NATIONAL
INDIAN
GAMING
COMMISSION

AUG 28 1998.

Honorable Charles Dawes
Chief, Ottawa Tribe of Oklahoma
P.O. Box 110
Miami, Oklahoma 74355

Dear Chief Dawes:

This letter responds to your request to review and approve the Act Relating to Ottawa Tribe of Oklahoma Regarding Regulation and Licensing of Gaming on Indian Lands and the Act Relating to Ottawa Tribe of Oklahoma Regarding Terms of Class II Gaming Operations on Tribal Lands, adopted on June 20, 1997, by the Ottawa Tribe of Oklahoma (Tribe). This letter constitutes approval under the Indian Gaming Regulatory Act (IGRA).

While I am approving these Acts, I noticed a few typical errors that must be corrected. On page 3 of the Act regarding Regulation and Licensing, Section 1-3 at number 5 "Class II gaming" on line 4, "of" should be replaced by "or"; on line 7 "or drawn" should be replaced by "are drawn" and at number 11 "Indian land" must be consistent with the definitions contained in the IGRA. On the Act regarding Terms of Class II Gaming on page 2, Article VII. A.1.(a)(4), "or" should be replaced by "of". Please make the necessary corrections.

Under the IGRA and the regulations of the National Indian Gaming Commission (NIGC), the Chairman is directed to review ordinances with respect to the requirements of the IGRA and the implementing regulations. Thus, the scope of the Chairman's review and approval is limited to the requirements of the IGRA and the NIGC regulations. Provisions other than those required tribal ordinance are not subject to review and approval. Also such approval does not constitute approval of specific games. It is important to note that the gaming ordinance is approved for gaming only on Indian lands as defined in the IGRA.

With the Chairman's approval of the Tribe's gaming ordinance, the Tribe is 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 issuing a license to a key employee or primary management official pursuant to 25 C.F.R. §556.5(b). Though the ordinance is approved the Tribe may not conduct any Class III gaming without an approved Tribal/State Compact.

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

Sincerely yours,

Tadd M. Johnson by BwB

Tadd M. Johnson
Chairman

cc: Margie Ross, Program Director

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

RESOLUTION 97-9

OTTAWA TRIBE OF OKLAHOMA

RESOLUTION TO ADOPT AN [ACT RELATING TO OTTAWA TRIBE OF OKLAHOMA REGARDING REGULATION AND LICENSING OF GAMING ON INDIAN LANDS]

JUN - 1 1998

WHEREAS, the Ottawa Tribe of Oklahoma (hereinafter "Ottawa Tribe") is a Federally recognized Indian Tribe of Indians organized pursuant to a Constitution and By-Laws ratified November 30, 19 38, as amended by the People of the Ottawa Tribe from time to time as provided in the Oklahoma Indian Welfare Act of June 26, 1936, Ch. 831, 49 Stat. 1967; and

WHEREAS, Article VI, Section _____ of the Constitution and By-Laws of the Ottawa Tribe provides that the Ottawa Business Committee shall have the power to act on behalf of the Tribe in all matters on which the Tribe is empowered to act; and

WHEREAS, the Ottawa Business Committee is the Supreme governing body of the Ottawa Tribe with the authority to enact laws and ordinances and to interpret provisions of the Constitution and By-Laws; and

WHEREAS, in certain treaties entered into between the Ottawa Tribe and the United States, the Ottawa Tribe undertook to provide protection to businesses which were located within its jurisdiction and retained all of its inherent rights of self government; and

WHEREAS, the Ottawa Tribe is desirous of providing a basis under tribal law to authorize and regulate the conduct of gaming on Indian lands of the Ottawa Tribe including entering into tribal-state compacts with the states where Ottawa Indian lands are located and entering into appropriate management contracts with management agents to provide for the establishment and operation of Class II and Class III gaming operations as defined by the Indian Gaming Regulatory Act of 1988; and

WHEREAS, the Ottawa Tribe desires to approve the attached "OTTAWA TRIBE GAMING ACT" in order to authorize and regulate gaming on Indian lands of the Ottawa Tribe as defined by the Indian Gaming Regulatory Act of 1988; and

