

11S is SPRING

11F is FALL

<b>General Council Resolution #:</b>	<b>Regarding:</b>	<b>NPTEC Sub-Committee referred to:</b>
NPGC-11S -01	Universal HRM	Budget & Finance
NPGC-11S -02	Gaming Allocation & Feasibility Study	Budget & Finance
NPGC-11S -03	Trespass	Land Commission / Law & Order
NPGC-11F -04	Establish Committee	GC, Human Resource, Law & Order
NPGC-11F -05	Coming Home	Human Resources
NPGC-11F -06	Optical Services	Human Resources
NPGC-11F -07	Drug Testing	Budget & Finance
NPGC-11F -08	Youth Affairs/Advisory Board	NPTEC & Board under HR
NPGC-11F -09	Amendment of the Constitution	GC & NPTEC (Cost Share)
NPGC-11F -10	Gaming Allocation Plan	Budget & Finance

Respectfully

Shannon Jackson, GC Chair

Jennifer Oatman, GC Secretary.

## RESOLUTION

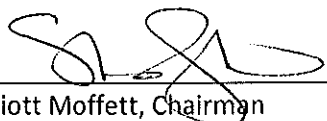
- WHEREAS, the Nez Perce Tribe's General Council has been empowered to act for and on half of the Nez Perce Tribal Membership between meetings of the General Council, pursuant to the revised Constitution and By-Laws, adopted by the General Council of the Nez Perce, on May 6, 1961 and approved by the Acting Commission of Indian Affairs on June 27, 1961;
- WHEREAS, the Nez Perce Tribe has many Enterprises where the Tribe is able to determine the employment qualifications for positions within those Enterprises; and
- WHEREAS, the Human Resources Manual has been under revision for a Universal Human Resource Manual to govern all entities of the Nez Perce Tribe; and
- WHEREAS, the Enterprises are the Tribes sources where the Tribe alone determines the hiring practices; and
- WHEREAS, all entities of the Nez Perce Tribe currently advertise vacant positions on an "in-house" basis for qualified Tribal Members to apply for those positions; and
- WHEREAS, The Tribe is a Sovereign Indian Nation, it is our goal to have Tribal Members in key positions as they intimately know our natural resources, our communities, and have our collective best interests at heart;
- WHEREAS, employment of our Tribal Members will foster the elimination of poverty and all the related social ills; and
- WHEREAS, there are other Tribes that the Nez Perce Enterprises could develop a model Tribal Member employment preference policy, plan, to develop such a program for key management positions and mid management positions; and

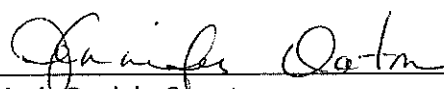
NOW THEREFORE BE IT RESOLVED, that qualified Tribal Members with no adverse conduct or performance issues will be hired in entry level positions Grade 13 and below to hire Tribal Members; and

BE IT FUTHER RESOLVED, that the Universal Human Resources Manual include the language for our Tribally funded entities follow the hiring policy, plan or program developed, and

BE IT FINALLY RESOLVED, that until the new Universal Human Resources Manual is adopted that this hiring policy be implemented immediately under the existing Human Resources Manuals of the Tribal Entities to address those positions that are funded by non restricted funding sources.

The foregoing resolution was duly adopted by the Nez Perce Tribe General Council in regular session at the Spring 2011 General Council meeting on May 5 - 7, 2011 at Kamiah, Idaho with a quorum of its members being present.

for   
Elliott Moffett, Chairman

for   
Mazie Daniels, Secretary

## RESOLUTION

WHEREAS, the Nez Perce Tribe's General Council has been empowered to act for and on half of the Nez Perce Tribal Membership between meetings of the General Council, pursuant to the revised Constitution and By-Laws, adopted by the General Council of the Nez Perce, on May 6, 1961 and approved by the Acting Commission of Indian Affairs on June 27, 1961;

WHEREAS, the Nez Perce Tribe has a current nine (9) member Executive Committee approved by the Constitution of the Nez Perce Tribe; and

WHEREAS, in order to determine the impacts of changes to that nine (9) member Executive Committee the Tribal General Council would like to request Gaming Allocation for fiscal year 2012 to research impacts to the Tribal organization; and

