



*moved to open 7-26-06*  
**Little River Band of Ottawa Indians**  
375 River Street  
Manistee, MI 49660  
(231) 723-8288

**Resolution # 04-0811-337**

*Approving a Supplemental Appropriation for "Let Voters Decide - Yes"  
Ballot Committee Activities in the amount of \$1,040,000.00 from the General Fund*

WHEREAS, the status of the *Gaá Čhing 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 Tribal Council is authorized under Article IV, Section 7(a) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7 (i)(2) of the Constitution, has the power to manage any funds within the exclusive control of the Tribe and to appropriate such funds for the benefit of the Tribe and its members; and

WHEREAS, the terms of the Gaming Compacts include provisions designed to limit the expansion of Tribal and commercial gaming in the State by limiting the Tribes to one Class III gaming site and providing Tribal payments to the State as consideration for the State's agreement not to further expand commercial gaming activities outside the City of Detroit; and

WHEREAS, the State of Michigan is now considering adoption of legislation that would allow racinos to be developed at racetracks located in Michigan whose purported economic benefit would be the agricultural industry and increased state revenues; and

WHEREAS, the State of Michigan has considered other forms of legislation that would allow further expansion of commercial gaming in the State, including placement of video lottery machines or slot machines in restaurants and taverns; and

WHEREAS, the Little River Band of Ottawa Indians shares the views of other constituent groups that further expansion of commercial gaming in the State of Michigan, including commercial casino gaming operated through the State Lottery, is not in the interest of the State; and

WHEREAS, the Little River Band of Ottawa Indians also recognizes that authorizing expanded commercial gaming will have a significant negative impact on Tribal gaming operations which have substantial positive social and economic impacts for the both Tribal communities and the local communities near reservation-based Tribal gaming facilities; and

WHEREAS, the Little River Band of Ottawa Indians recognizes that it must commit financial resources to participate in broad-based efforts to respond to efforts by various interest groups to expand commercial gaming in the State

WHEREAS, the Tribal Council wishes to authorize a supplemental appropriation in the amount of \$1,040,000.00 to be allocated to budgeted purposes related to advancing efforts to place a ballot initiative that would limit the expansion of gaming in the State of Michigan on the November 2004 ballot; and

WHEREAS, a supplemental appropriation of \$1,040,000.00 for this purpose will require a modification of the Operating Budget for Fiscal Year 2004, which was approved on December 17, 2003.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves a modification of to the Operating Budget for the Tribal Government for Fiscal Year 2004 to include a supplemental appropriation of \$1,040,000.00 from the Unrestricted General Fund Account to be transferred to the Tribal Council Budget Professional Fees Line Item) 1000-100-5205) to be used to allocated to expenses associated with the "Let Voters Decide -Yes" ballot initiative.

IT IS FURTHER RESOLVED THAT the amounts appropriated for these purposes shall be allocated as follows:

\$149,289.45 to be disbursed directly to "Let Voters Decide - Yes" Ballot Committee for immediate funding requirements; and

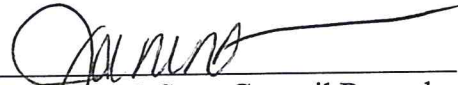


The balance of \$891,710.85 to be transferred to the escrow account established by the major participants in the ballot initiative with Capitol National Bank, which funds will be released for expenditure by the Ballot Committee in accordance with the terms of the Escrow Agreement entered into by the parties.

IT IS FINALLY RESOLVED THAT the Tribal Council acknowledges that the initial financial commitments it is making to the ballot initiative committee will require the appropriation of an additional \$48,260.97 which amount will be approved and transferred to the escrow account upon receipt of a certification of available funds from the Tribe's Consulting Chief Financial Officer.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 5 FOR, 3 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on August 11, 2004, at the Little River Band's Conference Room in Manistee, Michigan, with a quorum being present for such vote.

  
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Janine M. Sam, Council Recorder


  
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Stephen Parsons, Council Speaker

Attest:

Presentation of Resolution Budget Modification to Tribal Ogema:

Pursuant to Article V, Section 5(a)(6) and Section 5(c) of the Tribal Constitution, the foregoing Resolution modifying the Operating Budget for Fiscal Year 2004 as set forth in Resolution #03-1217-424, has been presented to the Tribal Ogema by the Tribal Council Recorder for his/her approval.

Date delivered to Tribal Ogema: Aug 18, 04

Signature of Council Recorder: 

Action by the Tribal Ogema:  Approved  Disapproved (attach comments)

Date: 8/16/04

Signature of Ogema: 

Distribution: Council Records  
Tribal Ogema  
Tribal Court