

NATIONAL
INDIAN
GAMING
COMMISSION

JUN 21 1996

Ralph Darden, Chairman
Chitimacha Tribe of Louisiana
P.O. Box 661
Charenton, Louisiana 70523

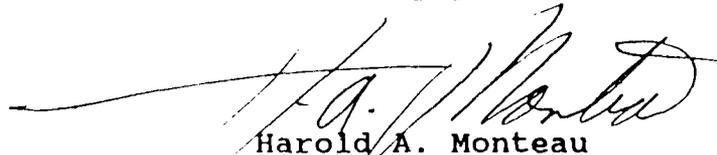
Dear Chairman Darden:

This letter responds to your request to review and approve the amendment to the tribal gaming ordinance of the Chitimacha Tribe of Louisiana. The amendment to the ordinance was adopted by the Tribe by Resolution No. 1-96 on February 1, 1996. This letter constitutes such approval under the Indian Gaming Regulatory Act (IGRA).

Under the IGRA and the regulations of the National Indian Gaming Commission (NIGC), the Chairman is directed to review amendments to ordinances with respect to the requirements of the IGRA and the implementing regulations. Thus, the scope of the Chairman's review and approval is limited to the requirements of the IGRA and the NIGC regulations.

Thank you for submitting the amendment to the tribal gaming ordinance of the Chitimacha Tribe of Louisiana. The NIGC staff and I continue to look forward to working with you and the Tribe in implementing the IGRA.

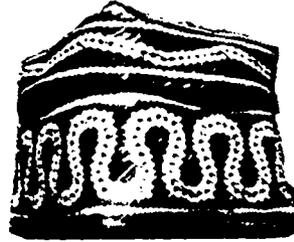
Sincerely yours,



Harold A. Monteau
Chairman

cc Robert J. Carroll,
Chairman, Chitamacha Gaming Commission

CHITIMACHA TRIBE OF LOUISIANA



P. O. BOX 661
CHARENTON, LA. 70523
318-923-4973

MAR 12 1996

CHITIMACHA TRIBAL COUNCIL ORDINANCE # 1-96

WHEREAS, *the Chitimacha Tribe of Louisiana is a Native American Indian Tribe organized under the Indian Reorganization Act of 1934; and*

WHEREAS, *the Chitimacha Tribe is a sovereign Indian Nation and recognized as such by the United States of America; and*

WHEREAS, *the Chitimacha Tribal Council is the duly elected governing body of the Tribe, as authorized by Article V, Section 1 of the Constitution and Bylaws adopted by the People of the Chitimacha Tribe and approved by the Secretary of the Interior; and*

WHEREAS, *the Chitimacha Tribal Council, being the governing body of a sovereign nation, has the authority and responsibility of providing for the health, education, safety and welfare of the Chitimacha People; and*

WHEREAS, *the Chitimacha Tribe of Louisiana owns the Cypress Bayou Casino, a Native American gaming enterprise operated pursuant to the provisions of the Indian Gaming Regulatory Act, the Tribal State Compact, and the Ordinances of the Chitimacha Tribe and the Regulations of the Chitimacha Gaming Commission; and*

WHEREAS, *the Chitimacha Tribe, in order to promote the comprehensive and effective regulation of all gaming activities at said Cypress Bayou Casino, previously adopted Title XII - Gaming Ordinance to the Chitimacha Comprehensive Codes of Justice, inclusive of the establishment of the Chitimacha Gaming Commission; and*

WHEREAS, *gaming activities commenced on or about December 17, 1993, and have occurred continuously through the present day; and*

WHEREAS, *during the aforementioned period of operation of the Cypress Bayou Casino, significant expansion activities have occurred which have resulted in a substantial increase in the scope and size of the gaming facility and in the number of staff of the gaming operation, all of which has increased the duties and responsibilities of the Gaming Commission; and*

WHEREAS, *the Chitimacha Tribal Council has determined and reiterates that gaming activities shall always be conducted with absolute integrity and pursuant to the most rigorous and comprehensive Gaming Commission oversight possible; and*

ORDINANCE # 1-96
PAGE TWO

WHEREAS, the structure and operational framework of the Gaming Commission must likewise undergo revision and expansion to achieve the continuation of the Tribal Council's mandate to ensure the comprehensive and effective regulation of gaming activities; and

WHEREAS, pursuant to same, the Tribal Council recognizes the need for amendments to Title XII - Gaming Ordinance of the Chitimacha Comprehensive Codes of Justice, consisting of the revision of Sections 509, 511 through 523 and the addition of Section 526 ;

WHEREAS, in accordance with the Procedural Guidelines for Implementation of Ordinances and Revisions, official notice of same was published before the Chitimacha People , with no adverse comments being received.

THEREFORE BE IT RESOLVED, that the Chitimacha Tribal Council hereby amends Title XII- Gaming Ordinance with the revision of Sections 509, 511 through 523 and the addition of Section 526, as set forth in the attached revised document.

BE IT FURTHER RESOLVED, that the aforementioned , shall become effective upon approval of this ordinance by the Chitimacha Tribal Council and the National Indian Gaming Commission.

CERTIFICATION

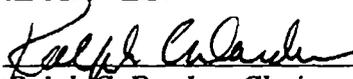
I the undersigned, as Secretary-Treasurer of the Chitimacha Tribal Council, certify that the Tribal Council is composed of 5 members of whom 5 were present at a regular scheduled meeting, called, convened and held this 1st day of February, 1996, and that the foregoing ordinance was duly adopted at such meeting by the affirmative vote of 4 members for, 0 members against, and 0 members abstaining; pursuant to the authority contained under Article VII, Section 1 of our Tribal Constitution and Bylaws approved January 14, 1971.

ATTEST:



Peggy Gaddy, Secretary-Treasurer

APPROVED:



Ralph C. Darden, Chairman

gaming. The Tribe shall provide the St. Mary Parish with notice of the date and amount of each such contribution at the time that it is made. These contributions shall not impose any additional obligations or liabilities upon the Tribe and shall be limited to the following:

(A) Commencing the second year of Class III gaming activities, the Tribe shall contribute two (2%) percent of the net revenues from the conduct of Class III gaming.

(B) Commencing the third year of Class III gaming activities, the Tribe shall contribute four (4%) percent of the net revenues from the conduct of Class III gaming.

(C) Commencing the fourth year of Class III gaming activities and thereafter, the Tribe shall contribute six (6%) percent of the net revenues from the conduct of Class III gaming.

(Added by Ordinance #9-93; Adopted: May 10, 1993; Effective: September 24, 1993)

Sec. 508. Audit Authorization.

