



Chapter R400 - Law and Order

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Note: Part 2, Criminal Regulations, 25 C.F.R. Part 11, Subpart C and D, has been repealed and replaced with Criminal Procedures Ordinance and the Law and Order - Criminal Offenses - Ordinance effective October 10, 2003.

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Gaming Commission Regulations
Regulation # R400-04:GC-01

Chapter 1. General Provisions

Section 1. Purpose; Authority

1-1. *Purpose.* It is the purpose of this Chapter to provide general guidance on the operating activities of the offices of the Gaming Commission.

1-2. *Authority.* These rules and regulations are issued under and pursuant to the authority of the Gaming Ordinance, # 02-400-01, Gaming Commission Ordinance, #02-400-04, and Commission's Ordinance, # 01-100-06.

Section 2. Definitions

2-1. *General.* For purposes of this regulation, certain terms are defined in this section. The word "shall" is always mandatory and not merely advisory. Unless defined elsewhere, terms defined in this Chapter and the Gaming Ordinance and Gaming Commission Ordinance are defined for the purposes of all Gaming Commission Regulations.

2-2. *Applicant records:* means those records which contain information and data pertaining to an applicant's criminal record, antecedents and background, and the applicant's financial records, furnished to or obtained by the Gaming Commission from any source incident to an investigation for licensure, finding of suitability, registration, or other affirmative approval.

2-3. *Authorized Personnel:* Any member, employee, or agent of the Gaming Commission.

2-4. *Certification fees:* means the fees charged by Gaming Commission personnel incident to the certification of documents.

2-5. *Commission Work Product:* means any paper, document, or other record prepared within the Gaming Commission, in performance of statutory or regulatory authority, which contains opinions or recommendations submitted for consideration in the performance of decisional or policy making functions or information supplied by any governmental agency or an informer or on the assurance that the information will be held in confidence. "Commission work product" includes, but is not limited to, the following documents, prepared by members, agents, attorneys, and employees of the Gaming Commission:

- a. Investigative summaries concerning applicants for licensure, finding of suitability, registration, or other affirmative Gaming Commission approval;
- b. Investigatory files compiled for law enforcement purposes;
- c. Investigative reports;
- d. Work papers and notes of members, agents, attorneys, and employees of the Gaming Commission;
- e. Audit reports, including work papers, whether for special or regular audits; and
- f. Orders to show cause and related documents.

2-6. *Confidential record:* means any paper, document or other record or data reduced to a record which is not open to public inspection.

2-7. *Director:* means the Director of Gaming Regulatory and Compliance or any successor position responsible for supervision of the day-to-day operations of the Gaming Commission staff.

2-8. *Duplication fees:* mean a charge for duplicating documents for release to the requesting

person.

2-9. *Financial records*: mean those records which relate to the finances, earning, or revenue of an applicant, licensee, registered company, or person to whom any approval has been granted.

2-10. *Investigation*: means any investigation conducted by the Gaming Commission or its staff pursuant to the Gaming Ordinance, the Gaming Commission Ordinance, and the regulations promulgated thereunder, including, but not limited to, an investigation pursuant to an application for a gaming license, continuation of a gaming license, finding of suitability, registration, approval, other license, or periodic compliance investigation.

2-11. *Law enforcement agency*: means any governmental agency involved in the investigation of criminal activity or the arrest, detention, or prosecution of persons suspected of engaging in criminal activity.

2-12. *Public record*: means any paper, document, or other record required to be kept or necessary to be kept, in the discharge of a duty imposed law, not declared confidential by statute or regulation. Public records are open to public inspection and include, but are not limited to, the following:

- a. Minutes of Gaming Commission regular and special public meetings, and all public hearings conducted by the Gaming Commission, or its agents, including exhibits entered in the public record as public documents at those meetings or hearing;
- b. A list of all applications made under applicable employee or vendor licensing regulations and the record of all formal actions taken with respect to such applications by the Gaming Commission;
- c. Agendas of Gaming Commission meetings;
- d. With the exception of documents filed under seal pursuant to section 5.2, legal documents filed with the Gaming Commission concerning contested cases brought by or against the Gaming Commission or the Director, including, without limitation, disciplinary actions, proceedings concerning the possible inclusion of persons on the list of excluded persons, petitions for redetermination, and requests for refund, except that the summary of evidence filed with a disciplinary complaint and the evidence to which it refers is confidential until such documents are entered in the public record as public documents at a Gaming Commission hearing on the complaint;
- e. Gaming Commission files on the enactment, amendment, or repeal of regulations;
- f. All ordinances enforced by the Gaming Commission and the regulations promulgated there under;
- g. Licenses;
- h. Reports and correspondence of the Gaming Commission specifically prepared for public distribution.

2-13. *Assuring Integrity of Records*:

a. *Records Maintained in Manual Form*. When maintained in manual form, gaming license files shall be maintained, at a minimum, subject to the following safeguards, or safeguards affording comparable protection:

1. Areas in which the records are maintained or regularly used shall be posted with an appropriate warning stating that access to the records is limited to authorized persons.
2. During working hours,

A. the area in which the records area maintained or regularly used shall be

occupied by authorized personnel or

B. access to the records shall be restricted by their storage in locked metal file cabinets or a locked room.

3. During non-working hours, access to the records shall be restricted by their storage in locked metal file cabinets or a locked room.

