NATIONAL
INDIAN
GAMING
COMMISSION

AUG 1 1996

Fred Thomas
Chairman
Kickapoo Tribe in Kansas
P.O. Box 271
Horton, KS 66439-0271

Dear Mr. Thomas:

This letter responds to your request to review and approve the amendment to the Kickapoo Tribe in Kansas's tribal gaming ordinance submitted on May 20, 1996. The amendment was adopted by Resolution No. 96-39A on April 26, 1996. The ordinance was approved by the Chairman of the National Indian Gaming Commission (NIGC) on July 15, 1994 and amended on July 31, 1995. The amendment does not require approval by the NIGC because the amendment addresses issues not raised in the IGRA or the NIGC's regulations.

Under the IGRA and the regulations of the NIGC, the Chairman is directed to review ordinances and amendments 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. Provisions other than those required under the IGRA or the NIGC regulations that may be included in a tribal ordinance are not subject to review and approval.

Thank you for submitting the Kickapoo Tribe in Kansas's amendment for review. If you have questions or require further assistance, please contact Jessica Roff at (202) 632-7003.

Sincerely yours,

Harold A. Monteau
Chairman

1441 L STREET, N.W. 9TH FLOOR WASHINGTON, D.C. 20005 TEL.: 202-632-7003 FAX: 202-632-7066

KICKAPOO TRIBE IN KANSAS

P.O. Box 271 • Horton, KS 66439-0271

Office: 913-486-2131 • Fax: 913/486-2801

MAY 20 1996

Resolution No.96-39A

RESOLUTION

WHEREAS, the Kickapoo Tribe of Indians of the Kickapoo Reservation inKansas is organized in accordance with the provisions of the Indian Reorganization Act of June 18, 1937, (Stat. 984), and

WHEREAS, the Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas is empowered by the Kickapoo Constitution and By-laws approved by the Secretary of Interior on February 26, 1937, and

WHEREAS, the Indian Gaming Regulatory Act, Pub. L 100-497, U.S.C. Section 2701 et seq. needs a gaming commission, and

WHEREAS, the Kickapoo tribe has the responsibility to protect the public interest and the integrity of the gaming commission, and

WHEREAS, the Kickapoo Tribal Council adopted the Kickapoo Tribal Gaming Commission Ordinance July 10, 1995, and

WHEREAS, Tribal Ordinance (the Tribal Gaming Commission Ordinance No.95-01) authorized the Tribal Gaming Commission to license persons engaged in gaming activities on the reservation , and employ and license gaming commission staff and employees; and

WHEREAS, the Tribal Gaming Commission has recommended amendments to Section 5 (e) and 7 (b) of the Ordinance No. 95-01, and

WHEREAS, the Tribal Council has reviewed and considered the recommendations of the Gaming Commission, and believe that the amendments will enable the Gaming Commission to better perform its duties and responsibilities.

NOW THEREFORE BE IT ORDAINED, that the attached Amended Kickapoo Nation Tribal Gaming Commission Ordinance is hereby approved.

AND BE IT FURTHER ORDAINED, that amendments Sec. 5 (e) and 7 (b) of the Tribal Gaming Commission Ordinance is hereby approved and effective on this 26th date of April 1996.

C E R T I F I C A T I O N

The foregoing Ordinance was adopted by the Kickapoo Tribal Council in a special session on this 26th day of April 1996, at which 6 members of the Tribal Council were present, constituting the required quorum, with 5 voting for, 0 against, 0 abstaining with the Chairman not voting.

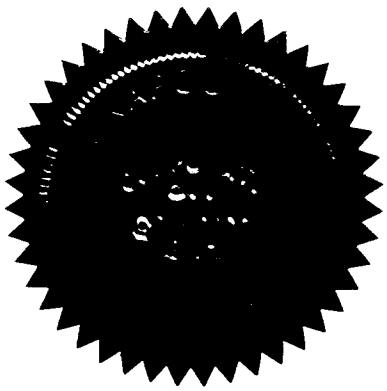
Fred Thomas

Fred Thomas, Chairman
Kickapoo Tribe in Kansas

ATTEST:

Bobbi Darnell

Bobbi Darnell, Secretary
Kickapoo Tribe in Kansas



AMENDED

KICKAPOO NATION TRIBAL GAMING COMMISSION ORDINANCE

MAY 20 ..

