

LITTLE RIVER BAND OF OTTAWA INDIANS

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Resolution # 01-1107-04

Adoption of Commissions Ordinance, # 01-100-06, and Directions for Implementation

WHEREAS, the Tribe's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. §1300k et seq.); 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 Tribal Council is authorized under Article IV, Section 7(f) of the Constitution to, "create by ordinance regulatory commissions or subordinate organizations and to delegate to such organizations..." such legislative powers as may be necessary to regulate in that area; and

WHEREAS, the Tribal Council has created a Commissions Ordinance which sets forth requirements and directions regard the activities of regulatory commissions; and

WHEREAS, the Tribal Council began that development in early 1999 and has continued the development process through today; and

WHEREAS, the Tribal Council has provided notice of development of the Commissions Ordinance to the membership throughout 2001 at its Saturday legislative meetings; and

WHEREAS, at the March 17th Saturday legislative meeting a presentation of the proposed ordinance was given to the individuals present and comments were received and integrated as appropriate; and

WHEREAS, the Tribal Council has requested comments from existing commissions through a mailing on September 13th sent to all Chairpersons and all comments were reviewed and include as necessary; and

WHEREAS, the Tribal Council recognizes that this ordinance will result in amendments to the membership terms, as well as by-laws, of commissions that will require time to allow this Ordinance to be amended; and

WHEREAS, the Tribal Council finds that the Commissions Ordinance is in the appropriate form for adoption with directions for implementation;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby adopts the Commissions Ordinance, # 01-100-06.

IT IS FURTHER RESOLVED THAT the Tribal Council hereby directs each Commission to bring forward a current list of members and terms of office with 30 days of adoption of this resolution.

- a. Such membership, if staggering is already in place, shall utilize the term beginning and ending dates as set forth in section 8.01, regardless of when the appointment actually began. Such staggering shall be set forth that there are no more than two sets of staggered terms with two and four years remaining for those with the short and long terms respectively.
- b. If the membership is not staggered, or contains more than two sets of staggered terms, the Tribal Council shall identify the longest and shortest terms of office and utilize these to identify the two sets of staggered terms. The members shall be placed equally in the shortest and longest terms and shall be deemed to have staggered terms with two and four years remaining. Terms of office shall be deemed to begin and end as set forth in section 8.01.
- c. All terms of office shall be re-recognized by resolution of the Tribal Council and the members shall be required to re-take the oath of office as set forth in the Commissions Ordinance.

IT IS FURTHER RESOLVED THAT the Tribal Council hereby directs each commission to review, amend if necessary, and re-adopt its by-laws to conform to the standard set forth in the Commissions Ordinance within 180 days of adoption of this resolution and forward the re-adopted by-laws to the Tribal Council to be approved in accordance with the Commissions Ordinance.

IT IS FURTHER RESOLVED THAT the Tribal Council hereby directs the Tribal Council Recorder to forward to the Chairperson of each commission this resolution and the Commissions Ordinance along with a cover memo outlining the deadlines, including dates, as set forth herein

IT IS FURTHER RESOLVED THAT the Tribal Council hereby directs the Legal Department to set forth one day, within the first 90 days after adoption of the Commissions Ordinance, for the purpose of providing training and assistance in developing by-laws, identifying the current membership and transition into the staggered terms provided in the Ordinance, and any other necessary assistance in regards to full implementation of the Ordinance.

IT IS FINALLY RESOLVED THAT the Tribal Council hereby approves the Conflict of Interest Disclosure Form.

CERTIFICATE OF ADOPTION

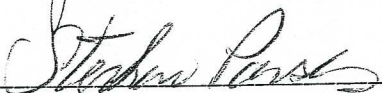
I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 1 AGAINST, 0 ABSENT, and 0 ABSTAINING, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held at the Little River Band Community

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Center on November 7, 2001, with a quorum being present for such vote.



Council Recorder



Attest. Council Speaker