

**BAD RIVER TRIBAL COURT
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500.27. SEVERABILITY AND NON-LIABILITY. If any section, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby. The Tribe asserts there is no liability on the part of the Bad River Band of the Lake Superior Tribe of Chippewa Indians, its agents or employees for damages that may occur as a result of reliance upon, and conformance with this Ordinance.

Section 500.3 - General Definitions

(a) For the purposes of this chapter, the following definitions shall be used. Words in the present tense include the future; the singular includes the plural; and the plural includes the singular. The word "shall" is mandatory and the word "may" is permissive.

(b) "Bingo" means a game of chance in which players pay a consideration in order to participate, in which 75 numbered objects are available for selection, and those objects actually selected are selected on a random basis, and in which each player participates by means of cards sold, rented or used only at the time and place of the game, each card containing 5 rows of 5 spaces each, each space printed with a number from 1 to 75 except the central space, which is marked "FREE". Winners are determined and prizes awarded on the basis of possessing a bingo card on which some combination of numbers are printed and conform to the numbered objects selected at random based on a predetermined winning arrangement. "BINGO" as used in this chapter shall not mean any game using free cards and donated prizes, if any, for which no payment of consideration is made by players.

(c) "Bingo Manager" means a person hired by the Tribe to conduct, organize and supervise all bingo and raffle occasions.

(d) "Bingo Occasion" means a single gathering or session at which a series of successive bingo games are played.

CHAPTER 500 - GAMING CONTROL ORDINANCE

Section 500.1 - Findings

The Tribal Council finds that gaming revenues are essential to the provision of tribal governmental services, that direct tribal control through the central tribal administration is essential to the rational utilization of tribal funds generated by tribally-operated gaming, that tribal gaming revenues must be fully integrated into the tribe's annual financial planning; and that tribal governmental spending priorities must take precedence over individual or organizational funding requests in the utilization of gaming receipts.

Section 500.2 - Introduction

500.21. TITLE. This ordinance shall be known as the Gaming Control Ordinance.

500.22. AUTHORITY. This ordinance is enacted pursuant to Article VI, Section 1(g) and (j) of the Constitution and Bylaws of the Bad River Band of the Lake Superior Tribe of Chippewa Indians. All violations of this ordinance shall be prosecuted in Tribal Court.

500.23. PURPOSE. The purpose of this ordinance is to regulate the conduct of Class II and Class III gaming conducted on the Bad River Indian Reservation.

500.24. EFFECTIVE DATE. This ordinance shall be effective on the date of enactment by the Bad River Tribal Council.

500.25. ABROGATION AND GREATER RESTRICTIONS. Where this ordinance imposes greater restrictions than those contained in other tribal ordinances, the provision of this ordinance shall govern.

500.26. INTERPRETATION. In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the Tribe and shall not be deemed a limitation or repeal of any other Tribal power or authority.

(e) "Bingo Supplies and Equipment" means all cards, boards, sheets, markers, pads or other supplies, devices or other equipment designed for use in the conduct or play of bingo.

(f) "Caller" means an individual who by means of a mechanical device randomly selects numbers and announces them to players.

(g) "Checker" means an individual who verifies a player's claim to have won a game.

(h) "Class II Gaming" means class II gaming as defined by 25 U.S.C. §2703(7), including but not limited to bingo, raffles, and pull-tabs.

(i) "Class III Gaming" means class III gaming as defined by U.S.C. §2703(8).

(j) "Council" means the governing body of the Bad River Band of the Lake Superior Tribe of Chippewa Indians.

(k) "Inventory Checker" means a designated person from the accounting office who shall be responsible for a monthly inventory check of the bingo supplies/materials.

(l) "Raffle" means a game of chance in which tickets are sold and a drawing for prizes is held, or in which the ticket is drawn by the purchaser and a determination of prize made based upon the ticket drawn.

(m) "Reservation" means all lands within the exterior boundaries of the Bad River Reservation.

(n) "Tribe" means the Bad River Band of the Lake Superior Chippewa Indians.

Section 501 - Bingo Manager

501.1(a). There is hereby established the position of Tribal Bingo Manager.

(b) The Tribal Bingo Manager shall be appointed by the Tribal Council. The Tribal Bingo Manager shall be subject to the Bad River Gaming Operations Policies and Procedures and shall be supervised by the Gaming General Manager.