SECTION 1. STATEMENT OF POLICY. It is the purpose of this ordinance to provide for the sound regulation of all gaming activities on lands within the jurisdiction of the Kickapoo Nation in Kansas, in order to protect the public interest in the integrity of such gaming activities, to prevent improper or unlawful conduct in the course of such gaming activities, to strengthen tribal self-government and to promote economic self-sufficiency of the Kickapoo Nation.

SECTION 2. DEFINITIONS. For purposes of this Ordinance:

(a) "Act" means the Indian Gaming Regulatory Act, Pub.. 100-497, 25 U.S.C. 2701 et seq.

(b) "Chairman" means the Chairman of the Kickapoo Tribal Gaming Commission established by this Ordinance.

(c) "Class II gaming" means Class II gaming as defined in accordance with the Act, 25 U.S.C. 2703 (7) (A).

(d) Class III gaming" means Class III gaming as defined in accordance with the Act, 25 U.S.C. 2703 (8).

(e) "Commission" means the Kickapoo Tribal Gaming Commission established by this Ordinance.

(f) "Compact" means the Kickapoo Nation in Kansas - State of Kansas Gaming Compact.

(g) "Enterprise" means the Kickapoo Gaming Enterprise established by the Tribe to conduct all gaming operations of the Tribe on the Reservation.

(h) "Executive Director" means the Executive Director of the Kickapoo Tribal Gaming Commission established pursuant to this ordinance.

(I) "Gaming employee" means a gaming employee as defined in the Compact, and includes primary management officials and key employees of the gaming operation.

(j) "Gaming facilities" means any room or rooms in which Class II gaming or Class III gaming is conducted on the Reservation.

(k) "National Indian Gaming Commission" means the National Gaming Commission established pursuant to 25 U.S.C. 2704.

(l) "Net revenues" means gross revenues of a Class III gaming activity less amounts paid out as, or paid for, prizes and total operating expenses including debt service but excluding management fees paid to a management contractor within the meaning of 25 U.S.C. 2711 (c).

(m) "Ordinance" means this Kickapoo Nation Tribal Gaming Ordinance.

(n) "State" means the State of Kansas.

(o) "State gaming agency" means the Kansas Lottery or a division thereof or such other agency of the State as may from time to time be designated by written notice to the Tribe as the single state agency responsible for oversight of Class III gaming as authorized by the Compact.

(p) "Tribe" means the Kickapoo Nation in Kansas.

SECTION 3. ADOPTION OF COMPACT. The Compact is hereby incorporated within and enacted as an integral part of this Ordinance with respect to all forms of Class III gaming, and the Compact including the Appendices thereto is appended to and made a part of this Ordinance as if set forth in full herein; provided, however, that nothing in the adoption of the Compact herein shall be deemed to affect the operation by the Tribe of any Class II gaming, whether

conducted within or without the gaming facilities, or to confer upon the State any jurisdiction over such Class II gaming conducted by the Tribe on its Reservation.

SECTION 4. AUTHORIZATION FOR GAMING ACTIVITIES.

(a) Forms of Class III gaming authorized. The Tribe may conduct or operate all forms of Class III gaming authorized under the Compact.

(b) Authority for Class II gaming. In addition to the forms of Class III gaming authorized pursuant to section 4 (a) hereof, the Tribe shall be authorized to conduct all forms of Class II gaming.

SECTION 5. COMPLIANCE WITH THE ACT. This Ordinance shall be construed in a manner which conforms to the Act in all respects, and if inconsistent with the Act in any manner the provisions of the Act shall govern.

(a) Limitation on gaming operations. In compliance with 25 U.S.C. 2710 (b) (2) (A), the Tribe shall have the sole proprietary interest and responsibility for the conduct of any gaming activity on the Reservation; provided, however, that nothing herein shall (I) preclude the Tribe from entering into a Management Contract as authorized under 25 U.S.C. 2711; or (ii) interfere with the exercise by any secured party of its rights under any duly approved collateral lease, leasehold mortgage or other financing agreement with the Tribe to enforce its security interests in the premises on which such gaming activities may be conducted, or to enforce its rights against gross revenues of the Tribe from its gaming activities for the purpose of repayment of the debt obligations of the Tribe to such secured party in accordance with the provisions of such agreements.

