

JUDICIARY COMMITTEE
THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL

SOUTH CONFERENCE ROOM
TRIBAL BUILDING
JANUARY 5, 1983

Present: Pete Coffey, Paul Good Iron, Tillie Walker, Dennis Huber

Absent : Ernest Stone

Others : Wallace Chase, Diane Johnson, Kip Quale

Chairman Pete Coffey called the meeting to order at 1:30 p.m.

Secretary Paul Good Iron called roll call, quorum present.

Competence - Wally stated there are problems with the Competence Board as the Tribal Code is out-dated and NARF is working on the revisions. Wally stated he had tried to get a hold of Doug Anderson of NARF to attend the meeting. It was decided to discuss it at a later date when the draft to the Constitution and Tribal Code are completed which was expected within the next two weeks.

Commitment procedure - Wally stated he had been working with Legal Services, the Legal department, Glen Yellow Bird and others on a commitment procedure. He also stated the one now proposed would be workable within the tribal procedure. Kip Quale explained the commitment procedure and answered questions.

Dennis Huber left the meeting.

Discussion continued on the commitment procedure. Wally stated when a person is committed, many times the person will leave the institution without letting the Tribal Court know. Paul Good Iron made a motion to approve the commitment procedure. Tillie seconded the motion. Vote Call - Three in favor, zero opposed, motion carried. Remarks - Tillie - to have a resolution drawn up and present it to the full Council.

A letter from Walter Plumage of the Aberdeen Area Office and one from the Sheriff Carlson was read concerning the offenses of Indians off the reservation. Wally stated a resolution was passed by the Council eliminating any warrants from off the reservation as the State of North Dakota will not honor any warrants issued by the Tribal Court. And that most of the offenses were the passing of bad checks of which could be tried in Tribal Court by a civil action, but most business do not know this. Tillie asked Kip to draft a letter to the Sheriff Carlson with a copy to Aberdeen. Paul suggest to explained the background history and

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that there is no full faith and credit. And to have Pete Coffey sign as chairman of the committee.

Paul asked Kip about the shooting of the Tribal building, if it could be brought forth as a criminal case. Kip suggest that the full council act on it.

Dennis Huber came back into the meeting.

Discussion continued on the Federal Trader license; for the business on the reservation to have trade dealership. Paul made a motion to refer the Federal Traders license to the full council for a final decision. Tillie seconded the motion. Vote Call - Four in favor, zero opposed, motion carried.

Wally stated at the meeting in Albuquerque, the State of New Mexico held the liquor establishment be held liable should a personal injury occur while giving an individual to much liquor. Tillie suggested to have Wally look into it.

Roy Bear Bear came into the meeting.

D.W.I.'s - Tillie stated the State is considering changing the D.W.I.'s. Discussion followed and Paul Good Iron made a motion to increase the fine of D.W.I. to \$500.00 or a flat fee to be posted for 30 days until it is in effect. Tillie seconded the motion. Remarks: Roy to have their driver's license take away. Tillie - to get a resolution completed and submit it to the full council. Vote Call - Three in favor, One abstained, 1 not voting motion carried.

Wally stated the Assistant Prosecutor is picking up bad checks at the Motor Lodge, namely Indian people staying there and leaving in the morning without paying their bill. Wally stated this is the only way to protect the motel's interest is to treat it as a NSF check to be tried in Tribal Court. As the Code does not have any provisions to protect the motel's interest. Dennis made a motion to draft a code or policy. Paul seconded the motion. Remarks: Paul - to get it from the State and just change the wording. Roy - to notify the Four Bears Development Board. Vote Call - Five in favor, zero opposed, motion carried.

Wally stated the Tom's Business Machines will be giving a demonstration of the electronic recording machine and explained it would be cheaper by about \$1,000.00 to purchase the machine under a GSA contract and needed a resolution. Wally stated due to the demand of the machine, it would take about two months to get here and would like the council members to veiw the machine when it is brought up.

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Review of Traffic codes - The tribe had adopted Section 39-15 and now North Dakota law is up to 39-28 and changing every year. Paul stated the Tribe had adopted certain sections, but during that time they had a hard time meeting and the Tribal Attorney, Vance Gillette had been working the the code. Tillie stated it should be reviewed by the Tribal Attorney before being adopted into the Tribal Law and Order Code. Paul suggested to have a resolution adopting the Motor Vehicle code with the exception it must go thru the Indian Civil Rights.

Being more further business, Pete adjourned the meeting at 3:30 p.m.

4-13-83

Date approved

Paul Good Iron

Paul Good Iron
Secretary, Judiciary Committee