WHEREAS, the Constitution and By Law of the Nez Perce Tribe also allow for the election of Executive Committee Officers by the Executive Committee in a reorganization meeting held immediately after the General Election, Spring General Council; and

WHEREAS, the Tribal Membership would like to have those Officer positions elected by the General Council during the General Election, at the Spring General Council; and

WHEREAS, the impact study should also address the impacts to the Election Ordinance, Process, Primary and General Election if those Executive Committee Officer positions are elected by the General Council; and

WHEREAS, the Constitution and By Laws of the Nez Perce also require that Tribal Members return to the reservation to participate in any election process; and

WHEREAS, the General Council has long requested absentee voting for the Primary and General Election; and

WHEREAS, that the impact study shall determine the feasibility of conducting absentee voting in the Election Ordinance, Process, Primary and General Election; and

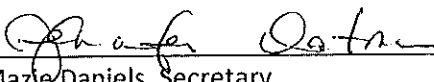
NOW THEREFORE BE IT RESOLVED, that the General Council hereby requests Gaming Allocation in the amount of \$25,000.00 to establish a Feasibility and Impact Study of such changes to the Tribal Organization for the fiscal year 2012 General Council budget, and

BE IT FUTHER RESOLVED, that the Resolution Committee develop a scope of work, that a request for proposals based upon the scope of work be completed with oversight of the contract by the Resolutions Committee, and

BE IT FINALLY RESOLVED, that the study be completed and presented to the Fall General Council for possible amendments to the Constitution and By Laws of the Nez Perce Tribe per the Amendment Process outlined in the Constitution and By Law of the Nez Perce Tribe.

The foregoing resolution was duly adopted by the Resolutions Committee as presented to the Nez Perce General Council in regular session on May 5 – 7, 2011 at Kamiah, Idaho with a quorum of its members being present.

for   
Elliott Moffett, Chairman

  
Mazie Daniels, Secretary

## RESOLUTION

WHEREAS, the Nez Perce Tribe's General Council has been empowered to act for and on half of the Nez Perce Tribal Membership between meetings of the General Council, pursuant to the revised Constitution and By-Laws, adopted by the General Council of the Nez Perce, on May 6, 1961 and approved by the Acting Commission of Indian Affairs on June 27, 1961;

WHEREAS, the Nez Perce Tribe has Tribal and Individual Indian Lands held in Trust with the Bureau of Indian Affairs; and

WHEREAS, the Bureau of Indian Affairs has the Trust responsibility to ensure that those lands are managed in the best interests of the Land Owner; and

WHEREAS, Leases for use of land held in Trust must have a management plan, a signed lease for a term or period of time; and

WHEREAS, the Land Owner should be compensated fairly and justly, at market value for use of the Land; and

WHEREAS, when there are discrepancies in the management of Land Leases that the Bureau of Indian Affairs shall act in the benefit for the Individual Indian Land Owner or Tribal entity;

WHEREAS, Trespass is a serious and growing problem on the Nez Perce Reservation where private citizens, companies and businesses are profiting from Individual Indian Lands held in Trust with the Bureau of Indian Affairs; and

WHEREAS, that Trespass has been well documented, verified by the appropriate Law Enforcement Agencies and all necessary steps for notification to the Bureau of Indian Affairs have been followed; and

WHEREAS, no compensation for years of Trespass on Individual Indian Lands within the Nez Perce Reservation have been received, no action taken against the Trespasser, and no follow-up by the Bureau of Indian affairs has been received by the Individual Indian Land Owner, and

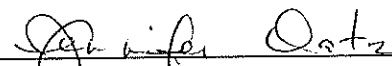
NOW THEREFORE BE IT RESOLVED, that the Bureau of Indian Affairs, Nez Perce Tribal Executive Committee and Tribal Law Enforcement work together on resolution to documented Trespass on the Nez Perce Reservation, and

BE IT FUTHER RESOLVED, that the Bureau of Indian Affairs and Nez Perce Tribal Executive Committee report at the Spring and Fall General Council the status of current, new and resolved Trespass reports, and

BE IT FINALLY RESOLVED, that the Individual Indian Land Owner(s) be notified in writing and through United States Postal service the status of the Trespass annually.