(b) Application of net revenues. In compliance with 25 U.S.C. 2710 (b) (2) and(3), net revenues from any gaming activity are not to be used for purposes other than:

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(b) Application of net revenues. In compliance with 25 U.S.C. 2710 (b) (2) and(3), net revenues from any gaming activity are not to be used for purposes other than:

(I) to fund tribal government operations or programs;

(ii) to provide for the general welfare of the Tribe and its members;

(iii) to promote tribal economic development;

(iv) to donate to charitable organizations;

(v) to help fund operations of local government agencies, or

(vi) any other purposes permitted under the Act.

(c) Annual audit. In compliance with 25 U.S.C. 2710 (b) (2) (C) and (D), all gaming activities shall be subject to an audit by independent certified public accountants, not less than annually, and copies of the annual audit shall be provided to the National Indian Gaming Commission. 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 II or Class III gaming shall be subject to such audits.

(d) Public safety standards. In compliance with 25 U.S.C. 2710 (b) (2) (E), the construction and maintenance of any gaming facilities, and the operation of gaming activities, shall be conducted in a manner which adequately protects the environment and the public health and safety and for that purpose shall comply with the requirements of the Compact and all other applicable health, safety and environmental standards enacted by the Tribe.

(e) Background investigations and licensing. In compliance with 25 U.S.C. 2710 (B) (2) (F):

(i) all gaming employees, including all primary management officials and key employees of any gaming enterprise, shall be subject to the background investigation and licensing requirements of IGRA, this Ordinance and the Compact which include requirements for initial background investigations and ongoing review for all gaming employees. The Tribe shall

notify the National Indian Gaming Commission of the results of the licensing process for its primary management officials and key employees in accordance with such regulations or procedures as the National Indian Gaming Commission may establish.

(ii) before issuing a license to a gaming employee, the Commission shall forward the results of the appropriate background investigation to the National Indian Gaming Commission in such form as shall be required by the National Indian Gaming Commission.

(iii) if the Commission determines, on the basis of the background investigation conducted under subsection (i) and such other information as it may obtain, that the applicant is qualified for a gaming employee license, the commission may, but shall not be required to issue such license. The Commission, at its sole discretion, may impose any qualifications to such license it deems appropriate, or may refuse to issue such license despite an applicant's qualifications.

(iv) All persons who are not gaming employees but work at any facility where authorized gaming occurs or is supervised or administered, must obtain a non-gaming work permit. Such work permits shall be issued upon determining that the employee is not a threat to the effective regulation of gaming and creates no risk or enhances no danger of unfair or illegal practices,

methods or activities in the conduct of gaming on the reservation. All applicants for work permits shall provide the information required in the Compact.

(v) Any person or entity proposing to sell or lease Electronic Games of Chance or other Gaming Services to the Tribe shall be licensed to do so. The procedures for such license and the standards therefore are the same as those applicable to gaming employees herein, except that if applicant is a corporation, trust or partnership, applications must be made by any person or entity holding 10% or more of any beneficial or legal interest therein.

(vi) The Tribe may employ, and the Gaming Commission may license an applicant for a position as a key employee, gaming employee, manufacturer-distributor, primary management official, standard gaming employee, state gaming agency employee, and management contractor, in accordance with the following procedure: (aa) The applicant must sign a privacy notice release as set forth in the Indian Gaming Regulation Act, and provide other information which permits the Gaming Commission to conduct an investigation of the applicant's criminal history, credit history, and drivers license history; (bb) If the applicant's criminal history, credit history, and drivers license history meet the standards of IGRA and Section 21 of the Compact, then

the applicant may be issued a gaming license pending completion of the investigation by the Gaming Commission and State Gaming Agency in accordance with further requirements of the Compact. (cc) The applicant must represent by affidavit that he or she meets the licensing standards of Section 21 of the Compact, and any applicant who so represents and who is subsequently found to be in violation of any of such licensing standards during the term of his or her employment shall be dismissed. Any applicant employed under this subsection shall not acquire any rights of permanent employment. The Gaming Commission shall not be required to reveal the sources of information obtained in the course of any such investigation.

SECTION 6. PENALTIES. Any individual who violates any provision of this Ordinance, including the provisions of the Compact incorporated herein, shall be subject to civil penalties including exclusion from employment by any Tribal gaming enterprise, exclusion from attendance at any Tribal gaming facility, exclusion from the Reservation if a non-member of the Tribe, or, with respect to any person subject to the jurisdiction of the Tribe to impose such fines, a fine of not more than $500.00 for each such violation. The Commission established pursuant to this Ordinance shall have the jurisdiction to impose any such penalties on any person within the jurisdiction of the Tribe to impose such penalties on any person within the jurisdiction of the Tribe to impose such penalties.