Outside audits of Class III gaming activity shall be conducted at least annually as required by 25 U.S.C. 2710(b)(2)(c). The Tribe may combine this audit with existing independent audit systems or may establish a new system. The Tribe shall further provide for independent audit, at least annually, 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) relating to Class III gaming. The results of these audits shall be provided by the Tribe to the National Indian Gaming Commission.

(Added by Ordinance #9-93; Adopted: May 10, 1993; Effective: September 24, 1993)

Sec. 509. Tribal Gaming Commission - Creation.

There is hereby authorized and created the Chitimacha Gaming Commission. The Tribal Commission shall consist of three members, two of whom shall be associate members and one of whom shall be Chairman, and at least two of which must be members of the Tribe. The Chairman and members

shall devote such time and attention to their duties as is necessary to completely fulfill their responsibilities. All members shall be appointed by the Tribal Council which shall also set their terms of compensation. Prior to appointment, the Tribe shall conduct an investigation of the backgrounds and personal histories of candidates for positions on the Tribal Commission in order to insure that no person may serve on the Tribal Commission unless they meet the licensing standards otherwise applicable to applicants for a Tribal gaming license. Vacancies shall be filled, on an interim or permanent basis, by appointment of the Tribal Council. No member of the Tribal Commission, nor any member of the immediate family of any member of the Tribal Commission may:

(A) Be employed in the operations of Class II or III gaming.

(B) Participate in any gaming activity offered by the Tribe in its gaming facilities.

(C) Solicit or accept employment from any person or entity licensed by the Tribal Commission either during a member's term or for a period of one (1) year thereafter, provided, however, that this restriction shall not apply to persons or entities licensed to provide non-gaming goods or services.

(D) During the members's term, own any securities of, or any ownership interest whatsoever in, any entity licensed by the Tribal Commission, provided, however, that this restriction shall not apply to publicly held corporations if the ownership therein is less than 5% .

(Added by Ordinance #9-93; Adopted: May 10,1993; Effective:September 24,1993;Revised by Ordinance #1-96 ;Adopted: February 1, 1996;Effective:)

Sec. 510. Tribal Commission - Terms of Office; Removal From Office.

Initial appointment to the Tribal Commission shall be for terms as follows:

(A) The Chairman for a term of three (3) years.

(B) One associate member for a term of two (2) years.

(C) One associate member for a term of one (1) year.

After the initial appointments, all members shall serve for a term of three (3) years. There shall be

no limitation on the number of terms which any member may serve. Each member shall serve for the duration of his or her term and until a successor shall be duly appointed and qualified, provided, however, that in the event a successor is not duly appointed and qualified within 120 days after the expiration of a member's term, a vacancy shall be deemed to exist. Members of the Tribal Commission may be removed with cause by a majority vote of the Tribal Council. Cause for removal shall include, but not be limited to, misconduct in office, willful neglect of duty, unfitness for office and incompetence. Members of the Tribal Commission may be removed without cause by a unanimous vote of the Tribal Council. Any member shall automatically forfeit his or her office upon conviction of any crime enumerated in Title 14 of the Louisiana Revised Statutes which carries a maximum possible penalty of five (5) years or more, or upon conviction of any like crime in any other jurisdiction, or upon conviction of any federal crime.

(Added by Ordinance #9-93; Adopted: May 10, 1993; Effective: September 24, 1993)

Sec. 511. Executive Director.

There is hereby created within the Tribal Commission the position of Executive Director. The Executive Director shall be appointed by the Tribal Council which shall also set the Executive Director's terms of compensation. The Executive Director shall report and be accountable to the Tribal Commission; shall be responsible for supervision and administration of all of the operational responsibilities of the Tribal Commission, and shall carry out the policies promulgated by the Tribal Commission. The Executive Director shall serve on a full-time basis. Prior to appointment, the Tribe shall conduct an investigation of the background and personal history of the candidate for Executive Director in order to insure that no person may serve as Executive Director unless that person meets the licensing standards otherwise applicable to applicants for a Tribal gaming license. The restrictions applicable to Commissioners and the immediate family of Commissioners pursuant to Section 509 of this Ordinance shall be similarly applicable to the Executive Director and the immediate family of the Executive Director. At any time

during which there exists a vacancy in the office of Executive Director, the duties and responsibilities of the Executive Director shall be performed by the Chairman.

(Revised by Ordinance # 1-96; Adopted: February 1, 1996 ;Effective:)

Sec. 512 General Counsel.

There is hereby created within the Tribal Commission the office of the General Counsel, the General Counsel shall represent the interests of the Commission in all legal respects. The General Counsel shall represent the Commission on all contested matters, shall attend such meetings of the Commission as may be practicable upon the request of the Commission, and shall advise the Commission on all legal questions and shall assist the Commission in the proper administration of its affairs.

(Revised by Ordinance # 1-96; Adopted: February 1, 1996; Effective:)

Sec. 513. Tribal Commission - Duties and Responsibilities.

The Tribal Commission shall have primary responsibility for establishment of regulatory policy, and, through its agents and employees, for the on-site regulation, control and security of the Class III gaming facilities and operations. Thus administered, the responsibilities of the Tribal Commission shall include:

- (A) The physical safety of patrons in the gaming facilities and operation.
- (B) The physical safety of personnel employed by the gaming facilities and operation.
- (C) The physical safeguarding of assets transported to and from the gaming facilities and cashier's cage department.
- (D) Protecting the gaming facilities and operation from illegal activity.
- (E) Identifying all people and entities that may be involved in illegal activity for the purpose of notifying the State and, when appropriate, the Tribal Police Department.
- (F) The recording of all unusual occurrences within the gaming facilities and operation.

Without regard to significance or injury, each occurrence shall be assigned a sequential number and,



at a minimum, the following information shall be recorded in indelible ink in a bound notebook from which pages cannot be removed and each side of each page is sequentially numbered:

- (1) the assigned number;
- (2) the date;
- (3) the time;
- (4) the nature of the incident;
- (5) the persons or entities involved in the incident; and
- (6) the security or Tribal Gaming Commission employees assigned.

