



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

A Resolution entitled, “*Establishment of Penalties for Violations of the Alcoholic Beverage Control Law*”

WHEREAS, The Mandan Hidatsa and Arikara Nation (“MHA Nation”) having accepted the Indian Reorganization Act of June 18, 1934 (“Act”), and the authority under said Act and having adopted a Constitution and By-Laws pursuant to said Act; and

WHEREAS, The MHA Nation has the inherent authority to impose taxes on economic activity within the Fort Berthold Indian Reservation, to defray the cost of providing essential governmental services, and to fund essential government services; and

WHEREAS, Article III, Section I of the Constitution of the MHA Nation provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, The Tribal Business Council's responsibility includes promoting the health, security, economic, and general welfare, of both members and non-members residing or conducting business on the Fort Berthold Indian Reservation; and

WHEREAS, 18 U.S.C. § 1161 provides that the Three Affiliated Tribes may adopt an ordinance that regulates the introduction, use and sale of liquor of the Fort Berthold Indian Reservation and delegates to the Tribe the federal authority to regulate the introduction, use and sale of liquor within the Reservation; and

WHEREAS, By Resolution No. 86-212-C, the Tribal Business Council adopted the Three Affiliated Tribes’ Alcoholic Beverages Control Law to regulate the introduction, sale and use of alcoholic beverages within the exterior boundaries of the Fort Berthold Reservation, which were approved by the Secretary of the Interior and published in the Federal Register on February 6, 1987, 52 FR 3869-02; and

WHEREAS, By Resolution No. 16-16-272-FWF, the Tribal Business Council adopted the 2016 Additional Technical Amendments to the Three Affiliated Tribes Alcoholic Beverage Control Law, which were approved by the Secretary of the Interior and published in the Federal Register on February 28, 2017, 82 FR 12116, effective March 30, 2017; and

WHEREAS, Ch. VI, § 1 and 4 of the amended Alcoholic Beverages Control Ordinance, states that violations of the ordinance are subject to civil penalties established by the Tribal Legal Department and approved for publication by the Tribal Business Council.



NOW, THEREFORE, BE IT RESOLVED, that the Tribal Legal Department shall establish a schedule of penalties for violations of the amended Alcoholic Beverages Control Ordinance and present the schedule to the Tribal Business Council for approval in accordance with the Tribal policies and procedures.

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, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 11th day of October, 2017, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [X] Voting. [] Not Voting.

Dated this 11th day of October, 2017.

ATTEST:

Tribal Secretary, Fred W. Fox
Tribal Business Council

Tribal Chairman, Mark N. Fox
Tribal Business Council