RESOLUTION 97-9
OTTAWA TRIBE OF OKLAHOMA

WHEREAS, the Constitution and By-Laws of the Ottawa Tribe provides that enactments are to be passed by a majority of the Ottawa Business Committee members present; and,

THEREFORE, BE IT ENACTED BY THE OTTAWA TRIBE OF OKLAHOMA:

AN ACT RELATING TO OTTAWA TRIBE OF OKLAHOMA REGARDING REGULATION AND LICENSING OF GAMING ON INDIAN LANDS

Chapter 1

General Provisions

Section 1-1

Title

This enactment shall be known as the "Ottawa Tribe Gaming Act."

Section 1-2

Purpose

The purpose of this Act is:

1. To regulate the conduct of gaming owned and operated by the Ottawa Tribe of Oklahoma or its officially licensed agents, on Indian lands of the Ottawa Tribe of Oklahoma, (hereafter referred to as "Ottawa Tribe") in compliance with Public Law 100-497, October 17, 1988, 102 Stat. 2467, the Indian Gaming Regulatory Act ("IGRA").

2. To provide a basis under tribal law for the operation of gaming on Indian lands as a means for promoting tribal economic development, self-sufficiency, and a strong tribal government.

3. To provide a basis under tribal law for the regulation of gaming by the Ottawa Tribe adequate to shield it from organized crime and other corrupting influences, and to ensure that the Ottawa Tribe is the primary beneficiary of the gaming operation, and to assure that gaming is conducted fairly and honestly by the Ottawa Tribe, its agents and players.

Section 1-3

Definitions

1. "Act" means this Ottawa Tribe Gaming Act.

2. "Business Committee" means the Ottawa Tribe Business Committee.

3. "Chairman" means the Chairman of the Ottawa Tribe Gaming Commission established pursuant to this Ordinance.

4. "Class I gaming" means social games solely for prizes of minimal value or traditional forms of Indian gaming engaged in by individuals as a part of, or in connection, with tribal ceremonies or celebrations.

5. "Class II gaming" means the game commonly known as bingo (whether or not electronic, computer or other technology are used in connection therewith) and which is played with prizes including monetary prizes with cards bearing numbers of other designations, and in which the holder of the card covers such numbers or designations when objects, similarly numbered or designated, or drawn or are electronically determined, and in which the game is won by the first person covering a previously designated arrangement of numbers or designations on such cards, including pull tabs, lotto, punch boards, tip jars, instant bingo, and other games similar to bingo. This class of gaming also includes card games that are explicitly authorized by state laws or are not explicitly prohibited by state laws and are played at any location in the state.

   Class II gaming does not include any banking card games, including baccarat, chemindefer, or black jack (21) or electronic or electromechanical facsimiles of any games of chance or slot machines of any kind.

6. "Class III gaming" means all forms of gaming that are not Class I gaming or Class II gaming.

7. "Commission" means the Ottawa Tribe Gaming Commission established by this Ordinance.

8. "Compact" means the agreement between the Ottawa Tribe and any State of the United States, pursuant to 25 U.S.C. § 2710(b)(iv), as further approved in accordance with the Indian Gaming Regulatory Act, as the procedures under which Class III gaming may be conducted on Indian lands over which the Ottawa Tribe has jurisdiction.

9. "Executive Director" means the Executive Director of the Ottawa Tribe Gaming Commission established pursuant to this ordinance.

10. "IGRA" means the Indian Gaming Regulatory Act of 1988, P.L. 100-497.

11. "Indian land" means any land the title to which is either held in trust by the United States for the benefit of the Ottawa Tribe or its members or is held by the Ottawa Tribe or its members, subject to restriction by the United States against all alienation and over which the Ottawa Tribe exercises governmental power; as defined by IGRA.

12. "State" means any State of the United States.

13. "Tribe" means the Ottawa Tribe of Oklahoma.

Chapter 2

Administration and Enforcement

Section 2-1

Establishment of the Ottawa Tribe Gaming Office and Commission

There is hereby established the Ottawa Tribe Gaming Office (hereinafter "Gaming Office") and the Ottawa Tribe Gaming Commission (hereinafter "Commission") which shall have the duties and powers as hereinafter described.

