



Little River Band of Ottawa Indians
1762 U.S. 31 South
Manistee MI 49660
(231) 723-8288

ORIGINAL

RESOLUTION NO. #00-0724-07

**SUPPORTING FORMATION OF AN INTER-TRIBAL WORK GROUP ON TAXATION ISSUES AND
AUTHORIZING THE TRIBAL ATTORNEY AND TRIBAL OGEMA TO REPRESENT TO TRIBE IN
THAT WORK GROUP AND IN NEGOTIATIONS WITH THE STATE OF MICHIGAN**

WHEREAS, the Little River Band of Ottawa Indians is a federally recognized tribe, as reaffirmed under P.L. 103-324, enacted on September 21, 1994, possessing inherent sovereignty, and federal statutory and common law rights of self-governance over the Tribe, its members, its territory, and all persons (natural and corporate) within its territory; and

WHEREAS, based upon the Tribe's inherent sovereignty as interpreted by Federal common and statutory law, certain federal and state taxes do not apply to the Tribe, its members or within the Tribe's Indian Country;

WHEREAS, it is essential to the economic well being of the Tribe and its members that the rights of Tribe and its members to be free from certain federal and state taxes be fully recognized; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7 of the Constitution of the Little River Band of Ottawa Indians ("Tribal Constitution"), is invested with the legislative powers of the Tribe, including the power to authorize and ratify agreements with other Indian tribes on all matters within the authority of the Tribal Council; and

WHEREAS, the Tribal Ogema, pursuant to Article VI, Section 5(a) of the Tribal Constitution, is authorized to consult, negotiate and execute agreements on behalf of the Tribe, provided such contracts are approved and ratified by the Tribal Council; and

WHEREAS, all of the federally recognized Tribes in Michigan share a strong, common interest in asserting and protecting the rights of Tribes and Tribal members to be free from certain taxes in accordance with federal law; and

WHEREAS, the Tribes have expressed their common interest through a joint resolution adopted in March 2000 at the Three Fires Conference held on the Isabella Reservation, which Resolution states that the Tribes will negotiate jointly with the State of Michigan to protect their legal rights regarding taxation.

NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians hereby supports the formation of an inter-tribal work group to formulate a collective strategy for addressing tax issues with the State of Michigan, which may include the development of an inter-tribal agreement with the State.

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IT IS FURTHER RESOLVED THAT the Tribe hereby appoints the Tribal Ogema and its attorney, William Brooks, to represent the Tribe and act on the Tribe's behalf in the work group and in inter-tribal negotiations with the State of Michigan; Provided, the Tribal Council must first approve any draft agreement developed by the work group prior to its submission to the State of Michigan and any agreement reached through negotiations with the State of Michigan must be authorized and approved by the Tribal Council prior to execution by the Tribal Ogema.

Certificate of Adoption

This resolution was adopted by the Tribal Council of the Little River Band of Ottawa Indians at its Regular Session held at the Little River Band Community Center in Manistee, Michigan on July 24, 2000, by a vote of 7 in favor, 1 opposed, 1 absent, and 0 abstentions. A quorum of the Tribal Council being present for such vote.

Date:

7/24/00


Charles Fisher, Council Recorder

Attest:


Joan Spalding, Council Speaker