

A close-up, low-angle shot of a roulette wheel. The wheel is dark with red and black pockets. A silver ball is in motion, having just landed or about to land in a pocket. The numbers on the wheel are visible, including 13, 36, 10, 8, 23, 2, 25, 17, 34, 4, 21, 16, 19, 1, 20, 3, 26, 0, and 00. The background is dark with some blurred lights.

2023

Michigan Gaming
Control Board

TRIBAL GAMING REPORT



Tribal Gaming Section Annual Report to the Citizens of Michigan

Calendar Year 2023



Michigan Gaming Control Board
101 East Hillsdale Street
Lansing, MI 48933

Submitted April 15, 2024

This document is also available online at
michigan.gov/mgcb



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
MICHIGAN GAMING CONTROL BOARD
DETROIT

HENRY L. WILLIAMS, JR.
EXECUTIVE DIRECTOR

April 15, 2024

To the Citizens of the Great State of Michigan:

On behalf of the Michigan Gaming Control Board (MGCB), I am pleased to present to you the Tribal Gaming Annual Report for the period of January 1, through December 31, 2023. The following report includes a summary of significant activities and operations for this time period.

The Tribal Gaming Section of the MGCB continued its Tribal-State Class III Gaming Compact oversight efforts through the conduct of inspections. In fulfilling our duties and responsibilities, the MGCB continued to receive invaluable assistance from the Michigan Attorney General's Office and the Governor's Legal Counsel.

As always, we strive to maintain positive communications with all tribes and encourage voluntary tribal compliance with the Compacts on a government-to-government basis.

Sincerely,

/S/

Henry L. Williams, Jr.
Executive Director



Michigan Gaming Control Board

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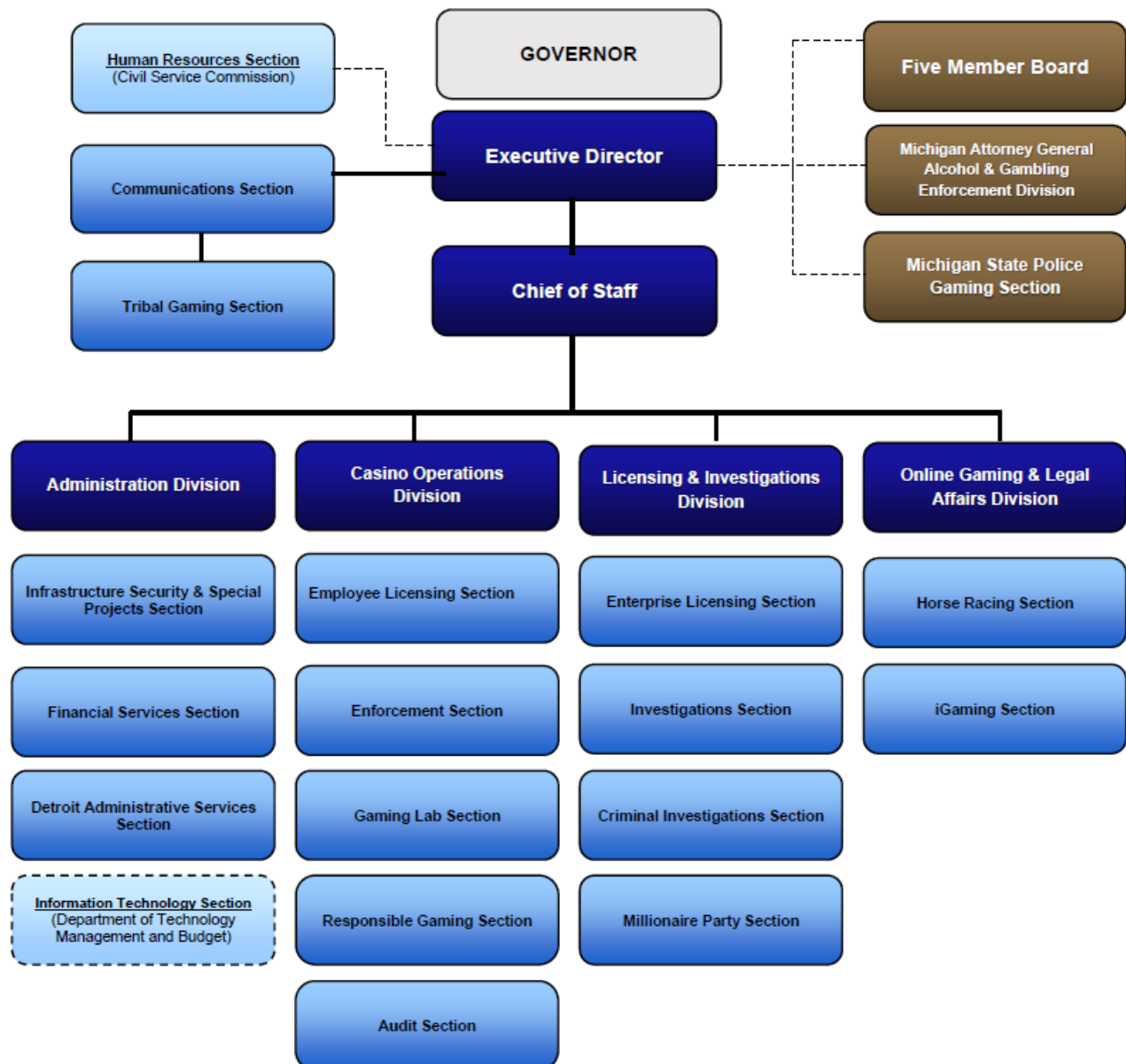


