




**Confederated Tribes of Siletz Indians
Tribal Council**

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Memorandum

To: Shawna Gray, STGC Executive Director
From: Tami Miner, Executive Secretary 
Date: August 24, 2010
Re: Amended Ordinance

For your reference, please find attached the amended Gaming Charter, which was approved by the Tribal Council in July. This amended Gaming Charter is to be used to replace any other Charter you may have on file. If you have any questions, please contact me at 541-444-8203.

Thank you.

Ordinance Number 6.100

Amended by Resolution No. 97-210, dated 6/21/97 and Resolution No. 98-021, dated 1/17/98, and Resolution No. 2001-207, dated 6/15/01, and Resolution No. 2002-221, dated 6/14/02, and Resolution No. 2002-254, dated 7/19/02; and Resolution No. 2003-096, dated March 7, 2003, and Resolution No. 2003-105, dated March 11, 2003, and Resolution No. 2004-305, dated July 16, 2004, and Resolution No. 2004-385, dated September 24, 2004, and Resolution No. 2005-244, dated June 10, 2005, and Resolution No. 2005-361, dated September 16, 2005, and Resolution No. 2007-280, dated August 16, 2007; and Resolution No. 2009-370, dated September 18, 2009; and Resolution No. 2010-280, dated July 16, 2010.

Original Date: March 21, 1997

Subject: Gaming Enterprise Charter

**CHARTER OF THE
SILETZ TRIBAL GAMING ENTERPRISE

An Enterprise of the
Confederated Tribes of Siletz Indians of Oregon**

§ 6.100 PURPOSE AND POLICY

(a) Purpose. This charter establishes a tribal enterprise to conduct the gaming activities of the Confederated Tribes of Siletz Indians of Oregon. The Tribal Council formally established the Siletz Tribal Gaming Enterprise by Resolution No. 95-193 on June 17, 1995. The Siletz Tribe is engaged in gaming to generate revenue to provide services to tribal members, to support tribal governmental operations, and for such other purposes permitted under tribal law and under federal law, including the Indian Gaming Regulatory Act. The Siletz Tribal Gaming Enterprise is established pursuant to the Siletz Constitution to assist tribal members in achieving their highest potential and to achieve economic and social self-sufficiency for the Tribe. This charter defines the relative rights and responsibilities of the Tribal Council, the Siletz Tribal Gaming Commission ("Commission" or "STGC"), and gaming operations in the operation of the Tribe's gaming activities.

Adopted: 3/21/97

Amended: 6/21/97; 1/17/98; 6/15/01; 6/14/02;
7/19/02; 3/7/03; 3/11/03; 7/16/04; 9/24/04;
6/10/05; 9/16/05; 8/16/07; 9/18/09; 7/16/10

(b) Policy. The Tribal Council exercises ultimate authority for the conduct of gaming activities and gaming operations by the Siletz Tribe pursuant to the Tribal Council's delegated legislative and executive authority under the Siletz Constitution, Art. IV, Section 1, and pursuant to the Indian Gaming Regulatory Act, which mandates that the Tribe "have the sole proprietary interest and responsibility for the conduct of any gaming activity." 25 U.S.C. §§ 2710(b)(2)(A), 2710(d)(1)(A)(ii). The Tribal Council has determined that because of the close connection and identity of Tribe's gaming operations with the Siletz Tribe, the gaming operations shall be overseen directly by the Tribal Council. The Tribal Council, as the governing body of the Siletz Tribe, will retain authority over governmental and regulatory aspects of the Siletz Tribe's gaming activities and oversight and policy authority over each gaming operation. Regulation of the Tribe's gaming operations is delegated under this Charter to a tribal gaming commission.

§ 6.101 AUTHORITY

(a) Establishment: The Siletz Tribal Gaming Enterprise is established pursuant to the inherent sovereign authority of the Confederated Tribes of Siletz Indians of Oregon; the Constitution of the Confederated Tribes of Siletz Indians of Oregon, as amended; the Indian Gaming Regulatory Act, 25 USC §2701 et seq., as it may be amended; and the Compact for Regulation of Class III Gaming Between the Confederated Tribes of Siletz Indians of Oregon and the State of Oregon ("Compact"), as amended.