The foregoing resolution was duly adopted by the Resolutions Committee as presented to the Nez Perce General Council in regular session on May 5 – 7, 2011 at Kamiah, Idaho with a quorum of its members being present.

for   
Elliott Moffett, Chairman

for   
Mazie Daniels, Secretary

## RESOLUTION

- WHEREAS, The General Council and the Nez Perce Tribal Executive Committee has established Constitution and By-Laws, Tribal Codes and Personnel Policies and Procedures for employees of the Nez Perce Tribe and Enterprises,
- WHEREAS, The Nez Perce Tribe in exercising its power of self government has implemented Codes and Policies through its Executive, Legislative, and Judicial branches, and
- WHEREAS, The Indian Civil Rights Act of 1968 (25USC Section 1301-1303) states that no tribe in exercising powers of self government shall deny to any person within its jurisdiction the **equal protection** of its laws and they will not deprive any person of liberty and property without **due process** of law, and
- WHEREAS, The Nez Perce Tribal Executive Committee is compelled by the Indian Civil Rights Act to have due process and equal protection which applies to all criminal, civil, and administrative proceedings, and
- WHEREAS, ICRA due process requires that NPTEC must notify employee(s) of any action that is planned and shall give opportunity for the employee to be heard and chance to present their side. Furthermore, the employee shall be informed fully of the employer's position and due process in an administrative proceeding. NPTEC must comply with their own tribal code, constitution, policies and procedures and **shall not** be arbitrary or unfair and the process shall be "fair" and reasonable, and
- WHEREAS, The ICRA protects all persons within the tribal jurisdiction from abuse of their civil rights, and NP Tribal Programs, Enterprise, NMPH, Tribal Contractors and NPTEC shall not "subject any person and/or compel any person" by duress, force, discrimination, politics, and/or pressure to resign, be terminated, and/or threaten any person from a job without due process, and
- WHEREAS, History of tribal programs have proven that the Nez Perce Tribe *has displayed unfair and unequal treatment toward tribal members for employment purposes and as tribal employees*. This includes stringent requirements for employment and the NP Personnel Policies & Procedures are not implemented fairly for tribal members, and
- WHEREAS, The ICRA has been tested in federal court concerning tribal government employee rights and after all tribal remedies have been exhausted said employee has the right to file in Federal court against the tribe, and
- WHEREAS, Tribal employees who have been forced from employment or terminated have suffered undue harm to reputation, non-payment of hours worked, emotional stress, career in jeopardy not receiving unemployment benefits, unemployed and blacklisting from future employment with programs within the NP tribe, and
- THEREFORE BE IT RESOLVED, that the General Council shall establish a committee to review Personnel Policies & Procedures regarding job descriptions, hiring practice, due process and wrongful termination of tribal members.


BE IT FURTHER RESOLVED, This committee will provide their findings at the Fall General Council. And recommend appropriate change in;

1. Job Descriptions and Hiring Practices that eliminate tribal members
2. Recommend penalties for tribal contractors, program supervisor(s) who violates NPP&P and ICRA by abuse of authority toward tribal members who are tribal employees
3. Wrongful Termination
4. Adopt within ordinance, labor employment and labor disputes.

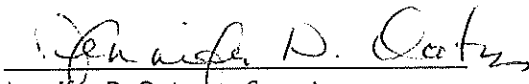
BE IT FURTHER RESOLVED that all tribal employees whose civil rights have been violated depriving them of employment, forced to resign and/or have been terminated from employment without good reason shall have opportunity of due process and equal protection, and

FINALLY BE IT RESOLVED THAT tribal members shall opportunity to have their case heard by this committee. And, should their case be in favor of the employee consideration for employment, monetary damages and satisfaction from Tribal Programs, Enterprise, tribal contractors and the NPTEC.

The foregoing resolution was duly adopted by the Nez Perce Tribe General Council in regular session at the Fall 2011 General Council meeting on September 23, 2011 at Kamiah, Idaho with a quorum of its members being present.



