

JULY 2009 CROW TRIBAL LEGISLATURE

BILL NO. CLB09-06

**INTRODUCED BY CEDRIC BLACK EAGLE, CHAIRMAN
CROW TRIBAL EXECUTIVE BRANCH**

A BILL FOR AN ACT ENTITLED:

“PUBLIC HEALTH AND SAFETY IN GAMING FACILITIES ACT OF 2009”

WHEREAS the Chairman of the Executive Branch has authority and responsibility pursuant to the enumerated powers in Article IV, Section 3(g) of the Constitution and Bylaws of the Crow Tribe of Indians to **“enforce all laws, ordinances, resolutions, regulations or guidelines passed by the Legislative Branch . . .;”** and

WHEREAS the Legislative Branch has authority and responsibility pursuant to its powers and duties set forth in Article V, Section 2(b) of the Constitution and Bylaws of the Crow Tribe of Indians to **“adopt legislation, not inconsistent with this constitution, which is necessary in exercising the duties conferred upon the three branches of government;”** and

WHEREAS the Crow Tribe, through Apsaalooke Casino Enterprises, Inc., currently operates a gaming facility offering Class II and III games on the Crow Indian Reservation; and

WHEREAS the gaming facility currently in operation does not have a modern fire suppression system in operation; and

WHEREAS the Crow Tribe hopes to expand its gaming enterprises through construction of a new facility offering Class II and Class III games; and

WHEREAS the Crow Law and Order Code does not currently contain standards by which construction is to take place within the boundaries of the Crow Reservation; and

WHEREAS the Crow Law and Order Code, in the Crow Gaming Code, at Chapter 23, Section 2(c) currently recognizes that **“it is essential to the health, safety, and general welfare of the Crow Tribe and the visitors to the Crow Reservation that standards and regulations be promulgated to govern the conduct of gaming activities on Crow Indian Lands”;** and

WHEREAS the Crow Tribe seeks herein to exercise its sovereign authority to ensure that gaming facilities on the Crow Indian Reservation are constructed and operated in compliance with basic standards for public health and safety for the general

public, as well as protecting the welfare of tribal members and employees of tribal gaming facilities on the Crow Indian Reservation; and

WHEREAS the Crow Tribe of Indians is bound to protect and enhance the safety and welfare of all citizens and visitors on the Crow Indian Reservation,

NOW THEREFORE, BE IT ENACTED BY THE CROW TRIBAL LEGISLATURE:

Section 1. TITLE 23, SECTION 7 OF THE CROW LAW AND ORDER CODE, "CROW GAMING CODE", IS HEREBY AMENDED TO READ AS FOLLOWS:

Section 7. Gaming Facilities.

- A. To ensure that the environment and the public safety and welfare are adequately protected, each gaming facility shall be constructed and maintained in compliance with applicable tribal and federal laws, including but not limited to fire codes, safety codes and building codes.
- B. In the absence of applicable comprehensive tribal and federal laws governing construction standards to which new construction is required to adhere, the International Building Code shall be the applicable binding standard for gaming facilities constructed on Crow lands.
- C. In the absence of an applicable comprehensive tribal or federal fire safety code, the International Fire Code shall be the applicable binding standard for operation of any new construction in which Class II and Class III gaming takes place on Crow lands.
- D. In the event that provisions of either the International Building Code or the International Fire Code are asserted to be inapplicable to gaming facility construction or gaming facility operation on Crow lands, the Crow Gaming Commission shall be notified. The four (4) members of the Crow Gaming Commission and the Gaming Commissioner shall meet within three (3) days of receiving such notice to determine the applicability of the International Building Code and International Fire Code to gaming facility construction and operation on Crow lands through a majority vote of the total number of Commission members present. In the event that the standards adopted herein are determined not to apply, an alternate standard and/or required course of action must be provided to ensure the protection of public health and safety.
- E. Each gaming facility shall be subject to inspection by the Crow Gaming Commission and/or its agents to ensure compliance with all applicable tribal and federal laws.

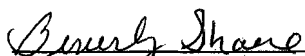
CERTIFICATION

I hereby certify that this Bill: "PUBLIC HEALTH AND SAFETY IN GAMING FACILITIES ACT OF 2009" was duly passed by the Crow Tribal Legislature with a vote of 16 in favor, 0 opposed, and 0 abstained and that a quorum was present on this 16th day of July, 2009.



Speaker of the House
Crow Tribal Legislature

ATTEST:



Secretary, Crow Tribal Legislature



EXECUTIVE ACTION

I hereby

 X approve

 veto

this Bill: "PUBLIC HEALTH AND SAFETY IN GAMING FACILITIES ACT OF 2009" pursuant to the authority vested in the Chairman of the Crow Tribe by Article V,

Section 8 of the Constitution and Bylaws of the Crow Tribe of Indians on this

 20th day of July , 2009.