2-14. All Gaming Commission deadlines and terms are counted on calendar days, unless otherwise specifically stated. All deadlines and terms are considered expired as of midnight the day they expire.

Section 3. Construction and Application of the Rules

3-1. Construction and Amendments.

a. These rules shall be liberally construed to permit the Gaming Commission to effectively carry out its statutory functions and secure a just and expeditious determination of issues properly presented to the Gaming Commission.

b. These rules may be amended by the Gaming Commission from time to time in accordance with the provisions of the Gaming Ordinance, Gaming Commission Ordinance, and any regulation promulgated by the Gaming Commission.

3-2. Severability and Preemption.

a. If any clause, sentence, subparagraph, paragraph, subsection, section, chapter or other portion of these rules or the application thereof to any person or circumstance shall be held to be invalid, such holding shall not affect, impair or invalidate the remainder of these rules or the application of such portion held invalid to any other person or circumstances, but shall be confined in its operation to the clause, sentence, subparagraph, paragraph, subsection, section, chapter or other portion thereof directly involved in such holding or to the person or circumstances therein involved.

b. The Gaming Commission shall have jurisdiction over all matters delegated to it or within the scope of its powers under the provisions of the Gaming Ordinance and these rules.

Section 4. Information and Filings

4-1. Office; Hours.

a. The main office of the Gaming Commission is located at:

2840 Orchard Highway – Suite A
Manistee, MI 49660

b. The mailing address for the Gaming Commission is:

Little River Band of Ottawa Indians Gaming Commission
PO Box 337
Manistee, MI 49660

c. The office of the Gaming Commission is open for the filing of papers and for other business from 7:00 a.m. – 4:00 p.m., Monday through Friday. The office of the Gaming Commission is closed on legal holidays in accordance to the Tribal Personnel Manual.

4-2. Communications; Notices.

a. All papers, process or correspondence relating to the Gaming Commission shall be addressed to, or served upon the Gaming Commission at the Gaming Commission's main office or sent through the mail service.

- b. All such papers, process or correspondence shall be deemed to have been received or served when delivered to the main office of the Gaming Commission. If after hours, papers, processes, or correspondences delivered to the mailbox available in front of the Gaming Commission's office, shall be deemed to have been received or served when deposited in such mailbox.
- c. Use of electronic correspondence although not sanctioned as a valid means to serve, process, or correspond shall serve as a presumption of knowledge of the content of the information sent electronically. Routine and day-to-day communications may be forwarded electronically to recipients whose e-mail addresses are registered with the Gaming Commission.

Section 5. Confidentiality

5-1. All information about applicants and/or licensees is confidential. Confidential records may only be released as prescribed in this regulation. Confidential records include, but are not limited to:

- a. Commission work product;
- b. Applicant records (entire file);
- c. Financial records of any applicant and/or licensee, including trade secrets, tax returns, internal controls or reports of financial or internal controls audits;
- d. Transcripts of investigative and other closed hearings including, but not limited to, licensing and personnel hearing;
- e. Licensee records, lists of license holders, and records of persons engaged in the gaming industry acquired or compiled by the Gaming Commission;
- f. All information, records, interviews, reports, data or documents supplied to or used by the Gaming Commission that has been received from another jurisdiction under a promise of confidentiality or if the release of the information is otherwise barred by the statutes, rules or regulations of that jurisdiction or by an intergovernmental agreement;
- g. Records or data provided to members, agents, and employees of the Gaming Commission on the assurance that such information will be held in confidence and treated as confidential information;
- h. Records or data provided to members, agents, or employees of the Gaming Commission with a request for confidentiality, which request has been granted by the Director or the Gaming Commission Chairperson;
- i. Any records required to be submitted to the Gaming Commission which contain information that is privileged, unless the holder of the privilege has waived the privilege;
- j. Licensees' responses to regulatory notices or inquiries, including orders to show cause;
- k. Documents that are confidential under any Tribal ordinance, these regulations, or other law, proffered or introduced as evidence in contested matters, provided such documents are received in evidence as confidential exhibits;
- l. Those documents or portions of documents filed in contested matters under seal pursuant to Section 5-2 of this regulation;
- m. Internal control systems or information relating to security or surveillance systems submitted by applicants or licensees;
- n. Correspondence containing information deemed confidential by applicable law or regulation; and

o. Any records which contain any information relating to confidential investigations or confidential informants of the Gaming Commission.

5-2. *Sealing Of Documents.* The Gaming Commission Chairperson or the hearing examiner may allow any person interested in a contested case brought before the Gaming Commission by or against the Director to file a document or portions of a document with the Gaming Commission under seal if:

- a. The document or portions of the document contain information that is confidential pursuant to the Act or these regulations;
- b. The person makes a request in writing or on the record of a public hearing to allow the filing of the document under seal, setting forth the reasons that such filing under seal should be permitted;
- c. The person requesting the filing of the document or portions of the document under seal has, to the extent practicable, segregated the portions of the document containing confidential information from the remainder of the document so that no more of the document than is necessary is filed under seal; and
- d. The Gaming Commission Chairperson or the hearing examiner finds that the public interest in maintaining the confidentiality of the information outweighs the public interest in making the information public.

