



RECONSIDERATION OF NCA 14-111 AFTER VETO

I, the undersigned, certify that the foregoing "**Reconsideration of NCA 14-111 After Veto**" is a true extract from the, August 23, 2014 Regular Session, Journal of the Muscogee (Creek) National Council.

AND THAT, NCA 14-110 entitled, **A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 21, ENTITLED "GAMING"** was presented to the National Council and was approved in Regular Session on August 23, 2014 by a vote of **9 in favor, 6 against, 0 abstention.**

AND THAT, Said legislation was returned as a Veto with objections by the Principal Chief on, September 8, 2014 and said objections have been entered at large in the Journal of the Muscogee (Creek) National Council;

AND THAT, The National Council taking action reconsider the Bill to **OVER-RIDE THE VETO** at the Regular Session on September 27, 2014, in accordance with the Constitution, Article VI, Section 6(a), requires a (2/3) vote of the full membership, which consists of Sixteen members;


AND THAT, The record of vote reflects there were Fifteen present with a vote of **11 in favor, 4 against;**

THEREFORE, BE IT KNOWN, under Article VI., Section 6. (a) of the Muscogee (Creek) Nation Constitution, **NCA 14-110** is hereby recorded as a "**VETO OVER-RIDE**" on this 27th day of September, 2014.

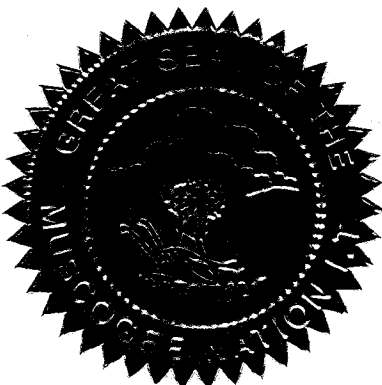
Kristie A. Sewell, Recording Secretary
National Council
Muscogee (Creek) Nation

CERTIFICATION OF APPROVAL

IN WITNESS WHEREOF, I, the Presiding Officer of the Muscogee (Creek) National Council have hereto attached my signature this 27th day of September, 2014.



Thomas Yahola, Speaker
National Council
Muscogee (Creek) Nation






Muscogee (Creek) Nation

George P. Tiger
Principal Chief

Executive Office

Roger Barnett
Second Chief

Thomas Yahola 
Honorable Speaker
Muscogee (Creek) National Council
P.O. Box 580
Okmulgee, OK 74447

RECEIVED

SEP 16 2014

Dear Speaker Yahola:

National Council Office

I am returning NCA 14-111 herewith:

A MESSAGE OF THE PRINCIPAL CHIEF RETURNING NCA 14-111 TO THE NATIONAL COUNCIL AS A VETO WITH OBJECTIONS

In accordance with the Muscogee (Creek) Nation Constitution, I, George Tiger, Principal Chief of the Muscogee (Creek) Nation, do hereby return NCA 14-111, "A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 21, ENTITLED "GAMING" as a **VETO** with the following objection:

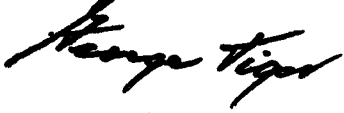
OBJECTION ONE: As an elected official of the Muscogee (Creek) Nation I believe transparency and open communication are critical components of an elected official's duties, and the Nation's process of establishing laws. We continue to utilize new means of informing constituents about the legislative process and execution of laws, how to connect and engage with our government, and how new laws can affect us and our communities. We need to continue this informative process through making sure our lifelines to our people, our communities, are presented all information when it pertains to them.

I have received many citizens' and community members' concerns regarding NCA 14-111 and its effects on the communities and citizens of the Nation. NCA 14-111 was not adequately presented to the Nation's communities for discussion and for informational purposes before it was presented to the National Council for consideration. Further, NCA 14-111 was not explained to communities and citizens sufficiently so that they were being adequately informed of its purpose. Communities are essential to the Nation's self-preservation and should be treated

with the utmost respect. In addition, MCNCA Title 21 has other amendments that need to be proposed to update the gaming code and should be addressed all in one bill that can be presented together to the National Indian Gaming Commission.

For the reasons outlined above, NCA 14-111 is hereby returned as a VETO.

Sincerely,

A handwritten signature in black ink that reads "George Tiger". The signature is written in a cursive style with a large, stylized initial "G".

