



Little River Band of Ottawa Indians

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

Resolution # 02-0508-08

Adoption of Gaming Ordinance, # 02-400-01, and Repeal of Gaming Ordinance, # 97-400-01

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, pursuant to Article IV, Section 7 of the Constitution, is authorized to enact ordinances to promote, protect and provide for public health, peace, morals, education and general welfare of the Tribe and its members and to manage the economic affairs and fiscal affairs of the Tribe; and

WHEREAS, the Indian Gaming Regulatory Act requires that Tribes proposing to engage in Class II or Class III gaming adopt a Gaming Ordinance and that such Gaming Ordinance must be approved by the Chairman of the National Indian Gaming Commission; and

WHEREAS, the Tribe has previously submitted its Gaming Ordinance, # 97-400-01, to the National Indian Gaming Commission and that Ordinance was approved by the Commission on January 25, 1997; and

WHEREAS, emergency amendments to the Gaming Ordinance have taken place to allow the Gaming Commission to function which includes reducing the number of commissioners from five to three; and

WHEREAS, during the subsequent review of the Gaming Ordinance the Tribe and Gaming Commission have determined that separation of the creation of the Gaming Commission from the legislative aspects of the gaming operations is an appropriation action; and

WHEREAS, the Gaming Ordinance now directs that a regulatory agency be responsible for the regulatory oversight of the gaming operations; and

WHEREAS, the regulatory agency is an autonomous agency given sufficient independence and authority to take such actions in the Gaming Commission Ordinance, # 02-400-04, which has been adopted by subsequent resolution; and

WHEREAS, the Tribal Council has reviewed the final document and has approved the separation of the creation of the Gaming Commission from the legislation regarding gaming activities;

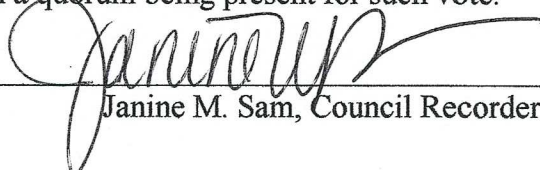
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby adopts Gaming Ordinance, # 02-400-01 and repeals Gaming Ordinance, # 97-400-01, in its entirety;

IT IS FURTHER RESOLVED THAT the Tribal Council hereby directs that the Gaming Ordinance, # 02-400-01 be forwarded to the National Indian Gaming Commission for review and approval as required under the Indian Gaming Regulatory Act.

IT IS FINALLY RESOLVED THAT the effective date of the Gaming Ordinance shall be upon notification by the Tribal Council Recorder to the Tribal Council, the gaming enterprise and the Gaming Commission of the receipt of the notice of approval of the Gaming Ordinance by the National Indian Gaming Commission.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 2 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on May 8, 2002, at the Little River Band's Community Center in Manistee, Michigan, with a quorum being present for such vote.


Janine M. Sam, Council Recorder

Attest:


Stephen Parsons, Council Speaker

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