5-3. *Documents That May Not be Filed Under Seal.* The Gaming Commission Chairperson or the hearing examiner may not allow the filing of the following documents under seal:

- a. Complaints initiating enforcement actions;
- b. Answers to complaints for enforcement action;
- c. Any Gaming Commission order.

5-4. *Access To Public Records.* A request for access to public records must be made to the Gaming Commission office. Requests for public records must be made in writing and public records may be made available for public inspection during business hours. Fees for any duplication or certification shall be paid prior to release of copies of the records. As soon as practicable after payment of the required fees, the copies of the requested public records shall be released. The Director may waive payment of the required fees for requests made by, or on behalf of, governmental agencies.

5-5. *Access To Confidential Records and Persons Authorized to Review Records.*

Unless disclosure to a particular person or persons is authorized pursuant to subsection (c) of this section, records contained in individual license application files may only be handled and reviewed by the following persons:

1. the Gaming Commissioners;
2. Gaming Commission employees and staff; and
3. Outside agencies used by the Gaming Commission to conduct or verify background investigations.

b. Except as otherwise provided in this section, the Gaming Commission may only release confidential records if ordered to do so by a court of competent jurisdiction.

c. All requests for access to confidential records must be made in writing to the Director. The Gaming Commission shall maintain a record of all circumstances in which confidential information is released which record shall include: identification of the information released, the person to whom the information was released and the purpose for which the confidential information was released.

d. Confidential information in the possession of the Gaming Commission may only be released or disclosed to any person in the following circumstances:

1. In the course of the necessary administration of the Gaming Ordinance and the Gaming Commission Ordinance;
2. To the applicant and/or licensee who furnished the confidential information to the Gaming Commission but only upon presentation of proper photographic identification or, in the case of a vendor, proof that the person is authorized to request such information on behalf of the licensee;
3. To any person making a written request which specifically identifies the confidential information relating to a licensee but only upon presentation of a duly executed and notarized authorization for release which identifies the information to be released;
4. Pursuant to a written request from a duly authorized agent of any agency of the United States or the Tribe in accordance with any applicable agreements with such other governmental agencies for the exchange or release of confidential information;
5. To appropriate federal, Tribal, state, local or foreign law enforcement and regulatory agencies when relevant to civil, criminal or regulatory investigations or prosecutions;
6. In the course of administering Gaming Commission regulations governing licensing of gaming enterprise employees and vendors;
7. In the course of administration of workers' compensation, unemployment or other benefits claimed by current or former employees of a regulated gaming enterprise or the Gaming Commission; and
8. Copies of surveillance logs and video and/or audio tapes may be released to authorized representatives of a licensed gaming enterprise for the following purposes:
 - A. To assist the gaming enterprise respond to a patron complaint;
 - B. To investigate or adjust an insurance claim in which a patron or vendor claims injury or damage to his person or property;
 - C. To investigate or adjust unemployment, workers' compensation or other claims by employees of a licensed gaming enterprise;
 - D. To identify or track employee breaks in gaming procedures, internal controls or other regulatory requirements for training and/or disciplinary purposes.

f. If confidential information is released or otherwise disclosed to any person under any circumstances other than those identified above, written notice of such release or disclosure shall be given to any applicant or licensee affected, unless notice would otherwise imperil the integrity of the gaming operations or the purposes of the Gaming Ordinance. To the extent known, the notice shall include:

1. The name and address of the person to whom the information was released or disclosed;
2. A description of the information released or disclosed; and
3. The date of the release or disclosure.

Whenever possible, any such notice of confidential information to be released or

disclosed shall be given prior to the release or disclosure.

5-6. *Temporary Custody by Authorized Personnel.* Confidential information which is not presently being utilized shall be preserved at all times. It shall be the personal responsibility of the individual with temporary custody of the confidential information to ensure that the information is not shown, released, or disclosed to any unauthorized person or to any otherwise authorized person who does not require such information in the performance of their official duties.

5-7. *Confidential Information; Determination of Confidential Status.* Any questions concerning whether or not a specific item of information or data within the possession of the Gaming Commission is deemed to be confidential information, or any other applicable statutory provision, judicial decision or rule of court, shall be submitted to the Gaming Commission or its designee for determination or referral to appropriate authorities.

Section 6. Disclosure of Records

6-1 a. *Disclosure Prohibited.* No records contained in a license application file may be disclosed by any means of communication to any person, or another agency, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains.

b. *Specific Exceptions.* The prohibition contained in paragraph (a) does not apply where the record would be:

1. Requested by the National Indian Gaming Commission or such other organization for verification/investigation of background information;
2. Requested by an outside agency contracted with the Gaming Commission to conduct background investigations;
3. Pursuant to the order of the Tribal Court.

Section 7. Access to Records

7-1. *Retention in Secure Storage Facilities; Access*

a. Access to confidential information within the possession of the Gaming Commission shall be restricted to authorized personnel who require such information in the performance of their official duties.

b. Confidential information which is not presently being utilized by authorized personnel shall be stored in secure storage facilities. No one except authorized personnel may gain access to designated secure storage facilities except in accordance with the provisions of this Chapter.

c. All Gaming Commission offices in which secure storage facilities are located shall be protected from unauthorized intrusions at all times.

d. Every secure storage facility shall be placed under the direct supervision and control of an appropriate supervisor who shall periodically review for their effectiveness all security procedures and precautions pertaining to the confidential information stored therein. Security procedures and precautions that are determined to be ineffective shall be immediately corrected.

e. Confidential information may be stored in secure facilities on micrographics, hard copy (paper), magnetic media or any other suitable medium, provided adequate security measures are maintained to prevent unauthorized access to or use of such information.

f. Access to confidential information stored on computer or magnetic media shall be restricted to authorized personnel who have obtained the required operating key, code manual or access code from the appropriate supervisor. Operating keys, code manuals and access codes shall be limited in number and shall be controlled by the appropriate supervisor.

