



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Rescinding Resolution No. 06-2020-132 and Resolution No. 12-2020-313 to Permit the Use of Alcohol and Sales within Limited Locations on the Fort Apache Indian Reservation)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(i) that the Tribal Council (“Council”) shall exercise the power, “To manage all economic affairs of the Tribe...”; and

WHEREAS, The Constitution also provides, at Article IV, Section 1(a) that the Council shall exercise the power “To represent the tribe and act in all matters that concern the welfare of the Tribe, and to make decisions not inconsistent with or contrary to [the] constitution”; and

WHEREAS, On June 29, 2021, the Council passed Resolution No. 06-2021-122 “Permitting the Sale of Alcohol in Certain Locations on the Fort Apache Indian Reservation” which also now necessitates the lifting of the prohibition on the use of alcohol; and

WHEREAS, The Council finds that lifting the ban on alcohol possession and use will support its previous resolution that permits the sale of alcohol in certain locations on the Reservation.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that Resolution No. 06-2020-132 “Prohibiting All Alcohol Sales on the Fort Apache Indian Reservation Until January 1, 2021 and Instituting Additional Penalties for Prohibited Sales and Use of Alcohol and Illegal Drugs” and Resolution No. 12-2020-313, which extended the previous Resolution, is hereby rescinded, effective immediately.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby reaffirms Resolution No. 06-2021-122, permitting the sale of alcohol, limited to beer and wine, only at the following locations: Hon-Dah Resort-Casino & its convenience Store; Sunrise Park Resort; and at the convenience stores at the lakes managed and operated by Apache Enterprise, including Hawley Lake, Horseshoe Lake, and Reservation Lake (once the Executive Order closing that area is lifted), effective immediately.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that this Resolution shall not affect the sentences of persons cited or sentenced pursuant to Resolution 06-2020-132 or Resolution No. 12-2020-313 previous to the date of enactment of this Resolution.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event any provision of this Resolution that directly conflicts with the Tribal

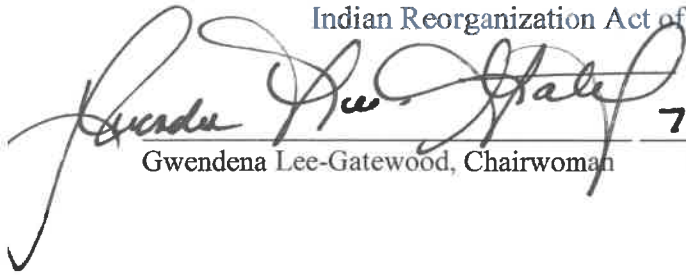
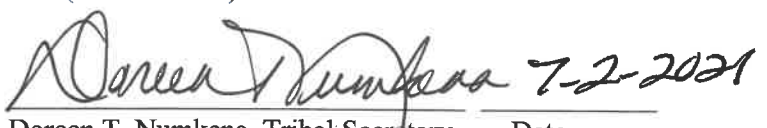
Resolution No. 07-2021-124

Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, that the provision at issue shall be deemed null and void and have no legal effect.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairwoman, or in her absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **JULY 2, 2021** duly adopted by a vote of **FIVE** for, **THREE** against, and **ZERO** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

	<u>7.2.21</u>		<u>7-2-2021</u>
Gwendena Lee-Gatewood, Chairwoman	Date	Doreen T. Numkena, Tribal Secretary	Date