Michigan Gaming Control Board

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Michigan Gaming Control Board Organizational Chart

Organizational Chart





Michigan Gaming Control Board

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Michigan Tribal Gaming Regulatory Framework

The Indian Gaming Regulatory Act (IGRA) was enacted by the United States Congress in 1988 to provide a statutory basis and regulatory framework for the conduct of gaming by federally recognized tribes on tribal lands. Among its key objectives, the law was intended to promote tribal economic development, self-sufficiency, and strong tribal governments and ensure adequate tribal regulation of tribal gaming operations.

Under IGRA, Class III gaming activities are lawful on tribal lands only if such activities are conducted in conformance with a Tribal-State Class III Gaming Compact (Compact). Before a Compact takes effect, IGRA requires the United States Department of the Interior to approve the Compact and publish its approval in the Federal Register.

The State of Michigan has entered into Compacts with 12 Native American tribes. The 12 Compacts have produced 23 Class III tribal casinos located throughout the State. *Please see the Map of Michigan's Tribal Class III Casinos and List of Michigan's Tribal Class III Casinos on pages 6 and 7 of this report.*

Federally recognized tribes are individual sovereign nations. Under the Michigan Compacts, the regulation of tribal casino gaming is the responsibility of the tribes. The State of Michigan has no regulatory authority over Class III gaming conducted on tribal lands. Rather, the State's role is limited to overseeing tribal compliance with the provisions of the Compacts and related Consent Judgments.

The MGCB Executive Director holds the duty and authority to conduct oversight of the tribal gaming Compacts. The MGCB is responsible for performing inspections of Class III gaming facilities and records, pursuant to and in accordance with relevant Compact provisions, for the purpose of evaluating tribal compliance with the Compacts and related Consent Judgments. MGCB Board Members have no oversight role or authority with respect to the Tribal-State Compacts.

Most internet gaming and internet sports betting activities, including those conducted by tribes, are subject to state law and are not considered tribal gaming operated pursuant to the Compacts and related Consent Judgments. Therefore, financial and other data related to such activities generally are excluded from this report. Additional information regarding internet gaming and internet sports betting can be found in the 2023 MGCB Annual Report available on the agency's website.



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Tribal Gaming Section Mission, Personnel, Source of Funding, and Total Expenditures

The Tribal Gaming Section is located at the MGCB Lansing office and is comprised of one manager and up to five audit staff members. The section conducts inspections of tribal casinos to evaluate compliance with the Tribal-State Class III Gaming Compacts and related Consent Judgments. The Tribal Gaming Section reports to MGCB's Director of External Affairs & Legislative Liaison. *Please see the Michigan Gaming Control Board Organizational Chart on page 1.*

The Compacts provide that the tribes shall make annual payments to the State to be applied toward the costs the State incurs in carrying out authorized oversight functions. Some tribes, subject to certain exclusivity and/or economic incentive provisions, are required by the Compacts and related Consent Judgments to remit a percentage of their annual net win, as derived from all Class III electronic games of chance, to the Michigan Strategic Fund (MSF). The Michigan Economic Development Corporation (MEDC) provides some additional funding to the Tribal Gaming Section for oversight related to these payments.