7-2. Retention Schedule and Storage Destruction.

a. The Gaming Commission shall establish and maintain a record retention schedule for all confidential information within their possession.

b. Any confidential information in the possession of the Gaming Commission shall be promptly destroyed in accordance with the provisions of the applicable retention records schedule required by (a) above.

7-3. Unauthorized Procurement Of Records Prohibited.

a. An applicant, licensee, registered company, or other person shall not, directly or indirectly, procure or attempt to procure from the Gaming Commission information or records that are not made available by proper authority. Any violation of this regulation constitutes reasonable cause for disciplinary action, license revocation or to deny any license application.

7-5. Penalties.

a. Any direct or indirect willful disclosure of confidential information by authorized personnel of the Gaming Commission except as provided herein, shall be a violation of the Gaming Commission regulations, Tribal law or applicable federal law.

b. The unauthorized release or disclosure of confidential information shall also be a violation.

c. Any violation of the provisions of this chapter by authorized personnel will result in appropriate disciplinary action being taken by the Gaming Commission up to and including termination.

Chapter 2. Gaming Equipment

2.0.0 Introduction

As part of the Gaming Commission's regulatory oversight, these Regulations address the equipment, devices, and implements that are used in gaming operations within its jurisdiction. This Chapter defines gaming equipment, the process for seeking and obtaining regulatory approval of equipment, and its maintenance and disposal.

2.1.0 Purpose

This Regulation is intended to preserve the integrity of the gaming process by setting and maintaining the standards necessary for fair play in the use of gaming equipment, devices and implements.

2.2.0 Authority

The Little River Band of Ottawa Indians Gaming Commission (Gaming Commission) has the authority and duty to promulgate these Regulations in accordance with Section 6.04 of the Gaming Commission Ordinance 02-400-02.

2.3.0 Approval of Gaming Equipment

The Commission must review and, approve all gaming equipment, including electronic/computer/video machines and other devices proposed for use at the gaming enterprise to assure the quality, design, integrity, fairness, honesty and suitability of such gaming equipment. For purposes of this regulation, the term "gaming equipment" includes, without limitation gaming tables, logo cards, logo dice, chips, tokens, logo layouts, drop boxes, electrical devices, chip holders, racks and containers, scales, automatic card shufflers, counting devices, slip dispensers, dealing shoes, locking devices, card reader devices, and data processing equipment.

2.4.0 Responsibility to Report

A. Any person having evidence or reason to believe that any gaming equipment, machine or other device used or proposed for use at the gaming enterprise, has been tampered with or altered shall immediately report such evidence or belief to the Gaming Commission.

B. Any person having evidence or reason to believe that any individual has unauthorized possession of any gaming equipment, machine or other device used in the gaming establishment, shall immediately report such evidence or belief to the Commission.

C. Upon notification to the Gaming Commission, a member of the Gaming Commission, or its agents, may make secure and/or take custody of the suspected equipment or device and any evidence required to be reported pursuant to this subsection, and maintain secure custody and control of such equipment and evidence. Failure of a gaming enterprise and Gaming Commission employee to adhere to subsections A and B is a violation of these regulations and may result in review and suspension and/or termination of a gaming license.

2.5.0 Required Notifications to the Gaming Commission

A. *New Equipment Notice.* Prior to the shipment of any Class II or Class III Gaming Equipment the vendor is required to notify the Gaming Commission of the pending shipment. The Gaming Commission must receive the notice at least five (5) working days prior to the shipment of such Gaming Equipment. The Notice shall include the following information:

1. Description of the Class II or Class III Gaming Equipment;
2. Number of each item being shipped;
3. The serial number of each item (if applicable) being shipped;
4. The EPROM Manufacturer and ID Number;
5. Date of shipment & expected arrival date;
6. Method of shipment; and
7. Approval letter in accordance to Section 2.5.1 of this regulation

B. *Replacement Equipment Notice.* Prior to the shipment of any replacement Class II or Class III Gaming Equipment the vendor is required to notify the Gaming Commission of the pending shipment. The Gaming Commission must receive the notice at least 24 hours prior to the shipment of such replacement Gaming Equipment. The Notice shall include the following information:

1. Description of the Class II or Class III Gaming Equipment;
2. Number of each item being shipped;
3. The serial number of each item (if applicable) being shipped;
4. The EPROM Manufacturer and ID Number;
5. Date of shipment & expected arrival date; and
6. Method of shipment.

2.5.1 Providers of Class III Gaming Equipment or Supplies

No Class III games of chance, gaming equipment, or supplies may be purchased, leased, or otherwise acquired by the Tribe unless the Class III equipment or supplies meet the technical equipment standards of either the State of Nevada or the State of New Jersey. Gaming Laboratories International (GLI) is determined to be an acceptable testing laboratory, provided that all certification or approval letters identify that the testing standards meet or exceed the State of Nevada or the State of New Jersey testing requirements.