Chairman
Crow Tribe Executive Branch

**"PUBLIC HEALTH AND SAFETY IN GAMING FACILITIES
ACT OF 2009"**

Bill or Resolution Number: CLB09-06 Introduced by: Executive Branch Date of Vote: 7/115/2009

<u>Representative:</u>	<u>Yes</u>	<u>No</u>	<u>Abstained</u>
B. House	<u> X </u>	<u> </u>	<u> </u>
R. Fighter, Sr.	<u> X </u>	<u> </u>	<u> </u>
C. J. Stewart	<u> X </u>	<u> </u>	<u> </u>
L. Hogan, Jr.	<u> X </u>	<u> </u>	<u> </u>
S. Fitzpatrick, Jr.	<u> X </u>	<u> </u>	<u> </u>
O. Half, Jr.	<u> X </u>	<u> </u>	<u> </u>
W. Plainfeather	<u> X </u>	<u> </u>	<u> </u>
R. Old Crow, Sr.	<u> X </u>	<u> </u>	<u> </u>
P. Alden, Jr.	<u> X </u>	<u> </u>	<u> </u>
M. Not Afraid	<u> X </u>	<u> </u>	<u> </u>
V. Crooked Arm	<u> X </u>	<u> </u>	<u> </u>
L. Plain Bull, Sr.	<u> X </u>	<u> </u>	<u> </u>
C. Goes Ahead	<u> X </u>	<u> </u>	<u> </u>
O. Costa	<u> X </u>	<u> </u>	<u> </u>
J. Stone, Sr.	<u> </u>	<u> </u>	<u> </u>
D. Wilson	<u> </u>	<u> </u>	<u> </u>
B. Shane <i>Secretary of the House</i>	<u> X </u>	<u> </u>	<u> </u>
M. Covers Up, Sr. <i>Speaker of the House</i>	<u> X </u>	<u> </u>	<u> </u>
Totals:	<u> 16 </u>	<u> 0 </u>	<u> 0 </u>

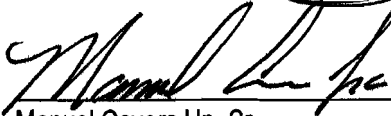
Result of Vote:

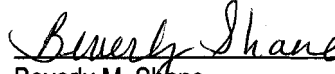
Passed

 Not Passed

 Tabled

 Veto-Override


 Manuel Covers Up, Sr. _____ Date _____
 Speaker of the House


 Beverly M. Shane _____ Date _____
 Secretary of the House



Crow Country

LEGISLATIVE BRANCH OF THE CROW TRIBAL GOVERNMENT

P.O. Box 309 – MAKAWASHA Avenue
Crow Agency, Montana 59022

Phone: (406) 638-2023/2025/2238 Fax: (406) 638-2030

Legislative Branch

Prvor:

Arrow Creek

Larry Plain Bull, Sr.
Oliver Costa
Carlson Goes Ahead

Big Horn:

Valley of the Give

Away
Vincent Crooked Arm
Marlin D. Not Afraid
Pat Alden, Jr.

Dunmore:

Black Lodge

Bruce R. House
Ertis Fighter, Sr.
Conrad J. Stewart

Reno:

Center Lodge

Lloyd Hogan, Jr.
Sidney Fitzpatrick, Jr.
Oliver Half, Jr.

Lodge Grass:

Valley of the Chief

Manuel Covers Up, Sr.
Speaker of the House
Rudolph K. Old Crow
Woodrow Plainfeather

Wyola:

Mighty Few

Beverly M. Shane
Secretary of the House
Jonathan D. Stone
Dana Wilson

Staff

Jackie Blacksmith,
Administrative Officer

William Old Crow
Finance Officer/Admin.
Assist.

Sheri Chandler
Office Assist./Receptionist

Sheila Wilkinson
Legal Assistant

Kenny Pretty On Top
Maintenance/Custodian
Sergeant at Arms

Ronald Arneson, Esq.,
Attorney At Law

OFFICIAL CERTIFICATE OF DELIVERY

I, Beverly M. Shane, Secretary of the Legislative Branch of the Crow Tribal Government hereby this Transitional Action do deliver a True and Correct Official copy Of the Final Approval for the following Bill:

**INTRODUCED BY CEDRIC BLACK EAGLE, CHAIRMAN
CROW TRIBAL EXECUTIVE BRANCH**

A BILL FOR ACT ENTITLED:

"PUBLIC HEALTH AND SAFETY IN GAMING FACILITIES ACT OF 2009"

No. CLB09-06 to William C. Nutt in the
Position of: A Harney for the
Crow Tribal Executive Branch.

Done and dated this 20th day of July, 2009 @ 11:35 a.m./p.m.

Beverly Shane
Beverly M. Shane
Secretary of the House
Legislative Branch of the
Crow Tribal Government

Served by:
Jackie Blacksmith
Legislative Branch Staff

Cc: file