(G) The Tribal Commission shall employ duly qualified Compliance Officers who shall be the functional equivalent of "Inspector" as that term is defined in Section 8, in the Tribal-State Compact and shall be independent of the gaming premises and operation as well as the management company, and shall be supervised by and be accountable to the Executive Director. These Compliance Officers shall provide oversight to the services of any management company and any other service entities. These Compliance Officers shall report to the Executive Director regarding the failure by the Tribal gaming premises or operation to comply with any provision of the Compact, or with any applicable laws, ordinances, or regulations. The Executive Director shall, in turn, report such failures to the Tribal Commission. Compliance Officers shall receive patron complaints within the gaming premises and operation, and shall assist in seeking voluntary resolution of such complaints. The Tribal Commission, through its staff, shall investigate any report of a failure to comply with any provision of the Compact, or with any applicable laws, ordinances, or regulations. The Tribal Commission, upon receipt of reports from staff, may direct the terms and conditions of compliance to the Tribal gaming premises and operation. As a condition of employment, Compliance Officers shall be required to satisfy the standards applicable to a Tribal license and a State certification. The terms of compensation of the Compliance Officers shall be established by the Tribal Commission.

(H) The Tribal Commission shall be present in the gaming premises and operation during all

hours of operation through a Commission Inspector, and shall have immediate access to all areas of the gaming premises and operation for the purpose of ensuring compliance with the provisions of the Compact and Tribal ordinances. Any violation of the Compact or Tribal ordinances by the Tribal gaming premises or operation, gaming employee, or any other person, shall be reported immediately to the Tribal Commission, and shall be forwarded to the State and the Tribal Police within twenty-four (24) hours of the time the violation was noted.

(I) The Tribal Commission, through its staff shall investigate any reported violation of the Compact, and shall require the Tribal gaming operation to correct the violation upon such terms and conditions as directed by the Tribal Commission. The Tribal Commission is empowered to impose fines and any other sanctions against any licensee, employee, or any other person or entity directly or indirectly involved in or benefitting from the gaming premises or operation. The procedures for the imposition of such fines and sanctions are as contained in the Appendices to the Compact.

(J) Upon completion, the Tribal Commission shall forward copies of all investigation reports and final dispositions to the State and the Tribal Police.

(K) The Tribal Commission shall conduct all licensing duties imposed upon the Tribe pursuant to Sections 6 and 7 of the Compact and Section 412 of this Ordinance. The Tribal Commission will perform background investigations and issue licenses to key employees and primary management officials according to the requirements at least as stringent as those in the regulations of the National Indian Gaming Commission at 25 C.F.R. Parts 556 and 558.

The Tribal Commission shall ensure that the following policies and procedures set out in this Sub-section are established and implemented with respect to key employees and primary management officials employed at any Class II or Class III gaming enterprise operated on the Chitimacha Indian lands:

(1) **Definitions.**

(a) **Key employee means**

(i) A person who performs one or more of the following functions:

- Bingo caller;
- Counting room supervisor;
- Chief of security;
- Custodian of gaming supplies or cash;
- Floor manager;
- Pit boss;
- Dealer;
- Croupier;
- Approver of credit; or
- Custodian of gambling devices including persons with access to cash and accounting records within such devices;

(ii) If not otherwise included, any other person whose total cash compensation is in excess of \$50,000.00 per year; or

(iii) If not otherwise included, the four most highly compensated persons in the gaming operation.

(b) **Primary management official means**

(i) The person having management responsibility for a management contract;

(ii) Any person who has authority:

- (1) To hire and fire employees; or
- (2) To set up working policy for the gaming operation; or
- (3) The chief financial officer or other person who has financial management responsibility.

(2) Application Forms

- (a) The following notice shall be placed on the application form for a key employee or a primary management official before that form is filled out by an applicant:

In compliance with the Privacy Act of 1974, the following information is provided: Solicitation of the information on this form is authorized by 25 U.S.C. 2701 et seq. The purpose of the requested information is to determine the eligibility of individuals to be employed in a gaming operation. The information will be used by National Indian Gaming Commission members and staff who have need for the information in the performance of their official duties. The information may be disclosed to appropriate Federal, Tribal, State, local or foreign law enforcement and regulatory agencies when relevant to civil, criminal or regulatory investigations or prosecutions or when pursuant to a requirement by a tribe or the National Indian Gaming Commission in connection with the hiring or firing of an employee, the issuance or revocation of a gaming license, or investigations of activities while associated with a tribe or a gaming operation. Failure to consent to the disclosures indicated in this notice will result in a tribe's being unable to hire you in a primary management official or key employee position.

The disclosure of your Social Security Number (SSN) is voluntary. However, failure to supply a SSN may result in errors in processing your application.

- (b) Existing key employees and primary management officials shall be notified in writing that they shall either:

- (i) Complete a new application form that contains a Privacy Act notice; or
- (ii) Sign a statement that contains the Privacy Act notice and consent to the routine uses described in that notice.

- (c) The following notice shall be placed on the application form for a key employee or a primary official before that form is filled out by an applicant.

A false statement on any part of your application may be grounds for not hiring you, or for firing you after you begin work. Also, you may be punished by fine or imprisonment. (U.S.C., Title 18, Section 1001)

- (d) The Tribal Commission shall notify in writing existing key employees and

primary management officials that they shall either:

- (i) Complete a new application form that contains a notice regarding false statements; or
- (ii) Sign a statement that contains the notice regarding false statements.

(3) Background Investigations

(a) The Tribal Commission shall request from each primary management official and from each key employee all of the following information:

- (i) Full name, other names used (oral or written), social security number(s), birth date, place of birth, citizenship, gender, all languages (spoken or written);
- (ii) Currently and for the previous 5 years: business and employment positions held, ownership interests in those businesses, business and residence addresses, and drivers license numbers;
- (iii) The names and current addresses of at least three personal references, including one personal reference who was acquainted with the applicant during each period of residence listed under paragraph (1)(b) of this section;
- (iv) Current business and residence telephone numbers;
- (v) A description of any existing and previous business relationships with Indian tribes, including ownership interests in those businesses;
- (vi) A description of any existing and previous business relationships with the gaming industry generally, including ownership interests in those businesses;
- (vii) The name and address of any licensing or regulatory agency with

which the person has filed an application for a license or permit related to gaming, whether or not such license or permit was granted;

(viii) For each felony for which there is an ongoing prosecution or a conviction, the charge, the name and address of the court involved, and the date and disposition, if any;

(ix) For each misdemeanor conviction or ongoing misdemeanor prosecution (excluding minor traffic violations) within 10 years of the date of the application, the name and address of the court involved and the date and disposition;

(x) For each criminal charge (excluding minor traffic charges) whether or not there is a conviction, if such criminal charge is within 10 years of the date of the application and is not otherwise listed pursuant to paragraph (a)(viii) or (a)(ix) of this section, the criminal charge, the name and address of the court involved and the date and disposition;

(xi) The name and address of any licensing or regulatory agency with which the person has filed an application for an occupational license or permit, whether or not such license or permit was granted;

(xii) A photograph;

(xiii) Any other information the tribe deems relevant; and

(xiv) Fingerprints consistent with the procedures adopted by the tribe according to 25 C.F.R. Section 522.2(h).