SECTION 7. TRIBAL GAMING COMMISSION.

(a) Establishment of Commission. There shall be established a Kickapoo Tribal Gaming Commission consisting of a chairman and two other members who shall be appointed by the Tribal Chairman with the advice and consent of the Tribal Council, at least two of whom shall be members of the Tribe, but none of whom

shall be employees of the Enterprise, and who shall each serve for a term of three years commencing on the date of their appointment; provided, that one of the initial members appointed shall be designated to serve for an initial term of one year and one of the initial members appointed shall be designated to serve for an initial term of two years. The members of the Commission shall serve on a part time basis and the compensation of members of the Commission shall be established by the Tribal Council. Members of the Commission shall be established by the Tribal Council. Members of the Commission may be removed for cause by a three-fourths (3/4) vote of the members of the Tribal Council. Vacancies in the Commission may be filled by appointment by the Tribal Chairman with the advice and consent of the Tribal Council. No member or employee of the Commission shall participate as a player in any gaming activity conducted by the Tribe.

(b) Powers and duties of Commission. The Commission shall have the following powers and duties:

(i)(A) The Commission shall have primary responsibility for oversight of tribal gaming operations to assure the integrity of such operations and shall, for that purpose, employ non-uniformed inspectors, who may be present in all gaming facilities during all hours of operation and who shall be under the sole supervision of the commission and not under the supervision of any management employees of the Tribal gaming operations. Such inspectors shall have unfettered access to all areas of the gaming facilities at all times, and personnel employed by the Enterprise shall for such purposes provide such inspectors access to locked and secure areas of the gaming facilities in accordance with the standards of operation and management promulgated pursuant to the Compact. Such inspectors shall report to the Commission

regarding any failure by the Enterprise to comply with any of the provisions of the Compact or this Ordinance and any other applicable laws and ordinances. Inspectors assigned by the Commission may also receive consumer complaints within the gaming facilities and shall assist in seeking voluntary resolution of such complaints. Inspectors appointed by the Commission shall be licensed as gaming employees in accordance with the Compact.

(B) The Commission shall have primary responsibility for, and supervision over, the Surveillance Department and shall have the authority to employ and license surveillance staff and personnel in accordance with the procedure outlined in subsection 5 (e) (vi) (aa), (bb) and (cc).

(ii) The Commission may on its own initiative investigate any aspect of the operations of the Enterprise in order to protect the public interest in the integrity of such gaming activities and to prevent improper or unlawful conduct in the course of such gaming activities, and shall investigate any report of a failure of the Enterprise to comply with the provisions of the Compact or this Ordinance and may require the Enterprise to take any corrective action deemed necessary by the Commission upon such terms and conditions as the Commission may compel any person employed by or doing business with the Enterprise to appear before it and to provide such information, documents or other materials as may be in their possession to assist in any such investigation.

(iii) The commission shall carry out each of the responsibilities and duties set forth for the Tribal Gaming Agency in the Compact, including the Standards of Operation and Management appended thereto.

(iv) The Commission shall prepare a plan for the protection of public safety and the physical security of patrons in each of its gaming facilities, setting forth the respective responsibilities of the Commission, the security department of the Enterprise, any Tribal police agency, and if appropriate, any State or local policy agency.

(v) The Commission shall review and approve floor plans and surveillance systems for each gaming facility and may confer with the State Gaming Agency regarding the adequacy of such plans and systems.

(vi) The Commission shall promulgate, review and revise (as necessary) Standards of Operation and Management for Class III gaming activities in accordance with the Compact. In the event the Commission proposes revisions to those Standards, the Commission shall provide the Tribal Council with a copy of its proposed revisions at the same time the proposed revisions are provided to the State Gaming Agency. If revisions to the Standards are adopted, the Commission shall provide the Tribal Council with written notice of the approved revisions within five (5) days.

(vii) The Commission may issue and revoke licenses for gaming employees in accordance with Section 4 (e) (i) of this Ordinance.

(viii) The Commission shall establish a list of persons barred from the gaming facilities because their criminal history or association with career offenders or career offender organizations poses a threat to the integrity of the gaming activities of the Tribe.

