

Little River Band of Ottawa Indians

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

RESOLUTION NO. #02-0529-12

**Affirming Intention of Band to Accept Reimbursement Status for Each
Unit of the Band in Accordance with Section 13(l) of the
Michigan Employment Security Act, as Amended**

WHEREAS, the Little River Band of Ottawa Indians is a federally recognized tribe, as reaffirmed under P.L. 103-324, enacted on September 21, 1994, with property rights secured to it under the 1836 Treaty of Washington (7 Stat. 491) and the 1855 Treaty of Detroit (11 Stat. 621); and

WHEREAS, the Little River Band of Ottawa Indians is descended from, and is the political successor to, Grand River Ottawa Bands which were signatories of the 1836 Treaty of Washington (7 Stat. 491), as reaffirmed under P.L. 103-324, enacted on September 21, 1994; and

WHEREAS, the Tribe adopted a 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, pursuant to Article IV, Section 5 (a)(4) and Article V, Section 5(a)(3) and (8) of the Tribal Constitution, the Tribal Ogema, or in his/her absence, the Tribal Council Speaker, is authorized to represent the Tribe in its relations with other organizations and manage the economic affairs/enterprises of the Tribe, in a manner consistent with the Tribal Constitution and resolutions of the Tribal Council; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7 (b) of the Constitution, has the power to authorize and ratify agreements and contracts negotiated by the Tribal Ogema; and

WHEREAS, the Michigan Legislature recently enacted legislation (H.B. 5763) amending the Michigan Employment Security Act to conform the recent federal legislation presumptively treating Indian tribes as reimbursing units, rather than contributing units, for purposes of state unemployment compensation taxes; and

WHEREAS, based upon the history of unemployment benefits paid to former employees of the Tribe, including employees of Little River Casino Resort, the tax contributions paid by the Tribe and its units, will continue to exceed the amount of reimbursement the Tribe would be required to make; and

WHEREAS, the agency representing the Tribe on unemployment benefit matters, together with the Tribe's Chief Financial Officer, have recommended that the Tribe affirm its intention to accept reimbursement status under the Michigan Employment Security Act, as recently amended; and



WHEREAS, the Tribal Council wishes to formally affirm the Tribe's intention to accept such status under the Act.

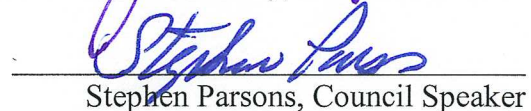
NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians hereby affirms the Tribe's intention to accept reimbursement status under the Michigan Employment Security Act, as amended, effective as of April 29, 2002.

IT IS FURTHER RESOLVED THAT the Tribal Council authorizes the Tribal Ogema, in consultation with the Tribe's Chief Financial Officer and representatives of Little River Casino Resort to secure the necessary security instrument and/or interim financial transactions prior to obtaining a security instrument required by Section 131(6) of H.B. 5763.

Certificate of Adoption

This resolution was adopted by the Tribal Council of the Little River Band of Ottawa Indians at its Regular Session held at the Little River Band Community Center in Manistee, Michigan on May 29, 2002, by a vote of 9 FOR, 0 AGAINST, 0 ABSTAINING, and 0 ABSENT. A quorum of the Tribal Council being present for such vote.

 
Lisa M McCatty, Council Recorder


Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Little River Casino Resort
Legal Department
MI Bureau of Workers' and Unemployment Compensation

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