

RESOLUTION OF THE GOVERNING BODY OF  
THE THREE AFFILIATED TRIBES OF THE  
FORT BERTHOLD RESERVATION

- WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and
- WHEREAS, The Constitution of the Three Affiliated Tribes generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and
- WHEREAS, Article I of the Constitution of the Three Affiliated Tribes expressly provides that the jurisdiction of the Three Affiliated Tribes shall extend to all persons and all lands within the exterior boundaries of the Fort Berthold Reservation; and
- WHEREAS, Article VI, Section 3 of the Constitution of the Three Affiliated Tribes specifically grants to the Tribal Business Council all necessary sovereign authority - legislative and judicial - for the purpose of exercising the jurisdiction granted by the people of the Three Affiliated Tribes in Article I of the Constitution; and
- WHEREAS, Article VI, Section 5(1) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to adopt laws regulating the procedures of agencies and officials of the Three Affiliated Tribes; and
- WHEREAS, A review of the Fort Berthold Tribal Code reveals the absence of any criminal provisions prohibiting the use, possession, manufacture, or delivery of drug paraphernalia, which detrimental conduct occurs extensively throughout the Fort Berthold Reservation; and
- WHEREAS, It is the considered judgment of the Tribal Business Council that it should exercise its legislative authority in an effort to minimize and ultimately eliminate such problematic and unlawful conduct with the intent of protecting the health and welfare of Tribal members resident on the Reservation; and
- WHEREAS, The Tribal Business Council has had the opportunity to

review and comment on the draft of proposed legislative language designed to address this problem and approves the attached draft of the statutory provisions titled "Drug Paraphernalia";

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby formally enacts the attached statutory provisions titled "Drug Paraphernalia" and designates said provisions as Section 1000.16 of Chapter 2 of Title III of the Fort Berthold Tribal Code.

BE IT FURTHER RESOLVED, That the attached statutory provisions titled "Drug Paraphernalia" shall become effective immediately and shall supersede and replace any and all conflicting or inconsistent provisions included in the body of law of the Three Affiliated Tribes.

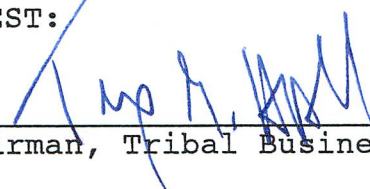
C E R T I F I C A T I O N

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 23 day of MARCH, 2001; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 1 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 23 day of MARCH, 2001.

  
Secretary, Tribal Business Council

ATTEST:

  
Chairman, Tribal Business Council