

**Resolution to Adopt, Enact, And Amend The
Three Affiliated Tribes Alcoholic Beverage
Control Ordinance For The Introduction,
Sale, And Use Of Alcoholic Beverages On Sunday
And To Include Provision For A Sunday Alcoholic
Beverage Permit And Other Purposes**

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

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 best interest of the welfare and benefit of the enrolled members;

WHEREAS, Article VI, Section 3 of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to exercise all necessary sovereign powers for the purpose of enforcing the jurisdiction granted to the Tribal Business Council by the people in Article I of the constitution;

WHEREAS, Article I, of the Constitution 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;

WHEREAS, the Tribal Business Council passed the Three Affiliated Tribes Liquor Control Ordinance, Resolution #86-212-C, which authorized the Tribal Business Council to regulate the introduction, sale, and use of alcoholic beverages herein in order to protect the health, welfare, and social standards of the residents of the Fort Berthold Indian Reservation;

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 on the Fort Berthold Indian Reservation and further provides that such regulation shall conform to the law of the State of North Dakota as well as the Tribal Liquor Control Ordinance;

WHEREAS, the State of North Dakota has reenacted and amended Section 5-02-05.1, N.D. Century Code, to allow for local government units to issue and regulate Sunday Alcoholic Beverage Permits;

WHEREAS, the state has recognized the authority of the Three Affiliated Tribes to issue and regulate alcoholic beverage licensure permits on the Fort Berthold Reservation;

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation pursuant to its constitutional authority hereby adopts, enacts, and amends Chapter II, Section 5, of the Three Affiliated Tribes Alcoholic Beverage Control Ordinance to provide for the introduction, sale and use of alcoholic beverages on Sunday.

BE IT FURTHER RESOLVED, that Chapter II of the Three Affiliated Tribes Alcoholic Beverage Control Ordinance shall include the provision for Tribal Sunday Alcoholic Beverage Permits.

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, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 10th day of June, 1993; that the foregoing **Resolution** was duly adopted at such Meeting by the affirmative vote of 4 members, 3 members opposed, 0 members abstained, 0 members not voting, and that said **Resolution** has not been rescinded or amended in any way.

Dated the 10th day of June, 1993.

John J. Rabbithead Jr
Secretary, Tribal Business Council

ATTEST:

William O. Welch
Chairman, Tribal Business Council