NATIONAL
INDIAN
GAMING
COMMISSION

AUG 7 2000

Laura Spurr
Nottawaseppi Huron Band of Potawatomi
2221 1 ½ Mile Road
Fulton, Michigan 49502

Dear Chairperson Spurr:

This letter responds to your request to review and approve the tribal gaming ordinance, Huron Potawatmi Gaming Ordinance Title V of the Tribal Code of Justice, adopted on June 15, 2000, by the Nottawaseppi Huron Band of Potawatomi. This letter constitutes approval of your submission under the Indian Gaming Regulatory Act (IGRA). Such approval does not constitute approval of specified games. 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 Tribe exercises jurisdiction.

With the Chairman's approval of the Tribe's gaming ordinance, the Tribe is now required to conduct background investigations on its key employees and primary management officials. The NIGC expects to receive a completed application for each key employee and primary management official, pursuant to 25 C.F.R. § 556.5(a), and an investigative report on each background investigation before the Tribe issues a license to a key employee or primary management official, pursuant to 25 C.F.R. §556.5(b).

Thank you for submitting the ordinance of the Tribe for review and approval. The NIGC staff and I look forward to working with you and the Tribe in implementing the IGRA.

Sincerely yours,

Montie R. Deer
Chariman

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

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JUN 19 2000

RESOLUTION NO. 6-15-00-01

RE-ADOPTING OF TITLE OF THE TRIBAL CODE OF JUSTICE

WHEREAS: On December 21, 1995 the Department of the Interior recognized the Nottawaseppi Huron Band of Potawatomi, also known as Huron Potawatomi, Inc. as a federally recognized Indian Tribe pursuant to the Federal Acknowledgement Process (60 Fed. Reg. 66315);

WHEREAS: Article IV, Section I of the Tribe's Constitution provides that the legislative powers of the Tribe shall be vested in the Tribal Council;

WHEREAS: Article IV, Section I(c) of the Tribe's Constitution empowers the Tribal Council to take such actions as will promote the economic and social self-sufficiency and self-determination of the Tribe including, acquiring land;

WHEREAS: Article IV, Section I(b) empowers the Tribal Council to deal with the Federal government;

WHEREAS: The Tribe desires to regulate and license Class II and Class III gaming operations in strict compliance with the Indian Gaming Regulatory Act, 25 U.S.C. 2701 et seq and the National Indian Gaming Commission's Regulations and Standards;

WHEREAS: The Tribal Council adopted Title V of the Tribal Code of Justice authorizing and regulating Class II and Class III gaming on December 11, 1999 and adopted amendments pursuant to the requirements of the National Gaming Commission's letter of March 10, 2000 on May 18, 2000.

NOW THEREFORE BE IT RESOLVED: That the Tribal Council hereby re-adopts Title V of the Tribal Code of Justice regulating Class II and Class III gaming on Reservation lands, including the amendments made to Title V on May 18, 2000.

CERTIFICATION

On June 15, 2000 this resolution was approved at a duly called Tribal Council meeting, a quorum being present by an affirmative vote 4 members, 0 opposing, and 0 abstaining, this 15 day of June, 2000.

Linda Densmore
Secretary

Laura W. Aplin
Tribal Chair

EXHIBIT 1

AMENDMENTS TO HURON POTAWATOMI GAMING ORDINANCE TITLE V OF THE TRIBAL CODE OF JUSTICE

Sections 203, 204 and 205 shall now read:

Section 203 Class I gaming

"Class I gaming" means:

(a) Social games played solely for prizes of minimal value; and

(b) Traditional forms of Indian gaming, when played by individuals in connection with tribal ceremonies or celebrations.

Section 204 Class II gaming

"Class II gaming" means:

(a) Bingo or lotto (whether or not electronic, computer, or other technologic aids are used) when players:

(1) Play for prizes with cards bearing numbers of other designations;

(2) Cover numbers or designations when object, similarly numbered or designated, are drawn or electronically determined; and

(3) Win the game by being the first person to cover a designated pattern on such cards;

(b) If played in the same location as bingo or lotto, pull-tabs, punch boards, tip jars, instant bingo, and other games similar to bingo;

(c) Nonbanking card games that:

(1) State law explicitly authorizes, or does not explicitly prohibit, and are played legally anywhere in the state; and

(2) Players play in conformity with state laws and regulations concerning hours, periods of operation, and limitations on wagers and pot sizes;

(d) Card games played in the states of Michigan, North Dakota, South Dakota, or Washington if:

(1) An Indian tribe actually operates the same card games as played on or before May 1, 1988, as determined by the Chairman; and

(2) The pot and wager limits remain the same as on or before May 1, 1988, as determined by the Chairman;

(e) Individually owned class II gaming operations–

(1) That were operating on September 1, 1986;

(2) That meet the requirements of 25 U.S.C. 2710(b)(4)(B);

(3) Where the nature and scope of the game remains as it was on October 17, 1988; and

(4) Where the ownership interest or interests are the same as on October 17, 1988.

Section 205 Class III gaming

"Class III gaming" means all forms of gaming that are not Class I gaming or Class II gaming, including but not limited to:

(a) Any house banking game, including but not limited to–

(1) Card games such as baccarat, chemin de fer, blackjack (21), and pai gow (if played as house banking games);

(2) Casino games such as roulette, craps, and keno;

(b) Any slot machines as defined in 15 U.S.C. 1171(a)(1) and electronic or electromechanical facsimiles of any game of chance;

(c) Any sports betting and parimutuel wagering including but not limited to wagering on horse racing, dog racing or jai alai; or

(d) Lotteries.

Section 603(b) (14) shall now read:

> Fingerprints, which shall be taken by the Huron Band of Potawatomi Police Department, consistent with procedures adopted by the Tribe according to 25 C.F.R. § 522.2(h). The National Indian Gaming Commission shall be the identified authorized entity that will process the fingerprint cards through the Federal Bureau of Investigations.

