



# KIOWA TRIBE

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OFFICE OF THE LEGISLATURE

## KIOWA TRIBE RESOLUTION NO. KL-CY-2018-012

### FIRST AMENDMENT TO THE KIOWA CASINO OPERATIONS AUTHORITY CHARTER

At a duly called Session of the Legislature of the Kiowa Tribe held this 14<sup>th</sup> day of April 2018, 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 enacted and approved a Charter to establish and govern the Kiowa Casino Operations Authority (“KCOA”) to operate and manage the Tribe’s profitable gaming businesses; and,

**WHEREAS;** the Legislature has determined that it is in the best interests of the Tribe to set high standards of ethics and conduct for the Members of the KCOA Board of Trustees in order to demonstrate the Tribe’s commitment to operating its casinos with the highest degree of financial and business integrity and professionalism.

**NOW THEREFORE IT BE IT RESOLVED;** that the Legislature hereby enacts the attached law entitled, “First Amendment to the Kiowa Casino Operations Authority Charter”.

### CERTIFICATION

The foregoing resolution KL-CY-2018-012, was duly voted upon by the Kiowa Legislature on April 14, 2018, at a Regular Session XII with a vote of ( 4 ) in favor and ( 3 ) opposed, ( 0 ) abstaining, and ( 0 ) absent, pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

  
Rhonda J. Ahhaitty  
Secretary of the Legislature



**LEGISLATURE - RESOLUTION NO. KL-CY-2018-012:**

**SPONSOR:** Renee M. Plata, Speaker for the Legislature

**CO-SPONSOR(S):** Anita Onco-Johnson

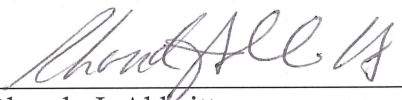
LEGISLATORS	YES	NO	ABSTAIN	ABSENT
Rhonda J. Ahhaitty		X		
Renee M. Plata	X			
Ronald C. Poolaw, Sr.	X			
Dave Geimausaddle		X		
Anita Onco Johnson	X			
Ben Wolf	X			
Modina Waters		X		

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**DELIVERY OF THE RESOLUTION AND LAW TO THE CHAIRMAN**

Resolution No. KL-CY-2018-012, was presented to the Chairman of the Kiowa Tribe on the 16<sup>th</sup> day of April, 2018, 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 Legislature

**CHAIRMAN'S ACTION:**

APPROVED

VETO - RETURNED TO LEGISLATURE WITH EXPLANATION:

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On this \_\_\_\_ day of April, 2018.

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Matthew M. Komalty  
Chairman of the Kiowa Tribe

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Presented by the Chairman to the Legislature on the \_\_\_\_ day of April, 2018.

**LEGISLATURE'S ACTION:**

**Override of Chairman's veto:**

YES

NO

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

## CERTIFICATION

The foregoing resolution KL-CY-2018-012 was duly overridden and voted upon by the Kiowa Legislature on \_\_\_\_\_, 2018, at a Working Session, with a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed, and \_\_\_\_\_ abstaining pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

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Rhonda J. Ahhaitty  
Secretary of the Legislature

### **Section 1.1 Short Title**

This enactment shall be known as the “First Amendment to the Kiowa Casino Operations Authority Charter”.

### **Section 1.2 Purpose**

The purpose of this Act is to establish stronger standards of ethics and conduct for Members of the Board of Trustees (“Trustees”) of the Kiowa Casino Operations Authority (“KCOA”).

### **Section 1.3 Findings**

(a). The Legislature has enacted and approved a Charter to establish and govern the KCOA to operate and manage the Tribe’s profitable gaming businesses.

(b). The Legislature has determined that it is in the best interests of the Tribe to establish the highest standards of ethics and conduct for Trustees of the KCOA in order to demonstrate the Tribe’s commitment to operating its casinos with the highest degree of financial and business integrity and professionalism.

### **Section 1.4 Qualifications of Trustees**

Section 13.4 of the Sixth Amended and Restated Charter of the Kiowa Casino Operations Authority shall be amended by adding subsections “(f), (g), (h), and (i)” at the end of the Section as follows:

Section 13.4 Qualification of Trustees. All trustees of the Authority shall be natural persons of at least thirty (30) years of age who (1) have earned a four (4) year degree from an accredited United States college or university, or (2) have at least two (2) years of college education and five (5) years of management or supervisory experience in gaming or resort related businesses. A majority of the Trustees shall be enrolled members of the Tribe. All of the Trustees shall be Native Americans who are enrolled members of a federally recognized Indian Tribe. No person shall be eligible to serve as a trustee who (a) is found to be unsuitable for a trustee’s license or other license issuable by the Commission pursuant to the Ordinance; (b) has been convicted of a felony or any crime of moral turpitude by federal, state or tribal authorities; (c) holds any elected office of the Tribe; (d) is otherwise an employee of the Tribe; (e) has been recalled or removed for cause from elected or appointed office of the Tribe, the Authority or the Commission; (f) has been convicted of any crime involving a financial transaction or business transaction; (g) has had a professional license suspended or revoked based on a disciplinary proceeding; (h) has failed to pay applicable federal or state taxes in a timely manner within the last twenty years; or (i) has a poor credit history including any default on credit obligations, foreclosures, or bankruptcies within the last ten years.