

UPPER MATTAPONI TRIBE COUNCIL

BILL NO. 2024-3

 ORIGINAL

At a duly called Special Meeting of the Council held this 6th day of February 2024, the following Bill was adopted as Law.

WHEREAS; On July 22, 2023, the citizens of the Upper Mattaponi Tribe (“Tribe”) overwhelmingly voted to adopt a new constitution (“Constitution”) to assert the Tribe's sovereign authority as an Indian Tribe, and to confirm and reorganize the Tribe to exercise its full governmental authority in a fair and equitable manner; and,

WHEREAS; the Council recognizes that one of the objectives of the Tribe is to increase its land base through the acquisition of land from third parties; and

WHEREAS; the Council wishes that the Chief of the Tribe or his designee has the authority and the ability to acquire land; and

WHEREAS; to facilitate the Chief’s ability to purchase land, the Council authorizes the Chief to obtain a line of credit as set forth herein up to \$500,000.

WHEREAS; the Council is vested with the authority to enact laws and Budget Resolutions pursuant to Article VII, Section 4(a) and (b) of the Constitution.

NOW THEREFORE BE IT RESOLVED, that the Council hereby enacts the attached bill into law, entitled "Land Financing Act of the Upper Mattaponi Tribe".

CERTIFICATION

The foregoing resolution was duly voted upon by the Council on February 6, 2024, at a Specially called Session with a vote of 6 in favor and 0 opposed, 0 abstaining, and 1 absent, pursuant to the authority vested in the Council by the Constitution of the Tribe.



Secretary of the Council

UPPER MATTAPONI TRIBE COUNCIL

BILL NO. 2024-3:

SPONSOR: Owen Adams

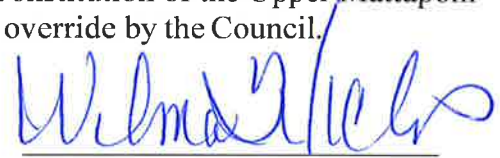
CO-SPONSOR(S): _____

REPRESENTATIVES	YES	NO	ABSTAIN	ABSENT
Rob Adams	X			
Ken Adams	X			
Wilma Hicks	X			
Sonny Knighton	X			
Desiree Dyer	X			
Owen Adams	X			
Lenny Adams				X

ASSISTANT CHIEF: (Authorized to break tie votes only)-: /Yes /No /Abstain

DELIVERY OF THE BILL TO THE CHIEF

Resolution No. 2024-3 was presented to the Chief of the Upper Mattaponi Tribe on the 6th day of February 2024, pursuant to the Article VII, Section 5(f) of the Constitution of the Upper Mattaponi Tribe, and will become law after signature by the Chief or veto override by the Council.


Secretary of the Council

UPPER MATTAPONI TRIBE COUNCIL - BILL NO. 2024-2
CHIEF'S ACTION

APPROVED

VETO - RETURNED TO COUNCIL WITH EXPLANATION:

On this 7th day of February 2024

W. Frank Adams
Chief of the Upper Mattaponi Tribe

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**UPPER MATTAPONI TRIBE COUNCIL - BILL NO. 2024-2
COUNCIL'S ACTION**

Presented by the Chief to the Council on the _____ day of _____, 202_

Override of Chief's veto:

[] YES

[] NO

REPRESENTATIVES	YES	NO	ABSTAIN	ABSENT

The Chief's Veto of Resolution No. 202 - ___ was considered by the Council of the Upper Mattaponi Tribe on the ___ day of _____ 202_, and was/was not overridden by the Council as reflected in the vote above, and accordingly did/did not become law on the date last written above.

Secretary of the Council

CHAPTER I

GENERAL PROVISIONS

Section 1-1. Title

This Code shall be known as the “Land Financing Act of the Upper Mattaponi Tribe.”

Section 1-2. Authority

This Code is enacted pursuant to the inherent sovereign authority of the Upper Mattaponi Tribe (also referred to herein as “Tribe”) and pursuant to the Constitution of the Upper Mattaponi Tribe, which confers all Legislative power of the Upper Mattaponi Tribe in the Council of the Upper Mattaponi Tribe.

Section 1-3. Purpose.

This Code is enacted to authorize the Chief or his designee to obtain financing for the purchase of land..

Section 1-4. Effective Date

The provisions of this code shall be effective upon the date signed by the Chief of the Upper Mattaponi Tribe, or upon the date of a veto override by the Council.

Section 1-5. Interpretation

The provisions of this Code shall be interpreted to be in accordance with tribal customary law. Whenever there is uncertainty or a question as to the interpretation of certain provisions of this Code, tribal law and custom shall be controlling, and where appropriate, may be based on the written or oral testimony of a qualified tribal elder, tribal historian, or tribal representative. If the traditions and customs of the Tribe are inconclusive in any matter, the Court shall construe it consistently with applicable textual tribal law. In the absence of applicable tribal customary law or textual tribal law, the Court shall construe it consistently with applicable law of other jurisdictions.

Section 1-7. Severability and non-liability

If any section, provision, or portion of this Code is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Code shall not be affected thereby.

CHAPTER II

Section 2-1. Authority

- A. Purchase of Land. Within budgetary constraints, the Chief is hereby authorized to purchase land within five miles of the current tribal headquarters in King William.
- B. Line of Credit. The Chief or his designee is authorized to obtain a line of credit which may be used to finance the acquisition of land.
- C. Waiver of Immunity. If necessary, the Chief is authorized to pledge _____ as collateral for securing such line of credit, and the Chief is authorized to waive the sovereign immunity of the Tribe up to the amount of the line of credit and as it relates to the collateral specified above, for solely the purpose of ensuring the repayment of the line of credit.

Section 2-1. Reporting

The Chief shall report each month to the Council on the amount drawn or repaid under the line of credit, and what land, if any has been purchased since the last report.