



Little River Band of Ottawa Indians

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

Resolution # 04-1215-520

*Supporting the Match-e-be-nash-she-wish Band of Pottawatomi Indians Request
that the Governor of State of Michigan Negotiate a Class III Gaming Compact
and Support its Ratification by the State of Michigan*

WHEREAS, the status of the *Gaá Čhíng 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 Match-e-be-nash-she-wish Band of Pottawatomi Indians of Michigan (hereinafter, The Gun Lake Tribe) is a sovereign tribal government, recognized by the Federal Government through the final administrative action on August 23, 1999, thereafter exercising all federally recognized rights as such; and

WHEREAS, the Gun Lake Tribe Council is authorized by the Tribal Constitution to act and exercise Tribal Authority on behalf of the Gun Lake Tribe; and

WHEREAS, the Tribal Council has requested, on numerous occasions, that the Governor of the State of Michigan enter into good faith negotiations with the Tribe over a Class III Gaming Compact, similar to those entered into with other federally recognized Tribal governments in the State of Michigan; and

WHEREAS, the Michigan Legislature passed a concurrent resolution approving the Gun Lake Compact and urging the Governor to sign such a Compact; and

WHEREAS, the concurrent resolution approving the Gun Lake Compact was supported by a majority of the members of both chambers; and

WHEREAS, then Governor, John Engler, failed to negotiate and execute a Compact with the Gun Lake Tribe prior to the end of his term; and

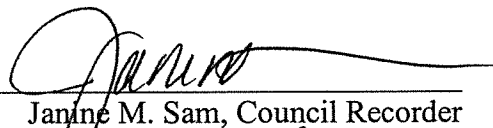
WHEREAS, the current Governor, Jennifer Granholm, has refused to sign the legislatively approved compact with the Gun Lake Tribe that is nearly identical in substance to the other Michigan Tribal Gaming Compacts and has refused to even participate in good faith negotiations with the Tribe, leaving the Tribe in a position of unequal protection under federal law to exercise its sovereign rights; and

WHEREAS, the Governor of the State of Michigan has refused to enter into such negotiations with the Gun Lake Tribe on every occasion for which the Tribe has requested such official action, leaving the Tribe in a position of unequal protection under federal law to exercise its sovereignty.

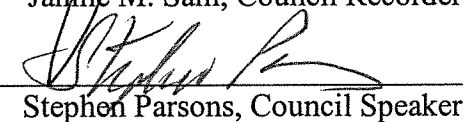
NOW THEREFORE BE IT RESOLVED, the Tribal Council of the Little River Band of Ottawa Indians, in concert with other Tribal governments located within the State of Michigan, does hereby request that the Governor of the State of Michigan begin good faith negotiations with Gun Lake Tribe to reach agreement on terms of a Class III Tribal-State Gaming Compact to permit the Gun Lake Tribe to exercise its legally-protected rights as a sovereign Indian tribe.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on December 15, 2004, at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.



Janine M. Sam, Council Recorder



Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court