

RESOLUTION OF THE TRIBAL BUSINESS COUNCIL
OF THE THREE AFFILIATED TRIBES OF THE
FORT BERTHOLD RESERVATION

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and authority under said Act; and

WHEREAS, the Tribal Business Council has passed Resolution No. _____ regarding the enforcement of the trespass and malicious mischief statutes upon those outside the criminal jurisdiction of the Tribal Court; and

WHEREAS, the existing sections 14 and 15 of Chapter 4, of the Tribal law and order code are inadequate for such enforcement; and

NOW, THEREFORE, BE IT RESOLVED that Chapter 4, section 14, Malicious Mischief be amended to read as follows:

Any person who shall maliciously or knowingly and willfully injure, destroy, or disturb any property, whether real or personal, ^{of another} shall be deemed guilty of malicious mischief. If the offender is within the Court's criminal jurisdiction upon conviction he or she shall be sentenced to a period of confinement not to exceed 6 months or a fine not to exceed \$500 or both, plus any damages to be paid as restitution to the injured party.

Should the offender not be within the criminal jurisdiction of the Court upon conviction a fine not to exceed \$500 plus any damages to be paid as restitution to the injured party.

NOW BE IT FURTHER RESOLVED that Chapter 4, Section 15, Trespass be amended to read as follows:

Any person who shall go upon the property of another knowing it to be property of another without proper permission by the owner or beneficial owner of said property shall be guilty of the offense of Trespass and upon conviction shall be sentenced to a period of confinement not to exceed 6 months or a fine not to exceed \$500 or both plus any damages to be paid as restitution to the injured party.

Should the offender not be within the criminal jurisdiction of the Court upon a finding of unlawful trespass a fine not to exceed \$500 plus any damages to be paid as restitution to the injured party.

CERTIFICATION

The undersigned hereby certifies that the foregoing

Resolution No. 79-276

resolution was approved at a meeting of the Tribal Business Council duly noticed and convened with a proper quorum on the 12 day of July, 1979, by a vote of 9 in favor and 0 against.



Tillie Walker, Secretary
Tribal Business Council



Austin H. Gillette, Chairman
Tribal Business Council