Huron Potawatomi, Inc. - Northern Branch
7073 So. Division, Grand Rapids, MI
49548
(616) 281-4940 - Fax # (616) 281-4954

MAY 19 2000

RESOLUTION NO. 05-18-00-C 5

AMENDING TITLE V OF THE TRIBAL CODE OF JUSTICE

WHEREAS: On December 21, 1995 the Department of the Interior recognized the Nottawaseppi Huron Band of Potawatomi, also known as Huron Potawatomi, Inc. as a federally recognized Indian Tribe pursuant to the Federal Acknowledgment Process (60 Fed. keg. *66315);*

WHEREAS: Article VI, Section 1 of the Tribe's Constitution provides that the legislative powers of the Tribe shall be vested in the Tribal Council; and

WHEREAS: The National Indian Gaming Commission requires that the Tribal Code governing gaming on the Reservation identify the law enforcement agency that will take fingerprints of key employees and primary management officials; identify the National Indian Gaming Commission as the authorized entity to process the fingerprint cards through the FBI, and that the Band's Gaming Ordinance define Class II and Class III in manner that is consistent with the definitions found in 25 C.F.R. §§ 502.3, 502.4.

NOW THEREFORE BE IT RESOLVED: that amendments to Title V amending the Tribal Code of Justice, annexed as Exhibit 1, are hereby adopted and made part of the Tribal Code of Justice.

CERTIFICATION

On May 18th,2000, this resolution was approved at a dully called Tribal Council meeting, a quorum being present by an affirmative vote 5 members 0 opposing, 0 and abstaining, this 18 th. day of May. 2000.

Linda Denamore
Secretary

James W. Spurr
Chairperson

TITLE V, LICENSING AND REGULATION OF BINGO AND OTHER GAMES OF CHANCE

Chapter 1: Findings

Section 101 The Council finds:

(a) That operation of bingo and other games of chance by the Band and Band subdivisions is a valid means of promoting economic development and the health and welfare of Band members;

(b) That, under the principles established by the United States Supreme Court in California v. Cabazon Band of Mission Indians, 94 L.Ed.2d 244 (1987), Indian tribes have the exclusive right to regulate gaming activity on Indian lands if the activity is not specifically prohibited by federal law and is conducted within a state which does not criminally prohibit the activity;

(c) That the United States Congress has enacted the Indian Gaming Regulatory Act, 25 U.S.C. § 2701 et seq., providing for certain federal regulation of Indian gaming;

(d) That tribal regulation of gaming activity on the Reservation is vital to the protection of trust lands on the Reservation and to the protection of the interests of the Band and its members; and

(e) That the Band has entered into a tribal-state compact with the State of Michigan which provides for the operation of Class III gaming.

Chapter 2: Definitions

Section 201 Act

"Act" means the Indian Gaming Regulatory Act, 25 U.S.C. § 2701 et seq.

Section 202 Band

"Band" means the Huron Band of Potawatomi.

Section 203 Class I gaming

"Class I gaming" means:

(a) Social games played solely for prizes of minimal value; and

(b) Traditional forms of Indian gaming, when played by individuals in connection with tribal ceremonies or celebrations.

Section 204 Class II gaming

"Class II gaming" means:

(a) Bingo or lotto (whether or not electronic, computer, or other technologic aids are used) when players:

(1) Play for prizes with cards bearing numbers of other designations;

(2) Cover numbers or designations when object, similarly numbered or designated, are drawn or electronically determined; and

(3) Win the game by being the first person to cover a designated pattern on such cards;

(b) If played in the same location as bingo or lotto, pull-tabs, punch boards, tip jars, instant bingo, and other games similar to bingo;

(c) Nonbanking card games that:

(1) State law explicitly authorizes, or does not explicitly prohibit, and are played legally anywhere in the state; and

(2) Players play in conformity with state laws and regulations concerning hours, periods of operation, and limitations on wagers and pot sizes;

(d) Card games played in the states of Michigan, North Dakota, South Dakota, or Washington if:

(1) An Indian tribe actually operates the same card games as played on or before May 1, 1988, as determined by the Chairman; and

(2) The pot and wager limits remain the same as on or before May 1, 1988, as determined by the Chairman;

(e) Individually owned class II gaming operations–

(1) That were operating on September 1, 1986;

(2) That meet the requirements of 25 U.S.C. 2710(b)(4)(B);

(3) Where the nature and scope of the game remains as it was on October 17, 1988; and

(4) Where the ownership interest or interests are the same as on October 17, 1988.

Section 205 Class III gaming

"Class III gaming" means all forms of gaming that are not Class I gaming or Class II gaming, including but not limited to:

(a) Any house banking game, including but not limited to–

(1) Card games such as baccarat, chemin de fer, blackjack (21), and pai gow (if played as house banking games);

(2) Casino games such as roulette, craps, and keno;

(b) Any slot machines as defined in 15 U.S.C. 1171(a)(1) and electronic or electromechanical facsimiles of any game of chance;

(c) Any sports betting and parimutuel wagering including but not limited to wagering on horse racing, dog racing or jai alai; or

(d) Lotteries.

Section 206 Commission

"Commission" means the Huron Potawatomi Gaming Commission established pursuant to Chapter 3 of this Ordinance.

Section 207 Key employee

"Key employee" means (1) 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; or (2) if not otherwise included, any other person whose total cash compensation is in excess of $50,000 per year, or (3) if not otherwise included, the four most highly compensated persons in a gaming operation.

Section 208 Michigan Compact

"Michigan Compact" means the document entitled "Compact Between the Nottawaseppi Huron Band of Potawatomi and the State of Michigan Providing for the Conduct of Tribal Class III Gaming by the Nottawaseppi Huron Band of Potawatomi," entered into between the Huron Band of Potawatomi and the State of Michigan.

Section 209 National Indian Gaming Commission

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

Section 210 Net revenues

"Net revenues" means gross revenues of a gaming activity less (i)amounts paid out as, or paid for, prizes and (ii) total operating expenses, except that management fees shall not be deducted to determine net revenues.

