.
- 55A-05-01** The Tribal Secretary shall notify any member of an Elected or Selected Office of any action taken to remove such member from such position pursuant to Section 55A-01-01 of this Chapter. (Passed by Referendum Vote 6, 1990)

**55A-06-01 Severability**

If any clause, sentence, paragraph, section or part of this code shall, for any reason be adjudicated by any court of competent jurisdiction, to be invalid or unconstitutional, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which the judgment shall have been rendered.



# Sisseton-Wahpeton Oyate

LAKE TRAVERSE RESERVATION  
P.O. Box 509  
100 Veterans Memorial Drive  
Agency Village, South Dakota 57262-0509  
Phone: (605) 698-3911

## TRIBAL COUNCIL RESOLUTION NO. SWO-08-044

### Amend Chapter 55A-Debts Owed to Sisseton-Wahpeton Oyate

**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 and By-laws ARTICLE VII, Section 1, states that the Tribe shall be governed by the Tribal Council, and that Tribal Council shall have the power to: (a) represent the Tribe in all negotiations with Federal, State and local governments; (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; (g) to take actions by ordinance, resolution or otherwise which are reasonably necessary through committees, boards, agents, otherwise, to carry into effect the foregoing purposes; (h) to promote public health, education, charity, and other services as may contribute to the social advancement of the members of the Sisseton-Wahpeton Oyate of the Lake Traverse Reservation; and (i) adopt resolutions regulating the procedures of the Tribal Council, its officials and committees in the conduct of Tribal Affairs; and,

**WHEREAS,** In 1988, the Tribal Council enacted the Sisseton-Wahpeton Sioux Tribe Delinquent Debts Owed to the Sisseton-Wahpeton Sioux Tribe by Tribal Officials Ordinance as Chapter 55A of the Sisseton-Wahpeton Tribal Code of Law, which has been amended from time to time; and,

**WHEREAS,** The Tribal Council has determined it is necessary to amend and revise the Sisseton-Wahpeton Oyate Delinquent Debts Owed to the Sisseton-Wahpeton Sioux Tribe by Tribal Officials Ordinance; and,

**WHEREAS,** The Tribal Council has established an informal legislative committee, comprised of Tribal Officials, made recommendations pertaining to amendments and other revisions to the Tribal Council in consultation with Sisseton-Wahpeton Oyate Legal Counsel; and,

**WHEREAS,** The informal Legislative Committee recommends the attached Chapter 55A with the proposed amendments be adopted.

**NOW THEREFORE BE IT RESOLVED**, The Tribal Council of the Sisseton-Wahpeton Lake Traverse Reservation hereby authorizes, adopts and enacts the attached Sisseton-Wahpeton Delinquent Debts Owed to the Sisseton-Wahpeton Oyate by Tribal Officials Ordinance; and,

**FINALLY, BE IT RESOLVED** This Ordinance shall be in full force and effect on the date of formal approval and adoption by the Tribal Council, on April 9, 2008.

### CERTIFICATION

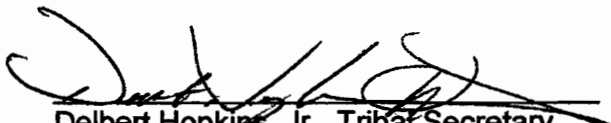
We, the undersigned duly elected Chairman and Secretary of the Sisseton-Wahpeton Oyate Tribal Council, do hereby certify that the above resolution was duly adopted by the Sisseton-Wahpeton Oyate Tribal Council, which is composed of 10 members, (representing a total of 17 Tribal Council weighted votes) 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, 2008, by a vote of 12 for, 2 opposed, 0 abstained from vote, 2 absent from vote, 1 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 15<sup>th</sup> day of April, 2008.



Michael I. Selvage, Sr., Tribal Chairman  
Sisseton-Wahpeton Oyate

ATTEST:



Delbert Hopkins, Jr., Tribal Secretary  
Sisseton-Wahpeton Oyate

cc: Election Board  
Tribal Court  
TCFO  
Tribal Vice-Chairman  
Tribal Council  
Planning  
Tribal Attorney ✓