(b) The Tribal Commission shall conduct an investigation sufficient to make a determination under Sub-section (4) below. In conducting a background investigation, the Tribal Commission or its agent shall promise to keep

confidential the identity of each person interviewed in the course of the investigation.

(4) Eligibility Determination

The Tribal Commission shall review a person's prior activities, criminal record, if any, and reputation, habits and associations to make a finding concerning the eligibility of a key employee or primary management official for employment in a gaming operation. If the Tribal Commission determines that employment of the person poses a threat to the public interest or to the effective regulation of gaming, or practices and methods and activities in the conduct of gaming, a tribal gaming operation shall not employ that person in a key employee or primary management official position.

(5) Procedures for Forwarding Applications and Reports for Key Employees and Primary Management Officials to the National Indian Gaming Commission.

(a) When a key employee or primary management official begins work at a gaming operation authorized by this Ordinance, the Tribal Commission shall forward to the National Indian Gaming Commission a completed application for employment and conduct the background investigation and make the determination referred to in Sub-section 4 of this Ordinance.

(b) The Tribal Commission shall forward the report referred to in Sub-section K(6) of this Section to the National Indian Gaming Commission within 60 days after an employee begins work or within 60 days of the approval of the governing Chitimacha Tribal Gaming Ordinance by the Chairman of the National Indian Gaming Commission.

(c) The gaming operation shall not employ as a key employee or primary management official a person who does not have a license after 90 days.

(6) Report to the National Indian Gaming Commission

(a) Pursuant to the procedures set out in Sub-section K(5) of this Section, the Tribal Commission shall prepare and forward to the National Indian Gaming Commission an investigative report on each background investigation. An investigative report shall include all of the following:

- (i) Steps taken in conducting a background investigation;
- (ii) Results obtained;
- (iii) Conclusions reached; and
- (iv) The basis for those conclusions.

(b) The Tribal Commission shall submit, with the report, a copy of the eligibility determination made under Sub-section K(4) of this Ordinance.

(c) If a license is not issued to an applicant, the Tribal Commission:

- (i) Shall notify the National Indian Gaming Commission; and
- (ii) May forward copies of its eligibility determination and investigative report (if any) to the National Indian Gaming Commission for inclusion in the Indian Gaming Individuals Records System.

(d) With respect to key employees and primary management officials, the Tribal Commission shall retain applications for employment and reports (if any) of background investigations for inspection by the Chairman of the National Indian Gaming Commission or his or her designee for no less than three (3) years from the date of termination of employment.

(7) Granting a Gaming License

(a) If, within a thirty (30) day period after the National Indian Gaming Commission notifies the tribe that it has no objection to the issuance of a

license pursuant to a license application filed by a key employee or a primary management official for whom the Tribal Commission has provided an application and investigative report to the National Indian Gaming Commission, the Tribal Commission may issue a license to such applicant.

(b) The Tribal Commission shall respond to a request for additional information from the Chairman of the National Indian Gaming Commission concerning a key employee or a primary management official who is the subject of a report. Such a request shall suspend the 30-day period under paragraph (7)(a) of this Ordinance until the Chairman of the National Indian Gaming Commission receives the additional information.

(c) If, within the thirty (30) day period described above, the National Indian Gaming Commission provides the Tribal Commission with a statement itemizing objections to the issuance of a license to a key employee or to a primary management official for whom the Tribal Commission has provided an application and investigative report to the National Indian Gaming Commission, the Tribal Commission shall reconsider the application, taking into account the objections itemized by the National Indian Gaming Commission. The Tribal Commission shall make the final decision whether to issue a license to such applicant.

(8) License Suspension

(a) If, after the issuance of a gaming license, the Tribal Commission receives from the National Indian Gaming Commission reliable information indicating that a key employee or a primary management official is not eligible for employment under Sub-section (K) above, the Tribal Commission shall suspend such license and shall notify in writing the licensee of the suspension and the

proposed revocation.

(b) The Tribal Commission shall notify the licensee of a time and a place for a hearing on the proposed revocation of a license.

(c) After a revocations hearing, the Tribal Commission shall decide to revoke or to reinstate a gaming license. The Tribal Commission shall notify the National Indian Gaming Commission of its decision.

(9) **License Locations**

The Tribal Commission shall issue a separate license to each place, facility or location on Indian lands where Class II or Class III gaming is conducted under the governing Ordinance.

(L) If the National Indian Gaming Commission has received an investigative report concerning an individual whom the Tribe wishes to employ as a key employee or primary management official and if the Tribe has access to the investigative materials held by another tribe, the Tribe may update the investigation and update the investigative report under Section 556.5(b) of the regulations of the National Indian Gaming Commission.

(M) A gaming operation shall not employ in a key employee or primary management official position a person who has supplied materially false or misleading information or who has omitted material information with respect to the required information under sub-paragraph (K) of this Section.

(Added by Ordinance #9-93; Adopted: May 10,1993; Revised by Ordinance #11-93; Adopted: September 14,1993; Effective: September 24,1993;Revised by Ordinance #1-96; Adopted: February 1, 1996; Effective:)

Sec. 514. Tribal Gaming Commission - Procedures.

(A) Regular meetings of the Tribal Commission shall be held at least once per month on a regularly scheduled basis, which schedule shall be fixed by the Tribal Commission. Unless otherwise specified by the Tribal Commission, no notice of such regular meetings shall be necessary.

(B) Special meetings of the Tribal Commission may be called by the Chairman, who shall fix

the time and place thereof. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the Tribal Commission needs to be specified in the notice of the meeting.

(C) At any meeting of the Tribal Commission, a majority of the members then in office shall constitute a quorum for the transaction of business. The vote of a majority of the members present at a meeting at which a quorum is present shall be the act of the Tribal Commission. The Chairman shall preside at all meetings of the Commission unless the Chairman designates another member to preside in his absence.

(D) Any action required or permitted to be taken at a meeting of the Tribal Commission may be taken without a meeting if all of the members sign written consents setting forth the action taken or to be taken, at any time before or after the intended effective date of such action. Such consents shall be filed with the minutes of the Tribal Commission, and shall have the same effect as a unanimous vote or resolution of the Tribal Commission at a legal meeting thereof. Any such action taken by unanimous written consents may, but need not be, set forth in such consents in the form of resolutions or votes.

