



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

Resolution #17-0607-193

*Continuing Emergency Amendments to the Fair Employment Practices Code,
Ordinance #05-600-03*

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 Tribe adopted amendments to the Constitution on July 11, 2016 which became effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; and

WHEREAS, the legislative powers of the Tribe are vested in the Tribal Council according to Article IV, Section 1 of the Constitution; and

WHEREAS, the Tribal Council is authorized by Article IV, Section 7(a)(1) and (2) to exercise the inherent powers of the Tribe by establishing laws through the enactment of ordinances and adoption of resolutions to govern the conduct of Tribal Members and others within the Tribe's 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 executive powers of the Tribe are vested in the Tribal Ogema according to Article V, Section 1 of the Constitution; and

WHEREAS, the Ogema is authorized by Article V, Section 5(a)(1) to enforce and execute the ordinances, resolutions and motions adopted by the Tribal Council consistent with the Constitution; and

WHEREAS, the Tribal Council is authorized by the Administrative Procedures Ordinance, Ordinance #04-100-07, in the interests of protecting the health, safety, or welfare of the Tribe, its members or the community, to take emergency action for 180 days and to continue such action for no more than an additional 180 days to avoid the imminent injury to person, property, business, or finance; and

WHEREAS, the Tribe adopted the Fair Employment Practice Code, Ordinance #05-600-03 with Resolution #05-1102-564 and has most recently permanently amended this Ordinance with Resolution #10-0728-268; and

WHEREAS, the Tribal Council was alerted to the implications of federal law on Tribal Government departments and their compliance efforts, including now unenforceable licensing of labor organizations; and

WHEREAS, the Tribal Council was asked by the Gaming Commission to repeal Chapter 13 Regulation and Section 16.08 of the Fair Employment Practice Code in order to address their concerns; and


WHEREAS, the Tribal Council passed Resolution #16-1130-367 suspending the application of Section 16.08 in order to support repeal of the Gaming Regulation Chapter 13 #R400-04:GC-13, providing direction and compliance support to the Gaming Commission staff; and

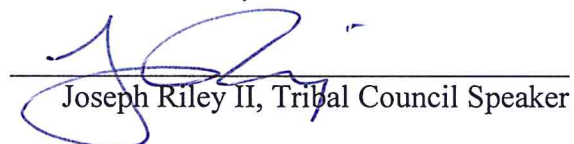
WHEREAS, the Tribal Council finds it necessary to continue the emergency amendments in light of the United States Congress action related to the Tribal Labor Sovereignty Act.

NOW THEREFORE IT IS RESOLVED, that the Tribal Council continues the amendments approved in Resolution #16-1130-367 for an additional 180 days.

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, and 1 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on June 7, 2017, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.


Sandra Lewis, Tribal Council Recorder


Joseph Riley II, Tribal Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Legal Departments