



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

A Resolution entitled, "Adoption of New Laws – Domestic Violence Code, Restraining Orders, and Stalking and Interference with Telephone During Emergency Call Provisions"

- WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and
- WHEREAS,** The Three Affiliated Tribes Constitution authorizes and empowers the Mandan, Hidatsa & Arikara Tribal Business Council to engage in activity 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, including lands held in fee, 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,** Representatives of Tribal Law Enforcement, Tribal Court, Fort Berthold Coalition Against Domestic Violence, and the Tribal Legal Department have reviewed a proposed Domestic Violence Code, criminal stalking and interference with an emergency telephone call provisions, and disorderly conduct and stalking restraining order provisions and have made their recommendations as to changes to the proposed provisions; and
- WHEREAS,** The amended versions of the aforementioned provisions after review by Tribal Law Enforcement, Tribal Court, Fort Berthold Coalition Against Domestic Violence, and the Tribal Legal Department, which are attached to this Resolution, have been presented to the Tribal Business Council; and
- WHEREAS,** The Tribal Business Council finds that there is a need for such laws on the Fort Berthold Reservation in the interest of the health and welfare of the Tribes and the enrolled members thereof; and



WHEREAS, Based on its review and discussion of the attached provisions, it is the considered judgment of the Tribal Business Council that such provisions should be approved and adopted and added to the Code of Laws of the Three Affiliated Tribes;

NOW, THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby approves and adopts the attached Domestic Violence Code, which is to be added to Title V of the Tribal Code of the Three Affiliated Tribes as Chapter 5-18; the Disorderly Conduct Restraining Order and Stalking Restraining Order provisions, which are to be added as Part XI to Chapter 2 of Title III of the Tribal Code; and the criminal stalking and interference with telephone during emergency call provisions, which are to be added as sections 610.14 and 610.15 to Chapter 2 of Title III of the Tribal Code and all forthwith incorporated into the Code of Laws of the Three Affiliated Tribes.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting thereof duly called, not iced, convened and held on the 9th day of June, 2005, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [X] Voting. [] Not Voting.

Dated this 9th day of June, 2005.

[Signature]
Secretary, Nathan Hale
Tribal Business Council

ATTEST:
[Signature]
Chairman, Tex G. Hall
Tribal Business Council