

SEMINOLE NATION OF OKLAHOMA

SEMINOLE NATION GAMING AGENCY

(An independent regulatory agency of the Seminole Nation)

GAMING REGULATION NO. 2

A REGULATION CREATING CHAPTER 2 Agency Management; Section 2-1-1 through 2-1-10, Delineating the division of responsibilities between the Commission and Regulator enacted by the Seminole Nation Gaming Agency.

BE IT ORDAINED BY THE SEMINOLE NATION GAMING AGENCY AN INDEPENDENT REGULATORY AGENCY OF THE SEMINOLE NATION AS FOLLOWS:

Chapter 2 entitled “Agency Management”, as follows:

SECTION:

2-1-1 General Statement Adopted;

2-1-2 Copy on File;

2-1-3 Statement of Law;

2-1-4 Key Words;

2-1-5 Delineation of Authority;

2-1-6 Duties of Chief Gaming Regulator/Commissioners;

2-1-7 Appeal of Chief Gaming Regulator Decisions;

2-1-8 General Policy;

2-1-9 Definition of Day to Day Operations;

2-1-10 Limitation of Day to Day Functions;

2-1-1 General Statement Adopted: Title 15, the Seminole Nation Public Gaming Act provides the framework for the operation and function of the SNGA. The Act provides authorities specifically enumerated between the Commission and the Regulator; however, there are many functions that are shared or where the Commission has direct oversight; however, these functions will require action from the

Commission by majority vote, promulgation of rules and regulations, and appeal functions.

2-1-2 Copy on File: At least one copy of the Agency Management Regulation adopted this date shall be on file in the Office of the Principal Chief of the Seminole Nation and available to the general public.

2-1-3 Statement of Law: Title 15 of the Seminole Nation Code of law is incorporated herein by reference. Section 102 (h) provides that the Chief Gaming Regulator shall be the equivalent of an Executive Director and subsection (l) further provides the CGR shall be responsible for the day-to-day direction and management of the SNGA *at the direction of the SNGA Commissioners.*

2-1-4 Key Words: For the purpose of this Regulation two key words are specifically set forth, to-wit: (i) Day to Day direction and management of the SNGA and (ii) At the Direction of the SNGA Gaming Commissioners.

2-1-5 Delineation of Authority: The Chief Gaming Regulator is the official who directs the SNGA on a daily basis and performs the duties of the Chief Gaming Regulator established by Title 15, including implementing this Act, which govern the actions of any gaming operations under the Act. The Gaming Commissioners are the appointed officials tribal officials who direct the SNGA, and the Chief Gaming Regulator, and hear appeals and perform the duties of the Commissioners established by this Act, including issuing regulations implementing this Act that govern the actions of any gaming operations licensed under Title 15.

2-1-6 Duties of the Chief Gaming Regulator/Commissioners: The Chief Gaming Regulator is responsible for the day-to-day direction

and management of the SNGA *at the direction of the SNGA Gaming Commissioners*. The Gaming Commissioners actions are only valid by majority vote of the Commissioners. Commission's actions need to be taken during a validly called meeting where official actions can be taken and recorded. The Chief Gaming Regulator is an employee of the SNGA and is subject to hiring and firing by the Commission.

2-1-7 Appeal of Chief Gaming Regulator Decisions: Unless otherwise specified by Title 15 section 105, all actions, decisions and responsibilities of the Chief Gaming Regulator are subject to being appealed to the Commission as a quasi-judiciary entity. Upon appeal the Commissioners are required to affirm, modify or overrule the decision of the CGR based on the law and evidence contained in the record.

2-1-8 General Policy: The responsibilities and actions of the Chief Gaming Regulator enumerated in Section 105 are either subject to appeal, approval or direction of the Gaming Commission, needed to be acted upon in a validly called meeting, subject to a majority vote. The same majority vote requirement applies to all actions reserved only to the Commission on hearing appeals, issuing subpoenas, and promulgation of rules and procedures.

2-1-9 Definition of Day-to-Day Operations: Direct and manage the SNGA and its staff and administer the resources of the SNGA *as directed by the SNGA Gaming Commissioners*. Subject to the approval of the Commissioners employ such persons as may be necessary and are within the approved budget of the SNGA, assign them responsibilities, and delegate them authority to act. The authority to employ such persons shall include, subject to the approval of the Commissioners, the authority to hire, terminate, suspend, discipline and take other personnel actions

commensurate with managing a staff of employees consistent with the SNGA Employment Policies.

2-1-10 Limitation of Day-to-Day Functions: Have check writing authority, provided that any checks written for \$1,000.00 or more shall require the signature of the CGR or the Deputy CGR and the signature of a SNGA Gaming Commissioner. Consent from at least one Gaming Commissioner must be obtained in advance concerning business trips of SNGA officers and employees.

PASSED AND APPROVED this 18th day of March 2013.

— **Glenn Sharpe** **Commissioner**

— **Willis E. Deatherage** **Commissioner**

— **Cynthia Yerby** **Commissioner**