

**POKAGON BAND GAMING COMMISSION**  
**RESOLUTION No. 22-02-24-01**

**WHEREAS:** The Pokagon Band of Potawatomi Indians of Michigan and Indiana (“Pokagon Band”) is a sovereign, federally recognized Indian Tribe, as reaffirmed under P.L. 103-323, enacted September 21, 1994; and

**WHEREAS:** In accordance with P.L. 103-323 and pursuant to Article IX of the Pokagon Band constitution (“Constitution”), effective as of December 16, 2005, the Tribal Council is the governing body of the Pokagon Band; and

**WHEREAS:** By enactment of the Pokagon Band Gaming Regulatory Act on February 7, 2007 (“Act”), the Tribal Council established a Gaming Commission (“Commission”), which is charged with the responsibility to regulate all forms of gaming within the jurisdiction of the Pokagon Band in order to ensure that all such gaming is conducted honestly and free from unlawful conduct and corruptive elements; and

**WHEREAS:** The Pokagon Band Tribal Council, by resolution No. 06-09-09-12 enacted the Liquor Control Code (Michigan) (“Michigan Code”) governing the importation, manufacture, distribution, and sale of alcoholic liquor and established certain duties and authority of the Commission; and

**WHEREAS:** The Pokagon Band Tribal Council, by resolution No. 15-11-02-05 enacted the Liquor Control Code (Indiana) (“Indiana Code”) governing the importation, manufacture, distribution, and sale of alcoholic liquor and established certain duties and authority of the Commission; and

**WHEREAS:** Both the Michigan Code and the Indiana Code (collectively “Codes”) empowers the Commission to adopt and enforce regulations for the purpose of implementing and enforcing the same; and

**WHEREAS:** The Commission has adopted regulations (“Regulations”) for the purpose of implementing and enforcing the Codes; and

**WHEREAS:** The Commission desires to amend the Regulations; and

**WHEREAS:** Proposed amendments to the Regulations are attached hereto (“Amended Regulations”); and

**WHEREAS:** The Commission has reviewed the Amended Regulations; and

**WHEREAS:** Subsection 9(a) of the Codes require that the Commission shall provide a minimum public notice and opportunity to comment of sixty days on any proposed regulation before such becomes final and enforceable; and

**WHEREAS:** The Commission desires to approve an intention to adopt the Amended Regulations and provide notice of the same; and

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**WHEREAS:** Following the expiration of the comment period, the Commission will review and consider any comments received prior to adopting the Amended Regulations.

**NOW THEREFORE BE IT RESOLVED** that the Commission approves its intention to adopt the Amended Regulations, a copy of which is attached hereto; and

**BE IT FURTHER RESOLVED** that in accordance with the requirements of Subsection 9(a) of the Codes, the Commission directs the Executive Director, or his designee, to cause posting of public notice of the Commission's intention to adopt the Amended Regulations, which shall include the identification of the opportunity and methods to comment on the Amended Regulations and the deadline for the submission of such comments; and

**BE IT FURTHER RESOLVED** that following the expiration of the comment period, the Commission will review and consider any comments received prior to adopting the Amended Regulations.

**CERTIFICATION**

We do certify that the foregoing Resolution was presented and voted upon with a quorum at a meeting of the Commission held the 24th day of February 2022, by unanimous vote.

*Richard Klemm*

RICHARD J. KLEMM, CHAIRPERSON

*Cassie Alley*

CASSIE ALLEY, VICE-CHAIRPERSON