



NCA 18-007

CLASSIFICATION: #17. ECONOMIC DEVELOPMENT

A LAW OF THE MUSCOGEE (CREEK) NATION REPEALING MCNCA TITLE 17, CHAPTER 5, ENTITLED "TRAVEL PLAZA" AND AMENDING MCNCA TITLE 17 CHAPTER 8, ENTITLED "GAMING"

Be it enacted by the National Council of the Muscogee (Creek) Nation:

SECTION ONE. FINDINGS. The National Council finds that:

A. The Nation desires the Nation's Travel Plazas to be established as a gaming operation pursuant to MCNCA Title 17, Chapter 8 §1-103 (I) as an economic entity that is licensed by the Nation, operates games, receives revenues, issues prizes and pays the expenses.

B. MCNCA Title 17, Chapter 5, entitled "Travel Plaza" needs to be repealed, as the Chapter is outdated, and the management of the Travel Plazas needs restructure and reformation to establish the Nation's Travel Plazas as gaming operations.

C. In order to accomplish organization and efficiency of the Travel Plazas as gaming operations, and for the management of the Travel Plazas to be vested in the Gaming Operations Authority Board, the current MCNCA Title 17, Chapter 5, entitled "Travel Plaza," needs to be repealed and simultaneously, Title 17, entitled "Gaming" needs to be amended.

SECTION TWO. REPEALER. MCNCA Title 17, Chapter 5, Entitled "Travel Plaza" is hereby repealed.

SECTION THREE. AMENDMENT. This amendment shall be codified in Title 17, entitled "Gaming" of the Code of Laws of the Muscogee (Creek) Nation; provided that for purposes of codification of said amendment and its inclusion in pocket parts of the Code of Laws of the Muscogee (Creek) Nation, the Attorney General is hereby authorized: (1) to approve any changes related to the manner in which sections, articles, chapters and sub-chapters are designated consistent with the format in the

Code of Laws published in 2010 by West Publishing Company; (2) to include footnoted references to the legislative history in said pocket parts to the Code of Laws and (3) to note in said pocket parts any editorial correction of minor clerical or grammatical errors in the following amendment :

TITLE 17. GAMING
CHAPTER 8. GAMING OPERATIONS AUTHORITY BOARD

§ 8-101. Policy

The Gaming Operations Authority Board is authorized to negotiate ~~with persons who desire to enter into gaming.~~ travel plaza or business related agreements related to conducting business of the Muscogee Creek Nation Gaming Operations Authority Board. ~~or the Muscogee (Creek) Nation.~~

§ 8-103. General and specific authority, powers, and responsibilities of the Board, and limitations thereon

A. General authority, powers and responsibilities.

1. As the governmental agency of the Muscogee (Creek) Nation charged with the responsibility of administering and managing the Nation's gaming facilities and operations, the primary authority and responsibility of the Gaming Operations Authority Board shall be to establish the policies, procedures, standards and goals for the efficient and profitable management and operation of the Nation's gaming facilities, travel plazas and gaming related businesses in compliance with applicable provisions of the Indian Gaming Regulatory Act, other federal gaming laws applicable to the Indian gaming, the rules and regulations of the National Indian Gaming Commission, the Nation's gaming laws, and the rules and regulations of the Nation's Office of Public Gaming.
2. In addition to the foregoing authority and responsibility, the Gaming Operations Authority Board shall have the authority, power and responsibility to oversee, direct and supervise the activities of the employees of the Nation's gaming facilities and travel plazas, and to assure that, in carrying out their duties hereunder, said employees are implementing and adhering to the policies, procedures, standards and goals established by the Board.

B. Specific authority, powers and responsibilities

1. The Gaming Operations Authority Board shall adopt, written rules, policies, procedures and/or standards for the efficient and profitable conduct, management and operation of the Nation's gaming, facilities and travel plazas, which rules, policies and procedures shall be consistent with all applicable federal and Tribal gaming laws, rules and regulations, and shall address, at a minimum, the following matters:
 - a. Codes of conduct for all employees of the Board, ~~and the Nation's gaming~~ employees facilities and travel plaza employees, in dealing with the gaming public as well as with all gaming managers, staff and employees;
 - b. Personnel policies and procedures to be followed in the hiring, supervision, management, promotion, disciplining and/or termination of staff and employees of the Board as well as ~~gaming facility employees~~, including provisions for employment appeals and grievances filed by such employees;
 - c. Facilities maintenance, safety and security, subject to and in strict compliance with and security measure or standards required by the laws of the Muscogee (Creek) Nation including but not limited to the Office of Public Gaming;
 - d. Procurement policies and procedures to be used in contracting for and/or purchasing goods, services and gaming supplies, including without limitation rules prohibiting transactions and/or actions which would violate the Nation's laws regarding conflicts of interest;
 - e. Financial management, including accounting and reporting procedures and standards, controls over the use and safekeeping of cash and accounts, and preparation of any reports required by this Title, or applicable laws of the Muscogee (Creek) Nation, the Office of Public Gaming, the National Indian Gaming Commission and/or any applicable laws of the United States;
2. Any rules, policies, procedures and standards adopted pursuant to this section shall be submitted to the Principal Chief, the National Council, and the Office of Public Gaming and shall not become effective until the same are approved by duly adopted Tribal Resolution. The rules, policies, procedures and/or standards may be revised by the Board from time to time but all such revisions shall be submitted to the Principal Chief, National Council, and the

Office of Public Gaming and shall not become effective until approved by duly adopted Tribal Resolution.