All oversight funds are placed into MGCB's Native American Casino Fund, which recorded expenditures and transfers of \$591,082 and \$14,678, respectively, during calendar year 2023.

Payments to Local and State Government

Under provisions of the Compacts and related Consent Judgments, all tribes are required to remit two percent of their respective net win to local units of state government or local revenue sharing boards. For reporting period 2023, tribes collectively remitted \$30.4 million to local units of state government and local revenue sharing boards in two percent payments. *Please see the table on page 4 for two percent payments by tribe for 2023.*

In addition, the Compacts and related Consent Judgments require some tribes, based on exclusivity and/or economic incentive provisions, to remit payments to the MSF/MEDC. The percentage of net win paid to the MSF/MEDC ranges from one percent to 12 percent, depending on the Compact or Consent Judgment. For reporting period 2023, tribes remitted \$44 million in payments to the MSF/MEDC. *Please see the table on page 4 for MSF/MEDC payments by tribe for 2023.*



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2023 Tribal Gaming Revenue Sharing Payments

Tribe	Compact Year	Percentage of Net Win to Local Gov't	2023 Amount	Percentage of Net Win to MSF/MEDC	2023 Amount
Bay Mills Indian Community	1993	2%	\$ 379,020	0%	\$ -
Grand Traverse Band of Ottawa and Chippewa Indians	1993	2%	\$ 1,415,317	0%	\$ -
Hannahville Indian Community	1993	2%	\$ 1,236,883	1%	\$ 618,442
Keweenaw Bay Indian Community	1993	2%	\$ 715,994	0%	\$ -
Lac Vieux Desert Band of Lake Superior Chippewa Indians	1993	2%	\$ 269,644	0%	\$ -
Saginaw Chippewa Indian Tribe	1993	2%	\$ 6,592,460	0%	\$ -
Sault Ste. Marie Tribe of Chippewa Indians	1993	2%	\$ 1,606,102	0%	\$ -
Little River Band of Ottawa Indians	1998	2%	\$ 1,537,162	6%	\$ - ⁽¹⁾
Little Traverse Bay Bands of Odawa Indians	1998	2%	\$ 1,154,910	6-10%	\$ - ⁽²⁾
Nottawaseppi Huron Band of the Potawatomi	1998	2%	\$ 6,254,876	4-8%	\$ 20,519,503 ⁽³⁾
Pokagon Band of Potawatomi Indians	1998	2%	\$ 4,910,664	6-8%	\$ 13,533,093
Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians	2007	2%	\$ 4,311,322	8-12%	\$ 9,284,446 ⁽⁴⁾
Total⁽⁵⁾			\$ 30,384,354		\$ 43,955,484

- (1) The Little River Band of Ottawa Indians began withholding payments owed to the MSF/MEDC starting in the 2023 payment period.
- (2) The Little Traverse Bay Bands of Odawa Indians began withholding payments owed to the MSF/MEDC starting in the 2018 payment period.
- (3) The payment total includes amounts allocated to replenish the Michigan Native American Heritage Fund, as required by the 2016 amendment to the Tribal-State Compact between the Nottawaseppi Huron Band of the Potawatomi and the State of Michigan.
- (4) Pursuant to a partial settlement agreement between the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians and the State of Michigan, amounts due to the MSF/MEDC are to be disbursed as follows: (1) 50% to the MSF; (2) 15% to GLIMI, LLC ; and (3) 35% retained by the Tribe. The figure presented above includes only those amounts remitted to the MSF.
- (5) Payment amounts are presented based on the tribal payment periods and as reported by the tribes and the MEDC. In addition, the totals may differ from those presented on MGCB's website due to rounding.



