



**RESOLUTION OF THE GOVERNING BODY OF THE  
THREE AFFILIATED TRIBES OF THE  
FORT BERTHOLD INDIAN RESERVATION**

***A Resolution Entitled, "Authority for Tribal Tax Department to Determine and Approve Motor Fuel Tax Refunds for Tribal Members"***

**WHEREAS**, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-Laws pursuant to 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 III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

**WHEREAS**, Article VI, Section 5 (l) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies; and

**WHEREAS**, Article VI, Section 5(c) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Tribes and to make expenditures from available Tribal funds for public purposes of the Tribes, including payment of salaries and other compensation to Tribal Officials and employees, which includes consultants and legal counsel; and

**WHEREAS**, The Tribal Business Council entered into a Motor Fuel Tax Collection Agreement with the state of North Dakota for the purpose of collecting tribal motor fuel taxes and disbursing proceeds of the collections by the State back to the Tribe; and

**WHEREAS**, The Tribal Business Council has issued refunds of the motor fuel taxes to tribal members on a case by case basis; and

**WHEREAS**, The Tribe has established a tribal tax department and the Tribal Business Council has determined that authority to determine and issue motor fuel tax refunds should be the responsibility of the Tribal Tax department.

**NOW THEREFORE BE IT RESOLVED**, that the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation directs that authority for determining and issuing motor fuel tax refunds to tribal members is hereby placed on the Tribal Tax Department; and





**BE IT FINALLY RESOLVED**, that the Tax Department shall establish objective criteria for issuing refunds and bring said criteria back to the Tribal Business Council for approval in resolution format.


**CERTIFICATION**

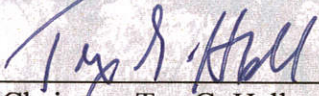
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 14<sup>th</sup> day of April, 2011, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 1 members opposed, 1 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [] Voting. [] Not Voting

Dated this 14<sup>th</sup> day of April, 2011

**ATTEST:**

  
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Tribal Secretary V. Judy Brugh  
Tribal Business Council  
Three Affiliated Tribes

  
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Tribal Chairman Tex G. Hall  
Tribal Business Council  
Three Affiliated Tribes