George Tiger
Principal Chief

DATED: September 8, 2014



NCA 14-111

CLASSIFICATION: #21. GAMING

A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 21, ENTITLED "GAMING"

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

SECTION ONE. Findings. The National Council finds that:

A. For several years, there have not been any Chartered Communities operating as a gaming licensee.

B. There is a need to amend language and repeal certain laws to update the status of the Chartered Communities as non-gaming entities.

C. The Chartered Communities shall not participate in the Nation's gaming operations as a gaming licensee and shall not participate in any profit sharing with the Nation's gaming operations.

SECTION TWO. AMENDMENT. These amendments shall be codified in Title 21, 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 Codification Committee 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, without further National Council approval:

SECTION THREE. AMENDMENT. Title 21 § 1-103 W. and EE. are hereby amended to read as follows:

W. "Person" means a natural person, a partnership, an association of persons, a corporation, a firm, a limited liability company, a sole proprietorship, a trust, a joint venture, a consortium, a commercial entity, a Muscogee (Creek) Nation tribal entity, ~~a Muscogee (Creek) Nation chartered Indian community~~ or an Indian Tribe.

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EE. "Whoever" means a natural person, a partnership, an association of persons, a corporation, a firm, a limited liability company, a sole proprietorship, a trust, a joint venture, a consortium, a commercial entity, a Muscogee (Creek) Nation tribal entity, ~~a Muscogee (Creek) Nation chartered Indian community~~ and an Indian Tribe,

SECTION FOUR. AMENDMENT. Title 21 § 3-105. is hereby repealed in its entirety.

SECTION FIVE. AMENDMENT. Title 21 § 3-120 is hereby amended to read as follows:

§ 3-120. Review of Lease

No licensee shall conduct any activity authorized under this title upon any premises, if the lease, license, contract, or any other agreement under which right to use said premises is not first fully disclosed to the Commission. ~~A chartered Indian Community must have a valid facility use agreement with the Muscogee (Creek) Nation to conduct gaming at that location.~~

SECTION SIX. AMENDMENT. Title 21 § 4-103 D. (1.) f. is hereby amended to read as follows:

- f. being employed by the Muscogee (Creek) Nation or by any other board or authority of the Muscogee (Creek) Nation Foundation, Inc., ~~or by a Chartered Indian Community.~~

SECTION SEVEN. AMENDMENT. Title 21 § 5-125 A. and B. are hereby amended to read as follows:

§5-125. Receiving items of value

A. The Gaming Commission or Office of Public Gaming employee(s) shall not accept or receive anything of value, including without limitation airfare, travel accommodations, meals, prizes, personal items, and apparel of any kind, from the Gaming Operations Authority Board, any member of the Gaming Operations Authority Board, any vendor licensed and contracted with any tribally operated gaming Casinos, ~~or Chartered Indian Community Casinos,~~ potential vendors who have made application for a gaming license and any other person or company who is contracted to do business with the Muscogee (Creek) Nation as a whole. Vendors who are contracted to do business with a Muscogee (Creek) Nation tribally operated gaming Casino ~~or any Chartered Indian Community~~ shall be expected to strictly adhere to the provisions set for herein. Failure to be in compliance with this law will result in the vendor's license being revoked, and the vendor's contract(s) with tribally operated Casinos ~~or Chartered Indian Communities~~ being cancelled. Be it further provided, this provision shall not

apply to promotional items that are given to the general public and have a value of Twenty-five Dollars (\$25.00) or less. Violation of any of the activities prohibited in this subsection may be a criminal offense punishable in accordance with the Criminal Offenses Code.

B. However, the following activities shall be permitted and allowed. O.P.G. (Office of Public Gaming) licensed vendors may provide round trip transportation, lodging, meals, and entertainment to authorized individuals only as stated in this amendment. Members of the Gaming Operations Authority Board or its successor and general managers or their designee of tribally operated and ~~Chartered Indian Community Casinos~~ are eligible to participate. This activity is for the express purpose of viewing potential gaming equipment that may be placed in their establishment(s). The site where the equipment demonstration will be presented will constitute where vendor-sponsored round-trip travel is authorized. Vendors shall also be allowed to make monetary and prize donations to various employee functions (Summer Party, Christmas Party, etc.) that are held throughout the year. The general managers of each Casino facility shall have the sole authority to make the necessary contacts on behalf of their establishments. Oversight responsibility shall be provided by the Office of Public Gaming and the Gaming Operations Authority Board or its successor. The general managers shall also report to the Office of Public Gaming and the Gaming Operations Authority Board or its successor the monetary value of the prize(s) or monetary donation within sixty (60) days of receipt and what vendor was responsible for the donation. The Office of Public Gaming shall maintain a log in regard to all G.O.A.B. Board Members or its successor/General Manager's travel, monetary donations, and prizes that are provided to casinos. The vendor(s) who are responsible for the contributions shall also be noted in the log. Violation of any of the activities that are permitted and allowed in this subsection may be a criminal offense punishable in accordance with the Criminal Offenses Code. The hosting facility for the Gaming Operations Authority Board meeting shall be allowed to serve meals at these meetings.