(c) No person may commence work as Tribal Bingo Manager until such person has been licensed by the Tribe as a gaming manager. Prior to licensing, the person's background shall be investigated, including his or her prior activities, criminal record, if any, reputation, habits, and associations; and a finding shall be made that hiring the individual will not pose a threat to the public interest or to the effective regulation of gaming, or create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, or activities in the conduct of gaming. Any applicant under consideration for hiring as Tribal Bingo Manager may be required to execute such releases as are necessary or convenient to obtain the information required under this paragraph. The tribe's personnel manager shall be responsible for the thorough and efficient conduct of the investigation and may contract with such agencies or incur such expenses as are necessary or convenient to such end. The personnel manager's findings and conclusions shall be made available to the tribal council and to the National Indian Gaming Commission prior to the issuance of any license. The Bingo Manager shall not commence work until there is on file with the tribal personnel office evidence of a surety bond for the benefit of the Tribe in the amount of \$25,000.00 to indemnify the Tribe for losses incurred by a breach of fiduciary or other duties arising hereunder. The Tribe shall secure the bond for the Bingo Manager.

501.2. POWERS AND DUTIES OF TRIBAL BINGO MANAGER. The Tribal Bingo Manager shall have the following powers and duties:

(a) To conduct bingo operations in conformity with this ordinance;

(b) To conduct rates in conformity with this ordinance;

(c) To conduct other Class II gaming at any locale at which Bingo is played;

(d) To receive and deposit monies generated from operations described in subparagraphs (a), (b) and (c) with the Tribe's Treasurer, or authorized banking institutions;

(e) To report to the Tribal Council, on forms approved by the Tribal Council, on a monthly basis, unless required to do so more frequently by the Council.

(f) To supervise all personnel necessary to conduct operations under subparagraphs (a), (b) and (c). No person shall be an employee of the Bingo when he or she is on the Tribal Council.

(g) The Tribal Council shall retain the duties of hiring any and all employees of the Bad River Bingo and the Chairman shall retain the duties of terminating any employees for good cause. All employee relations shall be governed by the Bad River Gaming Operations Policies and Procedures.

(h) To develop and enforce general policies, subject to Tribal Council approval, governing operations under subparagraphs (a), (b) and (c), which shall be followed by the Bingo Manager and the Bingo employees.

(i) To insure compliance with Inventory/Cash controls systems developed by the Tribe.
(j) To insure the security of Bingo, raffle, and other Class II gaming equipment and supplies in his custody or control and of Bingo, raffle and other Class II gaming revenues in his custody or control.

Section 502 - General Operating Provisions

502.1 (a) Only the Bingo Manager or a person authorized by the Tribal Bingo Manager shall conduct bingo or act as a caller in the conduct of bingo.

(b) Bingo shall be conducted only on behalf of the tribal government and only on tribal premises.

(c) Purchase of a bingo card shall entitle each purchaser to a place on the Tribal premises where bingo is conducted with a sufficient room in which to work the bingo card.

(d) The Tribal Bingo Manager may, in his or her discretion, limit the number of persons allowed to purchase bingo cards at any one bingo occasion if there is not sufficient space or supplies.

(e) The Tribal Bingo Manager shall hold not less than 106 bingo occasions within any calendar year. The Tribal Bingo Manager may hold such further bingo occasions as the Council shall designate.

(f) The Tribal Bingo Manager shall accept only a cash payment for any bingo card.

(g) The Tribal Bingo Manager shall purchase such supplies and equipment as are necessary for the operation of bingo and consistent with the budget approved by the Tribal Council. All equipment and supplies used in the conduct of bingo shall be owned by the Tribe. The bingo equipment shall be maintained in good repair and sound condition.

(h) Only the Tribal Bingo Manager and persons acting under his or her supervision may participate in the management or operations of any bingo occasion. No other person, firm, corporation, consultant, or similar entity shall participate in the management of any bingo occasion. Nothing herein shall prevent the Tribal Bingo Manager from entering into a contract for the televising of bingo occasions, however.

(i) No person under the age of 16 shall purchase or play a bingo card for any bingo game conducted pursuant to this ordinance unless accompanied on tribal premises by such person's parent or guardian. No person under the age of 12 shall be allowed in the Tribal premises in which bingo is conducted during a bingo occasion.