(b) Governing Law: The Siletz Tribal Gaming Enterprise shall be governed by tribal law, by the Indian Gaming Regulatory Act and other applicable federal laws, and by such other laws and regulations that may be made applicable to the enterprise from time to time by express action of the Tribal Council. There shall exist a presumption that any matters and issues that arise under this Charter are within the exclusive jurisdiction of the Siletz Tribal Court.

§ 6.102 FORM OF BUSINESS

(a) Ownership: All gaming activities conducted within the jurisdiction of the Siletz Tribe shall be under the exclusive ownership of the Confederated Tribes of Siletz Indians of Oregon, unless otherwise permitted by law and subject to express approval of the Siletz Tribal Council. The Tribal Council shall not authorize the operation of gaming activities under this charter unless such activities are owned by the Siletz Tribe, and subject to the superintending control of the Tribal Council.

(b) Nature of Business: The Tribal Council may authorize the operation of any gaming activity permitted by law. The principal Gaming operation authorized by the Tribal Council is the Chinook Winds Casino Resort, located on reservation trust land within the boundaries of Lincoln City, Oregon. The Tribal Council may authorize additional gaming operations from time to time, as it deems appropriate.

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(c) Place of Business: All tribal gaming activity authorized under this charter shall be located on the Siletz Reservation, or upon other Indian lands as that term is defined in the Indian Gaming Regulatory Act. Gaming activity and associated activity authorized under this charter arises within Siletz Indian Country. The Tribal Council may authorize gaming conducted under state law on tribal trust lands or on other lands owned by the Tribe, by express authorization of the Tribal Council and pursuant to state law.

(d) Name of Enterprise: The Siletz Tribe's gaming enterprise shall be known as the "Siletz Tribal Gaming Enterprise," and may be referred to as "STGE."

(e) Nature of Enterprise: The Siletz Tribal Gaming Enterprise (and gaming operations conducted under the Enterprise) is an arm of the Confederated Tribes of Siletz Indians of Oregon, and operates under the sovereign authority of the Tribe. The Tribal Council may, in this charter, delegate portions of the sovereign authority of the Tribe to the Enterprise or to a specific gaming operation in matters related to gaming.

(f) Revenues: All revenues and assets generated or in the possession of tribal gaming operations shall be the property of the Tribe, and may be used or distributed only by approval of the Tribal Council, by resolution.

§ 6.103 DEFINITIONS

(a) "Tribe" means the Confederated Tribes of Siletz Indians of Oregon, and all departments, agencies, authorities, commissions, and enterprises of the Tribe.

(b) "Gaming activity" means a particular type of game run in a particular form, for example, house-banked blackjack, pull-tabs, keno, video lottery terminals, roulette, craps, poker, bingo, speed bingo, and slot machines.

(c) "Gaming operation" means a gaming activity or activities conducted in a single location or in a building or group of associated buildings, under one General Manager.

(d) "Indian lands" means Indian country as that term is defined at 18 USC §1151 and in decisions of the United States Supreme Court, and Indian lands as that term is defined at 25 USC §2703(4), and includes all lands within the reservation boundaries of the Siletz Tribe and all lands held by the United States in trust for the benefit of the Siletz Tribe or for individual Siletz tribal members.

(e) "Council" means the Siletz Tribal Council, acting pursuant to the authority delegated to it by the Siletz Constitution.

(f) "Commission" means the Siletz Tribal Gaming Commission or STGC.

(g) “Promulgation” means for purposes of this Charter the drafting, announcement, review, and internal adoption within the Commission and submission to the Commission Executive Director of a proposed form of any new or existing Commission rule and/or regulation. Any such proposed rule, regulation or policy shall not become an officially enacted rule, regulation or policy of the Siletz Tribe or of the Commission until it has been approved by Tribal Council Resolution as provided for in this Charter. Once a proposed rule, regulation or policy has been promulgated within the Commission by decision of the Commission Executive Director, the rule, regulation or policy shall be formally forwarded to the Tribal Council for further action.