(E) Members of the Tribal Commission may participate in a meeting of the Tribal Commission by means of conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other, and participation in a meeting in such matter by any member who does not object at the beginning of such meeting to the holding thereof in such manner shall constitute presence in person at such meeting.

(F) No action of the Tribal Commission to impose a penalty pursuant to section 513 of this Ordinance, or to revoke a license for a gaming employee previously issued by the Tribal Commission, shall be valid unless the person affected is given at least ten days notice of the proposed action and the opportunity to appear and be heard before the Tribal Commission, either in person or through a representative or legal counsel, and to submit such evidence as the Tribal Commission deems relevant to the matter at issue. The time and place of the hearing shall be posted in the Tribal office, and, if

time permits, in a local newspaper serving the Reservation; provided, however, that if the Tribal Commission deems it necessary to protect the public interest in the integrity of the gaming activities, the Tribal Commission may take such action with immediate effect as it deems required, and shall thereupon provide notice and an opportunity to be heard to the affected person as soon as is reasonably practicable following such action. Any person who is denied an initial gaming employee license or who is barred from the gaming facilities by action of the Tribal Commission may request a hearing before the Tribal Commission by written request submitted within thirty days following receipt of notice of the action of the Tribal Commission, and the Tribal Commission shall thereupon afford an opportunity to appear and be heard before the Tribal Commission, either in person or through a representative or legal counsel, and to submit such evidence as the Tribal Commission deems relevant to the matter at issue and thereafter the Tribal Commission shall either affirm or reconsider its decision. Any hearing conducted under this sub-section may at the direction of the Tribal Commission be conducted by the Chairman or by one or more members of the Commission designated by the Chairman for that purpose.

(G) The Tribal Commission may adopt such additional procedures and rules as it deems necessary or convenient to govern its affairs and which are consistent with this Ordinance.

(Added by Ordinance #9-93; Adopted: May 10, 1993; Effective: September 24, 1993; Revised by Ordinance #1-96; Adopted: February 1, 1996; Effective:)

Sec. 515. Authorization to Tribal Commission to Adopt Regulations for Class III Gaming.

Prior to the commencement of Class III gaming, and upon the concurrence of the State, the Tribe hereby authorizes the Tribal Commission to develop and adopt initial detailed regulations to govern the operation and management of the gaming premises. These regulations shall ensure that the interests of the Tribe and the State relating to Class III gaming are preserved and protected. The regulations shall maintain the integrity of the gaming operations and shall reduce the dangers of unfair or illegal practices in the conduct of the Class III gaming operation. The initial regulations to

govern the operation and management of the gaming operation shall be listed in Appendix C of the Compact, and may be revised upon the concurrence of the Tribal Commission and the State. The right to object to such concurrence is subject to a prescriptive period of sixty (60) days.

(Added by Ordinance #9-93; Adopted: May 10, 1993; Effective: September 24, 1993; Revised by Ordinance # 1-96; Adopted: February 1, 1996; Effective:)

Sec. 516. Authorization to Tribal Commission to Adopt Standards and Rules for Class III Games.

Prior to the commencement of Class III gaming, and upon the concurrence of the State, the Tribe hereby authorizes the Tribal Commission to develop and adopt initial standards and rules of each Class III game, which shall be based upon those practiced in Nevada, including wagering or play. The State shall review all standards and rules for Class III games to ensure that they do not fundamentally alter the nature of the game, and to ensure the games will be conducted fairly, honestly and with integrity. Such initial standards and rules of each Class III game shall be listed in Appendix C of the Compact, and may be revised upon the concurrence of the Tribal Commission and the State. The right to object to such concurrence is subject to a prescriptive period of ten (10) days.

(Added by Ordinance #9-93; Adopted: May 10, 1993; Effective: September 24, 1993; Revised by Ordinance #1-96; Adopted: February 1, 1996; Effective:)

Sec. 517. Authorization to Tribal Commission to Adopt Procedures for Class III Gaming.

Prior to the commencement of Class III gaming, and upon the concurrence of the State, the Tribe hereby authorizes the Tribal Commission to develop and adopt procedures pursuant to the following requirements. All such procedures shall be listed in Appendix C of the Compact and may be revised upon the concurrence of the Tribal Commission and the State. The right to object to such concurrence shall be subject to a prescriptive period of thirty (30) days. The procedures to be adopted by the Tribal Commission shall include the following:

(A) A surveillance log recording all surveillance activities and a security log recording the employee assignments of the Tribal Commission or security department shall be maintained in the

monitoring room of the gaming facilities. These logs shall be available for inspection by the State.

(B) The Tribal Commission shall maintain a list of persons barred from the gaming facilities and operation, who because of their criminal history or association with a career offender or a career offender organization, threaten the integrity of the gaming activities, or the health, safety, or welfare of the public. This list shall be provided to the State.

(C) Not less than annually, the Tribal gaming facilities and operation shall be audited by an independent Certified Public Accountant, in accordance with the auditing and accounting standards for audits of casinos of the American Institute of Certified Public Accountants. The internal accounting and audit procedures shall become Appendix D to the Compact.

(D) A closed circuit television system shall be maintained in the gaming facilities and operation in accordance with the procedures set forth in Appendix D to the Compact.

(E) A cashier's cage shall be maintained in the gaming facilities and operation in accordance with the procedures set forth in Appendix D to the Compact.

(F) Minimum requirements for supervisory staffing for each table and gaming pit operated in the gaming facilities shall be maintained in accordance with the procedures set forth in Appendix D to the Compact.

(G) Cash control management procedures shall be maintained in accordance with the procedures set forth in Appendix D to the Compact, which shall be adopted in connection with a certified public accounting firm with experience in cash control management procedures. These cash control management procedures shall safeguard monies, receipts, and other assets from skimming, money laundering, embezzlement, and other criminal activities.

(H) To ensure the continued integrity of the Tribal gaming premises and operation, no structural modification within the gaming area shall be made without the consent of the State.

(Added by Ordinance #9-93; Adopted: May 10, 1993; Effective: September 24, 1993; Revised by Ordinance #1-96; Adopted: February 1, 1996; Effective:)

Sec. 518. Tribal Commission - Funding.

The funds necessary to bear the costs of operation of the Tribal Commission shall be an operating expense of the gaming facility. The Tribal Commission shall submit, annually, a proposed budget to the Tribal Council for approval. The Tribal Council may, during the course of a budget term, on request of the Chairman of the Tribal Commission, approve extraordinary expenses.

(Added by Ordinance #9-93; Adopted: May 10,1993; Effective: September 24,1993; Revised by Ordinance #1-96; Adopted: February 1, 1996; Effective:)

Sec. 519. General Operation and Management Regulations.