Shannon Jackson, Chairman



Jennifer D. Oatman, Secretary

## RESOLUTION

- WHEREAS, The General Council and the Nez Perce Tribal Executive Committee has established Constitution and By-Laws, Tribal Codes and Personnel Policies and Procedures for employees of the Nez Perce Tribe and Enterprises,
- WHEREAS, The Nez Perce Tribe in exercising its power of self government has implemented Codes and Policies through its Executive, Legislative, and Judicial branches, and
- WHEREAS, The Indian Civil Rights Act of 1968 (25USC Section 1301-1303) states that no tribe in exercising powers of self government shall deny to any person within its jurisdiction the **equal protection** of its laws and they will not deprive any person of liberty and property without **due process** of law, and
- WHEREAS, The Nez Perce Tribal Executive Committee is compelled by the Indian Civil Rights Act to have due process and equal protection which applies to all criminal, civil, and administrative proceedings, and
- WHEREAS, ICRA due process requires that NPTEC must notify employee(s) of any action that is planned and shall give opportunity for the employee to be heard and chance to present their side. Furthermore, the employee shall be informed fully of the employer's position and due process in an administrative proceeding. NPTEC must comply with their own tribal code, constitution, policies and procedures and **shall not** be arbitrary or unfair and the process shall be "fair" and reasonable, and
- WHEREAS, The ICRA protects all persons within the tribal jurisdiction from abuse of their civil rights, and NP Tribal Programs, Enterprise, Tribal Contractors and NPTEC shall not 'subject any person and/or compel any person" by duress, force, discrimination, politics, and/or pressure to resign, be terminated, and/or threaten any person from a job without due process, and
- WHEREAS, History of tribal programs have proven that the Nez Perce Tribe *has displayed unfair and unequal treatment toward tribal members for employment purposes and as tribal employees*. This includes stringent requirements for employment and the NP Personnel Policies & Procedures are not implemented fairly for tribal members, and
- WHEREAS, The ICRA has been tested in federal court concerning tribal government employee rights and after all tribal remedies have been exhausted said employee has the right to file in Federal court against the tribe, and
- WHEREAS, Tribal employees who have been forced from employment or terminated have suffered undue harm to reputation, non-payment of hours worked, emotional stress, career in jeopardy not receiving unemployment benefits, unemployed and blacklisting from future employment with programs within the NP tribe, and
- THEREFORE BE IT RESOLVED, that the General Council shall establish a committee to review Personnel Policies & Procedures regarding job descriptions, hiring practice, due process and wrongful termination of tribal members.

## RESOLUTION

- WHEREAS, Due to the historical trauma caused by the U.S. Indian policies intended to assimilate and remove Native peoples from their homelands throughout this country and Canada resulted in the loss and disruption of intergenerational ties for Nimiipuu with their ancestral Nez Perce heritage, language and culture; and
- WHEREAS, Tragically for some families wanting to make a better future away from their home, many relocated to the cities and severed their connection with their homelands, community and tribe; and
- WHEREAS, Nimiipuu who have been disconnected from their ancestral tribal families and communities also have experienced a tremendous loss of family values, customs and beliefs; and
- WHEREAS, Due to Relocation policy in the 1950s several generations remain disconnected and reside in the urban centers—it is estimated that more than 60% of all Indians in the 21<sup>st</sup> century now live in urban settings; and
- WHEREAS, Repercussions from adoptions and child placements away from the family, community and tribe of Native peoples resulted in severed ties and lost identity of many babies and children prior to the ICWA 1979; and
- WHEREAS, Nimiipuu family and community connections have been adversely impacted and sometimes completely destroyed; and
- WHEREAS, The psychological well being, tribal identity, and general health have been negatively impacted for those who were removed or dislocated from their homelands, as well as to their families left behind; and
- WHEREAS, The consequences of the loss of tribal identity, low self-esteem and unresolved historical trauma have been shown to be associated with increased rates of alcohol and drug use, high school dropout, teen pregnancy, violence, suicide, child abuse, imprisonment, and other negative outcomes among Native peoples; and
- WHEREAS, The safety, education, health, and socio-cultural welfare of contemporary Native peoples have been negatively impacted; and
- WHEREAS, There is clearly a desire by displaced enrolled tribal members to ‘come home’ and be reconnected with family, community and tribe; and
- WHEREAS, The future wellness of the Nimiipuu tribe, community and people remain at risk of further loss to its well-being if not addressed by the Tribe.