Section 211 Persons or entities with a financial interest in, or having management responsibility for, a management contract

"Persons or entities with a financial interest in, or having management responsibility for, a management contract" means:

(1) Each person with management responsibility for a management contract;

(2) Each person who is a director of a corporation that is a party to a management contract;

(3) The ten (10) persons who have the greatest direct or indirect financial interest

in a management contract;

(4) Any entity with a financial interest in a management contract;

(5) Any other person with a direct or indirect financial interest in a management contract.

Section 212 Primary management official

"Primary management official" means (1) any person having management responsibility for a management contract; (2) any person who has authority to hire and fire employees or to set up working policy for a gaming operation, or (3) the chief financial officer or other person who has financial management responsibility.

Section 213 Social games for prizes of minimal value

"Social games for prizes of minimal value" means games in which the total value of prizes awarded during the calendar year does not exceed $10,000.

Section 214 Traditional forms of Indian gaming

"Traditional forms of Indian gaming" means:

(a) Gaming activities such as "stick" or "bone" games played as part of tribal ceremonies, celebrations, or pow-wows.

(b) Games such as rodeos or horse races, including those for which purses or prizes are awarded, that are played as part of tribal ceremonies, celebrations, or pow-wows. This does not include games operated prior to a ceremony, celebration, or pow-wow for the purpose of raising funds for the ceremony, celebration, or pow-wow; these are considered Class II games unless they meet the definition set forth in Section 214.

Section 215 Tribe

"Tribe" also means the Huron Band of Potawatomi.

Section 216 Vendor

"Vendor" means: i) any person or entity providing Class II or Class III gaming equipment to a gaming operator under this Ordinance, or ii) any other person or entity which provides goods or services (other than accounting or legal services) to a gaming operator under a contract for goods or services which is in excess of $25,000 per contract year, provided that, notwithstanding any other provision of this Ordinance, a vendor as defined under this subsection (ii) shall be required to obtain a license under Section 601 only if the Commission, in its discretion, specifically so requires.

Chapter 3: Band Gaming Commission

Section 301 Establishment

There is hereby established the Huron Potawatomi Gaming Commission ("Commission"), an agency of the Band, consisting of a Chairman and 4 (four) other members.

Section 302 Function and Powers

The Commission shall have the following powers and duties:

(a) The Commission shall have primary responsibility for regulatory functions relating to Band gaming operations authorized under this Ordinance;

(b) The Commission shall review all license applications and determine whether the application is complete and in compliance with the Ordinance, and whether such license should be issued, and shall further determine if any license so issued shall be revoked, suspended or renewed, as appropriate;

(c) The Commission shall collect any fees required to be paid under this Ordinance. Such fees shall become Band gaming revenues, shall be subject to Band financial policies and procedures, and shall be disbursed as directed by the Council;

(d) The Commission may bring any civil action or criminal complaint in any court of competent jurisdiction to enforce the provisions of this Ordinance or to enjoin or otherwise prevent any violation of this Ordinance, the Act, or the Michigan Compact, occurring or threatened to occur;

(e) The Commission shall propose an annual operating budget which shall be subject to review and approval of the Huron Band of Potawatomi Council. The Commission may in accordance with such budget employ such staff from time to time as it deems necessary to fulfill its responsibilities under this Ordinance, and may retain professional services including investigative services to assist the Commission with respect to any issues over which the Commission exercises jurisdiction;

(f) The Commission shall, subject to review and approval by the Council, promulgate such regulations as it deems necessary in order to implement and enforce the provisions of this Ordinance.

Section 303 Appointment of members

The Chairman and members of the Commission shall each be appointed by majority vote of the Tribal Council. Commission Chairman and members may be tribal or nontribal members.

Section 304 Terms

The initial members of the Commission shall serve as follows:

(a) 2 members shall serve an initial two year term.

(b) 2 members shall serve an initial one year term.

(c) The Chairman shall serve an initial two year term.

Thereafter all terms shall be for three years and until a successor is appointed and qualified. If a vacancy occurs during a term, the Council may appoint a successor for the unexpired portion of the term.

Section 305 Executive Director

The Commission shall hire a qualified person to serve as the Executive Director of the Commission. The Executive Director shall manage the day to day affairs of the Commission, including oversight of the Band's Gaming Inspectors. The Executive Director shall serve at the direction of the Chairman of the Commission. The salary of the Executive Director shall be set by the Commission and such employment shall be in accordance with the Band's Personnel Policy and Procedures.

Section 306 Qualifications

To be eligible to serve as Chairman, member of the Commission or staff of the Commission a person shall:

(a) Be of high moral character and reputation to promote public confidence in gaming by the Band;

(b) Have sufficient education and work experience to be able to fulfill the functions of the Commission;

(c) Have no financial stake in any gaming operated under the Ordinance. A person has a "financial stake in any gaming operated under the Ordinance" if that person, or that person's spouse, brother, sister, mother, father, grandmother, grandfather, son, daughter, grandson,

granddaughter or first cousin has invested in, has a direct or indirect financial interest in, has a management contract in, or has any other pecuniary interest whatever in gaming operated under this Ordinance. Membership in the Band does not, in itself, create a "financial stake in any gaming operated under this Ordinance." Employment at a tribally licensed gaming facility, other than as a primary management official, by a person's spouse, brother, sister, mother, father, grandmother, grandfather, son, daughter, grandson, granddaughter or first cousin does not create in such person a "financial stake in any gaming operated under this Ordinance;"

(d) Not participate as a player in any gaming facility on the Reservation during the time such person is serving as Chairman, member of the Commission or staff;

(e) Never have been convicted of a tribal, federal or state felony, or any crime involving fraud, misrepresentation, moral turpitude or gambling;

(f) Submit to a background investigation under the same procedures applicable to prospective gaming licensees under Chapter 6;

(g) Not be a member of the Band Council; and

(h) Not be delinquent on a debt to the Band, any agency of the Band, or corporation owned or controlled by the Band.

Section 307 Removal and vacancies

Members, including the Chairman, may be removed by a two-thirds vote of the Council, at a meeting at which a quorum is present. Members, including the Chairman, may be removed for cause, including malfeasance, neglect of duty, unexcused failure to attend two successive Commission meetings, conviction of a felony, or failure to comply with the Constitution or laws of the Band.