The Tribe hereby adopts the regulations and operational guidelines set forth in Section 10 of the Compact as follows:

(A) All Class III gaming shall be conducted in such a manner that ensures, to the maximum extent practicable, that it is secure, honest, and that the interests of the Tribe, the State, and the public are protected at all times. The State shall fully cooperate with and assist the Tribe in meeting its obligations in this regard.

(1) All gaming premises that are used in the operation of Class III gaming shall be designed and constructed in such a manner as to preserve and to protect the health and safety of the public and the environment. All such premises shall comply with the standards and procedures established by or utilized in the State in its building and fire codes, even though those standards do not otherwise apply to premises built or owned by the Tribe on its Indian lands. The Tribal Commission shall review and approve all plans for construction and expansion of the gaming premises in order to ensure that they meet the standards established herein.

(2) The Tribe shall comply with all applicable Tribal, State and Federal law governing the purchase, sale, and serving of alcoholic beverages in any gaming facility. Nothing herein shall be deemed to give any authority, licensing or otherwise, to the Parish with respect to such purchase, sale, or serving. No person who is visibly intoxicated shall

be permitted to participate in any gaming activity.

(3) (a) No person who is a minor under the age of twenty-one (21) shall participate in any gaming activity. If any such minor does participate in any gaming activity and otherwise qualifies for a prize or winnings, then the prize or winnings shall not be awarded or paid, and the estimated amount wagered during the course of the game shall be returned to the minor.

(b) In the event that the State amends the Louisiana Riverboat Economic Development and Gaming Control Act or the Louisiana Economic Development and Gaming Corporation Act to allow gaming by persons under the age of twenty-one (21), then the age limitations in Section 10:(A)(3)(a) of the Compact and in this Ordinance shall be considered amended to the age authorized by the State.

(4) (a) The Tribe will maintain comprehensive general liability and worker's compensation insurance from any admitted or authorized insurer subject to direct action under Louisiana law. Such policies will maintain ample liability and property loss coverage to protect against any foreseeable loss or risk. Such insurance policies will not be on a claims-made basis. The coverage for such loss or risk will be the greater of \$4,000,000 or twice the insurable risk of the insured.

(b) The Tribe will provide proof to the State of continuous coverage upon the issuance, amendment, or renewal of each such policy.

(c) The gaming management company and all other entities contracting with the Tribe will maintain such policies of comprehensive general liability and workers' compensation insurance as required by State law, and will maintain proof of such continuous coverage.

(d) Each such policy of insurance will contain, or be deemed to contain, an exclusion that the insurer or the insured shall not be entitled to make any claim of sovereign immunity in defense of liability, but shall be liable, including court costs and attorneys' fees incurred by the State, for its insured, as though the insured were a Louisiana domiciliary, as well as a provision requiring immediate notice to the State and Tribe of any change in coverage or default or delay in payment of premium or other occurrence which threatens the continuity or amount of coverage.

(e) The Tribe will indemnify, defend, and hold harmless, the claims, damages, losses, or expenses including court costs attorneys' fees asserted against or suffered or incurred by the State or any of them, based upon or arising out of any bodily injury or property damage or loss resulting or claimed to result in whole or in part from any act or omission whether negligent or intentional of the Tribe relating to the inspection of any gaming, gaming premises and operation, or the performance of any function or duty provided for under the Compact or Tribal ordinances regarding public health, safety, and welfare.

(5) All Class III gaming authorized by the Compact shall be on a cash or casino credit basis. The Tribe may cash checks and may install bank card and credit card facilities in the same manner as permitted at retail businesses in the State.

(Added by Ordinance #9-93; Adopted: May 10,1993; Effective: September 24,1993; Revised by Ordinance # 1-96; Adopted: February 1, 1996; Effective:)

Sec. 520. Amendment and Revision of Class III Gaming Procedures, Standards, Rules and Regulations of Tribal State Compact.

Consistent with Section 13: (B) and (C) of the Compact, any revision of the procedures, standards, rules and regulations relating to Class III gaming, may be revised upon the concurrence of the Tribal Commission and the State. Written notice for revision shall be provided, which shall state



the reasons for the request, identify the proposed revisions, and request concurrence for the revisions. Concurrence may be granted in writing, and shall be granted automatically unless a written notice of disagreement is provided within the time specified in the Compact. The right to object to concurrence is subject to the prescriptive period as provided in the Compact. The laws of the State relative to the computation of time shall apply to all prescriptive periods utilized through the Compact. When disagreement has been deemed or upon a notice of disagreement, the Tribal Commission and the State shall meet within ten (10) days to resolve the differences in good faith. If the differences are not resolved, then the matter shall be resolved pursuant to Section 14: (C) et seq. of the Compact.

(Added by Ordinance #9-93; Adopted: May 10,1993; Effective: September 24,1993; Revised by Ordinance # 1-96; Adopted: February 1, 1996; Effective:)

Sec. 521. Authority Given to State of Louisiana to Enforce Tribal-State Compact.

In pursuance of an effective cooperative effort by the Tribe and the State to ensure the integrity and proper operation of all Class III gaming, the Tribe hereby authorizes the following procedures:

(A) The State shall have all necessary power and authority to monitor the Tribal gaming premises and operation, and shall have free and unrestricted access to the entire tract of land upon which the gaming premises and operation are located, as described in Appendix A of the Compact, and to all building and improvements thereon during operating hours, and without giving prior notice. The State shall conduct its monitoring in such a manner as to have minimal impact on the gaming patrons.

(B) The State shall have the authority to review and copy all records of the Tribal gaming premises and operation, management company, financiers, as well as the manufacturers or suppliers of gaming services, supplies, and equipment during normal business hours. Any copy or information derived therefrom shall be deemed confidential, and shall be the proprietary financial information of the Tribe. The State shall give written notice to the Tribe of any request for disclosure of such information, and shall not disclose such information until the Tribe has had a reasonable opportunity to challenge the request, pursue the provisions of Section 14:(C) et seq. of the Compact, or seek judicial

relief. This public disclosure prohibition shall not apply to evidence used in any proceeding authorized by the Compact.

(C) Subject to Section 520 and 522 herein, the State may investigate any reported or suspected violation of any criminal law or the Compact. The State may utilize any information obtained from any investigation or inspection for the purpose of denying, suspending, or revoking a State certification, or in any criminal proceeding.

(D) Upon completion, the State shall forward copies of all investigative reports and final dispositions to the Commission.