(ix) The Commission shall promulgate, review and revise (as necessary) the rules of each game of chance operated by the Tribe pursuant to the Compact and shall in accordance with the provisions of the Compact notify the State Gaming Agency of such rules and of any changes in such rules. In the event the Commission proposes changes to these rules, the Commission shall provide the Tribal Council with a copy of the proposed changes at the same time the proposed changes are provided to the State Gaming Agency. If changes to the rules are adopted, the Commission shall provide the Tribal Council with notice of the approved changes within five (5) days.

(x) The Commission shall enforce the health and safety standards applicable to the gaming facilities of the Enterprise in accordance with section 5 (d) of this Ordinance. Prior to the opening of any facility for gaming the Enterprise shall obtain a certificate of compliance from the Commission relating to the

gaming facilities. The Commission shall issue a certificate of compliance to the Enterprise upon a determination that the gaming facilities of the Enterprise comply with such standards.

(xi) The Commission may impose penalties for violations of this Ordinance, the Compact or the Standards of Operation and Management in accordance with section 5 of this Ordinance.

(xii) The Commission may in the name of the Tribe bring any civil action or criminal complaint in the courts of the Tribe, State or the United States to enforce the provisions of this Ordinance or to enjoin or otherwise prevent any violation of this Ordinance, the Act or the Compact, occurring on the Reservation.

(xiii) The commission may receive any complaint from an employee of the Enterprise or any member of the public who is or claims to be adversely affected by an act or omission of the Enterprise or any employee thereof which is asserted to violate this Ordianance, the Compact, or the Standards of Management and Operation adopted pursuant to this Ordinance, and may impose such remedial action as it deems appropriate to bring the Enterprise into compliance with such provisions. The Commission may for this purpose, in its sole discretion, conduct a hearing and receive evidence with regard to such complaint if it deems an evidentiary proceeding useful in the resolution of such complaint.

(xiv) The commission shall adopt an annual operating budget which shall be subject to the approval of the Tribal council and may in

accordance with said budget employ such staff from time to time as it deems necessary to fulfill its responsibilities under this Ordinance, and may retain legal counsel, consultants and other professional services including investigative services to assist the Commission with respect to any of the issues over which the Commission exercises jurisdiction. The expenses of the Commission in accordance with such budget shall be assessed against the Enterprise and the Enterprise shall pay such assessments to the Tribe.

(c) Chairman. The Chairman of the commission or any other member of the Commission acting in the absence of the Chairman may, whenever he deems it necessary to protect the public interest in the integrity of Tribal gaming operations, issue in the name of the Commission any order which the Commission has the power to issue, to the Enterprise or to any employee or contractor of the Enterprise or to any other person within the jurisdiction of the Tribe, to take any act or cease and desist from any action as may be required to protect the public interest; provided, that such order shall be subject to review by the Commission at its earliest opportunity, whereupon it may be confirmed or vacated by the Commission.

(d) Executive Director. The Commission shall appoint an individual to serve as a full time Executive Director of the commission to administer its responsibilities on a day to day basis and to oversee inspectors appointed by the Commission as well as such other staff as the Commission may from time to time employ. The Executive Director shall be responsible for coordination the functions of the Commission with the State Gaming Agency and other state and local agencies as necessary. The Chairman may request the Executive Director to conduct a preliminary investigation and render a recommendation to the Commission with respect to the grant or denial of any license, the imposition of any penalty, the

investigation of any compliant, or any other action within the jurisdiction of the Commission. The Executive Director shall have the power, in the name of the Commission, to conduct any hearing, investigation or inquiry, compel the production of any information or documents, and otherwise exercise the investigator powers of the Commission, which the Commission may exercise under this Ordinance.

(e) Procedures of the Commission.

(i) Regular meetings of the Commission may be self upon such notice, or without notice, and at such time and place as shall from time to time be fixed by the Commission. Unless otherwise specified by the Commission, no notice of such regular meetings shall be necessary.

(ii) Special meetings of the Commission may be called by the Chairman or the Executive Director. the person or persons calling the special meeting 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 Commission need to be specified in the notice of the meeting.

(iii) At any meeting of the 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 Commission. The chairman shall preside at all meetings of the Commission unless the Chairman designates another member to preside in his absence.

(iv) Any action required or permitted to be taken at a meeting of the 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 Commission, and shall have the same effect as a unanimous vote or resolution of the Commission at a legal meeting thereof.

(v) Members of the Commission may participate in a meeting of the 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.