Tribal Gaming Oversight Inspections

Net Win Inspections

As part of its oversight efforts, the Tribal Gaming Section performs financial inspections to ensure tribal net win totals are accurately stated and the related revenue sharing payments are properly remitted to local and state governments in accordance with the relevant Compacts and Consent Judgments.

Compliance Inspections

The Compacts contain many other provisions that require compliance oversight. The Tribal Gaming Section performs inspections to evaluate tribal compliance with Compact provisions pertaining to authorized Class III games, regulation of Class III gaming, employee benefits, providers of Class III gaming equipment and supplies, notice to patrons, and the sale of alcoholic beverages.

2023 Tribal Gaming Oversight Accomplishments

In calendar year 2023, the Tribal Gaming Section made substantial progress on several tribal gaming oversight inspections and other projects. The Tribal Gaming Section is pleased to report the following accomplishments for 2023:

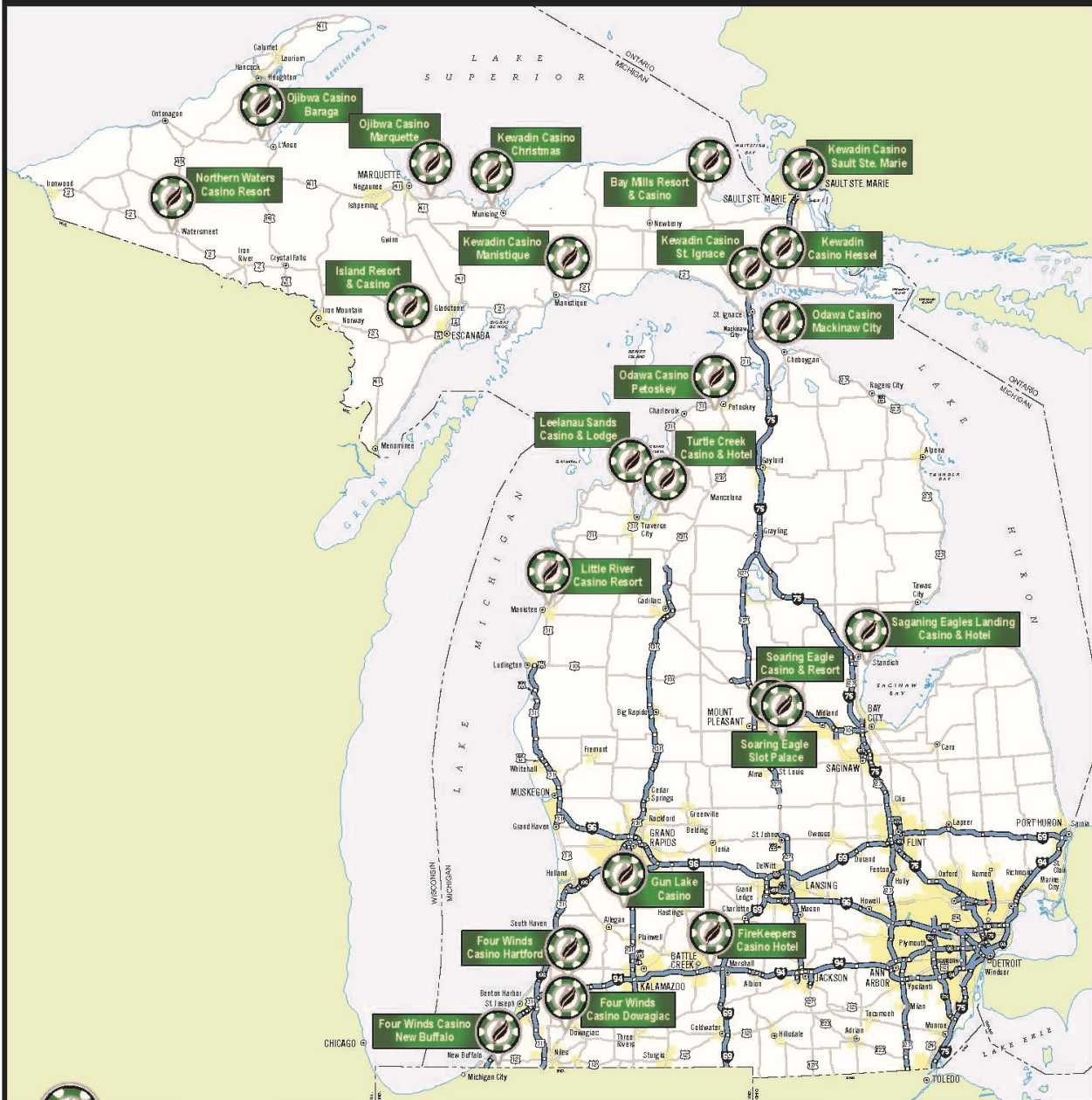
- Commenced one new net win inspection, covering four fiscal years, and one new compliance inspection.
- Made significant progress on three previous net win inspections, covering a combined 10 fiscal years, and two previous compliance inspections.
- Began the migration to new audit management software that will be utilized as the primary program for all future inspections and related tasks.
- Completed MGCB's internal control evaluation for the biennial period ended September 30, 2022, as required by state law.
- Tracked, analyzed, and reported on tribal revenue sharing payments.
- Made substantial contributions to MGCB's regulatory efforts related to internet gaming, internet sports betting, and fantasy contests.



