



**Little River Band of Ottawa Indians**  
2608 Government Center Drive  
Manistee, MI 49660  
(231) 723-8288

**Moved to  
Open Session  
11/09/16**

**Resolution # 16-0120-021**

*Resolution Requesting the Gaming Commission Investigate whether Tribal Laws are being Followed*

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, Article IV, Section 7(f) of the Constitution authorizes The Tribal Council to create subordinate organizations and delegate to them the power to manage the affairs of the Tribe; and

WHEREAS, Article IV, Section 7(a) of the Constitution authorizes the Tribal Council to exercise the inherent powers of the Little River Band by establishing laws through the enactment of ordinances and adoption of resolutions to govern the conduct of members and other persons within its jurisdiction, and to promote, protect and provide for the public health, peace, morals, education and general welfare of the Tribe and its members; and

WHEREAS, the Tribal Council adopted the Gaming Commission Ordinance #04-400-04 which has been amended from time to time; and

WHEREAS, Article VI, Section 6.01(m) of the Gaming Commission Ordinance says the Gaming Commission “shall investigate any report of a failure of any gaming enterprise to comply with ...tribal laws,”; and

WHEREAS, the Tribal Council adopted the Indian Preference in Employment Ordinance #14-600-02 for the purpose of setting forth the policy and requirements for the application of Indian preference to hiring practices of the Tribe and its enterprises; and

WHEREAS, all employees of the Little River Casino Resort are employees subject to licensure under the Tribe’s Gaming Ordinance and subject to the provisions of the Indian Preference in Employment Ordinance; and

WHEREAS, the Tribal Council finds that it has received information with respect to the hiring practices of the Little River Casino Resort to request that the Gaming Commission conduct an investigation into the Resort’s hiring practices as they relate to the Indian Preference in Employment Ordinance. The investigation should including all employees hired in the last year.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby requests that the Gaming Commission, consistent with its legislative mandate, investigate whether the Little River Casino Resort has been compliant with the Indian Preference in Employment Ordinance and the Fair Employment Practices Code.

IT IS FURTHER RESOLVED THAT Tribal Council recommends that any investigation conducted by the Gaming Commission be sufficient to identifying preference applicants and candidates, and selectees and justifications for any variance therefrom.

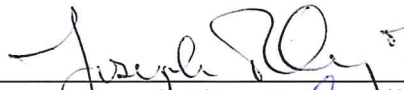
IT IS FURTHER RESOLVED THAT if during the course of the Gaming Commission’s investigation, the Gaming Commission decides a fraud examiner’s expertise is required to fully and diligently complete the investigation, the Gaming Commission should submit a fraud examiner contract for services to the Tribal Council for their approval.

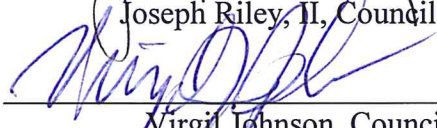
IT IS FINALLY RESOLVED THAT upon the conclusion of the Gaming Commission’s investigation, it shall consult with, advise and make recommendations arising from this investigation for the purpose of assisting the Tribal Council in developing remedial amendments to the Indian Preference in Employment Ordinance. The Gaming Commission is not directed to seek redress of any violation discovered, if any, unless the Commission believes they must take action per the Gaming Ordinance or other policies applicable to the Gaming Commission.

Moved to  
Open Session  
11/09/16

**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 1 ABSENT at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on January 20, 2016, at the Little River Band's Conference Room in Manistee, Michigan, with a quorum being present for such vote.

  
\_\_\_\_\_  
Joseph Riley, II, Council Recorder

  
\_\_\_\_\_  
Virgil Johnson, Council Speaker

Distribution: Council Records  
Tribal Ogema  
Gaming Commission  
Unified Legal Department