(j) No alcoholic beverages or illegal drugs shall be allowed on Tribal premises where bingo is conducted during a bingo occasion. Any person found possessing or using alcoholic beverages or illegal drugs during bingo occasions shall be removed from the premises and barred from further bingo occasions.

(k) Bingo occasions shall be advertised by whatever lawful methods the Tribal Bingo Manager deems suitable and appropriate to attract a maximum number of players, consistent with the budget approved by the Tribal Council.

(1) The Tribal Bingo Manager shall authorize the operation of concessions for the sale of food or refreshments by Tribal organizations under such terms and conditions as he or she deems appropriate. No person or organization may sell any other merchandise on the premises where bingo is being conducted during a bingo occasion unless authorized by the Tribal Council.

(m) Bingo cards shall be sold or rented by the Tribal Bingo Manager in the first instance only on the premises at which the bingo occasion is being conducted. The Tribal Bingo Manager shall keep an accurate, separate count of the number of bingo cards which are sold, rented or used.

(n) No person employed in the operation of a Tribal Bingo occasion shall be permitted to purchase any bingo card, finance the purchase of any bingo card, or share in the proceeds of any winnings for that occasion or participate in any other way as a player during that bingo occasion.

(o) Nothing herein shall prevent the broadcast or televising of Tribal bingo occasions. The Tribal Bingo Manager is hereby authorized to enter into a contract for the broadcast or televising of Tribal bingo occasions, provided that any such contract shall be approved by resolution of the Tribal Council before taking effect.

(p) Every month the Inventory Checker shall be responsible for taking a physical inventory of the supplies/materials to see if it matches the Bingo Manager's records. Any discrepancies shall be reported to the Bingo Manager and Tribal Council.

(q) The Bingo Manager may conduct other Class II gaming at the times and places where Bingo is played or a raffle conducted. Sections 502.1(b), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), and (p), and 502.2 shall apply to the conduct of Class II gaming other than Bingo and raffles.

(r) The Bingo Manager shall assure that ventilation, sanitary, and drinking water supply systems are all operating properly

(a) The Tribal Bingo Manager shall determine the type of game and prize or each game conducted during a bingo occasion. The particular arrangement of numbers required on a bingo card in order to win and the amount of the prize for the game shall be clearly described and audibly announced to the players immediately before each game.

(b) Each bingo game shall be conducted in such a manner that the results are random and each person purchasing a card is afforded an equal opportunity to win, and all equipment and supplies used in the conduct of each game shall be designed and used in such a manner as to secure such result.

(c) The objects to be drawn shall be as near the same size, shape, weight, balance, and all other relevant characteristics as is practicable so that at all times during the conduct of bingo each object possesses the capacity for equal agitation with any other object within the receptacle.

(d) Seventy-five (75) objects, numbered consecutively "1" through

Section 502.3 - Method of Conduct

(a) The amount and nature of prizes offered shall be determined for each bingo occasion by the Tribal bingo Manager, provided that the prizes offered shall be commensurate with the generally accepted odds in bingo operations.

(b) Either cash prizes or merchandise prizes shall be allowed. If a merchandise prize is offered, its stated value shall be the current retail price. No merchandise prize shall be redeemable or convertible into cash, either directly or indirectly, by the Tribe.

(c) Prizes of alcoholic or fermented malt beverages, securities, or interests in real property are prohibited.

Section 502.2 - Prizes

(a) at all times and places when operation under subparagraphs (a), (b), or (c) occur.

"75" inclusive, shall be used for the conduct of each game. All 75 objects, and only 75 objects, shall be present in the receptacle at the beginning of each bingo game.

(e) The number on each object drawn shall be announced in a manner clearly audible to the persons present during the conduct of the game and shall be visually displayed as well.

(f) Once removed from the receptacle during the conduct of a game, no object shall be returned to the receptacle until after the conclusion of that game.

(g) The receptacle and the caller shall be visible to the majority of persons present during the conduct of a game at all times.

Section 502.4 - Winners

(a) The winner of a bingo game shall be the person in possession of the bingo card with the numbers on it arranged in the manner announced for that game achieved with the least number of objects drawn and who audibly calls out "BINGO!"

(b) The bingo winner for each game shall be determined on the same day on which the bingo occasion is conducted. Each prize shall be awarded within one week of the bingo occasion for which the prize was offered.