(a) Right to a hearing. Any Commissioner being considered for removal shall

be provided with notice from the Chairman or Secretary of the Band stating the grounds for removal, specifying a date, time, and place for a hearing to be held by the Council within 20 days of receipt of such notice. At the hearing, the Commissioner shall be entitled to appear, present testimony and other evidence, and be represented by an attorney at the Commissioner's own expense.

(b) Vacancies. Vacancies shall be filled by majority vote of the Council.

Section 308 Meetings

The Commission shall meet as scheduled to fulfill its duties and obligations under this Ordinance, but in no event less frequently than once per month. Meetings may be called by the Chairman, or by any two members of the Commission, upon at least three days written notice to all members. If the Chairman or any two members certify in writing that a meeting must be held on less than three days notice, a meeting may be held as necessary, provided that best efforts must be made to provide the Chairman and all members with as much advance notice of such meeting as possible. Three members, or two members and the Chairman, 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.

Section 309 Monthly reports

The Commission shall make a report to the Council at least once each month, or more as requested. Each report shall include a summary of all licensing and enforcement activities, a summary of meeting and travel activities and dates, and any additional information requested by the Band Council. These reports shall not contain any confidential information unless specifically direct by the Council. Compensation of Commission members may be withheld in the event reports are unreasonably delayed.

Section 310 Hearing examiner

Notwithstanding any other provision of this Ordinance, upon the Commission's own motion

or the motion of any party, any hearing authorized to be held by the Commission may be assigned to a hearing examiner. The hearing examiner shall be impartial, and shall be a licensed attorney. The hearing examiner shall conduct hearings assigned in accordance with the provisions of the applicable sections of this Ordinance, and shall issue written proposed findings of fact and conclusions of law within 30 days of such hearing. Any party may file with the Commission, within 15 days of notice of the hearing examiner's recommended findings, exceptions or objections to those findings.

Section 311 Notice of Commission decisions

The Commission shall provide written notice to any applicant and any other interested party of any decision or order. Notice shall be by personal service, or certified mail, to the person's last known address, or to such person's registered agent or attorney.

Section 312 Appeals

(a) An applicant for a license, or any other aggrieved party, may appeal from any final order or decision of the Band Gaming Commission by filing a notice of appeal with the Band Gaming Commission and Tribal Court within 30 days of receipt of notice of the final order or decision.

(b) If a motion for reconsideration of a Band Gaming Commission final order or decision is filed with the Commission within 20 days of issuance of such order, the time for appeal shall not begin to run until the motion for reconsideration is ruled upon by the Commission.

(c) The Commission shall certify the hearing record within 30 days of receipt of a notice of appeal.

(d) Review by the Tribal Court shall be based on the record. A decision or order of the Commission shall be affirmed unless arbitrary and capricious, or contrary to law.

(e) The Tribal Court shall have no jurisdiction to award money damages against the Commission or any member of the Commission for any action appealed under this section.

(f) The Tribal Court shall require parties to exhaust administrative remedies provided by this Ordinance prior to judicial review, absent an express finding of futility or other good cause to the contrary.

Section 313 Gaming Inspectors

(a) The Band shall employ tribal gaming inspectors who shall have primary responsibility for monitoring ongoing Class II and Class III gaming operations authorized by this Ordinance.

(b) Band gaming inspectors may be full time tribal employees and shall be subject to Band personnel policies and procedures. The Chairman of the Commission shall supervise the Band gaming inspectors with respect to compliance with personnel policies and procedures. The budget for the Commission shall include the costs associated with Band gaming inspectors.

(c) Band gaming inspectors shall report any violations of this Ordinance, the Act, or the Michigan Compact to the Band Gaming Commission.

Section 314 Sovereign Immunity

Nothing in this Ordinance shall be construed to waive the immunity from suit of the Band or the Band Gaming Commission; provided that judicial review of actions of the Band Gaming Commission shall be available as set forth in this Ordinance. In no event shall this Ordinance be construed as consent to any money judgment, lien or attachment of any property of the Band or Commission. No money damages shall be awarded against a Commission member or other Band official acting in good faith within the scope of their official duties under this Ordinance.

Chapter 4: Compliance with federal law

Section 401 Applicability

All gaming on the Reservation shall be conducted according to the provisions of this Ordinance and in compliance with the Indian Gaming Regulatory Act, and the National Indian Gaming Commission's Minimum Internal Controls.

Section 402 Sole proprietary interest

In compliance with 25 U.S.C. § 2710(b)(2)(A), the Band or a Band subdivision shall have the sole proprietary interest and responsibility for the conduct of any gaming activity on the Reservation. Ownership of any Class II or Class III game by any other entity or individual is prohibited.

Section 403 Use of revenues

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

(a) to fund tribal government operations or programs;

(b) to provide for the general welfare of the Indian Band and its members;

(c) to promote tribal economic development;

(d) to donate to charitable organizations;

(e) to help fund operations of local government agencies of the State and its political subdivisions; or

(f) to provide per capita payments to Huron Band of Potawatomi enrollees in accordance with the Indian Gaming Regulatory Act.

Section 404 Audits

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 accountants, not less than annually. The audit shall include 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. The audit shall be arranged by the licensee conducting the gaming, who shall provide a copy of the audit to the Commission upon completion. The Commission shall thereafter forward the audit report to the Tribal Council and the National Indian Gaming Commission.

Section 405 Environmental and public health and safety standards

In compliance with 25 U.S.C. § 2710(b)(2)(E), the construction and maintenance of any gaming facility, 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 all applicable health, safety and environmental standards enacted by the Band. Those standards generally imposed by the laws and regulations of the State of Michigan relating to public facilities with regard to building, sanitary, and health standards and fire safety shall be deemed to be incorporated by this Ordinance as the laws of the Band applicable to gaming facilities of the Band, provided however that such state laws have no force or effect on the Reservation other than by incorporation into this Ordinance, and provided further that if an approved management agreement stipulates that national building, electric and fire codes apply, then those standards shall be used.