(E) Any individual, supply, or equipment that violates or does not conform with this Compact shall be subject to immediate removal from the gaming area to a designated holding area within the gaming premises, which is not accessible to the public. Once the individual, supply, or equipment is removed to the holding area, specific reasons shall be provided to an Inspector as to why the individual, supply, or equipment violates or does not conform with the Compact. If the Tribe and the State disagree on the status of the individual, supply, or equipment, the matter shall be resolved pursuant to Section 14:(C) et seq. of the Compact, and the individual supply or equipment shall not be returned to the gaming area until the matter is resolved. This procedure shall in no manner affect the authority of the Tribe or the State to enforce any and all jurisdictional rights and limitations granted them by this ordinance or by Tribal, State, and Federal laws as to any crimes committed as a result of activities contemplated by the Compact.

(F) Notwithstanding any other law to the contrary, the State may enter into intelligence sharing, reciprocal use, or restricted use agreements with the enforcement or regulatory agencies of the federal government, States, or other jurisdictions.

(G) Nothing herein shall prevent the Tribe from initiating and conducting independent investigations and enforcement actions.

(Added by Ordinance #9-93; Adopted: May 10, 1993; Effective: September 24, 1993; Revised by Ordinance # 1-96; Adopted: February 1, 1996; Effective:)

Sec. 522.

Territorial and General Jurisdiction.

The Tribe further finds and acknowledges that:

(A) The Tribe and the State shall recognize and respect all territorial rights and the independent sovereign existence of each other, and shall:

(1) Accord the fullest mutual respect to the legal institutions and cultural traditions of the Tribe and the State, insofar as they are consistent with preserving and protecting the health, safety, and welfare of all.

(2) Have all necessary concurrent jurisdiction to fully ensure the protection of the public, the Tribe and the State.

(3) Avoid any undue adverse impact or expansive influence on traditional Tribal jurisdiction mechanisms, such as Tribal discussion and consensus, and on non-traditional but Tribally - adopted written jurisdictional mechanisms, such as the actions of representative bodies like Tribal commissions, boards, or courts, as these jurisdictional mechanisms pertain to Tribal jurisdiction over Tribal members. This intent to respect such existing intra-Tribal jurisdictional mechanisms applies particularly, but not exclusively, to those related to the recognition of the Tribe as possessing powers of self-government.

(B) The Tribe, and the State did retain all sovereignty and immunity to suit when discussing, negotiating, or confecting the Tribal-State Compact. The Tribe and the State intended and agreed that all issues purely of Tribal law are to be determined in accordance with the legal mechanisms of the Tribe, and that all other issues are to be determined in accordance with the provisions of the Tribal-State Compact and the legal mechanisms of the State.

(C) In the interest of clarity of authority, and to preserve and to protect the health, safety, and welfare of all, the Tribe and the State shall:

(1) Preserve the full territorial and subject matter jurisdiction of the Tribe.

- (2) Preserve the full territorial and subject matter jurisdiction of the State.
- (3) Accord the State full territorial jurisdiction as well as concurrent and primary law enforcement authority within the lands of the Tribe and the State when exercising any subject matter jurisdiction accorded the State pursuant to this Tribal-State Compact. The jurisdiction and law enforcement authority accorded by the Tribe to the State by this Section is limited to the territory contained in Appendix A to the Compact and identified as the gaming premises and appurtenant parking facilities. This latter jurisdictional and territorial limitation is likewise applicable to Section 3:(A)(3) of the Compact and in Section 522(C) of this Ordinance insofar as the subject matter jurisdiction accorded to the State concerning criminal law and Class III gaming. No other extension or expansion of criminal law or Class III gaming subject matter jurisdiction is consented to nor authorized by this Ordinance.
- (4) Accord the Tribe, including its duly constituted Tribal law enforcement authorities, full territorial jurisdiction, as well as concurrent and secondary law enforcement authority within the lands of the Tribe and within any Parishes where they have been duly commissioned by a local law enforcement agency, when exercising any subject matter jurisdiction accorded the Tribe pursuant to this Tribal-State Compact, or when exercising the authority accorded to the Tribe pursuant to any agreements made with a local law enforcement agency.

(D) The Tribe and the State shall be available to meet and discuss with local communities on issues relative to the conduct of Class III gaming and its impact upon the local communities.

(Added by Ordinance #9-93; Adopted: May 10,1993; Effective: September 24,1993; Revised by Ordinance # 1-96; Adopted: February 1, 1996; Effective:)

Sec. 523. Criminal Law Subject Matter Jurisdiction Within Gaming Premises and Appurtenant Parking Facilities.

(A) Consistent with the provisions of Sections 3, 4 and 5 of the Compact, the State shall have

primary criminal jurisdiction over all persons including enrolled members of federally recognized Indian tribes, who commit offenses made criminal by the laws of the United States of America or the State, on or within that portion of tribal gaming lands that are described in Appendix A of the Compact. Any criminal law subsequently enacted or amended by the United States of America or the State shall be effective within this area, and shall be the primary enforcement responsibility of the State.

(B) All federal criminal laws applicable to Indian gaming, lands, or subject matter shall be fully operative, assimilated as State law, and applicable within all gaming premises and appurtenant parking facilities.

(C) All criminal laws of the Tribe that are written, promulgated, and published in the English language, and are not inconsistent with the Constitution or laws of the United States of America or of the State, shall be fully operative, assimilated as State law, and applicable within all Tribal lands within the Reservation inclusive of those gaming premises and appurtenant parking facilities.

(Added by Ordinance #9-93; Adopted: May 10,1993; Effective: September 24,1993; Revised by Ordinance # 1-96; Adopted: February 1, 1996; Effective:)

Sec. 524. Law Enforcement Authority Within the Gaming Premises and Appurtenant Parking Facilities.

Consistent with the provisions of Section 3, 4 and 5 of the Compact, and within the respective applicable territorial limits provided in same, the following sections set forth the respective law enforcement authority of the Tribe and the State:

(A) The duly constituted Tribal law enforcement authorities of the Tribe shall have primary law enforcement authority, and all necessary or helpful powers in connection therewith, to enforce all Tribal criminal laws applicable under the Compact. The laws of the State may be enforced by the Tribal law enforcement authorities on non-Tribal lands where the Tribal law enforcement authorities have been duly commissioned by a local law enforcement agency. By written request of the Tribe, local, State, or federal law enforcement officers may be granted authority to enforce Tribal criminal laws.