(c) The numbers appearing on the winning card at the time a winner is determined shall be verified in the immediate presence of at least one disinterested person.

(d) At the time a winner is determined, any person may call for a verification of all numbers and of the objects remaining in the receptacle not drawn. Such verification shall be made in the presence of the Tribal Bingo Manager and at least one disinterested person.

(e) When more than one person is found to be the winner of a bingo game, a cash prize shall be divided equally among the winners. When equal division of a merchandise prize is not possible, identical substitute prizes whose aggregate retail

value is approximately equal to that of the designated prize shall be awarded.

Section 503 - Raffles

503.1. CONDUCT OF RAFFLES.

(a) A raffle shall be conducted only on Tribal premises, except as provided by sec. 503.2(b)(2), by the Tribal Bingo Manager or a person authorized by the Tribal Bingo Manager or authorized by the Tribal Council.

(b) Only cash payment may be accepted for the purchase of a raffle ticket.

(c) Supplies and equipment necessary for the operation of a raffle on behalf of the Tribe shall be purchased by the Tribal Bingo Manager as consistent with the budget approved by the Council. Such supplies and equipment shall be owned by the Tribe.

(d) Prizes of alcohol or fermented malt beverages, securities or interest in real property are prohibited.

Section 503.2 - Method of Play

(a) Types of Raffles. There shall be two types of raffles which may be conducted:

(1) Raffles in which tickets are sold to individuals, placed in a container and drawn to determine the winner, and

(2) Raffles in which a fixed number of tickets, some which indicate the winners, are sold and drawn by the purchaser.

(b) Tickets. There shall be three types of tickets which shall be used for the raffles in subsection (a):

(1) For raffles described in (a)(1) tickets shall be identical in form and numbered sequentially if the raffle tickets are only sold on the same day or night of the occasion and drawing of the winner.

(2) For raffles described in (a)(1) and if the raffle tickets are sold over a period of time before the day or night

of the drawing of the winner, the tickets shall be identical in form, contain the name and address of the Tribe or sponsoring organization, the price of the ticket, the date and place of the drawing and a place for the purchaser's name and address. Sale of these raffle tickets off premises shall be permitted.

(3) For raffles described in (b)(2) raffle tickets shall be purchased in lots, with a fixed number of tickets and winning tickets in each lot, shall be of similar outward appearance and shall have concealed within the indices of winning what may be revealed by manipulation of the ticket by the purchasers after the purchase.

(c) Play of Raffles:
(1) The Tribal Bingo Manager shall determine the type of raffle and the prize or prizes for each raffle, which shall be clearly described and available to raffle ticket purchasers at the time of purchase. For raffles described in Section (a)(1), the odds per lot of tickets shall also be available.

(2) Each raffle shall be conducted in such manner that the results are random and each person purchasing a ticket is afforded an equal opportunity to win, and all equipment and supplies used in the conduct of each raffle shall be designed and used in such a manner as to secure such a result.

(3) Winners shall be determined according to the type of raffle and the rules of each raffle set by the Tribal Bingo Manager. The purchaser of a ticket need not be present at the drawing to win a prize.

(4) All raffle drawings shall be held in public.

(5) All prizes shall be awarded.

Section 504 - Finances and Accounting
504.1. ANNUAL OPERATING BUDGET.

(a) Bingo, raffle, and other Class II gaming conducted at the locale at which bingo is played shall be carried out in accordance with the annual operating budget adopted for that purpose.

Such budget shall detail the operational expenses of the operation and shall be prepared by the Tribal Bingo Manager and presented for approval by the Tribal Council at least one month before the commencement of the budget year. The budget year shall begin January 1 of each year.

(b) No expenses may be incurred by the Tribal Bingo Manager except as provided for and in conformity with the annual operating budget.

(c) The Tribal Council may, as circumstances warrant, amend the annual operating budget during the course of the year.

504.2. MONTHLY FINANCIAL REPORT.

The Tribal Bingo Manager shall prepare, sign, and submit to the Tribal Council a monthly financial report which shall include the following information for the preceding month:

(a) the names of all persons employed in the conduct of bingo, raffles, and other associated Class II gaming;
(b) the number and dates of all bingo occasions and raffles;
(c) an itemized statement of gross receipts from all bingo occasions and other Class II gaming;

(d) an itemized list of all expenditures;
(e) a statement showing the balance in the bingo account; and
(f) an itemized list of transfers from the bingo account to other tribal accounts for administration, government and program expenditures.

