



KIOWA TRIBE

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OFFICE OF THE LEGISLATURE

RESOLUTION NO. KL-CY-2018-017

MODEL TRIBAL GAMING COMPACT SUPPLEMENT BETWEEN THE KIOWA INDIAN TRIBE OF OKLAHOMA AND THE STATE OF OKLAHOMA

At a duly called session of the Legislature of the Kiowa Tribe held this 14th day of July 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 determined that it is in the best interest of the Tribe to authorize the “Model Tribal Gaming Compact Supplement between the Kiowa Indian Tribe of Oklahoma and the State of Oklahoma,” as set forth in Title 3A, Section 280.1(2)(b) of the Oklahoma Statutes (the “Gaming Compact Supplement”), so as to permit the Kiowa Tribe’s gaming enterprises to offer new non-house banked games, including games involving wheels, balls, and dice;

NOW THEREFORE BE IT RESOLVED, that the Legislature hereby enacts the Compact Supplement, as attached, in accordance with applicable tribal laws, and further authorizes the Chairman of the Kiowa Tribe to execute such Gaming Compact Supplement and cause it to be submitted to the Secretary of the Interior for approval pursuant to 25 C.F.R. Part 293 and other applicable law.

CERTIFICATION

The foregoing Resolution KL-CY-2018-017 was duly voted upon by the Legislature on July 14, 2018, at a Regular Monthly Session with a vote of (0) in favor and (0) opposed, (0) abstaining, and (0) absent, pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe. **“Rhonda J. Ahhaitty withdraws Resolution before the motion and vote”.**

Rhonda J. Ahhaitty
Secretary of the Legislature

MODEL TRIBAL GAMING COMPACT SUPPLEMENT
Between the KIOWA INDIAN TRIBE OF OKLAHOMA
and the STATE OF OKLAHOMA

To be governed in accord with the Kiowa Indian Tribe of Oklahoma's State-Tribal Gaming Compact ("Compact"), approved by the United States Department of the Interior on September 5, 2006, the Kiowa Indian Tribe of Oklahoma ("Tribe") accepts the State's offer of additional covered game codified in Section 280.1 of Title 3A of the Oklahoma Statutes, which offer and this acceptance are subject to the following terms:

Part 1. TITLE

This document shall be referred to as the "Kiowa Indian Tribe of Oklahoma and State of Oklahoma Gaming Compact Non-house-Banked Table Games Supplement ("Gaming Compact Supplement").

Part 2. TERMS

A. The Tribe hereby memorializes its election to accept the State's offer of an additional covered game, which offer is codified in Section 280.1 of Title 3A of the Oklahoma Statutes.

B. The Tribe agrees, subject to the enforcement and exclusivity provisions of its Compact, to pay to the State ten percent (10%) of the monthly net win of the common pool(s) or pot(s) from which prizes are paid for non-house-banked table games. The Tribe is entitled to keep an amount equal to State payments from the common pool(s) or pot(s) as part of its cost of operating the games. For all purposes, such payment shall be deemed an exclusivity and fee payment under paragraph 2 of subsection A of Part 11 of the State-Tribal Gaming Compact between the electing Tribe and the State.

C. The Tribe's operation of non-house-banked table games pursuant to this supplement shall, for all purposes, including enforcement and exclusivity, be treated as subject to and lawfully conducted under the terms and provisions of the Compact.

Part 3. AUTHORITY TO EXECUTE

This Gaming Compact Supplement, to the extent it conforms with Section 280.1 of Title 3A of the Oklahoma Statutes, is deemed approved by the State of Oklahoma. No further action of the State or any state official is necessary for this Gaming Compact Supplement to take effect upon approval by the Secretary of the United States Department of the Interior and publication in the Federal Register. The undersigned tribal official(s) represents that he or she is duly authorized and has the authority to execute this Gaming Compact Supplement on behalf of the Tribe for whom he or she is signing.

APPROVED:

Kiowa Indian Tribe of Oklahoma

Matthew M. Komalty, Chairman

Date

[KIOWA TRIBE LETTERHEAD]

RESOLUTION NO. KL-CY-2018-_____

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INDIAN TRIBE OF OKLAHOMA AND THE STATE OF OKLAHOMA**

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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 to authorize the “Model Tribal Gaming Compact Supplement Between the Kiowa Indian Tribe of Oklahoma and the State of Oklahoma,” as set forth in Title 3A, Section 280.1(2)(B) of the Oklahoma Statutes (the “Gaming Compact Supplement”), so as to permit the Kiowa Tribe’s gaming enterprises to offer new non-house banked table games, including games involving wheels, balls, and dice;

NOW THEREFORE BE IT RESOLVED; that the Legislature hereby enacts the Compact Supplement, as attached, in accordance with applicable tribal law, and further authorizes the Chairman of the Kiowa Tribe to execute such Gaming Compact Supplement and cause it to be submitted to the Secretary of the Interior for approval pursuant to 25 C.F.R. Part 293 and other applicable law.

CERTIFICATION

The foregoing Resolution No. KL-CY-2018-_____ was duly voted upon by the Legislature on July 14, 2018, at a Session with a vote of () in favor and () opposed, () abstaining, and () absent, pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

Rhonda J. Ahhaitty
Secretary of the Legislature