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# City of Detroit

## CITY COUNCIL

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TO: The Honorable Detroit City Council

FROM: David Whitaker, Director   
Legislative Policy Division Staff

DATE: May 7, 2021

RE: **RESOLUTION IN SUPPORT OF MICHIGAN HOUSE RESOLUTION 42**

Council Member Scott Benson requested that the Legislative Policy Division (LPD) draft a resolution to support Michigan House Resolution 42, which advocates for the opposition of unchecked off-reservation casino gambling in the State of Michigan.

Please contact us if we can be of any further assistance.

**HONORABLE COUNCIL MEMBER SCOTT BENSON**

**RESOLUTION IN SUPPORT OF MICHIGAN STATE HOUSE RESOLUTION 42**

- WHEREAS,** The mission of the Detroit City Council is to promote the economic, cultural and physical welfare of Detroit’s citizens and residents through Charter-mandated legislative functions; and
- WHEREAS,** In recent years, there has been an increase in the number of tribes pursuing off-reservation Class III gaming. Several of these off-reservation gaming proposals and schemes were pursued by tribes with successful on-reservation gaming operations but seek to establish casinos on lands outside their reservation or eligible lands and within the aboriginal lands of other tribes; and
- WHEREAS,** These types of radical tribal off-reservation casino expansion efforts, which is opposed by several tribes in Michigan, if unchecked, it could ultimately pose a threat to the revenue stream, which is provided to the City of Detroit from its three local casinos; and
- WHEREAS,** James Nye, a spokesperson for the Gun Lake Tribe, the Nottawaseppi Huron Band of the Potawatomi and the Saginaw Chippewa Indian Tribe said the approved resolution (House Resolution 42) shows the “growing sentiment against the unchecked expansion of casinos;” and
- WHEREAS,** There are twelve federally recognized tribes that have gaming compacts with the state of Michigan to run casinos on eligible reservation land. The gaming compacts are pursuant to the Indian Gaming Regulatory Act (IGRA) between each tribe, the state of Michigan and the United States Department of the Interior are the law and must be followed and enforced; and
- WHEREAS,** All gaming compacts between the tribes and the state of Michigan expressly limit tribal Class III gaming to the tribes’ reservation and/or eligible lands on or near the tribes’ reservation as specifically described in the gaming compact; and
- WHEREAS,** The Governor does not have the authority to unilaterally waive a provision of a tribal gaming compact without the approval of the Michigan Legislature unless such authority is expressly provided to the Governor by the gaming compact; and
- WHEREAS,** Michigan State House Resolution 42 serves to oblige all tribes to adhere to the regulatory requirements found within the Indian compacts and advocates for the opposition of unchecked off-reservation casino gaming in Michigan; **NOW THEREFORE BE IT**
- RESOLVED,** That the Detroit City Council opposes any off-reservation gaming effort and supports Michigan State House Resolution 42. **BE IT FINALLY**
- RESOLVED,** That copies of this resolution be forwarded to the Detroit delegation in the State Senate and State House, State Representative Roger Hauck, Mayor Mike Duggan and Governor Whitmer.