



KIOWA TRIBE

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OFFICE OF THE LEGISLATURE

RESOLUTION NO. KL-CY-2017-012
Tabled 08/12/2017, by majority
vote of the Kiowa Tribe Legislature

KIOWA CASINO OPERATIONS AUTHORITY REPORTING AND CHARTER MODIFICATION ACT OF 2017

At a duly called Session of the Legislature of the Kiowa Tribe held this 12th day of August 2017, the following Resolution and Law were adopted.

WHEREAS; the Legislature is vested with the authority to pass laws and resolutions pursuant to Article VI, Section 6(a) of the Constitution of the Kiowa Tribe; and,

WHEREAS; the Legislature has determined that it is in the best interests of the Tribe, Chairman, and Legislature to receive regular and up-to-date reports on the operation of the Tribe's gaming enterprises, a key source of revenue for the Tribe.

NOW THEREFORE IT BE IT RESOLVED; that the Legislature hereby enacts the attached law entitled, "Kiowa Casino Operations Authority Reporting and Charter Modification Act of 2017".

CERTIFICATION

The foregoing Resolution KL-CY-2017-012 was duly voted upon at a duly called Session IV of the Legislature of the Kiowa Tribe held this 12th day of August 2017, the following Resolution and Law were adopted, with a vote of (0) in favor, and (0) opposed, (0) abstaining, and (7) tabled, pursuant to the authority vested in the Kiowa Tribe Legislature by the Constitution of the Kiowa Tribe.


Rhonda J. Ahhaity, Secretary
of the Kiowa Tribe Legislature



RESOLUTION NO KL-CY-2017-012

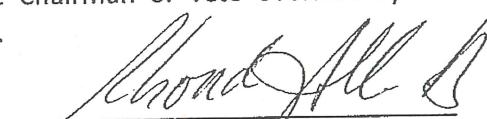
SPONSOR: RENEE M. PLATA, SPEAKER OF THE KIOWA TRIBE LEGISLATURE

CO-SPONSOR(S): RHONDA J. AHHAITTY, SECRETARY OF THE KIOWA LEGISLATURE; ANITA ONCO-JOHNSON, LEGISLATOR; DAVE GEIMAUSSADDLE, LEGISLATOR; RONALD C. POOLAW, LEGISLATOR

LEGISLATORS	YES	NO	ABSTAIN	ABSENT
Rhonda J. Ahhaitty, Secretary	X			
Renee M. Plata,	X			
Ronald C. Poolaw, Sr.	X			
Dave Geimausaddle	X			
Anita L. Onco-Johnson	X			
Modina M. Waters	X			
Ben Lucero-Hovakah-Wolf	X			

DELIVERY OF THE RESOLUTION AND LAW TO THE CHAIRMAN

Resolution No. KL-CY-2017-012 was presented to the Chairman of the Kiowa Tribe on the 14th day of August 2017, pursuant to the Article VI, Section 8(a)(iv) of the Constitution of the Kiowa Tribe, and will become effective after signature by the Chairman or veto override by the Legislature, and as otherwise required by the Constitution.



Rhonda J. Ahhaitty, Secretary
of the Kiowa Tribe Legislature

CHAIRMAN'S ACTION:

[] APPROVED

[] VETO - RETURNED TO LEGISLATURE WITH EXPLANATION:

On this _____ day of _____, 2017.

Matthew Komalty, Chairman
of the Kiowa Tribe

Presented by the Chairman to the Legislature on the _____ day of _____, 2017.

LEGISLATURE'S ACTION:

Override of Chairman's veto:

[] YES

[] NO

LEGISLATORS	YES	NO	ABSTAIN	ABSENT
Rhonda J. Ahhaity, Secretary				
Renee M. Plata, Speaker				
Ronald C. Poolaw, Sr.				
Dave Geimausaddle				
Anita L. Onco-Johnson				
Modina M. Waters				
Ben Lucero Hovakah-Wolf				

CERTIFICATION

The foregoing Resolution KL-CY-2017-012 was duly voted upon at a duly called Session IV of the Legislature of the Kiowa Tribe held this 15th day of August 2017, the following Resolution and Law were adopted, with a vote of (0) in favor, and (0) opposed, (0) abstaining, and (7) **tabled**, pursuant to the authority vested in the Kiowa Tribe Legislature by the Constitution of the Kiowa Tribe.



Rhonda J. Ahhaity, Secretary
of the Kiowa Tribe Legislature

Section 1.1 Short Title

This enactment shall be known as the "Kiowa Casino Operations Authority Reporting and Charter Modification Act of 2017" ("Act").

Section 1.2 Purpose

The purpose of this Act is to direct the Kiowa Casino Operations Authority ("KCOA") to provide the Tribe, Chairman, and Legislature with regular and up-to-date reports on the operation of the Tribe's gaming enterprises, and to modify the Charter bring the KCOA into compliance with the new Constitution of the Kiowa Tribe ("Tribe").

Section 1.3 Findings

- (a). Since 2004, the KCOA, managed by a Board of Trustees, has operated the Tribe's casinos.
- (b). In May 2017, the voters of the Tribe adopted a new Constitution ("Constitution"). The Constitution separates the functions of government into branches including an Executive branch (Chairman and Departments), a Legislative branch (Legislature, formerly the Business Committee), and a Judicial branch (new Court system). The Constitution provides for Boards to be created by law and to be located in the Executive branch of government, with Board members selected by nomination by the Chairman and confirmation by the Legislature. The Constitution requires all Boards to follow the laws of the Tribe. *See, Const., Art. VI, Sec. 6(i).*
- (c). The Tribe's former Business Committee created the KCOA by enacting a Charter for the KCOA by Resolution, with the Business Committee retaining certain powers including approving amendments the Charter.
- (d). The Legislature has determined the need to obtain regular, up-to-date reports from the KCOA, and to modify the Charter to bring the KCOA into compliance with the new Constitution.

Section 1.4 Reports from the KCOA

- (a). The KCOA and its Board of Trustees shall be considered a Board as defined in Article VI, Section (6)(i) of the Constitution.
- (b). The KCOA and its Board of Trustees shall provide the Chairman and Legislature with a monthly, written financial statement by the fifteenth day of each month for the preceding month. The KCOA shall also provide the Chairman and

Legislature with a written report on October 1st and April 1st of each year detailing to the status of the Tribe's casino operations and financial condition.

Section 1.5 Modifications to the KCOA Charter

The Legislature hereby approves the modifications to the KCOA Charter attached hereto.