The Commission shall constitute no less than three (3) nor more than five (5) members to be appointed by the Chief acting as the Chairman of the Ottawa Business Committee. Commission members will serve for a period of two (2) years. However, for the first appointments, the names shall be placed in a receptacle with the first name drawn serving a term of two (2) years. The second name drawn shall serve a term of one (1) year, and terms shall alternate accordingly with each subsequent name drawn. The Commission shall elect a chairman from among its members. The Commission shall have the power to generally oversee the Chairman and Gaming Office and review its actions for approval or ensure compliance with this Act and any regulations adopted and orders issued by the Commission. The Commission members shall submit to a conflict of interest provision to disclose potential unethical situations.

Section 2-2

Powers and Duties of the Commission

Duties of the Commission

It shall be the responsibility of the Commission to promulgate regulations necessary to administer the provisions of this Act. The duties shall include, but not be limited to the following:

1. Printing and making available application forms for initial and renewal licenses, as well as other licenses or tax return forms.

2. Supervise the collection of all fees and taxes prescribed by this Act.

3. Processing all license applications and tax returns which will be submitted under oath.

4. Issuance of licenses.

5. Conduct hearings, investigations or inquiries regarding the granting or denial of any license.

6. Enjoin and restrain any illegal activities in connection with this Act.

7. Appoint inspectors and other staff necessary to administer the Commission's responsibilities.

8. Hold regular meetings to oversee operation of the Gaming Office and Commission.

9. Ensure compliance with the procedures and policies of the State Police and State Gaming Agency.

10. Issue orders and adopt regulations in compliance with this Act.

11. Ensure compliance of any order or regulation issued by the Commission.

12. Establish policy and take all actions necessary to complete all tasks and procedures defined and required by this Act.

13. Establish policy and take all actions necessary to complete all tasks and procedures defined and required by the Ottawa Tribe Gaming Office.

14. Establish policy and take all actions necessary to complete all tasks and procedures defined and required by the Ottawa Tribe Commission.

15. Establish policy and create a Tribal State Compact to govern class III gaming activities.

16. Promote regulations establishing proper accounting procedures and methods of operations for all licensees of class II and class III gaming activities.

17. Promote regulations establishing the rules of any given class II or class III gaming to ensure fairness and uniformity.

18. Establish policy and take all actions necessary to complete all tasks and procedures defined and required by the Ottawa Tribe Class III Gaming Ordinance.

19. Establish policy and take all actions necessary to complete all tasks and procedures defined and required by the Ottawa Tribe Class III Gaming Ordinance.

20. Establish policy and take all actions necessary to complete all tasks and procedures defined and required by the Ottawa Tribe Class II Gaming Regulations.

21. Establish policy and take all actions necessary to complete all tasks and procedures defined and required by the Ottawa Tribe Class III Gaming Regulations.

Powers of the Commission

In order to adequately perform its duties, the Commission is hereby vested with the following powers:

1. To employ non-uniformed, licensed inspectors who shall be present in all gaming facilities during all hours of operation who shall be responsible solely to the Commission and not to any management employees of the gaming operations. Such inspectors shall have unfettered access to all areas of the gaming facility at all times, including locked and secure areas.

2. To investigate on its own initiative any aspect of the gaming operations in order to protect the public interest in the integrity of the gaming activities and to prevent improper or unlawful conduct in said gaming activities.

3. To compel any person employed by and doing business with any gaming operation to appear before it under oath and to provide

such information, documents or other material as required in writing by the Commission.

4. To impose penalties and sanctions for violations of this Ottawa Tribe Gaming Act, any applicable Compact, or other rules of procedure adopted by the Commission.

5. To establish policy and take all actions necessary to carry out the provisions of this Act in compliance with IGRA.

Section 2-3

Chairman of the Commission

The Chairman 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 the Ottawa Tribe's gaming operations, issue in the name of the Commission, any order which the Commission has the power to issue, to the gaming operations or to any employee or contractor thereof or to any person within the jurisdiction of the Ottawa Tribe, to take any action or to cease and desist from taking any action as may be required to protect the public interest; provided, that any such order shall be subject to subsequent review by the Commission at its earliest opportunity, whereupon said order may be confirmed or vacated by the Commission.