§ 6.104 ROLE OF THE TRIBAL COUNCIL

(a) Policy. The Tribal Council exercises ultimate authority for the conduct of gaming activities and Gaming operations by the Siletz Tribe. Day-to-day operation of any tribal gaming operation will be conducted by a General Manager, but the Tribal Council will retain authority over governmental and regulatory aspects of the Siletz Tribe’s gaming activities and oversight and policy authority over each gaming operation. The Tribal Council will exercise its gaming operation policy and oversight responsibilities separately from its governmental activities, and shall account and budget for such activities separately.

(b) Tribal Council Gaming Operation Oversight and Policy Responsibilities.

- (1) Authority. The Tribal Council has by resolution delegated day-to-day management and working policy authority of gaming operations to the General Manager of each tribal gaming operation. The Tribal Council in its oversight role over tribal gaming operations will establish general gaming policy for Siletz tribal gaming operations and exercise oversight authority over each tribal gaming operation. The Tribal Council may adopt separate policies to carry out its gaming operation oversight duties under this Charter.
- (2) Budget. The Tribal Council will develop a separate gaming operation oversight annual budget pursuant to the budget procedures of the Tribe, which budget will be a separate component of the Tribal Council’s gaming budget. This budget may be funded as part of the annual gaming operation budget.
[Amended by Resolution No. 2007-280, dated August 16, 2007]
- (3) The Tribal Council in its gaming operation oversight role shall have authority to hire, fire and review the performance of the General Manager of each tribal gaming operation.
- (4) The Tribal Council in its oversight role will formally authorize each gaming activity engaged in by a gaming operation, subject to any requirements

existing in the Tribe's Class III Gaming Compact with the State of Oregon. Once a gaming activity has been authorized by the Tribal Council, the rules of each game will be reviewed and adopted by the Commission, and the General Manager of the gaming operation will implement the gaming activity in his or her discretion within the gaming operation. The Tribal Council's approval authority under this Section is limited to general authorization of a particular gaming activity. It will be the responsibility of the Commission and General Managers to develop and implement particular forms of each gaming activity, and the Tribal Council's approval authority set out in this subsection is intended to give the Commission and General Managers broad discretion in developing and conducting different permutations of an authorized gaming activity.

- (5) The Tribal Council will approve the annual budget of each gaming operation.
- (6) The Tribal Council will have no direct involvement in personnel matters of tribal gaming operations except as set forth in subsection (3) of this section, and shall not be involved in day-to-day operations of tribal gaming operations.
[Amended by Resolution No. 2009-370, dated September 18, 2009]
- (7) The Tribal Council will review any proposed changes to the Personnel Policies of the gaming operation for consistency with the general gaming policy of the Tribe and, in particular, compliance with tribal preference policies in hiring and advancement. The Tribal Council will be provided copies by each gaming operation of proposed internal policies of the gaming operation, or changes thereto, for its information and review. The Tribal Council may adopt procedures under which it may require Tribal Council approval of specific gaming operation internal policies.

(c) Conduct of Tribal Council Gaming Operation Oversight Meetings. Because of the sensitive nature of the Tribe's gaming activities and because confidential financial information, business strategies and decisions, and personnel information are the regular subject of Tribal Council gaming operation oversight meetings, part of Tribal Council gaming operation oversight meetings will take place in executive session. Persons connected with the gaming activities of the Tribe or who are invited by the Chairman will be included in the executive Tribal Council gaming operation oversight meetings as appropriate and necessary. Votes will be taken in open session after the conclusion of any executive session, pursuant to the Siletz Constitution.

(d) Interaction of the Tribal Council in its Gaming Operation Oversight Role with the Siletz Tribal Gaming Commission. The Tribal Council in its gaming operation oversight role is subject to the regulatory authority of the Commission. The Tribal Council in its gaming

operation oversight role shall adopt and follow policies and procedures to ensure that its expenses and activities in this role comply with applicable laws, regulations and policies.

(e) Tribal Council: Exercise of Governmental Authority.