504.3. BINGO ACCOUNT.

The Tribal Accounting Office shall create a special account into which bingo, raffle and other Class II gaming receipts shall be deposited. Bingo, raffle, and associated Class II gaming receipts shall be deposited within three days of the Bingo or Raffle. Gross receipts derived from the conduct of bingo, raffles, and other Class II gaming shall not be commingled with any other tribal funds. Transfers from on the bingo account shall only be for one of the following purposes:

(a) The payment of reasonable and necessary expenses incurred

in connection with the conduct of bingo or raffles in conformity with the annual operating budget including the payment of any assessment under 25 U.S.C. §2717.

(b) (1) to fund tribal governmental operations or programs,

(ii) to provide for the general welfare of the Tribe and its member by supporting, supplementing, or augmenting services provided by the Tribe to its members and the community.

(iii) to promote tribal economic development, or

(iv) to support charitable or educational purposes.

504.4. AUDIT.

(a) The bingo, raffle, and other Class II gaming operations shall be subject to an annual outside audit.

(b) Included in such annual outside audit shall be all contracts

for supplies, services, or concessions for a contract amount in excess of \$25,000 annually, except contracts for professional legal or accounting services, related to bingo, raffle, and other class II gaming.

505.1. CLASS III GAMING - GENERAL PROVISIONS.

(a) Class III gaming may be conducted pursuant to this chapter at the following locations:

- 1. The log building located on U.S. Hwy. 2, at SE½ NW¼ Sec. 32, T48N R2W.
- 2. Any other location designated by tribal council

resolution.

(b) No person, natural or legal, or association of persons, other than the tribe, may conduct Class III gaming on the reservation.

(c) All primary management officials and key employees of the Class III gaming operation shall be subject to the licensing provisions of sec. 501.1(c).

(d) The chief management official of the class III gaming operation shall be responsible for the development and implementation of policies to effectuate all standards for the conduct of games, prescribed by the tribal council including

those policies and rules contained in section 505.2 - 505.5, any tribal-state compact, and any National Indian Gaming Commission regulations.

(e) The chief management official of the class III gaming operation shall be responsible for the conduct of all class III gaming operations on the reservation and all class II gaming operations conducted at a class III gaming facility.

(f) The chief management official of the class III gaming operation shall be subject to the same powers and duties with respect to the class III gaming operation as the Bingo Manager is with respect to Bingo operations.

(g) Any person, natural or legal, and any association thereof, contracting with the tribe to provide management service to the class III gaming operation, or gaming related goods or services exceeding in value \$10,000 per year, shall be required to obtain a gaming contractor license from the tribe, to be issued by the tribal chairman only after an investigation as provided in sec. 501.1(c) has been completed.

(h) No member of the tribal council, and no spouse, parent, child or sibling of a member of the tribal council, may have any direct or indirect financial interest in the class III gaming operation, nor may any such person or any employee of the class III gaming operation receive any payment, gift, or gratuity of any kind from any gaming contractor licensed by the tribe or from any person, natural or legal, or any association thereof, engaged in the provision of gaming goods or services, whether or not such person or association is currently providing any such goods or services to the tribe.

SEC. 505.2 - CLASS III GAMING - RULES OF PLAY

(a) No person under 18 years of age may play any class III game. If any person under 18 years of age plays and otherwise qualifies for any prize or winnings, the prize or winnings shall not be paid, and the estimated amount wagered by the person

during the course of the game in which he otherwise qualifies for the prize or winnings shall be returned to him.

(b) The chief management official of the class III gaming operation shall cause to be posted at places where notice is likely an announcement that persons under the age of 18 may not participate in gaming.

(c) No person who is visibly intoxicated may play any class III game.

(d) No credit shall be extended by the Tribe or any of its agents or employees for the conduct of gaming. No person shall offer any other person credit for a fee, however calculated, for the conduct of gaming, except that an automatic teller machine that accepts bank cards or credit cards may be installed upon class III gaming premises.

(e) No alcoholic beverages may be sold at the class III facility for the purpose of off-premises consumption.

(f) Electronic games of chance shall be installed and operated pursuant to section XV of the current Compact entered into by the Tribe and the State of Wisconsin.