Chapter 5. Facility Licensing

Section 501 Facility Licenses for gaming activities

The Commission shall issue a license for each place, facility, or location where gaming is conducted. For each location licensed, the Band through its primary management official of its gaming operation must file a sworn application that contains a full and complete showing of the following:

(a) Agreement by the applicant to accept and abide by all applicable provisions of this Ordinance and all conditions of the tribal license.

(b) Satisfactory proof that no employees of the applicant has ever been convicted of a felony.

(c) Satisfactory proof that notice of the application has been posted in a prominent, noticeable place in the Tribal Office and on the premises where the game is to be held for at least 30 days prior to consideration by the Commission, and published at least twice in a local newspaper serving the Reservation. The notice shall state the date, time and place when the application shall be considered by the Tribal Gaming Commission.

Section 502 Hearing on application for a license

(a) All applications for a gaming license shall be considered by the Gaming Commission in open session at which the applicant, his attorney and any person protesting the application shall have the right to be present, and to offer sworn oral or documentary evidence relevant to the application. After the hearing, the Commission shall determine whether to grant or deny the application, based on the Commission's determination of the best interests of the Band. The decision of the Gaming Commission shall be final.

(b) Existing licensees shall have no vested right to have their licenses renewed or extended, and compliance with this Ordinance does not guarantee an existing licensee a renewal or extension. In each case, the Commission shall, in the exercise of its discretion, make its determination based on all the evidence presented to it, provided that, with respect to Class III gaming operated under a management contract, the Commission shall not revise or fail to renew a

license except on grounds permissible under such management contract.

Section 503 Conditions of the tribal license

The facility license issued under this Ordinance shall be subject to such reasonable conditions as the Gaming Commission shall fix, including, but not limited to the following:

(a) The licensee shall at all times maintain an orderly, clean, and neat establishment, both inside and outside the licensed premises.

(b) The licensed premises shall be subject to patrol by the tribal, BIA law enforcement officers or other law enforcement agencies authorized under tribal law for the purpose of enforcing tribal law, and the licensees shall cooperate at all times with such law enforcement officers.

(c) The licensed premises shall be open to inspection by duly authorized tribal officials and officials of the National Indian Gaming Commission at all times during the regular business hours.

(d) There shall be no discrimination in the operations under a tribal license by reason of race, color or creed, age, sex, or national origin, provided, however, that a licensee shall give a preference in employment to qualified Indians.

(e) Licensee shall not allow any person who receives any compensation, directly or indirectly, for the operation of a Class II or Class III game, to play any Class II or Class III game at the facility where the person is compensated. Licensee shall not allow any person who, without payment, assists in the operation of any Class II or Class III game of chance conducted by the operator, to play in any game conducted by the operator within 24 hours after the time said person did so assist.

(f) Licensee may not allow Tribal Council member or Gaming Commission

member or Commission staff to play any Class II or Class III game licensed under this ordinance.

(g) No firearms, air guns which are capable of discharging dangerous projectiles, including but not limited to b.b.'s or C02 guns, rifles, shotguns, pistols, or revolvers; shall be offered or awarded as a prize or in lieu of a prize for winning at any of the activities authorized by this Ordinance.

(h) No person involved in the operation of any activity authorized by this Ordinance shall, directly or indirectly, in the course of such operation, employ any device, scheme, or artifice to defraud, make any untrue statement of a fact, or omit to state a consideration of the circumstances under which such statement was made, or engage in any act, practice, or course of operation as would operate as a fraud or deceit upon any person.

(i) Licensee may not accept for cashing any payroll check or a check from any federal or state agency including IRS checks, state assistance checks, or social security checks.

(j) Licensee shall notify the Commission of all vendor contracts between the gaming operation and vendors, including the nature of the contract and the amount.

(k) Licensee shall comply with all applicable requirements of the Federal Internal Revenue Code.

(l) Licensee may not permit any person under the age of twenty-one to work in any facility licensed under this ordinance.

If the premises operated by a manager, manager shall ensure compliance with this section.

Section 504 Consideration of gaming license

The Commission shall consider all license applications within sixty days of a complete application.

Section 505 Assignment or transfer

No license issued under this Ordinance shall be assigned or transferred without the written approval of the Commission and the Tribal Council, both expressed by formal resolution.

Section 506 Cancellation and suspension

The licensee must have, and exercise, complete control over the premises being used for gaming at all times said games are being played. The licensee, the manager, and the employees shall be legally responsible for any violation of the Ordinance. Any license issued hereunder may be canceled by the Commission for the breach of any of the provisions of this Ordinance or of the tribal license, upon hearing before the Commission, after 10 days notice of the claimed breach to the licensee. If the Band is the licensee, notice shall be served on the manager of the tribal operation. 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. The licensee, manager, their attorney and any person affected by the license shall have the right to be present and to offer sworn oral or documentary evidence relevant to the breach charged. A license may be suspended during the 10 day period by a majority vote of the Commission at a meeting at which a quorum is present. The decision of the Commission shall be final.

Section 507 Inspection

Gaming Inspectors of the Band shall have the right to gain access without notice during normal hours of operation, to all premises used for the operation of Class II and Class III games of chance on the Reservation, and may inspect all premises, equipment, daily records, documents or items related to the gaming. The State of Michigan shall have the right to gain access and may inspect all premises, equipment, daily records, documents or items related to the operation of Class III games of chance, subject to the following conditions:

(a) With respect to public areas, at any time without prior notice;

(b) With respect to private areas not accessible to the public, at any time during normal business hours, with 12 hours prior written notice; and

(c) With respect to inspection and copying of all tribal records relating to Class III gaming, with 48 hours prior written notice, not including weekends.

Chapter 6: Licensing of key employees, primary management personnel, persons with financial interests in management contract and vendors

Section 601 License required

(a) The Commission shall ensure that the policies and procedures set out in this Section are implemented with respect to all persons or entities subject to a background investigation and requiring a license pursuant to the IGRA or the Tribal-State Compact. Those required to obtain a license under this Section are:

1. All primary management officials and key employees of any gaming facility on the Reservation;

2. All persons or entities with a financial interest in or having a management responsibility for a Class III management contract; and

3. Vendors as defined under this Ordinance to a Class II and Class III gaming operation.

(b) The initial license and renewal fee shall be set by the Commission and the renewal license fee shall be set by the Commission.