(1) Authority. The Tribal Council exercises authority under the Siletz Constitution over governmental and regulatory aspects of the Siletz Tribe's gaming activities. The Tribal Council has under this Charter delegated regulatory authority over the Tribe's gaming operation(s) to the Commission, which will have authority to regulate the Tribe's gaming operation(s) and Gaming Enterprise, including activities of the Tribal Council in its gaming operation Oversight Role. The Commission's regulatory role over the Tribal Council shall include, but not be limited to the proper expensing of expenses and the issuance of comps by Tribal Council members to advance the business purposes of the gaming operation. The Commission will report to and is subject to the authority of the Tribal Council in its governmental capacity. The Tribal Council and Commission will strive to reconcile the different roles in which each entity operates.

(2) Specific Powers and Duties.

(A) Tribal Council's Governmental Authority Over the Commission. The Tribal Council retains the authority to hire and fire and review the performance of the Commission Executive Director and Hearings Officers. The Tribal Council will have no involvement with Commission staff, or in personnel matters of the Commission (not including the Executive Director and Hearings Officers).

(B) Inter-governmental affairs. The Tribal Council retains responsibility for all governmental, legal and political interaction related to the Tribe's gaming activities, including but not limited to negotiation of Tribal-State Compacts under IGRA, agreements with local jurisdictions, communication with relevant federal officials, conduct of litigation or legal disputes with outside governmental authorities, and lobbying on gaming matters. The Commission has authority to communicate and interact with governments and government officials and tribal gaming operations as necessary to carry out its duties and to fulfill its legal responsibilities under law.

(C) Contracts. Because the Siletz Tribe owns the land underlying the Tribe's gaming operation(s) and the buildings in which gaming is conducted, the Tribal Council must approve any contracts directly

affecting or involving such land or waiving, in any form, the sovereign immunity of the Tribe. Tribal sovereign immunity must be waived as set out in § 6.107 of this Charter. From time to time a contractor doing business with the Tribe's gaming operation may require that the Tribe itself be a party to a contract or agreement involving the gaming operation. The Tribal Council may, in its sole discretion and as necessary and appropriate to advance the business purposes of the gaming operation(s), agree to make the Tribe a party to such specific contracts or agreements for such purpose. The Tribal Council may, as set forth in this Charter, delegate to a gaming operation or Commission authority for any of those entities to waive their own sovereign immunity, in limited fashion and subject to a specified dollar limit. Except as delegated in this Charter, the Tribal Council must approve each and every contract entered into by any tribal entity by resolution, and must expressly agree to waive the sovereign immunity of the Tribe or of a tribal entity, in the same or in a separate resolution.

§ 6.105 ROLE OF THE SILETZ TRIBAL GAMING COMMISSION

(a) The Siletz Tribal Gaming Commission ("Commission" or "STGC") is responsible for regulation of the gaming operation(s) of the Tribe and any other gaming activities within the jurisdiction of the Tribe. The Tribal Council has delegated its authority to regulate tribal gaming activities pursuant to applicable laws and regulations to the Commission by resolution adopting the Tribal Gaming Ordinance, pursuant to the Tribe's State-Tribal Compact for the regulation of Class III Gaming with the State of Oregon, and pursuant to this Charter. The Commission's regulatory authority extends over all Gaming operations of the Tribe, including the activities of the Tribal Council in its Gaming Operation Oversight Role as set forth in this Charter. The Commission's regulatory role over the Tribal Council shall include, but not be limited to the proper expensing of expenses, and the issuance of comps by Tribal Council members to advance the business purposes of the gaming operation.

(b) The Commission is constituted as an independent regulatory agency of the Siletz Tribe responsible for regulation of the Tribe's Gaming operation(s), subject only to oversight authority of the Tribal Council acting in its governmental capacity. The Commission shall, subject to Tribal Council review and approval, adopt regulations as necessary to carry out its responsibilities under this Charter and pursuant to law.

The regulatory and administrative functions of the Commission, including management of the Surveillance Department, preliminary approval of proposed regulations, Commission decision-making and preparation of an annual budget for the Commission, shall be the responsibility of the Commission Executive Director, who shall be the chief officer of the Commission. The Commission Executive Director shall be the official representative of the

Commission in the Commission's official dealings with other governments and the Tribal Council. The Commission Executive Director shall develop and keep current internal policies and procedures of the Commission. The Commission Executive Director is accountable solely to the Tribal Council. The Commission Executive Director shall be hired by the Tribal Council, and shall be terminated, removed or disciplined by the Tribal Council during his or her employment or term of office only for cause, upon due notice and after an opportunity for a hearing, and with a right of appeal to the Siletz Tribal Court. The Tribal Council may set a term of employment or office for the Commission Executive Director at the time of his or her appointment, subject to a presumption in favor of renewal except for cause.