2.6.0 Gaming Chips and Token Standards

2.6.1 Approval of Chips and Tokens

A. The gaming enterprise shall not issue any chips or tokens for use in connection with gaming operations or promotions, nor shall the gaming enterprise redeem any such chips or tokens, unless the Gaming Commission has approved the chips or tokens in writing.

B. The gaming enterprise shall not modify, in any manner, chips or tokens previously approved by the Gaming Commission, unless the modifications have been approved in writing by the Gaming Commission.

C. Requests for approval of chips, tokens, and modifications to previously approved chips or tokens must be made, processed, and determined in such a manner as the Gaming Commission may prescribe. The request must include, at a minimum the following information.

1. An exact drawing, in color, of each side and the edge of the proposed chip, drawn to actual size or drawn larger than actual size in scale, and showing the measurements of the proposed chip in each dimension.
2. Written specifications for the proposed chips.
3. The name and address of the manufacturer.
4. The gaming enterprises intended use for the proposed chip.
5. A verification upon oath or notarized affirmation, executed by the Chief Operating Officer of the chip manufacturer, or a person with equivalent responsibilities, that it has a written system of internal controls, which describes in detail the current administrative, accounting, and security procedures which are utilized in the manufacture, storage and shipment of the chips, tokens, and related material. The written system must include at a minimum, a detailed, narrative description of the procedures and controls implemented to ensure the integrity and security of the manufacturing process, from design through shipment, including but not limited to those procedures and controls designed specifically to:
 - a. Provide for the secure storage or destruction of all pre-production prototypes, samples, production rejects and other non-saleable products.
 - b. Provide security over the finished artwork, hubs, plates, dies, molds, stamps and other related items that are used in the manufacturing process.
 - c. Prevent the unauthorized removal of the product from the production facility through the utilization of security devices such as metal detectors, and surveillance cameras.
 - d. Restrict access to raw materials; work in progress and finished goods inventories to authorized personnel.
 - e. Establish procedures for documenting approval of production runs.

- f. Establish and maintain a perpetual inventory system, which adequately documents the flow of materials through the manufacturing process.
- g. Establish procedures, which reconcile the raw material used to the finished product on a job-by-job basis. Significant variances are to be documented, investigated by management personnel, and immediately reported to the Gaming Commission and to the gaming enterprise.
- h. Provide for quarterly physical inventory counts to be performed by individual(s) independent of the manufacturing process, which are reconciled to the perpetual inventory records. Significant variances are to be documented and investigated by management personnel and immediately reported to the Gaming Commission.
- i. Establish a framework of procedures, which provide for the security and accountability of products and material sent to or received from subcontractors or satellite production facilities.
- j. Document controls over shipment of finished product, and
- k. Provide such other, or additional information as the Gaming Commission may require.

6. The Gaming Commission shall approve in writing all variations from the specific requirements of this regulation if in the opinion of the Gaming Commission the alternative controls and procedures meet the objective of this regulation.

D. If, after receiving and reviewing the items and information described by this regulation, the Gaming Commission is satisfied that the proposed chips, tokens, and related information conform to the requirements of this regulation, the Gaming Commission shall notify the gaming enterprise in writing. The gaming enterprise shall provide a sample of the proposed chips or tokens in final, manufactured form. If the Gaming Commission is satisfied that the sample conforms with the requirements of this regulation and with the information submitted with the application, the Gaming Commission shall approve the proposed chips or tokens and notify the gaming enterprise in writing. The Gaming Commission shall retain the sample chips or tokens submitted pursuant to this subsection.

2.6.2 Specifications for Chips and Tokens

A. Chips and tokens must be designed, manufactured, and constructed in compliance with all applicable ordinances and regulations of the Little River Band of Ottawa Indians, the United States of America, and all states of the United States of America, and in such a manner as to prevent counterfeiting of the chips or tokens to the extent reasonably possible. Chips and tokens must not deceptively resemble any current or past coinage of the United States of America or any other nation.

B. In addition to such other specifications as the Gaming Commission may approve:

- 1. The name and location of the gaming enterprise must be inscribed on each side of each chip.
- 2. The value of the chip must be inscribed on each side of each chip.
- 3. The manufacturer's name or distinctive logo or other mark identifying the manufacturer must be inscribed on at least one side of each chip.
- 4. Each chip must be designed so that when stacked with chips and tokens of other denominations and viewed on closed circuit, black-and-white television, the denomination of the chip can be distinguished from that of the other chips and tokens in the stack.

2.6.3 Additional Specifications for Chips and Tokens

A. Unless the Gaming Commission approves otherwise, the color of the chips shall be:

- 1. \$1.00 chips shall be predominately white in color.
- 2. \$5.00 chips shall be predominately red in color.
- 3. \$25.00 chips shall be predominately green in color.
- 4. \$100.00 chips shall be predominately black in color.
- 5. \$500.00 chips shall be predominately purple in color.
- 6. \$1,000.00 chips shall be predominately orange in color.

B. Tokens must not be manufactured from material possessing sufficient magnetic properties as to be

accepted by coin mechanism, other than that of a slot machine.

