

**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:**

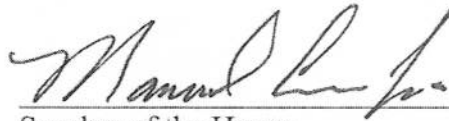
**Section 1. TITLE 23, SECTION 7 OF THE CROW LAW AND ORDER CODE, "CROW GAMING CODE", IS HEREBY AMENDED TO READ AS FOLLOWS:**

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 16<sup>th</sup> 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 20<sup>th</sup> day of July, 2009.



\_\_\_\_\_  
Chairman  
Crow Tribe Executive Branch


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

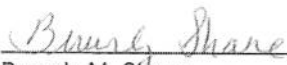
Bill or Resolution Number: CLB09-06 Introduced by: Executive Branch Date of Vote: 7/115/2009

<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>
<b>Totals:</b>	<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

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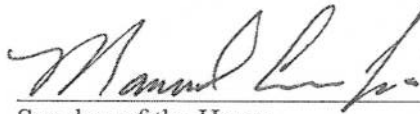
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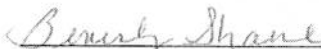
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Speaker of the House  
Crow Tribal Legislature

ATTEST:

  
Secretary, Crow Tribal Legislature

EXECUTIVE ACTION

I hereby

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

20<sup>th</sup> day of July, 2009.



Chairman  
Crow Tribe Executive Branch

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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	<u>  X  </u>	<u>      </u>	<u>      </u>
<i>Secretary of the House</i>			
M. Covers Up, Sr.	<u>  X  </u>	<u>      </u>	<u>      </u>
<i>Speaker of the House</i>			
<b>Totals:</b>	<u>  16  </u>	<u>    0  </u>	<u>    0  </u>


Result of Vote:


Passed

Not Passed

Tabled

Veto-Override

  
 Manuel Covers Up, Sr. \_\_\_\_\_  
 Speaker of the House Date

  
 Beverly M. Shane \_\_\_\_\_  
 Secretary of the House Date