The Commission, through the Commission Executive Director, shall adopt or amend any Commission rule or regulation through a procedure established by Commission regulation, including conducting public hearings, allowing for a comment period, and Commission adoption of a final recommended regulation. Upon Commission adoption of any Commission rule or regulation, said rule or regulation shall be submitted to the Tribal Council for final review and approval by resolution. In the event of an emergency, the Commission Executive Director may provide for immediate temporary effectiveness of a proposed rule or regulation, *provided*, that such rule or regulation shall be effective only until the next regularly scheduled Tribal Council meeting, at which time such rule or regulation shall lapse unless approved by Tribal Council resolution. The Commission shall have primary authority for promulgation and amendment of Commission rules and regulations; the Tribal Council shall promulgate or amend a Commission rule or regulation on its own only upon failure of the Commission to act.

The Tribal Council will ensure a sufficient budget for the Commission to carry out its responsibilities under this Charter, under applicable federal regulations, and under the Tribal-State Compact. Commission staff (persons other than the Executive Director and Hearings Officers) are subject to the control and authority of the Commission Executive Director. Commission travel will be at the discretion of the Commission Executive Director, so long as budgeted in the Commission's annual budget. The Commission shall follow general tribal operations policies in conducting its activities. The Commission will report on its activities to the Tribal Council on a monthly basis or more often as necessary. The Executive Director shall develop a proposed budget for the Commission covering all Commission operations and activities except for those of the Office of Hearings and Appeals, for each fiscal year. The Chairman of the Office of Hearings and Appeals will develop a proposed budget each year for the activities and operations of the Office of Hearings and Appeals, which shall be submitted to the Commission Executive Director and included as part of the overall annual Commission budget. The proposed budget shall be submitted to the Tribal Council, which shall have final approval of the Commission annual budget and any budget modifications over ten percent.

[Amended by Resolution No. 2007-280, dated August 16, 2007]

The Tribal Council shall establish compensation for the Commission Executive Director and for Commission staff. The Commission will be responsible for its own purchasing, and may

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contract for specific services. The Commission may contract with Tribal Administration for purchase of support services such as accounting, payroll, fleet services, etc.

Commission employees and staff will be subject to the Commission's Personnel Policies and Operations Manual, as reviewed and approved by the Tribal Council. The Commission Executive Director is responsible for hiring, firing and discipline of Commission employees and staff, subject to Tribal Council approval of job descriptions. The Commission Executive Director shall have exclusive authority to supervise Commission employees and staff, except as such authority may be delegated as set out in the Commission Organization Chart approved by Tribal Council.

The Commission Executive Director or his or her designee will provide monthly written and oral reports to the Tribal Council regarding Commission activities.

The Commission Executive Director is delegated authority to consult directly with the Tribal Attorney as necessary and appropriate for the Commission to carry out its responsibilities. The Commission may contract with outside counsel, subject to Tribal Council approval.

(c) The Commission will communicate with tribal gaming operations through the gaming operation's General Manager. The Commission will not involve itself with day-to-day management of tribal gaming operations. The Commission will issue a separate operating license for each gaming operation.

(d) The Surveillance Department of a tribal gaming operation shall be a department of the Commission, and shall be under the supervision and management of the Commission Executive Director. The initial budget for the surveillance department shall be prepared by the gaming operation, but shall be subject to review and comment by the Commission Executive Director, who shall suggest changes and/or additions to the Tribal Council in the development of the gaming operation's final budget. Proposed capital expenditures related to surveillance will be handled in the same manner. [Amended by Resolution No. 2007-280, dated August 16, 2007]

(e) The Commission will ensure that tribal gaming operations are operated in compliance with all applicable laws and regulations, and in a manner that protects the safety of employees and patrons and protects the integrity of gaming activities being conducted. The Commission may impose sanctions upon gaming operations, and upon the Tribal Council acting in its Gaming operation oversight role, for non-compliance with Commission rules or regulations or with governing law as the Commission determines is appropriate and necessary to protect tribal assets and the integrity of the gaming operation. The Commission will not involve itself directly in personnel or operational matters within a gaming operation, but may suspend or revoke the license of an employee, vendor or contractor for non-compliance and may impose fines as appropriate and necessary and as set forth in the Commission's regulations. The

Commission shall have the authority necessary to carry out its responsibilities under law, including but not limited to the issuance of subpoenas.

