

**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 VI, Section 5(1) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to adopt resolutions regulating the procedures of Tribal governmental instrumentalities; and
- WHEREAS,** The Code of Laws of the Three Affiliated Tribes currently includes, in Chapter IV-A, criminal and civil provisions regulating motor vehicle ownership and operation on the Fort Berthold Reservation; and
- WHEREAS,** Officials of the Fort Berthold Tribal District Court have informed the Tribal Business Council that said Chapter IV-A does not currently include provisions regulating the operation of motorcycles and that there exists a substantial need for such regulation on the Reservation; and
- WHEREAS,** Chapter IV-A of the Code of Laws adopted as and incorporated in Tribal law certain enumerated provisions of Title 39 of the 1943 Revised Code of North Dakota, which provisions, however, do not include the regulation of motorcycle operation, due to the fact that North Dakota law did not provide for such regulation at the time at which the Three Affiliated Tribes initially adopted Chapter IV-A; and
- WHEREAS,** In 1975, the North Dakota Legislature supplemented Title 39 of the North Dakota Century Code with Chapter 39-10.2 which provides for the regulation of motorcycle operation and equipment; and
- WHEREAS,** It is the considered judgment of the Tribal Business Council that Chapter IV-A of the Code of Laws should be supplemented with the adoption, as Tribal law, of the provisions currently included in Chapter 39-10.2 of the North Dakota Century Code, so as to enable the Three Affiliated Tribes to regulate the operation of motorcycles within the exterior boundaries of the Fort Berthold Reservation;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby formally adopts, as Tribal law and for immediate incorporation in Chapter IV-A of the Code of Laws of the Three Affiliated Tribes, the provisions currently set forth in Chapter 39-10.2 of the North Dakota Century Code.

BE IT FURTHER RESOLVED, That, in the event that the North Dakota Legislature should, at any time in the future, amend or supplement Chapter 39-10.2 of the North Dakota Century Code, the Three Affiliated Tribes shall automatically adopt, as Tribal law and for immediate incorporation in Chapter IV-A of the Code of Laws of the Three Affiliated Tribes, any and all such amendments and supplementations upon the respective effective dates thereof, unless affirmative Tribal legislative action is taken to the contrary.

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, 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 13 day of August, 1987; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 13 day of August, 1987.

Acting Tim M. Mossitt
Secretary, Tribal Business Council

ATTEST:

Edward John Fisher
Chairman, Tribal Business Council