NOW, THEREFORE BE IT RESOLVED that the Nez Perce Tribe recognize the consequences of the breakup of families, communities and tribe resulting in loss of tribal identity, traditional values, customs and beliefs; and

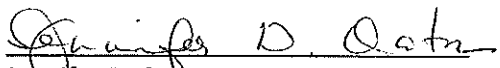
BE IT FURTHER RESOLVED that the Nez Perce Tribe provide a cultural event to formally 'welcome home' enrolled Nimiipuu members who have found their way back to the Nez Perce Tribe, their families and communities; and

BE IT FURTHER RESOLVED that the event be planned and provided with cultural consultation from and guidance with Nimiipuu traditional elder Horace Axtell and the Circle of Elders and with respect to our ancestors and in consideration of future generations; and

BE IT FINALLY RESOLVED that the Nez Perce Tribe support delivery of the initiative to welcome home disconnected tribal members in order to provide an opportunity for HEALING and PEACEFUL RESOLUTION across generations, hereafter and for time immemorial and in honor of our Nimiipuu heritage, language and culture.

The foregoing resolution was duly adopted by the Nez Perce Tribe General Council in regular session at the Fall 2011 General Council meeting on September 24, 2011 at Kamiah, Idaho with a quorum of its members being present.

  
\_\_\_\_\_  
Shannon Jackson, Chairman

  
\_\_\_\_\_  
Jennifer D. Oatman, Secretary

RESOLUTION

WHEREAS, the Nez Perce Tribe's General Council has been empowered to act for and on half of the Nez Perce Tribal Membership between meetings of the General Council, pursuant to the revised Constitution and By-Laws, adopted by the General Council of the Nez Perce, on May 6, 1961 and approved by the Acting Commission of Indian Affairs on June 27, 1961;

WHEREAS, NiMiiPuu Elders are respected for their knowledge and lifelong contributions to the preservation of history and language; and

WHEREAS, the people are very concerned with the quality of life for our Elders; and

WHEREAS, Diabetes has been devastating to our Elders and over people of all ages; and

WHEREAS, Diabetes does adversely affect the families of the Diabetic; and

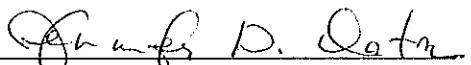
NOW THEREFORE BE IT RESOLVED, that the General Council directs NiMiiPuu Health to prioritize Elders and Diabetics in the provisions of urgent optical services; and

BE IT FURTHER RESOLVED, that the prioritization be based upon case management from the primary physician documenting the adherence to the care plan; and

BE IT FINALLY RESOLVED, that the clinic documents the changes in the prioritization as outlined above for posting in the Optical Center.

The foregoing resolution was duly adopted by the Nez Perce Tribe General Council in regular session at the Fall 2011 General Council meeting on September 24, 2011 at Kamiah, Idaho with a quorum of its members being present.

  
\_\_\_\_\_  
Shannon Jackson, Chairman

  
\_\_\_\_\_  
Jennifer D. Oatman, Secretary

RESOLUTION

WHEREAS, the Nez Perce Tribe's General Council has been empowered to act for and on half of the Nez Perce Tribal Membership between meetings of the General Council, pursuant to the revised Constitution and By-Laws, adopted by the General Council of the Nez Perce, on May 6, 1961 and approved by the Acting Commission of Indian Affairs on June 27, 1961;

WHEREAS, the Nez Perce Tribal Executive Committee (NPTEC) is elected by the Tribe on a staggered term basis for nine members to serve the Nez Perce People; and

WHEREAS, the NPTEC is drug tested upon getting elected; and

WHEREAS, Boards, Commission, General Council Officers are considered employees of the Tribe but are not included in the drug testing; and

WHEREAS, Executive Officers, Managers and Directors are included as employees of the entities they are employed with however it can be years before they are selected for testing; and