Section 602 Licensing standard

No one shall be issued a license if he or she:

(a) is under the age of 21; or

(b) has been convicted of or entered a plea of guilty or no contest to a gambling related offense, fraud or misrepresentation; or

(c) has been convicted of or entered a plea of guilty or no contest to any offense not specified in subparagraph (b) within the immediately preceding five years; this provision shall not apply if that person has been pardoned by the Governor of the State where the conviction occurred or, if a tribal member, has been determined by the Band to be a person who is not likely again to engage in any offensive or criminal course of conduct and the public good does not require that the applicant be denied a license as a key employee or primary management official; or

(d) is determined by the Commission to have participated in organized crime or unlawful gambling or whose prior activities, criminal record, reputation, habits, and/or associations pose a threat to the public interest of the Band or the State of Michigan or to the effective regulation and control of gaming, or create or enhance the dangers of unsuitable, unfair or illegal practices, methods, and activities in the conduct of gaming or the carrying on of the business and financial arrangements incidental to the conduct of gaming.

Section 603 Application for license

(a) Each applicant for a gaming license shall, at the time of their hiring but prior to commencing employment, fill out an application for a tribal license to be provided by the Commission. Each such application shall have printed on it the following notices:

> 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 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.

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

2. 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. Code, title 18, section 1001).

(b) The Commission shall request from all applicants for a gaming license all of the following information:

1. Full name, other name used (oral or written), social security number(s), birth date, place of birth, citizenship, gender, all languages (spoken or written);

2. Currently and for the previous five years: business and employment positions held, ownership interests in those businesses, business and residence addresses, and drivers license numbers;

3. 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 (b) (2) of this section;

4. Current business and residence telephone numbers;

5. A description of any existing and previous business relationship with Indian tribes, including ownership interests in those business;

6. A description of any existing and previous business relationships with the gaming industry generally, including ownership interests in those businesses;

7. 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;

8. 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;

9. 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;

10. 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 paragraphs (8) or (9) of this section, the criminal charge, the name and address of the court involved and the date and disposition;

11. 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 was granted;

12. A current photograph;

13. Any other information the Commission deems relevant; and

14. Fingerprints, which shall be taken by the Huron Band of Potawatomi Police Department, consistent with procedures adopted by the Tribe according to 25 C.F.R. § 522.2(h). The National Indian Gaming Commission shall be the identified authorized entity that will process the fingerprint cards through the Federal Bureau of Investigations.

Section 604 Background investigation

(a) The Commission shall conduct an investigation sufficient to make a determination under Section 605. The Commission shall perform background investigations and issue licenses for all applicants for a gaming license according to requirements that are at least as stringent as those in 25 C.F.R. Parts 556 and 558. In conducting a background investigation, the Commission or its agent shall promise to keep confidential the identity of each person interviewed in the course of the investigation. Any costs of such investigations shall be paid by the applicant. If the applicant satisfies a background investigation conducted by the National Indian Gaming Commission within the last six months of applying to the Band Commission, such investigation shall suffice for purposes of this Section.

(b) The Commission shall employ qualified tribal investigators who shall be responsible for reviewing and verifying background information and criminal history record information (CHRI) reports. Access to CHRI reports shall be limited to tribal investigators and members of the Commission.

(c) Procedures for Conducting Background Investigations.

1. Information Verification. Tribal investigators shall review the required information provided by an applicant for a gaming license and shall:

a. Verify the applicant's name, place of birth, date of birth and citizenship by requiring the applicant to provide items such as a birth certificate, social security card or passport;

b. Confirm the applicant's business and employment positions held and ownership interests in those businesses currently and for the past five (5) years by attempting to contact through written letter, telephone calls or personal visits to past employers listed in the application and through ownership documentation such as copies of tax returns;

c. Obtain the applicant's driving record by using the applicant's driving license number to contact the Department of Motor Vehicle in the state where the license was issued;

d. Ascertain character information about the applicant by contacting personal references identified in the application;

e. Inquire into any existing or previous business relationships the applicant has had with Indian tribes or the gaming industry, including the scope of those relationships, by contacting respectively the tribes or entities identified in the application;

f. Verify the applicant's history and status with any licensing

agency by contacting those agencies listed in the application and the National Indian Gaming Commission;

g. Obtain information regarding any past felonies, misdemeanor convictions or criminal charges within the last ten (10) years by contacting state, city, county and tribal courts, and state, local and tribal police departments in the applicant's area of residence;

h. Obtain and verify any other information the Commission deems relevant to complete a thorough background investigation.

(d) Once the tribal investigator has verified the accuracy of the information contained in the application, the tribal investigator shall analyze the information and determine whether further investigation is warranted. If an analysis of the information reveals problem areas such as an applicant's criminal activities, finances or character, the tribal investigator shall broaden the scope of the investigation on such problem areas.

(e) The tribal investigator shall prepare an investigative report which shall contain the following:

1. A description of the steps taken in conducting the background investigation by a checklist of procedures completed;

2. An explanation of the results obtained including describing any exceptions or negative information and additional steps taken to examine any exceptions or negative information;

3. A statement as to the conclusions reached, whether positive or negative, and the basis or justification for such conclusion. Where

exceptions, areas of concern or negative information were obtained, the conclusions and the justifications for the conclusions shall be included in the investigative report;

Section 605 Determination of Suitability

The Commission shall review the investigative report prepared by the tribal investigator as the basis for reviewing 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 paying particular attention to (i) the truthfulness of the applicant's answers to questions asked; (ii) the applicant's criminal record, if any; (iii) any conflicting or additional information; and (iv) mitigating circumstances cited by the tribal investigator. If the Commission determines that employment of the person poses a threat to the public interest or to the effective regulation of gaming, or creates or enhances dangers of unsuitable, unfair, or illegal practices and methods and activities in the conduct of gaming, a management contractor or the tribal gaming operation shall not employ that person.

Section 606 Procedures for Forwarding Applications and Reports to the National Indian Gaming Commission

(a) When a person required to be licensed begins work at a gaming operation authorized by this ordinance, the 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 Section 605.

