

MAR - 6 2003

Lawrence Murray, Chairman Iowa Tribe of Oklahoma R.R. 1, Box 721 Perkins, Oklahoma 74059

RE: Gaming Ordinance of the Iowa Tribe of Oklahoma

Dear Chairman Murray:

This letter responds to your request to the National Indian Gaming Commission (NIGC) for the review and approval of the recent amendment to the Iowa Tribe of Oklahoma (Tribe) Tribal Gaming Ordinance. The Business Committee adopted the amendment to the gaming ordinance by Resolution I-02-49 on November 21, 2002. Because that resolution referred to a prior gaming ordinance, we asked the Tribe to adopt a new resolution that made reference to the gaming ordinance now in effect, Ordinance 95-04, as adopted by the Tribe on September 12, 1995, and approved by the NIGC Chairman on December 18, 1995. On March 5, 2003, the Business Committee adopted the amendment by Resolution I-03-08 and submitted the new resolution and amendment for my approval. This letter constitutes approval of your submission under the Indian Gaming Regulatory Act (IGRA).

Thank you for submitting the amendment to tribal gaming ordinance for review and approval. If you have questions or require further assistance, please contact William Grant at (202) 632-7903.

Sincerely/yours,

Philip N. Hogen

Chairman



# **Iowa Tribe of Oklahoma**

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### RESOLUTION I-03-38

# A RESOLUTION AMENDING THE IOWA TRIBE OF OKLAHOMA GAMING ORDINANCE TO PROVIDE PROCEDURES FOR CUSTOMER DISPUTE RESOLUTION

WHEREAS: The Iowa Tribe of Oklahoma is a federally recognized Indian Tribe, organized pursuant to the Thomas-Rogers Oklahoma Indian Welfare Act, and has a Constitution approved by the Secretary of Interior; and

WHEREAS: The Business Committee has the power to conduct business and otherwise speak or act on behalf of the Tribe in all matters on which the Tribe if empowered to act pursuant to Article V, Section 2 of the Tribal Constitution; and

WHEREAS: The General Council of the Iowa Tribe of Oklahoma approved the adoption of Ordinance 95-04, the Iowa Gaming Ordinance on June 3, 1995 at a duly called meeting of the Council; and

WHEREAS: The Iowa Tribe of Oklahoma Gaming Ordinance, Section 6, granted the Business Committee the authority to amend the gaming ordinance as necessary; and

WHEREAS: Periodic review of the ordinance has revealed the need to amend the Gaming Ordinance to include provisions for customer dispute resolution in order to comply with the provisions of the Indian Gaming Regulatory Act.

NOW, THEREFORE, BE IT RESOLVED That the Business Committee of the Iowa Tribe of Oklahoma hereby amends the Iowa Tribe of Oklahoma Gaming Ordinance as attached to provide for customer dispute resolution and this resolution is made a part of said ordinance.

## **CERTIFICATION**

We, Lawrence Murray, Chairman of the Iowa Tribe of Oklahoma, and Christie Modlin, Secretary, do hereby certify the above Resolution I-03-38 to be a true and exact copy as approved at a Special Business Committee meeting held on March 4/5, 2003 by a vote of 4 yeas, 0 nays, and 0 abstentions.

Christie Modlin, Secretary

Iowa Tribe of Oklahoma

Lawrence Murray, Ch.

Oklahoma Tribe of Oklahoma

#### PATRON DISPUTES

- (A) Refusal to Pay Winnings. Whenever the Gaming Facility Manager refuses payment of alleged winnings to a patron, and the Gaming Facility Manager and the patron are unable to resolve the dispute to the satisfaction of the patron and the dispute involves:
  - (1) At least five hundred dollars (\$500), the Gaming Facility Manager shall immediately notify the Tribal Gaming Commission. The Tribal Gaming Commission shall conduct whatever investigation it deems necessary and shall determine whether payment should be made; or
  - (2) Less than five hundred dollars (\$500), the Gaming Facility Manager shall inform the patron of his or her right to request that Tribal Gaming Commission conduct an investigation. Upon request of the patron, the Tribal Gaming Commission shall conduct whatever investigation it deems necessary and shall determine whether payment should be made.
- (B) Notice to Patrons. The Tribal Gamine Commission shall mail written notice by certified mail, return receipt requested, to the Gaming Facility Manager and the patron of the decision resolving the dispute within thirty (30) days after the date that the Tribal Gaming Commission first receives notification from the Gaming Facility Commission or a request to conduct an investigation from the patron.
- (C) Effective Date of Decision. The decision of the Tribal Gaming Manager is effective on the date it is received by the aggrieved party as reflected on the return receipt.
- (D) Review of Decision. Within thirty (30) days after the date of receipt of the written decision, the aggrieved party may file a petition with the Tribal Gaming Commission requesting a review of the decision. The Tribal Gaming Commission may set a hearing on the matter or may make a decision based solely upon the prior decision and other documentation provided to it by the patron and the Gaming Facility Manager. The Tribal Gaming Commission shall then issue a written decision and mail it to the parties pursuant to the procedures set forth in Section (B). The decision of the Tribal Gaming Commission shall be final and binding upon the patron and the Gaming Facility Manager and shall not be subject to judicial review, dispute resolution or other legal action.