WHEREAS, the drug testing policy for the Nez Perce Tribe's entities is approved by NPTEC for all employees of the Tribes entities to be conducted randomly throughout the year; and

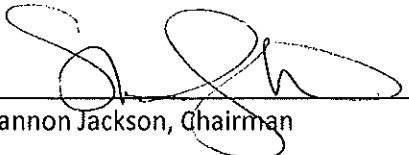
WHEREAS, since NPTEC sets the standard that all employees in all entities must follow that they themselves be included in the drug testing monthly; and

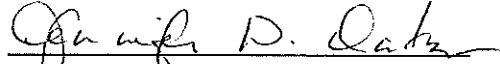
NOW THEREFORE BE IT RESOLVED, that the Nez Perce Executive Committee include in the annual NPTEC Budget monthly drug testing fees for the NPTEC members, General Council Officers, Boards and Commissions, Executive Officers, Managers and Directors and to be administered by the Chief Judge of the Nez Perce Tribe; and

BE IT FURTHER RESOLVED, that the monthly date/day for testing be random so that the testing does not fall on the same day or date each month; and

BE IT FINALLY RESOLVED that the drug testing begins in October 2011 that if any of the above is on delegation that testing shall take place upon return or the next business day.

The foregoing resolution was duly adopted by the Nez Perce Tribe General Council in regular session at the Fall 2011 General Council meeting on September 24, 2011 at Kamiah, Idaho with a quorum of its members present.

  
Shannon Jackson, Chairman

  
Jennifer D. Oatman, Secretary

## RESOLUTION

WHEREAS, the Nez Perce Tribe's General Council has been empowered to act for and on half of the Nez Perce Tribal Membership between meetings of the General Council, pursuant to the revised Constitution and By-Laws, adopted by the General Council of the Nez Perce, on May 6, 1961 and approved by the Acting Commission of Indian Affairs on June 27, 1961;

WHEREAS, protecting, promoting, and providing for our Nez Perce youth is one of the most important functions that we as Nez Perce adults and leaders do every day; and

WHEREAS, the pressing issues and extensive opportunities that are addressed by General Council directly impact Nez Perce youth today and in the future; and

WHEREAS, in order to best address the issues and take advantage of the opportunities it is important to get direct feedback from the youth themselves on what is important to them and what actions will have the greatest benefit for them; and

WHEREAS, best practices in "youth engagement" show that positive change for youth is sustainable and effective when youth have meaningful roles in planning and decisionmaking; and

NOW THEREFORE BE IT RESOLVED, that the General Council supports establishing a "Youth Advisory Board" as a standing committee for General Council; and

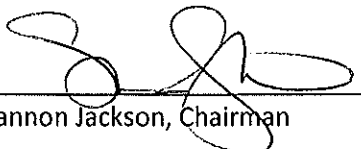
BE IT FURTHER RESOLVED, that the General Council requests that the tribal Education Department Manager conduct focus groups with Nez Perce youth in Kamiah, Kooskia, Lapwai, and Orofino to establish the scope and purpose of the Youth Advisory Board, while also providing a means for off-reservation youth to give feedback; and


BE IT FURTHER RESOLVED, the Education Manager will compile the results and draft by-laws and guidelines (researching other tribal Advisory Board's structures) to be presented, with the Resolutions Committee, at community meetings in Kamiah, Lapwai, and Orofino in March 2012; and

BE IT FURTHER RESOLVED, that the General Council also requests that NPTEC re-establish the Youth Affairs Subcommittee as another avenue for youth to interact with tribal leaders and give priority to youth issues; and

BE IT FINALLY RESOLVED, the Resolutions Committee will present the final Youth Advisory Board by-laws and guidelines for approval at the Spring 2012 General Council meeting.

The foregoing resolution was duly adopted by the Nez Perce Tribe General Council in regular session at the Fall 2011 General Council meeting on September 24, 2011 at Kamiah, Idaho with a quorum of its members present.