(b) The Commission shall forward the report referred to in Section 607 to the National Indian Gaming Commission within 60 days after an employee begins work or within 60 days of the approval of this ordinance by the chairman of the National Indian Gaming Commission.

(c) The gaming operation shall not employ a person who does not have a license after 90 days.

Section 607. Report to the National Indian Gaming Commission

(a) Pursuant to the procedures set out in Section 606, the Commission shall prepare and forward to the National Indian Gaming Commission an investigative report on each background investigation. An investigative report shall include the following:

1. Steps taken in conducting a background investigation;

2. Results obtained;

3. Conclusions reached; and

4. The bases for those conclusions.

(b) The Commission shall submit, with the report, a copy of the eligibility determination made under Section 605.

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

1. Shall notify the National Indian Gaming Commission; and

2. 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 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 designee for no less than three (3) years from the date of termination of employment.

Section 608. Granting a Gaming License

(a) If, within a thirty (30) day period after the National Indian Gaming Commission receives a report, the National Indian Gaming Commission notifies the Commission that it has no objection to the issuance of a license pursuant to the license application filed by a key employee or a primary management official for whom the Commission has provided an application and investigative report to the National Indian Gaming Commission, the Commission may issue a license to such applicant.

(b) The 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 subsection (a) of this section 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 Commission with a statement itemizing objections to the issuance of a license to a key employee or a primary management official for whom the Commission has provided an application and investigative report to the National Indian Gaming Commission, the Commission shall reconsider the application, taking into account the objections itemized by the National Indian Gaming Commission. The Commission shall make the final decision whether to issue a license to such applicant.

Section 609 Duration of license

Each license shall be effective for a period of one year. Prior to expiration of the license, the licensee shall update the information produced during the original investigation. The Commission shall conduct a review to determine that each licensee continues to meet the standards of Section 602. If the Commission finds that the licensee continues to meet the standards, it shall renew the license for an additional year. Notice of any such renewals shall be forwarded to the National Indian Gaming Commission.

Section 610 Hearings

Any person who applies for a license under this Chapter may request a hearing before the Commission on its license application. The Commission may grant such a request for a hearing in its sole discretion, provided that, if the hearing is requested by a person or entity whose application under this Chapter has been denied by the Commission and such request is made in writing within 30 days of the denial, such request for a hearing shall be granted. At any hearing under this section, the applicant shall have the right to be present, be represented by counsel at the applicant's own expense, to review all evidence before the Commission on the application, and to present additional oral or documentary evidence in support of the application. The decision of the Commission shall be in writing, and shall be rendered within three days of the hearing. The decision of the Commission shall be final.

Section 611 License suspension

(a) If, after issuance of a license under this Chapter, the Commission receives reliable information that a license is not eligible for employment under this Chapter, the Commission shall suspend the license and notify the licensee in writing of the suspension and proposed revocation. Such suspension shall not extend beyond 7 days without a hearing.

(b) The Commission shall notify the licensee of the time and place of the hearing. At the hearing, the licensee shall be entitled to the rights specified in Section 609.

(c) After a revocation hearing, the Commission shall determine, based on the evidence presented at the hearing, whether to revoke or reinstate the license. If the licensee continues to meet the standards of Section 602, the license shall be reinstated. If not, the license shall be revoked. The Tribe shall notify the National Indian Gaming Commission of its decision. The decision of the Commission shall be final.

Section 612. False or Misleading Information

Notwithstanding any other provision, any person who supplies materially false or misleading information, or who has omitted material information in connection with the requirement of this

Chapter, shall be denied a license.

Section 613 Effect of license denial

No person or entity denied a license under this Chapter shall be employed in any capacity at a tribally authorized gaming facility, provided that such person shall be eligible to reapply for a license one year or more after the license denial.

Chapter 7: Management Contractors

Section 701 Management contracts allowed

Subject to the approval of the Tribal Commission and the National Indian Gaming Commission, the Band may enter a management contract for the operation and management of gaming activities.

Section 702 Standard for approval

The Commission shall not approve any management contract unless its terms include:

(a) Adequate accounting procedures to be maintained by the contractor and verifiable financial reports submitted to the licensee and the Commission on a monthly basis.

(b) Access to the daily operation of the gaming facility for appropriate gaming officials, who shall also have the right to verify the daily gross revenues and income made from the gaming activity.

(c) A minimum guaranteed payment to the Band that has preference over the retirement of development and construction costs.

(d) A contract term not to exceed seven years.

(e) A management fee not to exceed 40 percent of the net revenues of the gaming activity.

(f) Grounds and mechanisms for terminating the contract.

Section 703 Submission to the National Indian Gaming Commission

The Band shall submit to the National Indian Gaming Commission for approval any management contract for the operation of a Class II or Class III game. The Band shall submit with the contract all information required by the National Indian Gaming Commission for its review of the contract.

Chapter 8: Class II Gaming

Section 801 Conditions

The following conditions and restrictions shall apply to the conduct of Class II gaming, including bingo:

(a) No person who is under the age of 18 shall participate or play in any Class II game of chance. It shall be the responsibility of the licensee and of those persons physically operating the games to determine that no unauthorized person is allowed to play in or participate in any manner in the operation of any bingo game.

(b) All Class II licensees shall impose a uniform charge on all players for the bingo cards to be used in each bingo game. The rate to be charged players for cards shall be fixed by each licensee and posted conspicuously on the premises. No person shall be allowed to play in a game without first paying this uniform charge. Each person paying for the opportunity to participate in a bingo game shall be given a bingo card which shall be numbered and can be readily identified as belonging to that licensee. Each card issued shall represent a specific amount of money which has been paid to the licensee. The amount of prize money represented by each card issued

shall be clearly made known to all players prior to anyone paying to participate in the activity.

(c) Bingo cards shall be sold and paid for, only in advance for use in a specified game or games. All sales of bingo cards shall take place upon the premises and upon the occasion that the bingo games for which the card is being sold are conducted. No cards may be sold on credit or as a gift or loan of any kind whatever.