Section 2-4

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 of the functions of the Commission with the State Police and the State Gaming Agency. 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 complaint, 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 investigatory powers of the Commission, which the Commission may exercise under this Ordinance.

Section 2-5

Commission Meetings

Regular meetings of the Commission may be held 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.

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.

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.

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. Any such action taken by unanimous written consents may, but need not be, set forth in such consents in the form of resolutions or votes.

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 such a meeting by any member who does not object at the beginning of such meeting shall constitute presence in person at such meeting.

Section 2-6

Procedures

The Commission shall afford an applicant of a license an opportunity for hearing prior to final action denying such application and shall afford a licensee or any other person subject to this ordinance the opportunity for a hearing prior to taking

final action resulting in denying, terminating, revoking, suspending, or limiting a license or any other adverse action the Commission deems appropriate; provided, the Executive Director may summarily temporarily suspend or extend suspension of licenses for sixty (60) days in those cases where such action is deemed appropriate by the Executive Director. In cases where a license is suspended prior to hearing, an opportunity for a hearing shall be provided.

Section 2-7

Background Investigation

The Commission shall request from each primary management official, and from each key employee, information defined in the gaming ordinances to include a minimum of the following information:

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

2. Currently and for the previous 5 years: business and employment positions held, ownership interests in those businesses, business and residence addresses, and drivers license numbers;

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 (1)(b) of this section;

4. Current business and residence telephone numbers;

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

6. A description of any existing and previous business relationships with the gaming industry, generally Indian tribes, 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 paragraph (1)(h) or (1)(i) 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 or permit was granted;

12. A current photograph;

13. Any other information the Tribe deems relevant; and

14. Fingerprints consistent with procedures adopted by the Tribe according to 25 C.F.R. § 522.2(h).

Section 2-8

Preliminary Determination

Whenever, upon preliminary factual finding, the Commission determines that any person has failed to comply with the provisions of this Act or any regulations promulgated hereunder, the Commission shall make a certification of findings with a copy thereof to the subject or subjects of that determination. After five (5) day notice, and within thirty (30) days thereof, the Commission shall hold a hearing at which time the subject shall have an opportunity to be heard and present evidence. The Commission shall have the specific right to enjoin and restrain illegal activities.

Section 2-9

Hearing

At such hearing it shall be the obligation of the subject to show cause why the preliminary determination is incorrect, why the application in question shall not be revoked or suspended, why the period of suspension should not be extended, or to show cause why special conditions or limitations upon a license should not be

imposed, or to show cause why any other action regarding any other person or persons subject to any action should not be taken.

Section 2-10

Final Determination

Following such hearing, the Commission shall, within thirty (30) days, reach a final determination concerning the accuracy of the preliminary certification of facts, and whether the license in question should be granted, continued, suspended, revoked, conditioned or limited, and whether or not any other action recommended to or by the Commission (including but not limited to forfeitures or fines) should be taken. The action of the Commission will be the final action of the Ottawa Tribe.

Within thirty (30) days following this determination, the Executive Director shall inform the subject in writing of that determination.

Section 2-11

Sanctions

Any person who engages in activities on property subject to the provisions of this Act without a license, in violation of the license or terms imposed thereon, in violation of terms of suspension, or in violation of any other provision of this Act, any Compact with the State, the Indian Gaming Regulatory Act of 1988, regulations promulgated thereunder, or amendments thereto, shall be in violation of this Act, including any person who unlawfully trespasses upon any premises licensed by this Act without the consent of the committee or the Executive Director. Separate violations shall be prosecuted as separate offenses. Each day of violation shall constitute a separate count or violation of this Act. Each violation shall carry a potential fine of _____ Dollars ($_____) to _____ Dollars ($_____) to be determined at the discretion of the Commission. Any property used in the furtherance of any violation of this Act may become the property of the Ottawa Tribe. All winnings found to have been received in violation of this Act are subject to seizure and forfeiture and become the property of the Ottawa Tribe.

Section 2-12

Reports

The Commission will make an annual comprehensive report to the Ottawa Tribe Business Committee.

