Resolution #14-0924-296

Authorization of Support for Election Board Regulations Chapter 15 – Campaigning and Authorizing Enforcement by the Public Safety Department.

WHEREAS, the status of the GađČhéng Ziibi Daawaa Anishinaabek (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 has the authority under Article VI, Section 7(a)(1)-(2) of the Constitution to exercise the inherent powers of the Little River Band by establishing laws through the enactment of ordinances and the adoption of resolutions to govern the conduct of members of the Little River Band and other persons within its jurisdiction and to promote, protect and provide for the public health, peace, morals, education and general welfare; and

WHEREAS, the Tribal Council is authorized by Article VI, Section 7(j) to take action not inconsistent with the Constitution that is necessary and proper to carry out the sovereign legislative powers of the Tribe; and

WHEREAS, the Tribal Ogema is invested by Article V, Section 5 of the Constitution with the executive powers of the Tribe’s inherent sovereignty and the authority and responsibility to enforce and execute the laws of the Tribe and to oversee the administration and management of the Tribal Government; and
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WHEREAS, the Election Board is authorized by Article IX, Section 4(e) to issue rules and procedures as may be necessary to carry out tribal elections and to provide for ongoing voter registration; and

WHEREAS, the Election Board has issued new rules entitled Chapter 15 – Campaigning, as it deems these rules necessary to carry out Tribal elections.

NOW THEREFORE IT IS RESOLVED, that Tribal Council declares its support for the Election Board in its issuance of these rules.

IT IS FURTHER RESOLVED, that in an exercise of its inherent legislative authority, Tribal Council deems it necessary and proper to authorize the Public Safety Department to act under color of the Tribe’s sovereign authority in enforcing Chapter 15 – Campaigning as may be necessary.

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 September 24, 2014, at the Little River Band’s Government Center in Manistee, Michigan, with a quorum being present for such vote.

Sandra Mezeske, Tribal Council Recorder

Virgil Johnson, Tribal Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Election Board
Public Safety Department