

**NATIONAL  
INDIAN  
GAMING  
COMMISSION**

APR 18 2000

Honorable Roger Prescott  
Chairman, Lower Sioux Indian Community  
P.O. Box 308, R.R. #1  
Morton, MN 56270

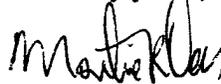
Dear Chairman Prescott:

This letter responds to your request to review and approve the amendment to the Lower Sioux Indian Community's (Community) tribal gaming ordinance submitted on February 16, 1999. The amendment to the ordinance was adopted by Resolution No. 09-00 on February 11, 2000, and the original Ordinance was approved by the Chairman of the National Indian Gaming Commission (NIGC) on November 19, 1993. This letter constitutes approval of your submission under the Indian Gaming Regulatory Act (IGRA). It is important to note that the gaming ordinance is approved for gaming only on Indian lands, as defined in the IGRA, over which the Community exercises jurisdiction.

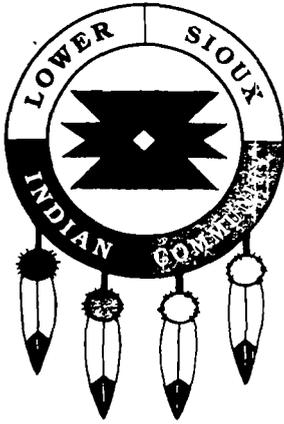
The amendment also requires that the Minimum Internal Control Standards (MICS) be adopted and implemented by the Community. Please note that the Community must promulgate tribal MICS that are at least as stringent as the NIGC MICS found at 25 C.F.R. Part 542. In addition, the gaming operation must establish and implement an internal control system that is consistent with the tribal MICS.

Thank you for submitting the amendment to the tribal gaming ordinance of the Lower Sioux Indian Community for review and approval. The NIGC staff and I look forward to working with you and the Community in implementing the IGRA. If you have questions or require further assistance, please contact Ms. Frances Fragua at 202/632-7003.

Sincerely yours,



Montie R. Deer  
Chairman



## Lower Sioux Indian Community

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FEB 16 1999

Resolution No. 09-00

WHEREAS, on November 11, 1993 the Lower Sioux Community Council adopted, and the Chairman of the National Indian Gaming Commission, acting under the authority of the Indian Gaming Regulatory Act of 1988, 25 U.S.C. §2710(b)(1)(B) (1994), subsequently approved, the Lower Sioux Community Gaming Ordinance, under which the Lower Sioux Indian Community licenses and regulates gaming on the Lower Sioux Indian Reservation; and

WHEREAS, in 1999 the State of Minnesota, by adopting Ch. 206, H.F. 1825, Minn. Laws 1999, amending Minnesota Statutes sect. 240.10, authorized the regulation and play in the State of Minnesota of certain non-banking card games; and

WHEREAS, the definition of "Class II gaming" in the Indian Gaming Regulatory Act of 1988, 25 U.S.C. §2703(7)(A)(ii) (1994) includes non-banking "card games that ... are explicitly authorized by the laws of the State ... but only if such card games are played in conformity with those laws and regulations (if any) of the State regarding hours or periods of operation of such card games or limitations on wages or pot sizes in such card games"; and

WHEREAS, the National Indian Gaming Commission has adopted Minimum Internal Control Standards for the play of card games, including non-banking card games; and

WHEREAS, the Lower Sioux Indian Community Council has concluded that it is in the best interests of the Lower Sioux Indian Community to amend the Lower Sioux Gaming Ordinance to permit the licensing, regulation, and play of non-banking card games on the Lower Sioux Reservation in conformity with the laws and regulations of the State of Minnesota, and in conformity with the Minimum Internal Control Standards of the National Indian Gaming Commission;

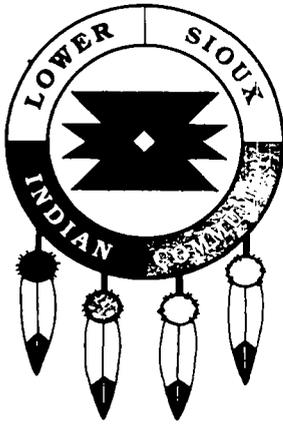
NOW THEREFORE BE IT RESOLVED that the Lower Sioux Indian Community Council does herewith approve the attached Amendment to Article XI of the Lower Sioux Gaming Ordinance; and

BE IT FURTHER RESOLVED that the Lower Sioux Indian Community Council does herewith request that the Chairman of the National Indian Gaming Commission also approve the attached Amendment to Article XI of the Lower Sioux Gaming Ordinance.

I do hereby certify that the foregoing Resolution No. 09-00 was duly adopted by a vote of 3 for to 0 against at a regular meeting held on February 11, 2000, with a quorum being present.

Dated:

Jessie W. Prescott  
Secretary, Lower Sioux  
Community Council



## Lower Sioux Indian Community

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### Amendment to Lower Sioux Indian Community in Minnesota Class II and III Gaming Ordinance

Article XI of the Lower Sioux Gaming Ordinance is herewith amended to add a new section E, as follows:

E. Class II Non-Banking Card Games Permitted by Law in the State of Minnesota. Non-banking card games within a licensed Gaming Enterprise may be played, provided that they are played in conformity with the following rules and restrictions:

1. Minnesota Laws and Regulations. Non-banking card games may only be played in conformity with Minnesota state laws and regulations regarding hours or periods of operation of such card games and limitations on wagers or pot sizes in such card games.

2. Conformity with National Indian Gaming Commission Minimum Internal Control Standards. Non-banking card games must be played and supervised in conformity with the minimum internal control standards of the National Indian Gaming Commission appearing at 25 C.F.R. 542.7 (1999), under Minimum Internal Control Standards adopted by the Lower Sioux Indian Community.