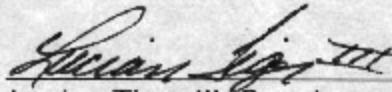
3. The Gaming Operations Authority Board shall have the power to contract with any person, corporation, partnership or other business entity for goods, supplies and services necessary, and/or appropriate for the efficient operation of the Nation's gaming operations and travel plazas facilities, and this power shall include, but is not limited to the power to enter into routine equipment leases.
4. Any contract with a term of more than one (1) year shall not be valid unless approved by duly adopted Gaming Operations Authority Board Resolution. The contract shall not extend beyond three (3) years unless approved by Tribal Resolution.
5. The Board may delegate its power to contract for goods, supplies and services to the executive staff and facility managers, provided that any contract exceeding a specified amount determined by the Board for each facility shall not be valid unless first approved by the Board.
6. The Gaming Operations Authority Board shall be responsible for the protection, maintenance and proper disposition of all funds, accounts and other property that come under its authority or control or that are used and/or maintained in connection with and pursuant to its authority, powers and responsibilities hereunder. In this connection, the Board shall:
 - a. Provide narratives and financial reports to the National Council and the Principal Chief in accordance with the provisions of subsection F of this section;
 - b. Establish an internal auditing systems of operations;
 - c. Record and maintain a copy of the minutes of all meetings of the Board, including meeting or portions of meetings conducted in executive session;
 - d. Promptly report any theft or misuse of funds or other property under the Board's control to the Lighthorse Police and the Attorney General of the Muscogee (Creek) Nation;
 - e. Whenever requested in writing by the Speaker of the National Council, appear before and answer to the National Council or any committee thereof so designated by the Speaker, in connection with any investigation into the use or disposition of funds, resources or property within the Board's control or into any other action or in actions of the Board;
 - f. Promptly respond to any lawful inquiry, order or directive of the Office of Public Gaming; and

~~approximately 890 square feet at the Okmulgee Travel Plaza and any additional new travel plazas mutually agreed to by the parties,~~ in accordance with the Nation's Gaming Code, the rules, regulations, and authorities of the Nation's Office of Public Gaming, the regulations of the National Indian Gaming Commission, the Indian Gaming Regulatory Act and/or other federal gaming laws applicable to Indian Gaming; Additional gaming facilities **and travel plazas** may be opened by the Board only after the approval of new locations by duly enacted Tribal Resolution of the National Council.

SECTION FOUR. EFFECTIVE DATE. This Act shall become effective immediately upon proper approval and execution in accordance with the requirements of the Muscogee (Creek) Nation Constitution. The integration shall be completed within 90 days of the effective date.

ENACTED by the Muscogee (Creek) National Council on this 27th day of January, 2018.

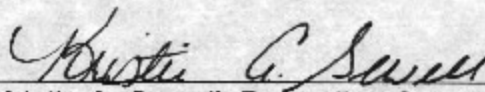
IN WITNESS WHEREOF, the Speaker of the Muscogee (Creek) National Council has hereto attached his signature.



Lucian Tiger III, Speaker
National Council
Muscogee (Creek) Nation

CERTIFICATION

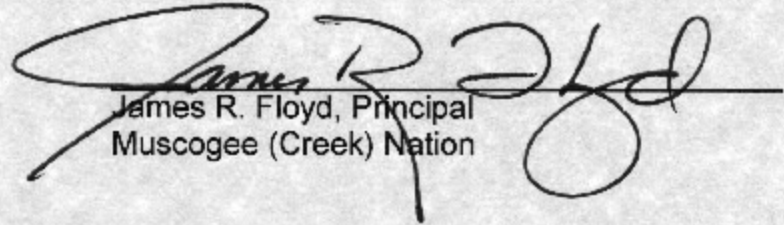
I, the undersigned, certify that the foregoing is a true extract from the minutes of the Muscogee (Creek) National Council comprised of Sixteen members with **Fourteen** members attending this meeting on the 27th day of January, 2018 and that the above is in conformity with the provisions therein adopted by a vote of 13 in favor, 0 against, and that said Law has not been rescinded or amended in any way and the above is the signature of the Speaker of the National Council.



Kristie A. Sewell, Recording Secretary
Muscogee (Creek) National Council

APPROVAL

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature on this 2nd day of February, 2018 to the above Law, **NCA 18-007** authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.


James R. Floyd, Principal
Muscogee (Creek) Nation

