



KIOWA TRIBE

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OFFICE OF THE LEGISLATURE

KIOWA TRIBE RESOLUTION NO. KL-CY-2019-003

KIOWA GAMING COMMISSION REPORTING AND ORDINANCE MODIFICATION ACT OF 2019

At a duly called Session of the Legislature of the Kiowa Tribe held this 09th day of March 2019, the following Resolution and Law were adopted.

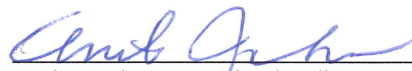
WHEREAS; the Legislature is vested with the authority to pass laws and resolutions pursuant to Article VI, Section 6(a) of the Constitution of the Kiowa Tribe; and,

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 Commission, a key source of regulatory for the Tribe's casino operations.

NOW THEREFORE BE IT RESOLVED; that the Legislature hereby enacts the attached law entitled, "Kiowa Gaming Commission Reporting and Ordinance Modification Act of 2019".

CERTIFICATION

The foregoing Resolution No. KL-CY-2019-003 was duly voted upon and **TABLED** by the Legislature on March 09, 2019, at a Regular Monthly Session with a vote of (7) 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.


Anita Johnson, District #5
Secretary of the Legislature



Posted by the Kiowa Legislature on December 12, 2018 for the January 12th, 2019, XXI Legislative Session (tabled). Presented on Legislative Session XXII, February 9, 2019 (tabled). Presented on Legislative Session XXIII, March 9, 2019. (tabled).

LEGISLATURE - RESOLUTION NO. KL-CY-2019-003:

SPONSOR: Anita Onco-Johnson, District #5 Legislator

CO-SPONSOR(S): _____

LEGISLATORS	YES	NO	ABSTAIN	ABSENT
Angela McCarthy District #1	X			
Michael Primus District #2	X			
Marilyn K. Bread District #3	X			
Jessie Svitak District #4	X			
Anita Onco-Johnson District #5	X			
Ben Wolf District #6	X			
Modina Waters District #7	X			

DELIVERY OF THE RESOLUTION AND LAW TO THE CHAIRMAN

Resolution No. KL-CY-2019-003 was presented to the Chairman of the Kiowa Tribe on the ____ day of March, 2019, 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.

Anita Johnson, District #5
Secretary of the Legislature

CHAIRMAN'S ACTION:

APPROVED

VETO - RETURNED TO LEGISLATURE WITH EXPLANATION:

On this ____ day of _____, 2019.

Matthew M. Komalty
Chairman of the Kiowa Tribe

Presented by the Chairman to the Legislature on the ____ day of March, 2019.

LEGISLATURE'S ACTION:

Override of Chairman's veto:

YES

NO

LEGISLATORS	YES	NO	ABSTAIN	ABSENT
Angela McCarthy District #1				
Michael Primus District #2				
Marilyn K. Bread District #3				
Jessie Svitak District #4				
Anita Onco-Johnson District #5				
Ben Wolf District #6				
Modina Waters District #7				

CERTIFICATION

The foregoing Order No. KL-CY-2019-003 was duly voted upon by the Legislature on _____, 2019, at a meeting 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.

Anita Johnson, District #5
Secretary of the Legislature

Section 1.1 **Short Title**

This enactment shall be known as the “Kiowa Gaming Commission Reporting and Ordinance Modification Act of 2019” (“Act”).

Section 1.2 **Purpose**

The purpose of this Act is to direct the Kiowa Gaming Commission (“KGC”) to provide the Tribe, Chairman, and Legislature with regular and up-to-date reports on the operation of the Tribe’s gaming regulatory, and to modify the ordinance bring the KGC into compliance with the new Constitution of the Kiowa Tribe (“Tribe”).

Section 1.3 **Findings**

(a). Since 2006, the KGC, managed by a Board of Commissioners, has operated the Tribe’s regulatory.

(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 KGC by enacting a Ordinance for the KGC by Resolution, with the Business Committee retaining certain powers including approving amendments the Ordinance.

(d). The Legislature has determined the need to obtain regular, up-to-date reports from the KGC, and to modify the Ordinance to bring the KGC into compliance with the new Constitution.

Section 1.4 **Reports from the KGC**

(a). The KGC and its Board of Commissioners shall be considered a Board as defined in Article VI, Section (6)(i) of the Constitution.

(b). The KGC and its Board of Commissioners shall provide the Chairman and Legislature with a monthly, written financial statement by the twentieth day of each month for the preceding month. The KGC shall also provide the Chairman and Legislature with a written report on April 1st of each year detailing to the status of the Tribe’s regulatory operations and financial condition.

Section 1.5 Modifications to the KGC Ordinance

The Legislature hereby approves the modifications to the KGC Reporting and Ordinance Modification Act of 2019, attached hereto.