(B) The Tribe shall have concurrent law enforcement authority, and all necessary or helpful powers in connection therewith, to enforce all State and federal criminal laws made applicable by the compact. This concurrent law enforcement authority shall be secondary to that of the State. This concurrent law enforcement authority may be initiated in emergency situations by arrest or other appropriate action, but otherwise may be initiated or continued only after immediate and effective notice to the Department of Public Safety and Corrections.

(C) The State shall have primary and concurrent law enforcement authority, and all necessary or helpful powers in connection therewith, to enforce all State and federal criminal laws made applicable by the Compact. Except as stated in Subsection E below, the jurisdiction and law enforcement authority accorded by the Tribe to the State by this section (i.e. 522) is limited to the territory contained in Appendix A to the Compact and identified as the gaming premises and appurtenant parking facilities. As noted supra., this latter jurisdictional and territorial limitation is likewise applicable to Section 3: (A)(3) of the Compact, and in Section 520 of this Ordinance, insofar as the subject matter jurisdiction accorded to the State concerns criminal law and Class III gaming. No other extension or expansion of criminal law or Class III gaming subject matter jurisdiction is consented to nor authorized by this Ordinance. The State is not obligated to exercise or take any action pursuant to such authority and powers on Tribal lands. The Tribe recognizes that the primary law enforcement agency of the State is the Department of Public Safety and Correction.

(D) To facilitate law enforcement activities on Tribal lands, within St. Mary Parish, or within adjacent Parishes, the Tribe and the State are authorized to enter into cross-deputization or similar contracts or agreements, including but not limited to, agreements with each other, with Sheriffs or other local law enforcement agencies, with District Attorneys, local governmental agencies, and with agencies of the United States of America. Such agreements may include provisions for necessary funding. Any cross-deputization agreements are subject to Sections 520, 521 and this Section and all such agreements shall require the consent of the Tribal Council prior to execution. Nothing in this sub-

section is intended to confer any additional jurisdiction or authority on the State beyond that which is otherwise conferred in other sections of this Ordinance.

(E) On Indian lands utilized for gaming purposes and described in Appendix A to the Compact, the plenary law enforcement powers of the Tribe and the State include, but are not limited to, immediate access to any premises, building, location, storage facility, or place whatsoever, wherever, in which might be found any thing, tangible or intangible, produced by, a part of, contributing to, or in any way whatsoever related to, a violation of any criminal law made applicable by the Compact. This access includes, but is not limited to, books, records, equipment, electronic data, and supplies. On Indian lands described in Appendix B to the Compact, this access may be exercised by the State only in the company of, or proceeded by authorization from, a designated official of the Tribe.

(Added by Ordinance #9-93; Adopted: May 10,1993; Effective: September 24,1993; Revised by Ordinance # 1-96; Adopted: February 1, 1996; Effective:)

Sec. 525. Disposition of Tort Claims.

The jurisdiction vested in the Tribal Court pursuant to the Chitimacha Comprehensive Codes of Justice and the procedures contained therein shall apply to the disposition of tort claims arising from alleged injuries to patrons of the gaming premises and operations.

(Added by Ordinance #9-93; Adopted: May 10,1993; Effective: September 24,1993; Revised by Ordinance # 1-96; Adopted: February 1, 1996; Effective:)

Sec. 526. Conflict of Interest.

No member of the Tribal Council, nor any person residing in the immediate household of such Tribal Council member may:

- (a) Be employed in the operations of Class II or Class III gaming.
- (b) Participate in any gaming activity offered by the Tribe in its gaming facilities.
- (c) Solicit or accept employment from any person or entity licensed by the Tribal Gaming

Commission either during a Council member's term or for a period of one (1) year thereafter, provided,

however, that this restriction shall not apply to persons or entities licensed to provide non-gaming goods or services.

(d) During the Council member's term, own any securities of, or any ownership interest whatsoever in, any entity licensed by the Tribal Gaming Commission, provided, however, that this restriction shall not apply to a publicly held corporation if the ownership therein is less than five percent (5%).

(Added by Ordinance #1-96; Adopted: February 1, 1996; Effective:)

CHAPTER 6. SELF-REGULATION OF GAMING ACTIVITIES

(Added by Ordinance #4-90; Adopted: November 7, 1990; Effective: February 3, 1993)

Sec. 601. Petition for certificate of self-regulation.

Under Public Law 100-497, the Tribe, if it operates a licensed gaming activity pursuant to this Title and has operated the gaming activity for at least three years, including at least one year after October 17, 1988, is eligible to petition the National Indian Gaming Commission for a certificate of self-regulation. Such a certificate exempts the Tribe from certain regulatory requirements under Public Law 100-497. When the Tribe meets the requirement set forth in Section 11 of Public Law 100-497 and determine whether it wishes to file a petition for self-regulation.

(Added by Ordinance #4-90; Adopted: November 7, 1990; Effective: February 3, 1993)

CHAPTER 7. NATIONAL INDIAN GAMING COMMISSION

(Added by Ordinance #4-90; Adopted: November 7, 1990; Effective: February 3, 1993)

Sec. 701. Authority of the Commission.

Public Law 100-497 creates the National Indian Gaming Commission and grants the Commission and its Chairman certain regulatory authority over Indian gaming activities, including

the authority to:

(A) Monitor Class II gaming activities.

(B) Inspect and examine all premises located on Indian lands on which Class II gaming is conducted.

(C) Conduct or cause to be conducted such background investigations as may be necessary.

(D) Demand access to and inspect, examine, photocopy, and audit all papers, books, and records pertaining to the gaming activity.

(E) Promulgate such regulations and guidelines as it deems appropriate to implement the provisions of Public Law 100-497, including regulations for the assessment and collection of civil fines against Indian gaming activities as authorized by Section 14 of Public Law 100-497.

(F) Establish the fees to be paid by Indian gaming activities in order to fund the Commission's operations.

(Added by Ordinance #4-90; Adopted: November 7,1990; Effective: February 3,1993)

Sec. 702. Failure to cooperate with the Commission.

All licensees under this Title shall cooperate fully with all lawful regulations, guidelines, and orders of the Commission. Failure to do so shall constitute a Class A Misdemeanor and shall also constitute grounds for revocation of the tribal license.

(Added by Ordinance #4-90; Adopted: November 7,1990; Effective: February 3,1993)

Sec. 703. Commission regulations and guidelines superseding this Title.

Any regulations and guidelines adopted by the Commission that are inconsistent with any provision of this Title shall supersede that provision, unless the Commission grants a waiver. If a provision is superseded, the Council shall promptly amend this Title so that it conforms to the Commission's regulations and guidelines.

(Added by Ordinance #4-90; Adopted: November 7,1990; Effective: February 3,1993)

