

Cherokee Nation Code Annotated

Title 4: Amusements and Sports

Chapter 2: Gaming Commission Administration and Enforcement Procedures

§ 23. Restrictions on commissioners

Cite as: 4 CNCA § 23

A. To avoid potential conflicts of interest between the management and regulation of a gaming operation, the Nation hereby declares that:

1. No person, while actively serving in any of the following capacities may serve on the Gaming Commission: Principal Chief or Deputy Principal Chief, member of the Tribal Council, Justice or Judge of the Nation's courts, Nation employee, employee of the Gaming Commission, any employee of a gaming facility owned and operated by the Nation or its authorized agent or any appointed member thereof, or any vendor actively conducting business with a gaming facility. However, nothing herein shall prevent a Tribal Council member from serving as a non-voting Advisory Member to the Gaming Commission.

2. No person who is ineligible to be a Key Employee or Primary Management Official or any person convicted of a felony, embezzlement, theft or any other financially-related crime or honesty-related crime, such as fraud, may serve on the Gaming Commission.

3. Gaming Commissioners are prohibited from:

a. Gambling in any gaming facility owned and operated by the Nation or its authorized agents;

b. Providing contractual services of any kind to any gaming facility;

c. Providing any management services to any gaming facility pursuant to a management contract;

d. Accepting complimentary items from a gaming facility;

e. Accepting gratuities or any other thing of value that could be considered a bribe from any licensee or applicant for a license or permit; and,

f. Engaging in outside employment or activities, including seeking or negotiating for future employment, that conflicts with their official duties and responsibilities.

B. For purposes of this section, subparagraphs (A)(3)(d) and (A)(3)(e), complimentary items and/or gratuities, shall not include ceremonial gifts or other items of nominal value, or meals provided at the expense of a gaming facility, provided that such items do not each exceed One Hundred Dollars (\$100.00) in value and are not offered as an inducement or for any action taken by the Gaming Commission.

Historical Data

LA 26–10, eff. September 13, 2010. Amended LA 10–11, eff. June 19, 2011; LA 07–14, eff. April 24, 2014; LA 17–14, eff. July 18, 2014.

Derivation

LA 30–89.

LA 09–90.

LA 01–94.

LA 20–06.

Former 4 CNCA § 12.