(f) The Commission shall adopt appropriate regulations, rules and procedures, including necessary security procedures, for each gaming activity authorized by the Tribal Council.

(g) There shall be a separate Office within the Commission entitled the Office of Hearings and Appeals (“OHA”). The OHA shall be comprised of one permanent Hearings Officer, who shall serve as the Chair of the OHA and will be responsible for all administrative functions and duties of the OHA. The Tribal Council shall have authority to discipline, remove or terminate the Hearings Officer for cause, upon due notice and after opportunity for a hearing, and with a right of appeal to the Siletz Tribal Court. The OHA is accountable to the Tribal Council. The Hearings Officer shall have only those rights and benefits set out in his or her job description.

[Amended by Resolution No. 2010-280, dated July 16, 2010]

The Tribal Council shall ensure a sufficient budget for the OHA to carry out its responsibilities under this Charter, as a component of the overall Commission budget. The Chairman of the OHA shall provide a monthly written report to the Tribal Council regarding OHA activities, and shall appear at Tribal Gaming Council meetings upon request.

The OHA shall hear appeals of Commission actions or decisions taken or made pursuant to Commission rules or regulations, in accordance with rules and procedures adopted by the Office, which rules and procedures shall be subject to Tribal Council review and approval. OHA appeals shall be heard by a panel of three (3) Hearings Officers. In addition to the Chair of the OHA, the hearings panel shall be comprised of two tribal administrative appeals officers selected at random from the roster of eligible tribal administrative appeals officers maintained by the tribal government pursuant to the Administrative Procedures Ordinance, § 2.700 et seq. The General Manager of the Tribe shall provide the Chair of the OHA names to serve as Hearings Officers, upon request. Tribal administrative appeals officers selected to serve on a hearings panel under this section shall be compensated at the rate for their position within tribal government, for time spent on an appeal. In the event of a conflict of any Hearings Officer, an alternate Hearings Officer will be selected from the roster of eligible tribal administrative appeals officers.

[Amended by Resolution No. 2010-280, dated July 16, 2010]

§ 6.106 ROLE OF THE GAMING OPERATION

(a) Each Gaming operation licensed by the Commission shall be managed by a General Manager. The General Manager shall be responsible for conducting the gaming

activities authorized for that Gaming operation, and for conducting the business affairs and activities of the gaming operation and related business endeavors. The General Manager shall develop policies and procedures for operation of the gaming facility, and for the conduct of particular games authorized by the Council. Such policies and procedures shall be effective upon approval by the Commission, before the games are implemented.

(b) The General Manager shall manage the employees and managers of the Gaming operation, and shall be responsible for hiring, firing and discipline of operation employees. The General Manager shall develop personnel policies for the operation, which shall be effective upon formal approval by the Tribal Council in its Gaming operation oversight role, including approval of any amendments thereto.

(c) The General Manager shall prepare a business plan for each fiscal year of the Gaming operation, which shall include a proposed budget. Such plan shall be subject to approval and modification by the Tribal Council in its Gaming operation oversight role.

(d) As part of the overall business plan for a Gaming operation, the General Manager may, subject to Tribal Council review and approval, create business endeavors that will compliment and are directly related to the Gaming operation, and which should fall under the management umbrella of the Gaming operation as an integrated enterprise. Such complimentary business endeavors may be approved by the Tribal Council if they are commonly integral parts of comprehensive gaming enterprise and will assist to increase the revenue of the Gaming operation even if they do not involve gaming. Such complimentary business endeavors shall be considered tribally owned and operated sub-entities of the Siletz Tribe which report directly to the General Manager of the Gaming operation they benefit. Each sub-entity of a Gaming operation shall have its own set of books for accounting purposes.

