



KIOWA TRIBE

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OFFICE OF THE LEGISLATURE

KIOWA TRIBE RESOLUTION NO. KL-CY-2022-014

KIOWA CASINO OPERATION AUTHORITY BOARD MEMBER VACANCY ACT OF 2022

At a duly called session of the Legislature of the Kiowa Tribe held this 10th day of September 2022, the following resolution and law were adopted.

WHEREAS, The Tribe established the Kiowa Casino Operations Authority (“KCOA”) to operate and manage the Tribe’s casino businesses, which generate critical revenue for the operation of the Tribe and to provide services to the People; and,

WHEREAS, The KCOA’s Sixth Amended and Restated Charter establishes a Board of Trustees (“Board”) comprised of five (5) members designated as “Trustees”, who serve four-year staggered terms of office, with each Trustee selected upon nomination by the Chairman and subject to confirmation by the Legislature; and,

WHEREAS, Former Chairman Matthew Komalty arbitrarily removed Trustees of the KCOA Board and failed to nominate qualified replacements for all vacant positions on the KCOA Board; and,

WHEREAS, The Legislature has identified a need to establish a fair and impartial process for all interested and qualified members to be considered to serve as a Trustee on the KCOA Board.

NOW THEREFORE BE IT RESOLVED, that the Legislature hereby enacts the attached law entitled, “KCOA Board Member Vacancy Act of 2022”.

CERTIFICATION

The foregoing resolution KL-CY-2022-014, was duly voted upon by the Legislature on September 10, 2022, at a Legislative Regular Session LXV (65) 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 Onco-Johnson
Secretary of the Legislature



Posted and read into record sponsored by: Ben Wolf, District #6 Legislator, at a Legislative Regular Session LXII-(62), Saturday, June 11, 2022. Placed on the agenda for Legislative Regular Session LXIII-(63), July 09, 2022. Placed on the agenda for Legislative Regular Session LXIV-64, August 13, 2022. Legislative Public Hearing VII (7), August 25, 2022, 1:00 p.m., via zoom. Presented on Legislative Regular Session LXV (65), Saturday, September 10, 2022.

LEGISLATURE - RESOLUTION NO. KL-CY-2022-014:

SPONSOR: Ben Wolf, District #6 Legislator

CO-SPONSOR(S):

LEGISLATORS	YES Hàu	NO Hàu:né	ABSTAIN Háun á	ABSENT Héñgyádàu
Kyle Ataddlety District #1	X			
Michael Primus District #2	X			
Timothy Satepauhoodle District #3	X			
Alana Quetone District #4	X			
Anita Johnson District #5	X			
Ben Wolf District #6	X			
Warren Queton District #7	X			

DELIVERY OF THE RESOLUTION AND LAW TO THE CHAIRMAN

Resolution No. KL-CY-2022-xxx was presented to the Chairman of the Kiowa Tribe on the _____ day of September, 2022, 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 Onco-Johnson
Secretary of the Legislature

Posted and read into record sponsored by: Ben Wolf, District #6 Legislator, at a Legislative Regular Session LXII-(62), Saturday, June 11, 2022. Placed on the agenda for Legislative Regular Session LXIII-63, July 09, 2022. Placed on the agenda for Legislative Regular Session LXIV-64, August 13, 2022. Legislative Public Hearing VII (7), August 25, 2022, 1:00 p.m., via zoom. Presented on Legislative Regular Session LXV (65), Saturday, September 10, 2022.

CHAIRMAN'S ACTION:

APPROVED

VETO - RETURNED TO LEGISLATURE WITH EXPLANATION:

On this 13th day of September, 2022.



Lawrence Spottedbird
Chairman of the Kiowa Tribe

Presented by the Chairman to the Legislature on the ____ day of _____, 2022.

LEGISLATURE'S ACTION:

Override of Chairman's veto:

YES

NO

CERTIFICATION

The foregoing resolution KL-CY-2022-xxx was overridden with Order KLO-CY-2022-XXX and duly voted upon by the Legislature on _____, 2022, at a Legislative Order Session with a vote of _____ in favor and _____ opposed, and _____ abstaining, _____ Absent. Pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

Anita Onco-Johnson
Secretary of the Legislature

LEGISLATORS	YES Hàu	NO Hàu:né	ABSTAIN Háun á	ABSENT Héñgyádàu
Kyle Ataddlety District #1				
Michael Primus District #2				
Timothy Satepauhoodle District #3				
Alana Quetone District #4				
Anita Johnson District #5				
Ben Wolf District #6				
Warren Queton District #7				

Posted and read into record sponsored by: Ben Wolf, District #6 Legislator, at a Legislative Regular Session LXII-(62), Saturday, June 11, 2022. Placed on the agenda for Legislative Regular Session LXIII-63, July 09, 2022. Placed on the agenda for Legislative Regular Session LXIV-64, August 13, 2022. Legislative Public Hearing VII (7), August 25, 2022, 1:00 p.m., via zoom. Presented on Legislative Regular Session LXV (65), Saturday, September 10, 2022.

Section 1.1 Short Title

This enactment shall be known as the “Kiowa Casino Operations Authority Board Member Vacancy Act of 2022” (Act”).

Section 1.2 Purpose

The purpose of this Act is to establish a fair and equitable process for interested and qualified members of the Tribe to be considered to serve as a Trustee on the KCOA Board.

Section 1.3 Findings

(a) The Tribe established the Kiowa Casino Operations Authority (“KCOA”) to operate and manage the Tribe’s casino businesses, which generate critical revenue for the operation of the Tribe and to provide services to the People; and,

(b) The KCOA’s Sixth Amended and Restated Charter establishes a Board of Trustees (“Board”) comprised of five (5) members designated as “Trustees”, who serve four-year staggered terms of office, with each Trustee selected upon nomination by the Chairman and subject to confirmation by the Legislature; and,

(c) Former Chairman Matthew Komalty arbitrarily removed Trustees of the KCOA Board and failed to nominate qualified replacements for all vacant positions on the KCOA Board; and,

(d) The Legislature has identified a need to establish a fair and impartial process for all interested and qualified members to be considered to serve as a Trustee on the KCOA Board.

Section 1.4 Nomination and Confirmation of KCOA Trustees

The Legislature hereby established a qualification process for both the nomination and confirmation of Trustees of the KCOA Board as follows:

(a) The Chairman shall issue an announcement that a vacancy or vacancies exist on the KCOA Board and shall invite interested persons to apply for a position of Trustee on the KCOA Board;

(b) The Chairman shall consider all qualified applications for Trustee of the KCOA Board and shall nominate a qualified candidate, per the Charter of the Kiowa Casino Operations Authority, in a timely manner, and shall transmit the nomination for confirmation by the Legislature;

(c) The Legislature shall consider a nominee for Trustee of the KCOA Board per the Charter of the KCOA, in a timely manner.