



Little River Band of Ottawa Indians

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

Resolution # 02-0320-02

Adoption of an Extension of the Emergency Action Affecting the Membership and Terms of the Gaming Commission For an Additional Six Month Period

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) to create regulatory commissions with the power to manage the affairs and enterprises of the Tribe; and

WHEREAS, the Tribal Council has adopted the Gaming Ordinance, # 97-400-01, which creates a Gaming Commission to regulate and provide oversight of the gaming operations; and

WHEREAS, the Gaming Commission was made up of five members appointed for four year terms, *Gaming Ordinance, sec. 4.01 and 4.02*; and

WHEREAS, Gaming Commissions must have a background investigation as well as identification of conflicts of interest which include employment within the gaming operations, *Gaming Ordinance, sec. 4.04 and 4.05*; and

WHEREAS, the Gaming Commission continues to have three vacancies which have not been filled during the initial six month emergency period created by adoption of Resolution # 01-1121-05; and

WHEREAS, the Tribal Ogema and Tribal Council remain unable to identify applicants and ratify appointments for members on the Gaming Commission in sufficient numbers and with speed to fill the membership of the Gaming Commission in order for it to meet; and

WHEREAS, it is important that the Gaming Commission meet in order to make licensing decisions, review activities presented by the Surveillance Department, licensing applications, as well as audits and other reports regarding the gaming operations; and

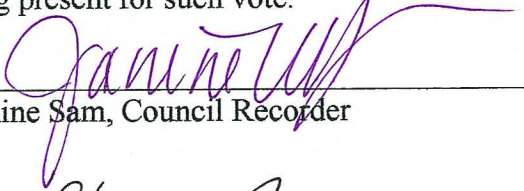
WHEREAS, recognizing the importance of the activities of the Gaming Commission, the Tribal Council has determined that it is necessary to maintain a quorum for the Gaming Commission by taking emergency actions to provide for a short term correction which allows for a long term decision to be made in a reasonable and timely manner; and

WHEREAS, the Tribal Council and Gaming Commission are working to present permanent amendments to the Gaming Ordinance which would correct background investigation requirements and identify a three member commission which are required to be approved by the National Indian Gaming Commission prior to implementation;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby extends for an additional six month period the emergency amendment to the Gaming Ordinance, # 97-400-01, Section 4 by amending all references to five members to reference three members, and the quorum of three members to a quorum of two members.

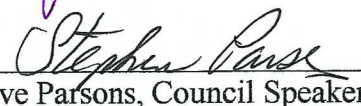
CERTIFICATION OF ADOPTION

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 at the Little River Band Downtown Offices on March 20, 2002, with a quorum being present for such vote.



Janine Sam, Council Recorder

Attest:



Steve Parsons, Council Speaker