2.6.4 Use of Chips and Tokens

A. Chips and tokens are only representatives of value which evidence a debt owed to their custodian by the gaming enterprise, and are not the property of anyone other than the gaming enterprise.

B. If chips or tokens are to be used at the gaming enterprise, the management shall:

1. Comply with all applicable statutes and regulations of the Little River Band of Ottawa Indians, and of the United States of America pertaining to chips.
2. Issue chips and tokens only to patrons of the gaming establishment, and only at their request.
3. Promptly redeem its own chips and tokens from its patrons by cash or check drawn on an account of the gaming enterprise.

C. The gaming enterprise shall not redeem chips or tokens if presented by a person who the gaming enterprise knows or reasonably should know is not a patron of the gaming facility, except that the gaming enterprise shall promptly redeem its chips if presented by:

1. Another gaming facility who represents that it redeemed the chips or tokens from its patrons or received them unknowingly, inadvertently, or unavoidably.
2. An employee of the gaming enterprise who presents the chips or tokens in the normal course of employment.

2.6.5 Redemption and Disposal of Discontinued Chips and Tokens

A. If the gaming enterprise permanently removes from use or replaces approved chips or tokens at its gaming facility, or ceases operating its gaming facility, the gaming enterprise must prepare a plan for redeeming discontinued chips or tokens that remain outstanding at the time of discontinuance. The gaming enterprise must submit the plan in writing to the Little River Gaming Commission no later than 30 days before he proposed removal, replacement, or closure. The Gaming Commission may approve the plan or require reasonable modifications as a condition of approval. Upon approval of the plan, the gaming enterprise shall implement the plan as approved.

B. In addition to such other reasonable provisions as the Gaming Commission may approve or require, the plan must provide for:

1. Redemption of outstanding discontinued chips or tokens in accordance with this regulation for at least 90 days after the removal or replacement of the chips or tokens.
2. Redemption of the chips or tokens at the premises of the gaming enterprise (or at such other location as the Gaming Commission may approve).
3. Publication of notice of the discontinuance of the chips or tokens and of the redemption and the pertinent times and location in at least two newspapers of general circulation in the State of Michigan at least twice during each week of the redemption period, subject to the Gaming Commission's approval of the form of notice, the newspapers selected for publication, and the specific days of the publication.
4. Conspicuous posting of the notice described in paragraph 3 at the gaming enterprise, and at all area offices of the Little River Band of Ottawa Indians.
5. Destruction or such other disposition of the discontinued chips or tokens as the Gaming Commission may approve or require.

2.6.6 Destruction of Counterfeit Chips and Tokens

A. As used in this section, "counterfeit chip or token" means any chip- or token- like objects that have not been approved pursuant to this regulation.

B. Unless a peace officer of competent jurisdiction instructs or a court of competent jurisdiction orders otherwise in a particular case, the gaming enterprise shall destroy or otherwise dispose of counterfeit chips and tokens discovered at the gaming enterprise in such a manner as the Gaming Commission may approve or require.

C. Unless a peace officer of competent jurisdiction instructs or a court of competent jurisdiction orders

otherwise in a particular case, the gaming enterprise may dispose of currency of the United States of America or any other nation discovered to have been Instrumentalities used at the gaming enterprise by including them in the currency inventories, or in the case of foreign currency, by exchanging them for United States of America currency and including them in the currency inventories, or by disposing of them in any such manner as the Gaming Commission may approve or require.

D. The gaming enterprise shall record, in addition to such other information as the Gaming Commission may require:

1. The number and denominations, actual and purported, of the counterfeit chips or tokens destroyed or otherwise disposed of pursuant to this section.
2. The month during which they were discovered.
3. The date, place, and method of destruction or disposition.
4. The names of the persons carrying out the destruction or other disposition on behalf of the gaming enterprise.

E. The gaming enterprise shall maintain each record required by this subsection for at least 5 years, unless the Gaming Commission approves or requires otherwise.

2.6.7 Promotional and Tournament Chips

A. As used in this section, “promotional chip” means a chip-like object issued by the gaming enterprise for use in promotions or tournaments at the gaming enterprise.

B. Promotional chips must be designed, manufactured, approved, and used in accordance with the provisions of this regulation applicable to chips, except as follows:

1. Promotional chips must be of such shape and size and have such other specifications as the Gaming Commission may approve or require.
2. Promotional chips must not be used, and the gaming enterprise shall not permit their use, in transactions other than the promotions or tournaments for which they are issued.

2.6.8 Other Instrumentalities. Other instrumentalities with which gaming is conducted must be designed, manufactured, approved, used, discontinued, destroyed, or otherwise disposed of in accordance with the provisions of this regulation applicable to chips and tokens, except as follows:

A. Such other instrumentalities must be of such shape, size, and design and have such other specifications as the Gaming Commission may approve or require.

B. The Gaming Commission may deny approval of instrumentalities other than chips or may grant approval subject to such conditions, as considered appropriate.

2.7.0 Card Inventory: Table Games and Card Games (Poker)

A. Playing cards not yet issued to the pit shall be maintained by two departments, one of which is independent of the pit, in a secure location to prevent unauthorized access and reduce the possibility of tampering. Access to the storage location shall be controlled by the Security Department.