(d) Each numbered ball, or other device, used in a bingo game for the selection of numbers to be called in play shall be the same weight as each of the other balls or devices used for the purpose in that game. Immediately following the calling of each number in a bingo game, the caller shall turn the portion of the ball or other device used to determine which number is called which shows the number and letter to the participants in the game so that participants may know that the proper number has been called out. Nothing in this section shall prohibit the use of electronic, computer or other technological aids in games of bingo or other games of chance provided that such aids are used properly and fairly.

Chapter 9: Class III Gaming

Section 901 Applicability

In addition to the forms of Class II gaming authorized pursuant to Chapter 8, the Band shall be authorized to conduct Class III gaming. This chapter imposes conditions and regulations on Class III gaming in addition to the conditions in Chapter 5 which are applicable to all gaming on the Reservation.

This chapter applies to Class III gaming, as defined in Section 205 of this Ordinance and in the Indian Gaming Regulatory Act at 25 U.S.C. §2703(8), that occurs on lands within the State of Michigan which are on the Huron Band of Potawatomi Reservation, held in trust by the United States for the Band or individual Indians or are otherwise subject to the jurisdiction of the Huron Band of Potawatomi.

Section 902 Governing law

Class III gaming under this chapter shall be governed by and conducted in conformity with the laws of the Huron Band of Potawatomi, the Michigan Compact and the laws of the United States.

Section 903 Adoption of compact

The Michigan Compact is hereby incorporated within and enacted as an integral part of this Ordinance with respect to all forms of Class III gaming, and is made a part of this Ordinance as if set forth in full herein; provided however, that nothing in the adoption of the Michigan Compact herein shall be deemed to affect the operation by the Band of Class III gaming, or the operation by the Band of Class II gaming on any portion of the Reservation, or to confer upon the State of Michigan any jurisdiction over Class II gaming conducted by the Band on the Reservation.

Section 904 Minimum age requirement

No person under the age of 21 shall be allowed to play any Class III game on the Reservation. If any person below the age of 21 plays and qualifies to win any Class III game, the prize shall not be paid, and the amount wagered during the course of the game shall not be returned to the minor.

Section 905 Recordkeeping requirement

Each location which contains video games of chance shall have an interconnected one-way reporting system which shall provide, for each machine, periodic analytic reports that record coins in and coins out, calculate actual hold, and compare actual hold to theoretical percentages. Reports shall be prepared on at least a monthly basis and shall be made available for inspection by agents of the State of Michigan. The reports shall be maintained by the Band for a minimum of three years.

Section 906 Technical standards

The provisions of Section 6 of the Michigan Compact, "Providers of Class III Gaming Equipment or Supplies," are hereby adopted and incorporated into this Ordinance.

Section 907 Accounting standards

The accounting standards of American Institute of Certified Public Accountants are hereby adopted and incorporated into this Ordinance.

Chapter 10: Jurisdiction Over Class III Gaming

Section 1001 Civil jurisdiction in Michigan

The Huron Potawatomi Tribal Court shall have civil jurisdiction exclusive of the State of Michigan over all transactions or disputes related to or arising from gaming conducted on the Reservation or in Michigan under this Ordinance.

Section 1002 Criminal jurisdiction in Michigan

The Huron Potawatomi Tribal Court shall have criminal jurisdiction exclusive of the State of Michigan over all persons who are Indian in any criminal proceeding related to or arising from gaming conducted on the Reservation in Michigan. The courts of the State of Michigan shall have jurisdiction over persons who are non-Indians in a criminal proceeding related to or arising from gaming conducted, to the extent set forth in the Michigan Compact.

Section 1003 Federal jurisdiction

Nothing herein shall be construed to limit or deprive the federal courts of any civil or criminal jurisdiction which they might otherwise have.

Chapter 11: Penalties

Section 1101 Criminal penalties

Violation of this Ordinance shall constitute a Class A misdemeanor.

Section 1102 Civil penalties

Notwithstanding criminal penalties which may be imposed, any individual who violates any provision of this Ordinance shall be subject to civil penalties including exclusion from employment by any Band gaming enterprise, exclusion from attendance at any Band gaming facility, or exclusion from the Reservation if a non-member of the Band. The Tribal Court shall have the jurisdiction to impose any such civil penalty on any person within the jurisdiction of the Band to impose such penalty.

Chapter 12: Customer Disputes

Section 1201 Customer Disputes

Any person who has any dispute, disagreement or other grievance that involves currency, tokens, coins or any other thing of value and is between the customer or player and a band licensed gaming facility, may raise such dispute with the following persons and in the following order: a) a member of the staff of the facility, b) the supervisor in the area in which the dispute arose, c) a managerial level supervisor of the facility, d) the Band Gaming Commission.

Section 1202 Customer rights regarding disputes

At each level, the complainant has the right to explain his side of the dispute, and to present witnesses in connection with any factual allegation. At each level, if the dispute remains unresolved, the complainant shall be informed of this right to take the dispute to the next higher level as set forth in Section 1201. Resolution of any dispute by staff of the facility shall always involve two or more staff members. All disputes, whether resolved or not, shall be the subject of a detailed report by all staff involved to their supervisors, or, in the case of the senior staff member handling a dispute, and

to the Band Gaming Commission.

Section 1203 Commission action on customer disputes

All disputes which are submitted to the Band Gaming Commission shall be decided by the Commission based on information provided by the complainant, any witnesses for or documents provided by the complainant, or by the licensee or manager of the facility or any other person who has relevant information to provide. The decision of the Commission shall be in writing, shall be issued within 14 days of submission of the matter to the Commission, and shall be provided to the licensee or manager of the facility and the complainant. The decision of the Commission shall be final.

Chapter 13: Miscellaneous

Section 1301 Severability

In the event that any section or provision of this Ordinance is held invalid, the remaining sections or provisions shall continue in full force and effect.

Section 1302 Agent

For purposes of service under 25 CFR 519.1 the Chairman of Huron Potawatomi Tribe, Inc. shall be deemed the agent. Such service shall be delivered to 2221½ Mile Road, Fulton, Michigan 49052.