

**FOURTH AMENDMENT TO
FORT PECK – MONTANA
ALCOHOLIC BEVERAGES TAX AGREEMENT**

This Fourth Amendment to Fort Peck – Montana Alcoholic Beverages Tax Agreement is entered into between the State of Montana (State) and the Assiniboine and Sioux Tribes of the Fort Peck Reservation (Tribes).

RECITALS

WHEREAS, the Tribes and the State entered into the Fort Peck – Montana Alcoholic Beverages Tax Agreement on October 16, 2002; which agreement was amended by a First Amendment on June 30, 2003, a Second Amendment on March 10, 2004, and a Third Amendment on March 15, 2012 (hereinafter collectively “Agreement”);

WHEREAS, the Agreement may be amended by the parties pursuant to Section 8 of the Agreement; and

WHEREAS, the parties desire to amend certain parts of the Agreement.

THEREFORE, the State and the Tribes agree to amend the Agreement as follows:

The first paragraph of Section 5 of the Agreement is amended to read as follows:

This Agreement shall be for a term of ten years from the effective date of the Fourth Amendment to the Fort Peck – Montana Alcoholic Beverages Tax Agreement. This Agreement shall be subject to the renewal provision of Section 8 unless terminated in writing by either party upon written notice to the other. This Agreement shall automatically remain in effect for successive ten-year periods beyond its term if neither party terminates the Agreement as provided above or if the parties fail to renew the Agreement as provided in paragraph 8 of this Agreement. Remittance of funds by the State to the Tribes in the event of termination of the Agreement shall be as follows:

Section 7 of the Agreement is amended to read as follows:

The Fourth Amendment to the Fort Peck – Montana Alcoholic Beverages Tax Agreement shall be effective January 1, 2021.

Section 8(b) of the Agreement is amended to read as follows:

(b) Six months prior to expiration of the ten-year term set forth in the Fourth Amendment to the Fort Peck – Montana Alcoholic Beverages Tax Agreement provided for in Section 5 of this Agreement, the parties should meet to negotiate in good faith a renewal of the Agreement.


As required by Section 8 of the Agreement, the parties' signatures are set forth below. Except as expressly amended hereby, all terms and conditions of the Agreement remain in full force and effect.


This Amendment consists of two (2) pages.

Dated this 30 day of December, 2020.
EW


STATE OF MONTANA

ASSINIBOINE AND SIOUX
TRIBES OF THE FORT PECK
RESERVATION


DocuSigned by:

EAB9EBAC34A7436...
Steve Bullock
Governor


Floyd Azure, Tribal Chairman
Fort Peck Tribal Executive Board

(pursuant to authorizing resolution of
the Tribal Executive Board)

DocuSigned by:

BAC0F199A27245A...
Gene Walborn
Director of Revenue

Approved pursuant to § 18-11-105, MCA.


Tim Fox *Austin Kanders*
Attorney General
by Kristen Hansen