



**Little River Band of Ottawa Indians  
Tribal Council**  
2608 Government Center Drive  
Manistee, MI 49660  
(231) 723-8288

**Resolution #21-0818-208**

*Authorization to Post Notice of Intent to Repeal the Enforcement of Tribal-State Tax Agreement  
Ordinance #05-100-09*

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 Tribe adopted amendments to the Constitution on July 11, 2016 which became effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; and

WHEREAS, the legislative powers of the Tribe are vested in the Tribal Council according to Article IV, Section 1 of the Constitution; and

WHEREAS, the Tribal Council is authorized by Article IV, Section 7(a)(1) and (2) to exercise the inherent powers of the Tribe by establishing laws through the enactment of ordinances and adoption of resolutions to govern the conduct of Tribal Members and others within the Tribe's jurisdiction and to promote, protect and provide for the public health, peace, morals, education and general welfare of the Tribe and its members; and

WHEREAS, the executive powers of the Tribe are vested in the Tribal Ojema according to Article V, Section 1 of the Constitution; and

WHEREAS, the Ogema is authorized by Article V, Section 5(a)(1) to enforce and execute the ordinances, resolutions and motions adopted by the Tribal Council consistent with the Constitution; and

WHEREAS, the Administrative Procedures Ordinance, Ordinance #04-100-07, Sections 2.03 and 4.03 encode notice requirements for changes to Ordinances and it is consistent with that legislative intent that, before the repeal of an Ordinance, Tribal Council shall post a Notice of the Intent to Repeal the Ordinance two weeks prior to such action; and

WHEREAS, the Tribal Council adopted the Enforcement of Tribal-State Tax Agreement Ordinance #05-100-09 by Tribal Council Resolution # 05-1214-686; and

WHEREAS, the Tribal Council subsequently enacted the Tax and Revenue Administration Ordinance #05-100-08, with most recent amendments approved by Tribal Council Resolution # 18-1107-322; and

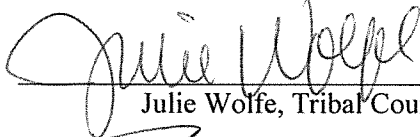
WHEREAS, the Tribal Council has also approved Tribal Tax Regulation Chapters 1, 7 and 8; and


WHEREAS, the Tribal Council, upon advice from and consultation with the Tribal Tax Officer, finds there are redundancies in the enacted Ordinances and Regulations that could be addressed by repealing the Enforcement of Tribal-State Tax Agreement Ordinance and moving the relevant and necessary provisions to either the Tax and Revenue Administration Ordinance or the Tribal Tax Regulations, as appropriate.

NOW THEREFORE IT IS RESOLVED, that the Tribal Council hereby authorizes posting the Notice of Intent to Repeal the Enforcement of Tribal-State Tax Agreement Ordinance #05-100-09.

**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 August 18, 2021, via ZOOM, with a quorum being present for such vote.

  
Julie Wolfe, Tribal Council Recorder

  
Nitumigaabow Champagne, Council Speaker

Attest:

Distribution: Council Records Tribal Ogema Legal Departments