  
 Shannon Jackson, Chairman

  
 Jennifer D. Oatman, Secretary

## RESOLUTION


- WHEREAS, the Nez Perce Tribal General Council 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 Commission of Indian Affairs on June 27, 1961;
- WHEREAS, The Nez Perce Tribe constitution currently limits the residency requirements for the positions on the Nez Perce Tribal Executive Committee to living within the 1863 Reservation boundary; and
- WHEREAS, The Nez Perce Tribal government currently uses the symbol of the 1855 Treaty and the face of renowned Chief Joseph in the tribal governmental logo; and
- WHEREAS, Those enrolled Nez Perce who live within the 1855 Treaty area cannot serve on NPTEC due to the residency requirement; and
- WHEREAS, Chief Joseph did not want to live on the current 1863 reservation and he and other Nez Perces fled the area to live free in Canada and many suffered and died during their attempting to flee to Canada; and
- WHEREAS, There are many enrolled Nez Perces who through lack of housing within the 1863 Reservation area wish to serve on the NPTEC but cannot due to lack of housing and jobs within this area; and
- WHEREAS, the Nez Perce membership wishes to amend the Constitution to reflect the change in residency to serve on the NPTEC; and

NOW THEREFORE BE IT RESOLVED, that the Nez Perce Tribal General Council hereby votes to hold a vote to allow enrolled Nez Perces to change the residency requirement to serve on the NPTEC to the 1855 Treaty Area for the residency requirement; and

BE IT FURTHER RESOLVED that the Nez Perce Tribal General Council officers and the NPTEC shall advertise this vote and the NPTEC shall provide for all the funding to complete this vote and shall provide for public notice for this vote on the Nez Perce tribal website, the local newspapers to ensure all eligible voters are notified of this vote; and

BE IT FURTHER RESOLVED that the NPTEC and General Council officers shall provide for all necessary arrangements and compliance with this vote to change the residency requirement to serve on the NPTEC.

The foregoing resolution was duly adopted by the Nez Perce Tribe General Council in regular session at the Fall 2011 General Council meeting on September 24, 2011 at Kamiah, Idaho with a quorum of its members being present.

  
Shannon Jackson, Chairman

  
Jennifer D. Oatman, Secretary

RESOLUTION

WHEREAS, the Nez Perce Tribe's General Council has been empowered to act for and on behalf of the Nez Perce Tribal Membership between meetings of the General Council, pursuant to the revised Constitution and By-Laws, adopted by the General Council of the Nez Perce, on May 6, 1961 and approved by the Acting Commission of Indian Affairs on June 27, 1961;

WHEREAS, the Indian Gaming Regulatory Act specifically includes a finding that Indian Tribes have the exclusive right to regulate gaming activity on Indian Lands if the gaming activity is not specifically prohibited by federal law and is conducted within a state which does not, as a matter of criminal law and public policy, prohibit such gaming activity; and

WHEREAS, the Nez Perce Tribal Executive Committee (NPTEC) adopted Resolution NP95-103 creating Nez Perce Tribal Gaming to the Nez Perce People; and

WHEREAS, the NPTEC shall provide a long term Gaming Allocation Plan available and ready for Tribal Members review at the May 2012 Spring General Council Meeting; and

NOW THEREFORE BE IT RESOLVED, that the NPTEC shall immediately begin working cooperatively with the Nez Perce Tribal Enterprise Executive Officer, General Council Chairman, a representative of the Resolutions Committee and a member of the elders Board creating this Gaming Allocation Plan immediately to include per capita payments to be submitted to National Indian Gaming Commission; and

NOW THEREFORE BE IT RESOLVED, that a financial report of gaming revenue was given indicating the Nez Perce Tribal Gaming was in excess of 7.5 million dollars; and

BE IT FURTHER RESOLVED that the NPTEC shall create and/or develop an allocation plan for the first disbursement of gaming funds in the amount of \$1,000.00 per capita payment after taxes to be paid by December 16, 2011

BE IT FURTHER RESOLVED, that the NPTEC shall work in a cooperative manner in conducting these tasks in attempts to meet the needs and desires of the People also known as the General Council; and

The foregoing resolution was duly adopted by the Nez Perce Tribe General Council in regular session at the Fall 2011 General Council meeting on September 24, 2011 at Kamiah, Idaho with a quorum of its members being present.

  
Shannon Jackson, Chairman

  
Jennifer D. Oatman, Secretary