

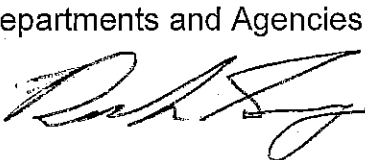


STATE OF MICHIGAN
EXECUTIVE OFFICE
LANSING

RICK SNYDER
GOVERNOR

BRIAN CALLEY
LT. GOVERNOR

EXECUTIVE DIRECTIVE
No. 2012 - 2

DATE: August 23, 2012
TO: All Executive Branch Departments and Agencies
FROM: Governor Rick Snyder 
RE: Tribal-State Relations

The state of Michigan is home to twelve federally-recognized Native American communities that have been acknowledged by the United States Secretary of the Interior pursuant to the Federally Recognized Indian Tribe List Act of 1994. These tribes are sovereign government entities that possess the right of self-governance. The state of Michigan is obligated by federal law to respect the sovereignty and rights of these tribes.

The state of Michigan entered into a Government-to-Government Accord with the federally-recognized Indian Tribes in 2002. That Accord sought to enhance and improve communication between the parties, foster the respect for their sovereign status, and facilitate the resolution of potentially contentious issues. That Accord had its genesis in Governor Engler's Executive Directive 2001-2 and was further implemented by Governor Granholm's Executive Directive 2004-5.

It is my intent that the executive branch of the state of Michigan shall adhere to the principles set forth in the 2002 Government-to-Government Accord during my tenure in office.

Section 1, Article 5 of the Michigan Constitution vests the executive power of the state of Michigan in the Governor. Section 8, Article 5 of the Michigan Constitution places each principal department under the supervision of the Governor. Pursuant to these provisions of the Michigan Constitution, I direct the following:

The state of Michigan acknowledges the sovereignty of federally-recognized tribes. These tribes possess authority to exercise jurisdiction over their land and

citizens and possess the rights of self-governance and self-determination. Further, the state recognizes that the United States has a unique relationship with federally-recognized tribes as set forth in the United States Constitution, treaties, statutes, and court decisions.

The state of Michigan recognizes and affirms its commitments made in the October 28, 2002, Government-to-Government Accord with the federally-recognized Indian tribes. This directive is premised on the understanding that the federally-recognized Indian tribes will carry out their commitments under the Accord.

An individual in the Governor's Legal Division or such other individual as I may designate, shall serve as the Governor's Advisor on Tribal-State Affairs. That person shall monitor the state's adherence to the 2002 Accord and this directive and shall have regular communication with tribal leaders and department tribal liaisons.

Each executive branch department shall designate an individual to be responsible for department-wide coordination of the department's interactions with the governments of Michigan's federally-recognized Indian Tribes. This individual shall be known as the department's tribal liaison. The department's tribal liaison shall report significant department interaction with the tribes to the Governor's Advisor on Tribal-State Affairs and the department director.

Each executive branch department director shall meet with the department tribal liaison as necessary to understand the department's important tribal issues and shall take whatever measures are necessary to inform the department employees of the tribal liaison's role and significance. Each executive branch director shall instruct department employees to confer with the department liaison on matters concerning Michigan's federally-recognized Indian tribes.

When formulating or implementing laws, rules, or policies that have tribal implications, state executive branch departments, agencies, and officials shall be cognizant of tribal sovereignty and the state's unique legal relationship with federally-recognized tribes and shall consult with the tribes on matters it has reason to know will affect the tribes. Departments may promulgate guidelines to implement this direction.

When formulating or implementing laws, rules, or policies that have tribal implications, state executive branch departments, agencies, and officials shall, upon written request, consult with federally-recognized Indian tribes regarding the matter in question.

Each Department shall respond to legislative inquiries regarding the effects of proposed legislation on Michigan's federally-recognized Tribes.