B. Used cards shall be maintained by a department independent of the pit, in a secure location until “marked”, “scored”, or “destroyed” to prevent unauthorized access and reduce the possibility of tampering.

C. Used playing cards shall be cancelled or destroyed by a department independent of the pit in a timely manner not to exceed seven (7) days. However, this standard shall not apply where playing cards are retained for an investigation.

2.8.0 Dice Inventory

A. Dice not yet issued to the pit shall be maintained by two departments, one of which is independent of the pit, in a secure location to prevent unauthorized access and reduce the possibility of tampering. Access to the storage location shall be controlled by the Security Department.

B. Used dice shall be maintained by a department independent of the pit, in a secure location until “marked”, “scored”, or “destroyed” to prevent unauthorized access and reduce the possibility of tampering.

C. Used dice shall be cancelled or destroyed by a department independent of the pit, in a timely manner not

to exceed seven (7) days. However, this standard shall not apply where dice are retained for an investigation.

2.9.0 Destruction And/or Disposal of Gaming Layouts with Tribal Logo

A. The gaming enterprise shall establish procedures for the destruction and/or disposal of gaming layouts with the Tribal logo present.

B. Included in the procedures shall be:

1. Layouts not yet issued to the pit shall be maintained by a department independent of the pit, in a secure location to prevent unauthorized access. A log shall be kept and maintained to ensure accountability of all layouts.
2. Used layouts shall be cancelled or destroyed by a department independent of the pit, in a timely manner not to exceed seven (7) days.
3. Layouts shall be destroyed under Surveillance coverage with 24 hour prior notification to Surveillance.

2.10.0 Destruction And/or Disposal of Eproms And/or Slot Machine Software

All Eproms and other slot machines software must be destroyed or disposed of by representatives of the Gaming Commission in accordance with Gaming Commission procedures. Procedures require the Compliance Department to track Eproms/slot machine software with the following information and upon the need to destroy and/or dispose of Eproms/slot machine software shall supply the gaming enterprise with the information on the Eproms/slot machine software awaiting the destruction process and allow a five (5) day comment and/or request period (with justification include) to spare the destruction and/or disposal of certain Eproms/slot machine software:

- A. Eprom Number
- B. Manufacturer
- C. Game Theme
- D. Number of pieces to be destroyed and/or disposed of
- E. Method of destruction and/or disposal

2.11.0 Foreign Coin(s) and Instruments

All foreign coin(s) and/or suspicious instruments (possible cheating devices, i.e., lights, magnets, etc.) found by, or delivered to employees of the gaming enterprise shall be forwarded to the Gaming Commission Office within 24 hours.

2.12.0 Sensitive Key/lock Replacement

A. The gaming enterprise shall establish procedures for the replacement or “re-keying” of all locks opened by any sensitive key that leaves Casino property. Sensitive Keys shall include, but are not limited to, Slot Main Door Key, Slot Belly Door Key, Cash Box Housing Key, Cash Box Content Key, Drop Compartment Key, Cage/Satellite Cage Key, Cash Drawer keys, All Chip Bank keys, All Main Bank keys, All Soft/Hard Count and Vault keys including door keys, CPU keys, Reserve Fill Door keys, Table Game Reset keys, Roll Over keys, Table Games Content keys, Table Games Release keys, All Poker Room keys, Card and Dice Room key, any other key deemed sensitive by the Gaming Commission or any key held in the Keywatcher Sensitive key box.

B. The facility has the right to request an exception to 2.10.0 per individual incident. An exception to this rule must be requested in writing to the Gaming Commission. All pertinent evidence or rationale must accommodate the request. The granting of an exception to this rule is the sole discretion of the Gaming Commission.

Chapter 3. Hours of Operation

3.1.0 *Definitions.* As used herein, the following terms shall have the following meanings:

A. *Chairman:* Except as otherwise provided, “Chairman” means the chairman of the Little River Gaming Commission, or his designee.

3.2.0 *Hours of Operation.* The Little River Casino Resort shall operate 24 hours a day, 7 days a week. The management of the Little River Casino Resort may request that the hours of operation be changed, by submitting a written request to the Chairman of the Little River Gaming Commission. The request may only be approved or denied by the Little River Gaming Commission.

Chapter 4. Notifications and Reports

4.1 Introduction

The Tribal Council has established the Little River Band of Ottawa Indians Gaming Commission (“Gaming Commission”) as the regulatory authority with primary responsibility for ensuring the integrity, honesty and fairness of all gaming activities conducted on the Little River Band of Ottawa Indian’s Reservation. The purpose of this regulation is to ensure delivery of incident and statistical reports by each gaming enterprise to the Gaming Commission which are required by applicable internal control standards or regulation, or which will otherwise assist the Gaming Commission in performing its regulatory responsibilities.

4.2 Definitions:

As used herein, the following terms shall have the following meanings:

4.2.1. “*Business Day*” means the normal business day for the offices of the Gaming Commission (Monday-Friday, 8:00 a.m. to 5:00 p.m.).

4.2.2. “*Gaming Commission*” means the Little River Band of Ottawa Indians Gaming Commission established under the Gaming Commission Ordinance, #02-400-04.

4.2.3. “*General Manager*” means the employee responsible for directing and overseeing the operations of a gaming enterprise whether employed by a management company or by the tribe.

