



## Little River Band of Ottawa Indians

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

### Resolution # 05-0914-460

#### *Emergency Adoption of Boxing Commission Ordinance and Request for Appointment of Commissioners*

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 Tribal Council finds that the Little River Casino Resort is interested in holding professional boxing matches in order to draw in customers and increase revenue; and

WHEREAS, the Tribal Council finds that there may be members are interested in the sport of boxing and the conduct of boxing matches at a professional level, whether as boxers, seconds, promoters, or other related professionals; and

WHEREAS, Tribes allowing professional boxing matches to be conducted on Reservations are governed by the federal law, Professional Boxer Safety Act, which identifies standards by which Tribal governments must establish boxing regulations; and

WHEREAS, the Tribal Council adopted the Administrative Procedures Act - Ordinances which identifies processes by which ordinances may be adopted, amended, or repealed, and which also identifies processes by which emergency amendments may be authorized;

WHEREAS, the Tribal Council finds that emergency adoption to adopt the Boxing Commission Ordinance is necessary in light of the request made by the Resort and the nature of the action being regulated at the federal level;

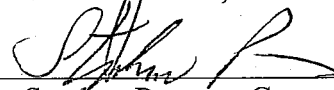
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby adopts, under authority of Article V of the Administrative Procedures Act - Ordinances, the emergency amendments to the Boxing Commission Ordinance which shall be effective for a six month period or until permanent amendments can be presented for Public Comment and permanently adopted.

IT IS FURTHER RESOLVED THAT the Tribal Council directs that the amendments be posted for Public Comment.

**CERTIFICATE 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, 0 ABSENT, and 1 VACANT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on September 14, 2005, 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

**BOXING COMMISSION ORDINANCE**  
Ordinance # 05-150-04

**Article I. Purpose; Findings**

1.01. *Purpose.* To oversee the conduct of professional boxing within the Reservation, in the best interests of the safety and welfare of professional boxers, protection of the general public, and for the integrity of the sport.

1.02. *Findings.* The Tribal Council of the Little River Band of Ottawa Indians finds that:

a. the Constitution of the Little River Band of Ottawa Indians delegates to the Tribal Council the responsibility to "...exercise the inherent powers of the Little River Band by establishing laws through the enactment of ordinances and adoption of resolutions not inconsistent with this Constitution:

1. to govern the conduct of members of the Little River Band and other persons within its jurisdiction;

2. to promote, protect and provide for public health, peace, morals, education and general welfare of the Little River Band and its members[.]” *Article IV, Section 7(a).*

b. that the sport of professional boxing is regulated by federal law specifically governing Tribes and that law requires Tribal governments to create regulatory bodies in order to conduct professional boxing matches.

c. creation of a commission to regulate professional boxing in accordance with the Association of Boxing Commissioner’s regulations, or as determined in the best interests of the boxers by the commission.

**Article II. Adoption; Amendment; Repeal; Severability**

2.01. *Adoption.* This Ordinance is adopted on an emergency basis by Tribal Council resolution # \_\_\_\_\_.

2.02. *Amendment.* This Ordinance may be amended in accordance with the procedures set forth in the Administrative Procedures Act - Ordinances.

2.03. *Repeal.* This Ordinance may be repealed in accordance with the procedures set forth in the Administrative Procedures Act - Ordinances.

2.04. *Severability.* If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

**Article III. Definitions**

3.01. *General.* As used in this Ordinance, except where otherwise specifically provided or the context otherwise requires, the following terms and expressions shall have the following meanings.

**Article IV. Commission Membership**

4.01. *Commission Created.* A commission to regulate professional boxing events is created and granted authority as set forth in this ordinance.

4.02. *Membership.* There shall be three members appointed by the Ogema and ratified by the Tribal Council who shall serve four year terms. Each commissioner shall be a member of the Little River Band of Ottawa, and shall be at least 18 years or older. Appointments, vacancies, and terms of office shall be governed by the Commissions Ordinance. The first two commissioners appointed under this ordinance shall serve two year terms, and the third commissioner appointed under this ordinance shall serve a four year term.

4.03. *By-Laws.* By-laws of the Commission shall be created and approved in accordance with the Commissions Ordinance.

#### **Article V. Commission Duties**

5.01. *General.* The Commission shall be responsible for the oversight of all professional boxing matches held within the jurisdiction of the Little River Band of Ottawa and shall ensure that the safety of the boxers, referees, and other persons engaged in the sport of boxing are protected.

5.02. *Specific.* The Commission shall be responsible for the following activities or duties.

a. Adopting regulations, subject to Tribal Council approval, which regulate the sport of professional boxing in accordance with 15 U.S.C. s. 6312. Provided that, until such time as regulations are adopted, the rules adopted by the Association of Boxing Commissions for male and female professional boxing, including championship matches, shall govern.

b. Adopt forms for licensing, examinations, scoring, record keeping and other forms as required for the conduct of professional boxing matches.

c. Adopt a schedule of fines for boxers, promoters, seconds, officials and other parties relevant to the boxing event for violation of this ordinance and any regulations regarding professional boxing events.

d. Hear formal complaints arising within the jurisdiction of the Commission.

e. Approve guidelines for individual boxing events, including cards, matches, promoters, and other individuals participating in professional boxing events.

f. Approve the individual, officer, office, or other individual or business, to hold purses of professional boxing events subject to disbursement as authorized by the Commission.

g. Designate one Commissioner to be present at every professional boxing event to answer questions or make decisions, where one Commissioner shall be designated with the authority to make such decisions during the professional boxing event.

5.03. *Licenses.* The Commission shall accept as valid licenses those licenses issued under the Professional Boxing Safety Act, 15 U.S.C. Chapter 89, by the Association of Boxing Commissions, or by any commission which is a member of the Association of Boxing Commission. Provided that, the Commission may issue such licenses as are required under federal law, as it deems appropriate and has set forth the requirements therefore in regulations, and as may be required from time to time by Tribal law. The issuance, denial, revocation, suspension, or any other limitations regarding a license shall be made in writing, identifying the reasons for the action and the ability to appeal that action.