(g) Blackjack shall be conducted pursuant to section XVI of the current Compact entered into by the Tribe and the State of Wisconsin.

(h) Pultab or break open ticket games shall be conducted pursuant to the most recent published standards of the North American Gaming Regulators Association.

(i) If a player has a dispute concerning the conduct of a game, he or she shall have the right to a resolution of the dispute by the chief management official on the premises at the time the dispute arises. The dispute shall be resolved upon notification of the management official involved, after hearing from the aggrieved player and any involved class III facility employee involved. The decision of the management official shall be final. If the dispute involves the chief management official on the premises, it shall be resolved within five working

days by the tribal chairman or, in his absence, the vice-chairman, after hearing from the aggrieved player and the involved management official. The decision of the chairman or vice-chairman shall be final. Copies of this section of this chapter shall be kept at the class III facility and shall be made available to any customer of the class III facility upon request.

SEC. 505.3 - CLASS III GAMING - TAX WITHHOLDING

(a) Federal income tax shall be withheld from any prize or winnings in those cases where such withholding is required by the United States Internal Revenue Code. In all such cases, Wisconsin income tax shall also be withheld except on payments to:

1. Enrolled members of the Tribe, or
2. Individuals who certify to the Tribe, on forms that the chief management official shall assure are available, that they are not legal residents of the State of Wisconsin, unless such individuals are subject to Wisconsin income tax on such winnings under ch. 71, Wis. Stats., for the calendar year in which the payment is made.

(b) The amount of Wisconsin income taxes withheld under subsection (a) shall be the amount of winnings multiplied by 6.93% (.0693), or the highest Wisconsin income tax rate applicable to individuals under sec. 71.06(1), whichever is higher.

(c) Taxes withheld under this section shall be deposited with the United States Internal Revenue Service and the Wisconsin Department of Revenue as provided by federal and state law.

SEC. 505.4 - CLASS III GAMING - EMPLOYERS

(a) No person employed at the class III facility may participate directly or indirectly as a player in any game at the class III facility. No person who has been employed at the class

(a) The tribal accounting office shall maintain for at least seven years, and shall permit the authorized agents of the state of Wisconsin to inspect and copy, the following records:

1. All accounting records, which shall be kept on a double entry system of accounting, including detailed, supporting and subsidiary records.
2. Revenues, expenses, assets, liabilities and equity by game at each location where any component of Class III gaming including ticket sales, is conducted.
3. Daily cash transactions for each game at each location at which any component of Class III gaming is conducted, including but not limited to transactions relating to each gaming table bank, game drop box and gaming room bank.
4. For electronic games of chance, analytic reports which, by each machine, compare actual hold percentages to theoretical hold percentages.
5. Contracts, correspondence and other transaction documents relating to all vendors and contractors.
6. Records of all Tribal enforcement activities relating to gaming operated under this Compact.
7. All audits prepared by or on behalf of the Tribe.

(b) The tribal personnel office shall maintain for at least

SEC. 505.5 - CLASS III GAMING - RECORDS AND AUDITS

III facility may participate, directly or indirectly, as a player in any game at the class III facility until 30 days have elapsed since the person's last day of such employment.

(b) No person employed at the class III facility may have any direct or indirect interest in, or be employed by, any person who has entered a gaming-related contract with the Tribe.

(c) No person under the age of 18 may be employed at the class III facility in any position related to the conduct of gaming.

seven years, and shall permit the authorized agents of the State of Wisconsin to inspect and copy, the following records:

1. Personnel information on all Class III gaming employees or agents, including complete sets of each employee's fingerprints, employee photographs, and employee profiles and background investigations, except that employee work schedules shall be maintained for a period of at least 2 years. This provision shall not include personnel records of tribal members as to matters that are not related to gaming.
2. Records of background investigations and determinations under section IX. of the current compact between the Tribe and the State of Wisconsin.

(c) At the close of each fiscal year, the chief management official of the Class III facility shall assure that an independent certified public accountant has been engaged to conduct a financial audit of the books and records of the Tribe's Class III gaming operations. The audit shall be completed within 90 days after the close of the fiscal year. The chief management official shall assure that copies of any audit reports and management letters are forwarded to the Wisconsin State Auditor and to the Lottery Board.