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MICHIGAN'S TRIBAL CLASS III CASINOS



TRIBAL CASINOS

Bay Mills Resort & Casino
FireKeepers Casino Hotel
Four Winds Casino Dowagiac
Four Winds Casino Hartford
Four Winds Casino New Buffalo
Gun Lake Casino

Island Resort & Casino
Kewadin Casino Christmas
Kewadin Casino Hessel
Kewadin Casino Manistique
Kewadin Casino Sault Ste. Marie
Kewadin Casino St. Ignace

Leelanau Sands Casino & Lodge
Little River Casino Resort
Northern Waters Casino Resort
Odawa Casino Mackinaw City
Odawa Casino Petoskey
Ojibwa Casino Baraga

Ojibwa Casino Marquette
Saginaw Eagle Casino & Hotel
Soaring Eagle Casino & Resort
Soaring Eagle Slot Palace
Turtle Creek Casino & Hotel



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Michigan's Tribal Class III Casinos

Locations	Tribal Casino
1	Bay Mills Indian Community
	Bay Mills Resort & Casino - Brimley, MI
2	Grand Traverse Band of Ottawa and Chippewa Indians
	Leelanau Sands Casino & Lodge - Peshawbestown, MI
	Turtle Creek Casino & Hotel - Williamsburg, MI
1	Hannahville Indian Community
	Island Resort & Casino - Harris, MI
2	Keweenaw Bay Indian Community
	Ojibwa Casino Baraga - Baraga, MI
	Ojibwa Casino Marquette - Marquette, MI
1	Lac Vieux Desert Band of Lake Superior Chippewa Indians
	Northern Waters Casino Resort - Watersmeet, MI
1	Little River Band of Ottawa Indians
	Little River Casino Resort - Manistee, MI
2	Little Traverse Bay Bands of Odawa Indians
	Odawa Casino Mackinaw City - Mackinaw City, MI
	Odawa Casino Petoskey - Petoskey, MI
1	Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians (Gun Lake Tribe)
	Gun Lake Casino - Wayland, MI
1	Nottawaseppi Huron Band of the Potawatomi
	FireKeepers Casino Hotel - Battle Creek, MI
3	Pokagon Band of Potawatomi Indians
	Four Winds Casino Dowagiac - Dowagiac, MI
	Four Winds Casino Hartford - Hartford, MI
	Four Winds Casino New Buffalo - New Buffalo, MI
3	Saginaw Chippewa Indian Tribe
	Saganing Eagles Landing Casino & Hotel - Standish, MI
	Soaring Eagle Casino & Resort - Mount Pleasant, MI
	Soaring Eagle Slot Palace - Mount Pleasant, MI
5	Sault Ste. Marie Tribe of Chippewa Indians
	Kewadin Casino Christmas - Christmas, MI
	Kewadin Casino Hessel - Hessel, MI
	Kewadin Casino Manistique - Manistique, MI
	Kewadin Casino Sault Ste. Marie - Sault Ste. Marie, MI
	Kewadin Casino St. Ignace - St. Ignace, MI
23	Total