Chapter 3

Licensing

Section 3-1

License Required

Any agent of the Ottawa Tribe conducting public gaming operations for the benefit of the Ottawa Tribe on Indian lands of the Ottawa Tribe shall be required to have and display prominently an appropriate, valid and current public gaming license issued pursuant to the provisions of this Act. Any form of public gaming operations conducted within the jurisdiction of the Ottawa Tribe without the lawful written approval of the Ottawa Tribe Gaming Commission are prohibited. Furthermore, it shall be unlawful for any person to conduct gaming activities on Indian lands of the Ottawa Tribe which are not under license by and for the benefit of the Ottawa Tribe or which mislead the general public in believing the gaming operation is owned or under control and operated by the Ottawa Tribe. The Commission shall have the right to enjoin and restrain illegal activities.

Section 3-2

Classes and Fees

There shall be three (3) different classes of gaming, each characterized by its separate requirements and fees. These classes are created in compliance with the Indian Gaming Regulatory Act, Public Law 100-497, October 17, 1988.

Section 3-3

Class I Gaming

No license required.

Section 3-4

Class II Gaming

Only a wholly owned Ottawa Tribe enterprise or its designated and approved agent or employee may apply for and receive a Class II gaming license. Also, gaming must be conducted in facilities of the Ottawa Tribe. A separate license must be issued by the Commission for each place, facility or located on Indian lands at which Class II gaming is conducted. The Ottawa Tribe will have the sole proprietary interest and responsibility for the conduct of any gaming activity under a Class II license and all net revenues from any said gaming are to be used for tribal purposes including:

(i) to fund tribal government operations or programs;

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

(iii) to promote tribal economic development.

The Ottawa Tribe will cause annual audits of all gaming activity under a Class II license to be conducted within the existing independent tribal audit system and will provide all audit information to the National Indian Gaming Commission. The management and operation of any Class II gaming facility shall be subject to all applicable provisions of the Indian Gaming Regulatory Act. An annual fee of _____ Dollars ($_____) will be charged for any Class II gaming license.

Section 3-5

Class III Gaming

Class III gaming is hereby authorized to be conducted only by an enterprise which is owned solely by the Ottawa Tribe and a license may be issued to its designated and approved agents and employees. The Ottawa Tribe will have the sole proprietary interest and responsibility for the conduct of any Class III gaming activity and the net revenues from any Class III gaming are to be used for no purposes other than:

(i) to fund tribal government operations or programs;

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

(iii) to promote tribal economic development.

A separate license shall be required for each place, facility or location on Indian lands at which Class III gaming is conducted. An annual fee for a Class III gaming license will be _____ Dollars ($_____).

Section 3-6

Tribal-State Compact

The Chairman is hereby authorized by the Business Committee to approve a tribal state compact governing Class III gaming activities. Said compact shall be approved by the Secretary of the Interior or the Chairman of the National Indian Gaming Commission, as required, and published in the Federal Register as provided by Indian Gaming Regulatory Act. The compact may include provisions

relating to the application of criminal and civil laws and regulations of the Ottawa Tribe or the state to the Class III gaming activity, an allocation of criminal and civil jurisdiction between the Ottawa Tribe and the state where necessary for the enforcement of laws and regulations, taxation, where appropriate, by the Ottawa Tribe of such activity in amounts comparable to the amounts assessed by the state for comparable activities, remedies for breach of contract, standards for operation of such activity and maintenance of the gaming facility including licensing and any other subjects directly related to the operation of gaming activities. The Ottawa Tribe Business Committee is hereby authorized to negotiate said compact on behalf of the Ottawa Tribe.

Section 3-7

Jurisdiction

Any cause of action initiated by the Ottawa Tribe arising from the failure of the State to enter into negotiations with the Ottawa Tribe for purposes of entering into a tribal-state compact or to conduct said negotiations in good faith will be filed in the United States District Court.