(d) For the fiscal year including December 1991, and each subsequent fiscal year which includes the December of an odd-numbered year, the chief management official of the class III facility shall assure that a qualified independent security auditor has been engaged to conduct a security audit. The audit shall review and evaluate the effectiveness, adequacy, and enforcement of:

1. Physical systems and administrative policies and procedures controlling access to non-public offices, warehouses, and computer rooms relating

(f) The names and position of all persons employed;

preceding month:

(a) The chief management official of the class III gaming operation shall submit to the Tribal Council a monthly financial report which shall include the following information for the preceding month:

505.6. CLASS III GAMING - FINANCES AND ACCOUNTING.

State of Wisconsin.

(e) Audits shall be conducted in accordance with sec. XII (c) of the current compact entered into by the Tribe and the and Lottery Board.

90 days of the close of fiscal year copies of any audit reports and management letters are sent to the Wisconsin State Auditor The chief management official shall assure that within

under this Compact. for financial accounting and conduct of gaming

5. Fitness and integrity of computer software utilized of games operated pursuant to this Compact.

4. Policies, procedures and practices to ensure the randomness, accuracy, integrity and reliability of games operated pursuant to this Compact.

3. Policies, procedures and practices to prevent theft, loss or destruction of materials, equipment, or supplies associated with any of the games authorized by this compact, including records required to be created and maintained by this Compact.

2. Physical systems and administrative policies and procedures for handling cash and for redemption of winning tickets or credit statements issued by electronic games of chance from their receipt by the Tribe to payment of the player, including procedures for receiving and routing incoming prize claims.

(ii) An itemized statement of gross receipts from all

class III gaming and all class II gaming conducted at a class III facility, and of accounts receivable;

(iii) An itemized list of all expenditures, and accounts payable;

(iv) A statement showing the amount available for tribal expenditure.

(b) The Tribal Accounting Office shall create a special account into which class III receipts shall be deposited. Class III receipts shall not be commingled with any other tribal funds. Checks drawn on the class III account shall be only be for the following purposes:

(i) The payment of reasonable and necessary expenses incurred in the operation of the class III facility; or (ii) those purposes listed at sec. 504.3(b).

(c) Class III gaming operations shall be subject to an annual outside audit which shall include all contracts for supplies, services, or concessions for a contract amount in excess of \$25,000 annually, except for professional legal or accounting services, related to class III gaming.

505.6m - Class III Gaming - Off Reservation. Reserved.

Section 506 - Violations

506.1. PROHIBITED ACTIVITIES. It shall be unlawful and prohibited activity for any person to:

- (a) Violate the terms of this ordinance in any way; or
- (b) Conduct a bingo game or occasion, raffle, other class II gaming, or class III gaming within the boundaries of the reservation except in conformity with this ordinance; or
- (c) Act or scheme in any way to influence the conduct or result of any gaming activity or the determination of the winner thereof;

or

(d) Act or scheme in any way to deprive the Tribe of the income or proceeds of any portion thereof from gaming activities.

(e) Misrepresent on an application, form, or in any interview any material fact related to his or her qualifications for a license under this chapter or for any gaming-related employment.

506.2. PENALTY. For commission of any of the prohibited activities in sec. 506.1, the violator shall be subject to the following penalties:

(a) A civil remedial forfeiture of up to \$5,000.00 for each violation.

(b) Seizure and forfeiture of all property used in the violation;

(c) Discipline or discharge from Tribal employment;

(d) Referral to state or federal authorities for criminal prosecution; and/or

(e) Such civil remedies as the Tribe may have available to recover any losses caused by or associated with such violations.

506.3. ENFORCEMENT.

(a) Jurisdiction is hereby conferred upon the Tribal Court over actions for violation of this ordinance under the procedures set forth in the Tribal Court Code.

(b) The provisions of this ordinance shall be enforced by all Tribal law enforcement officers. In addition, federal, state, and local law enforcement officers are hereby authorized to enforce the provisions of this ordinance.

(c) In addition to the penalties set forth in 506.2, the court, upon conviction, shall order payment of appropriate court costs.

Section 506 - Repealer

The Bad River Tribal Bingo and Raffle Control Ordinance is hereby repealed as of the date of enactment hereof. All other ordinances or portions thereof inconsistent or in conflict with this ordinance are hereby repealed to the extent of the inconsistency only.