SECTION EIGHT. AMENDMENT. Title 21 § 11-108. B. is hereby amended to read as follows:

B. Temporary Banishment by General Manager or Authorized Security Personnel. The General Manager of any Muscogee (Creek) Nation gaming facility, including a gaming facility operated by a chartered Indian community or an authorized Security personnel of such a facility, may issue a temporary banishment notice prohibiting a person from entering any Muscogee (Creek) Nation gaming facility for a period not to exceed thirty (30) days. Said notice of temporary banishment may be served on any person, including a terminated gaming facility employee, who: (i) the General Manager or authorized Security personnel determines to be an immediate threat to the safety or economic welfare of the Nation's employees, patrons, or facilities, (ii) is observed to violate any provision of this Title of Office of Public Gaming

Regulations at that facility, (iii) is observed to violate tribal, state, or federal law at the that facility, or (iv) is known to have been judicially or administratively determined to have violated any tribal, state or federal law while at any gaming activity, regardless of where located. A temporary banishment notice shall be served by providing a written notice stating the reason for the temporary banishment, the length of time of said temporary banishment and the person's right to a hearing before the Gaming Commission prior to the expiration of the temporary banishment order. The notice of temporary banishment shall be effective when delivered personally or be certified mail to the last known address of the subject of the temporary banishment notice. A copy of the notice of temporary banishment shall be delivered personally, by regular mail, electronic mail or by facsimile transmission to all Muscogee (Creek) Nation gaming facilities, ~~including gaming facilities operated by chartered Indian communities~~ and to the Gaming Commission within forty-eight (48) hours of issuance.

SECTION NINE. EFFECTIVE DATE. The effective date of this amendment shall be on the date of approval by the National Indian Gaming Commission; on the date the National Indian Gaming Commission determines that approval of the amendments are not necessary; or in the absence of issuance of approval or disapproval by the National Indian Gaming Commission, ninety days from the date of submission of this amendment to the National Indian Gaming Commission, whichever date occurs first.

ENACTED by the Muscogee (Creek) National Council on this 23rd day of August, 2014.

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



Thomas Yahola, 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 Sixteen members attending this meeting on the 23rd day of August, 2014 and that the above is in conformity with the provisions therein adopted by a vote of 9 in favor, 6 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 _____ day of _____, 2014 to the above Law, **NCA 14-111** authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.

George Tiger, Principal Chief
Muscogee (Creek) Nation



NCA 14-111

CLASSIFICATION: #21. GAMING

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SECTION ONE. Findings. The National Council finds that:

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B. There is a need to amend language and repeal certain laws to update the status of the Chartered Communities as non-gaming entities.

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EE. "Whoever" means a natural person, a partnership, an association of persons, a corporation, a firm, a limited liability company, a sole proprietorship, a trust, a joint venture, a consortium, a commercial entity, a Muscogee (Creek) Nation tribal entity and an Indian Tribe,

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notice stating the reason for the temporary banishment, the length of time of said temporary banishment and the person's right to a hearing before the Gaming Commission prior to the expiration of the temporary banishment order. The notice of temporary banishment shall be effective when delivered personally or be certified mail to the last known address of the subject of the temporary banishment notice. A copy of the notice of temporary banishment shall be delivered personally, by regular mail, electronic mail or by facsimile transmission to all Muscogee (Creek) Nation gaming facilities and to the Gaming Commission within forty-eight (48) hours of issuance.

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ENACTED by the Muscogee (Creek) National Council on this 23rd day of August, 2014.

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



Thomas Yahola, 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 Sixteen members attending this meeting on the 23rd day of August, 2014 and that the above is in conformity with the provisions therein adopted by a vote of 9 in favor, 6 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 _____ day of _____, 2014 to the above Law, **NCA 14-111** authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.

George Tiger, Principal Chief
Muscogee (Creek) Nation