Section 3-8

Management Contracts

The Ottawa Tribe Business Committee, on behalf of the Ottawa Tribe is authorized to enter into and approve management contracts for the management of any Class II and/or Class III gaming facility owned and operated by the Ottawa Tribe. Said management contract shall in all respects be in compliance with the Indian Gaming Regulatory Act. All management contracts shall be approved by the Chairman of the National Indian Gaming Commission or as designated by IGRA. No person holding a management contract with the Ottawa Tribe for the management of any Class II or Class III gaming facility shall be an elected member of the Ottawa Tribe, or have been convicted of any felony or gaming offense, or have knowingly or willingly provided any material reporting false statements to the National Indian Gaming Commission or Ottawa Tribe Gaming Commission pursuant to this Act or the Indian Gaming Regulatory Act or whose prior activities, criminal record, if any, or reputation, habits, and association pose a threat to the effective regulation and control of the gaming activity subject to the management contract or who has attempted in any way to unduly influence or interfere with the decision process relating to any management contract or license.

Section 3-9

Termination

The Commissioner shall have the duty to bring before the Commission any charge of any unfair or illegal practice of any licensee or manager which shall constitute grounds for temporary suspension by the Commissioner or termination by the Commission of any license or management contract. The same procedure as provided herein under Section 2-6. et seq., will be followed here.

Section 3-10

Violation of Act by Licensee

Any violation of the provisions of this Act or of any of the Commission's rules by a licensee, his agent, or employee, shall be deemed contrary to the public health, safety, morals, good order and general welfare of the Ottawa Tribe and the inhabitants of the Ottawa Tribe and grounds for refusing to grant or renew a license or management contract, suspension or revocation of a license or management contract or grounds for the filing of a complaint with the National Indian Gaming Commission.

Chapter 4

Rules of Operation and General Accountability

Section 4-1

Records, Returns and Audits

It shall be the responsibility of the Ottawa Tribe Gaming Commission to promulgate regulations establishing proper accounting procedures and methods of operations for all licensees of Class II and Class III gaming activities so that all monies or things of value received and paid out may be properly monitored and accounted for. All licensees under this Act shall be required to keep an approved accounting system which shall comply with, but not be limited to, all applicable provisions of this Act or regulations of the Commission. Said accounting system shall reflect all business and financial transactions involved or connected in any manner with the operation and conducting of activities authorized by this Act. The Commission shall have the right to subpoena records or to secure a court order to seize records for property not surrendered.

No applicant, license or employee thereof shall neglect or refuse to produce records or evidence or to give information upon proper and lawful demand by the Commissioner or Commission, or shall otherwise interfere or attempt to interfere, with any proper

and lawful efforts by the Executive Director or the committee to produce such information. The Commission may conduct such hearings as deemed necessary to ensure compliance with the provisions of this Act and accountability for all monies received and spent. Failure to comply with the provisions of this Act shall constitute grounds for complaint with the National Indian Gaming Commission and summary suspension or revocation of any license or management contract.

Section 4-2

Rules of the Game

It shall be the responsibility of the Ottawa Tribe Gaming Commission to promulgate regulations establishing the particular rules of any given Class II or Class III gaming in order that said gaming will be conducted with fairness and uniformity.

Section 4-3

Age Limit for all Gaming

No person who is under the age of 18 shall operate or be allowed to participate in any manner in the operation of any Class II or Class III gaming activities. It shall be the responsibility of any manager or licensed agent of the Ottawa Tribe to ensure compliance with this age limit requirement.

Section 4-4

Inherent Sovereignty of the Ottawa Tribe

With the passage of this legislative act notwithstanding any other law or ordinance, this ordinance does not limit the inherent sovereignty of the Ottawa Tribe.

Section 4-5

Repeal

To the extent that they are inconsistent with this ordinance, all prior gaming ordinances are hereby repealed.

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

The foregoing resolution was duly adopted this 20th day of JUNE, 1997, in a special session of the Ottawa

RESOLUTION 97-9

OTTAWA TRIBE OF OKLAHOMA

Tribe Business Committee meeting at which a quorum was declared by a vote of 5 for, 0 against, 0 abstaining.

TRIBE: OTTAWA TRIBE OF OKLAHOMA
a federally recognized Indian Tribe

By: Charles Dawes
Charles Dawes, Chief

Attest:

Gene Epperson
Secretary

Filed with:

Bureau of Indian Affairs

Chairman, National Indian Gaming Commission