(e) The General Manager shall make a monthly report to the Tribal Council in its Gaming operation oversight role on the Gaming operation, or more frequently as requested.

(f) The General Manager is responsible for following and meeting the approved business plan and operating a Gaming operation in compliance with applicable statutes, rules, regulations and policies, and for protecting the safety of employees and patrons and the integrity of gaming activities.

[Amended by Resolution No. 2004-305, adopted July 16, 2004].

§ 6.107 SOVEREIGN IMMUNITY

Nothing in this Charter or in the Compact shall waive the sovereign immunity of the Tribe, the Tribal Gaming Commission, the Siletz Tribal Gaming Enterprise, the Tribal Council or of Chinook Winds Casino Resort as a general matter. The sovereign immunity of any of these governmental entities shall be waived for specific purposes only as expressly set forth herein. To

the extent sovereign immunity of the Tribe, the Tribal Gaming Commission, the Tribal Gaming Enterprise or Chinook Winds Casino Resort is waived pursuant to the authority of this Charter, such waiver shall be only as authorized by tribal law and only in favor of the Siletz Tribal Court, except as expressly authorized and approved otherwise by an authorized Officer or the Tribal Council. Such waiver shall be limited to the remedies set out in the specific transaction. The Council by this Charter delegates to the General Manager the authority to waive Chinook Winds Casino Resort's sovereign immunity only for contracts related to the gaming operation and which do not exceed \$50,000 in annual, accumulated value, and delegates to the Executive Director of the Commission the authority to waive the Commission's sovereign immunity only for contracts related to Commission activities and which do not exceed \$25,000 in annual, accumulated value. Such delegation of authority to waive Chinook Winds Casino Resort's or the Commission's sovereign immunity is limited to the dollar amount of the contract(s). The General Manager of Chinook Winds Casino Resort and the Executive Director of the Commission shall not obligate the Tribe to repay financial commitments of Chinook Winds Casino Resort or of the Commission, as the case may be, and shall not have authority to waive the sovereign immunity of the Tribe or to pledge tribal assets. All contracts with an accumulated annual value in excess of \$50,000, which request waiver of the sovereign immunity of Chinook Winds Casino Resort or of the Tribe, or for Commission contracts with an accumulated annual value in excess of \$25,000 which request waiver of the Commission or of the Tribe, must be approved by specific resolution of the Tribal Council. Because of the uncertain state of the law of tribal sovereign immunity, any contract which may arguably, as set forth by opinion of the tribal attorney, waive the Casino Resort's, Commission's or Tribe's sovereign immunity shall obtain waiver as set forth in this section.

§ 6.108 JURISDICTION

All gaming activities and Gaming operations conducted pursuant to this charter are presumptively within the jurisdiction of the Confederated Tribes of Siletz Indians of Oregon. All employees, contractors and patrons of and visitors to tribal Gaming operations voluntarily consent to the jurisdiction of the Tribe for gaming-related issues or any other issue arising out of their presence on tribal lands either by doing business with the Tribe, applying for and/or accepting employment with the Tribe, or entering upon tribal lands. The Council may modify or waive this requirement by resolution, for a specific contractor or another person or entity involving a specific transaction. Notice of this express consent to jurisdiction shall be included in contract bid documents and shall be posted in prominent locations within any Gaming operation.

§ 6.109 TORT CLAIMS

The Council shall provide for the resolution by the Tribal Court of tort claims arising out of or involving tribal gaming activity or a tribal gaming operation. Such claims may be made subject to mediation or arbitration, and the amount of damages recoverable may be limited to the

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extent of available insurance, and shall be payable only from gaming revenues to the extent tribal funds are specifically made available for payment of tort claims by Tribal Council resolution.

§ 6.110 AMENDMENT

This charter may be amended by resolution, by a two-thirds vote of the full membership (six votes) of the Tribal Council.

§ 6.111 DISSOLUTION

This charter may be dissolved by resolution, by a vote of two-thirds of the full membership (six votes) of the Tribal Council.