



Little River Band of Ottawa Indians

375 River Street
Manistee MI 49660
(231) 723-8288

Resolution No. #01-1205-06

**Approving Budget Modification to the Fiscal Year 2001
Operating Budget for the Tribal Government and
Appropriating \$70,000.00 from the
U.S. v Michigan "Fisheries Trust" Fund to the General Fund
to be Allocated to Start-Up Costs for the
Commercial Fishing Program in the Conservation Department**

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.)(hereinafter "Little River Act"); 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, pursuant to Article IV, 7(i)(2) of the Constitution, has the power to manage any funds within the exclusive control of the Tribe and to appropriate such funds for the benefit of the Tribe and its members; and

WHEREAS, the Tribal Conservation Department requested an appropriation of \$70,000.00 as part of its Fiscal Year 2001 budget proposal to support the acquisition of equipment necessary to implementation of commercial fishing operations by members of the Tribe in calendar year 2002; and

WHEREAS, the amount requested for the Department's Great Lakes Fisheries Assessment program was not included as part of the Fiscal Year 2001 Operating Budget; and

WHEREAS, the Tribe has established a Fisheries Trust with funding received from the State of Michigan and United States under the terms of the Consent Decree settling the Great Lakes fisheries portion of the United States v Michigan treaty rights litigation; and

WHEREAS, the terms of that Consent Decree are intended to facilitate the Tribe's to use settlement funds to assist Tribal members enter the commercial fishery in waters near the Tribe's Reservation; and

WHEREAS, the Tribe will be receiving four (4) vessels suitable for commercial fishing operations from the State of Michigan as part of the Consent Decree and intends to purchase nets and other equipment in order make those vessels and equipment available for lease by Tribal members interested in entering the commercial fishery; and

WHEREAS, the Tribe must execute a purchase order to acquire up to twenty-four (24) trap nets needed for Tribal fishing vessels in order to secure those nets for the 2002 fishing season, which will require an appropriation of up to \$70,000.00 from the U.S. v. Michigan Fisheries Trust; and

WHEREAS, an appropriation of up to \$70,000.00 from the U.S. v Michigan Fisheries Trust will require a modification of the Operating Budget for Fiscal Year 2001, which was approved on December 20, 2000.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves a modification of to the Operating Budget for the Tribal Government for Fiscal Year 2001 to include an appropriation of \$70,000.00 from the U.S. v Michigan Fisheries Trust account, in the Trust and Agency Fund, to be allocated to the General Fund used for down-payment(s) on trap nets to be purchased for use by Tribally-licensed commercial fishing operations.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 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 Center on December 5, 2001, in Manistee, Michigan, with a quorum being present for such vote.



Janine M. Sam, Council Recorder

Attest:



Stephen Parsons, Council Speaker

Presentation of Resolution Budget Modification and Appropriating Tribal Funds by Tribal Ogema:

Pursuant to Article IV, Section 7(i)(2) and Article V, Section 5(a)(6) and Section 5(c) of the Tribal Constitution, the foregoing Resolution modifying the Operating Budget for the Tribal Government for Fiscal Year 2001 and appropriating Tribal funds has been approved and requested by the Tribal Ogema and is presented to the Tribal Council Recorder for approval by the Tribal Council.

Date delivered by Tribal Ogema: 12/7/, 2001

Signature of Tribal Ogema: 