



February 22, 2010

Samuel N. Penney, Chairman  
Nez Perce Tribal Executive Committee  
P.O. Box 305  
Lapwai, ID 83540-0305  
Fax: (208) 843-7377

RE: Ordinance Amendment, approval

Dear Chairman Penney:

On December 28, 2009, the National Indian Gaming Commission (NIGC) received an amendment to the Nez Perce Tribe's previously approved gaming ordinance adopted by resolution of the Nez Perce Tribal Executive Committee on December 22, 2009. This amendment repeals a prohibition against members of the Nez Perce Tribal Executive Committee and Nez Perce Tribe Enterprise Board from participating in any gaming sponsored by the Nez Perce Tribal Gaming Enterprise.

This letter constitutes approval of the amendment. Nothing therein conflicts with IGRA's requirements or the NIGC's regulations.

Thank you, and if you have any questions, please feel free to contact Staff Attorney Heather McMillan Nakai at (202) 632-7003.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Skibine", with a long horizontal line extending to the right.

George T. Skibine  
Acting Chairman

## RESOLUTION

DEC 28 2009

WHEREAS, the Nez Perce Tribal Executive Committee has been empowered to act for and on behalf of the Nez Perce Tribe, pursuant to the Revised Constitution and By-Laws, adopted by the General Council of the Nez Perce Tribe, on May 6, 1961 and approved by the Acting Commissioner of Indian Affairs on June 27, 1961; and

WHEREAS, it is the responsibility of the Nez Perce Tribal Executive Committee (NPTEC) to promote and protect the health, education and welfare of the Nez Perce people; and

WHEREAS, there is a need for an amendment to the Gaming Ordinance, Chapter 6-2, General. Gaming Operations § 6-2-13(v) to remove language to the section that prohibits NPTEC members and members of the Nez Perce Tribe Enterprise Board from participating in any gaming sponsored by the Nez Perce Tribal Gaming Enterprise:

**§ 6-2-13 General Gaming Operations Requirements**

(v) Members of the Commission and its staff are prohibited from participating in any gaming sponsored by the Nez Perce Tribal Gaming Enterprise. This prohibition on participation shall not include gaming sponsored by the Nez Perce Tribal Gaming Enterprise that is Class I.

NOW, THEREFORE BE IT RESOLVED, that having opened a comment period the required 15 days, and having considered such comments, the NPTEC hereby authorizes adoption of the amendment § 6-2-13 General Gaming Operations Requirements as listed above as a regular amendment to be included in the Nez Perce Tribal Code,

## CERTIFICATION

The foregoing resolution was duly adopted by the Nez Perce Tribal Executive Committee meeting in Special Session, December 22, 2009 in the Richard A. Halfmoon Council Chambers, Lapwai Idaho, a quorum of its Members being present and voting.

BY: John A. Marsh  
for McCoy Oatman, Secretary

ATTEST:

Samuel N. Penney  
Samuel N. Penney, Chairman



*Nez Perce*

TRIBAL EXECUTIVE COMMITTEE  
P.O. BOX 305 • LAPWAI, IDAHO 83540 • (208) 843-2253

# NOTICE

## AMENDMENTS TO THE NEZ PERCE TRIBAL CODE

This notice is being posted November 25, 2009, according to the Nez Perce Tribal Code § 1-4-2 to request written comments for the following proposed amendments as follows:

Amendment of § 6-2-13(v) General Gaming Operations:

**STATEMENT OF PURPOSE:** to **remove** language to the section that prohibits NPTEC members and Enterprise Board members from participating in any gaming sponsored by the Nez Perce Tribal Gaming Enterprise.

**AMENDMENT:** deleted language is struck out

### § 6-2-13 General Gaming Operations

(v) Members of the Commission and its staff, ~~members of the Nez Perce Tribal Executive Committee, and members of the Nez Perce Tribe Enterprise Board~~ are prohibited from participating in any gaming sponsored by the Nez Perce Tribal Gaming Enterprise. This prohibition on participation shall not include gaming sponsored by the Nez Perce Tribal Gaming Enterprise that is Class 1.

### WRITTEN COMMENT PERIOD:

The Law and Order & Intergovernmental Affairs Subcommittee will be accepting written comments on the proposed amendment being applied to the Code. Please submit written comments to: Tonia Garcia, Chair, Law and Order Subcommittee, P.O. Box 305, Lapwai, ID, 83540; email to [toniag@nezperce.org](mailto:toniag@nezperce.org), fax to (208) 843-7354 or hand deliver to the NPTEC offices in Lapwai. The deadline for receipt and consideration of such comments is December 18, 2009, at 4:30 p.m.