(vi) No action of the Commission to impose a penalty pursuant to section 5 of this Ordinance, or to revoke a license for a gaming employee previously issued by the Commission, shall be valid unless the person affected is given at least seven days' notice of the proposed action and the opportunity to appear and be heard before the Commission, either in person or through a representative or legal counsel, and to submit such evidence as the Commission deems relevant to the matter at issue; provided, that if the Commission deems it necessary to protect the public

interest in the integrity of the gaming activities, the 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 reasonable 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 commission may request a hearing before the Commission by written request submitted within thirty days following receipt of notice of the action of the Commission, and the Commission shall thereupon afford an opportunity to appear and be heard before the Commission, either in person or through a representative or legal counsel, and to submit such evidence as the Commission deems relevant to the matter at issue and thereafter the Commission shall either affirm or reconsider its decision. Any hearing conducted under this sub-section may at the direction of the Commission be conducted by the Executive Director or by one or more members of the Commission designated by the Commission for that purpose.

(vii) The 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.

SECTION 8. STANDARDS OF OPERATION AND MANAGEMENT. The initial standards of operation and management for games of chance adopted in acordance with the Compact shall be those set forth as Appendix A of the Compact.

SECTION 9. PROHIBITED ACTS.

It shall be a violation of this Ordinance for any person to:

(a) Conduct or participate in any Class III gaming operation on the Reservation other than at the gaming facilities.

(b) Receive, distribute, apply or divert any property, funds, proceeds or other assets of the Enterprise to the benefit of any individual or any other person except as authorized by this Ordianance and the Resolution of the Tribe establishing the Enterprise.

(c) Tamper with any equipment used in the conduct of tribal gaming operations with the intent to cause any person to win or lose any wager other than in accord with the purblicly announced rules of such gaming operations.

(d) Do any other act in connection with the conduct of the tribal gaming operations with the intent to affect the outcome of any wager other than in accord with the publicly announced rules of such gaming operations.

(e) To alter or misrepresent the outcome or other event on which wagers have been made after the outcome is made sure but before it is revealed to the players.

(f) To place, increase or decrease a bet or to determine the course of play after acquiring knowledge, not available to all players, of the outcome of the game or any event that affects the outcome of the game or which is the subject of the bet or to aid anyone in acquiring such knowledge for the purpose of placing, increasing or decreasing a bet or determining the course of play contingent upon that event or outcome.

(g) To claim, collect or take, or attempt to claim, collect or take, money or anything of value in or from a gambling game, with intent to defraud, without having

made a wager thereon, or to claim, collect or take an amount greater than the amount won.

(h) To place or increase a bet after acquiring knowledge of the outcome of the game or other event which is the subject of the bet, including past-posting and pressing bets.

(I) To reduce the amount wagered or cancel the bet after acquiring knowledge of the outcome of the game or other event which is the subject of the bet, including pinching bets.

(j) To manipulate, with the intent to cheat, any component of an electronic game of chance or gaming device in a manner contrary to the designed and normal operational purpose for the component.

(k) Knowingly to use other than coins or tokens approved by the Tribal Gaming Agency or other lawful coin, legal tender of the United States of America, or to use coin not of the same denomination as the coin intended to be used in the gambling game.

(l) To possess, with the intent to use, any device toassist in projecting the outcome of the game, in keeping track of the cards played, in analyzing the probability of the occurrence of an event relating to the game, or in analyzing the strategy for playing or betting to be used in the game.

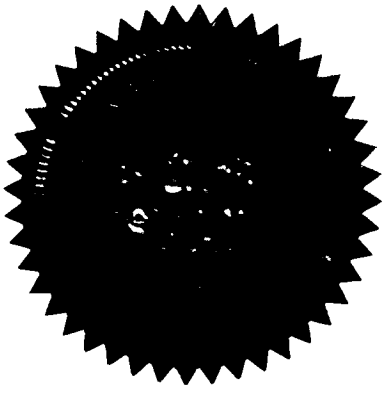
(m) To use any device or means to cheat, or to possess any such device while at the gaming facility.

CERTIFICATION

The foregoing Kickapoo Nation Tribal Gaming Ordinance was duly adopted at a special session of the Kickapoo Tribal Council held on this 26th day of April 1996, at which 6 Tribal Council members were present constituting the required quorum, by a vote of 5 for, 0 against, 0 abstaining with the Chairman not voting.

Fred Thomas

Chairman,
Kickapoo Tribal Council

Attest:

Secretary,
Kickapoo Tribal Council