Resolution #14-1217-399

Appropriating Funds for Expenditure During the First Quarter of FY 2015 in Accordance with Section 5.07 of the Budget & Appropriations Act of 2013

WHEREAS, the status of the Gaá Čhíng Ziibi Daáwaa Aníshinaábek (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) of the Constitution to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(i)(1) of the Constitution to approve the annual budget presented by the Ogema; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) of the Constitution to establish laws through the enactment of ordinances and adoption of resolutions not inconsistent with the Constitution; and

WHEREAS, the Tribal Council has adopted the Budget and Appropriations Act of 2013, Ordinance #13-100-04, in accordance with its Constitutional authority and the Administrative Procedures Act; and

WHEREAS, Section 5.07 of the Budget and Appropriations Act of 2013 (the “Act”) requires that the Tribal Council appropriate funds for expenditure for the following fiscal quarter by March 1, June 1, September 1, and December 1 of each Fiscal Year.
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council hereby appropriates the amount of $3.5 million of gaming distribution to fund expenditures during the fiscal quarter beginning January 1, 2015.

IT IS FURTHER RESOLVED THAT nothing in this Ordinance shall impact subsections (a), (b) or (c) of Section 5.07, or any other provision, of the Act.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on December 17, 2014 at the Little River Band’s Government Center in Manistee, Michigan, with a quorum being present for such vote.

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Sandy Mezeske, Tribal Council Recorder

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Virgil Johnson, Tribal Council Speaker

Distribution: Council Records
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