4.2.4. “*Licensed Employee*” means any employee who has received a Gaming License from the Gaming Commission.

4.2.5. “*Notification*” means written notice and does not include e-mail or other electronic transmission. Notification required by these regulations is provided -

- a. to the Gaming Commission as provided by the Gaming Commission or federal regulation; or
- b. to the General Manager of the gaming enterprise unless the Gaming Commission is notified in writing of a specific employment position which is responsible for accepting notices and reports on behalf of the gaming enterprise.

4.2.6. “*Report*” means a written document that describes a specific incident and the investigation of such incident, if required by applicable regulation.

4.2.7. “*Slot Conversion*” means the alteration, re-programming or replacement of a gaming machine game program EPROM or other equivalent game software media to change the game program or denomination of any Slot Machine.

4.2.8. “*Slot Machine Change*” means the physical replacement of a Slot Machine with a new machine or movement of a Slot Machine to a new location on the floor of a gaming enterprise.

4.3 Submission of Required Notifications and Reports

4.3.1. All notifications or reports required by this regulation, other Gaming Commission regulations, or federal regulations shall be submitted in writing to the Gaming Commission except as provided in 4.7.1 and 4.7.2.

4.3.2. Notifications and reports must be delivered to the Gaming Commission Offices and acknowledgment of receipt signed by a Gaming Commission Representative.

4.4 Slot Notifications

4.4.1. Slot Machine Change.

(a) Prior to moving any slot machine to a new location on the gaming floor of any gaming enterprise or changing the orientation of a slot machine, a representative of the gaming enterprise shall provide twenty-four (24) hours notice to the Gaming Commission.

(b) The notification to the Gaming Commission must include a complete list of the slot machines proposed to be moved or re-positioned, including the number assigned to such slot machine(s) and the proposed new location(s).

4.4.2. Replacement of Slot Machine; Addition of New Slot Machine.

(a) Prior to replacing any slot machine on the gaming floor, or adding a new slot machine to the

gaming floor, a representative of the gaming enterprise shall provide five (5) Business Days notice to the Gaming Commission.

(b) The notification to the Gaming Commission must include a list of the slot machine(s) proposed to be replaced, including the number assigned to such slot machine(s), the location(s) of such slot machine(s), the name of the new slot machine, the manufacturer, and EPROM type and number for the new slot machine(s).

4.4.3. An updated Slot floor plan shall be submitted to the Gaming Commission no later than 24 hours (1 Business Day) after the movement, replacement or addition of any Slot machine.

4.4.4. Slot Machine Game Conversion

(a) Prior to conversion of any slot machine game or denomination conversion, a representative of the gaming enterprise shall provide not less than five (5) Business Days notice to the Gaming Commission.

(b) The notification to the Gaming Commission must include a list of the slot machine(s) proposed to be converted, including the number assigned to such slot machine(s), the location(s) of such slot machine(s), the name of the new game, the manufacturer, and EPROM type and number (if applicable).

4.5 Table Games Notifications

4.5.1. New Table Games. Before any new table game is introduced at a gaming enterprise management of the gaming enterprise must complete the following requirements:

(a) A written agenda request must be submitted to the Gaming Commission not less than 20 Business Days prior to the proposed start date of any new table game.

(b) The proposed rules and policies must be submitted to the Gaming Commission for approval not less than 20 Business Days prior to the proposed start date of the new table game.

(c) Any additions or deletions to the gaming enterprise’s system of internal controls must be submitted to the Gaming Commission for approval not less than 20 Business Days prior to the proposed start date of the new table game.

4.5.2. Table Moves. Before any existing table game is moved to a new location on the gaming floor, the Gaming Commission must receive not less than twenty-four (24) hours advance notice.

4.6 Reports

4.6.1. The management of a gaming enterprise shall ensure that the Gaming Commission is provided copies of the following reports within the time periods prescribed below:

Report Type	Time for Receipt of Report
A. Security Incident Reports	Daily submittal by 5:00 p.m. the following Business Day.
B. Variance Reports 1. Cage Variances (individual counts; reports of investigation of discrepancies)(25 CFR 542.14(d)(1)&(2)) 2. Slot Variances (including coin-to-drop meter reading vs. actual drop; actual currency drop vs. bill-in meter reading; exception report inspection/investigation reports)(25 CFR 542.13(h)) 3. Daily recap for table games (25 CFR 542.12(j)(6))	Daily submittal by 5:00 p.m. the following Business Day.

<p>C. Accounting and Auditing Standards Reports</p> <ol style="list-style-type: none"> 1. Monthly reconciliation of cage accountability to general ledger (25 CFR 542.14(g)(1); 2. Monthly trial balance of accounts receivable reconciled to general ledger (25 CFR 542.14(g)(2); 3. Statistical reports from evaluation of theoretical vs. actual hold percentages for electronic games (25 CFR 542.13(h)(15); 4. Analysis of table games performance standards (25 CFR 542.12(i)); 5. Investigation reports for variances or exceptions noted (25 CFR 542.12(j)(5); 543.13(m)(7)&(10)); and 6. Other reports required by Internal Control Standards (i.e. 25 CFR 542.13(m)(2);) by the Tribal/Federal Regulation or the Tribal-State Compact. 	<p>As Generated with the frequency required by applicable Minimum Internal Control Standards; submitted by 5:00 p.m. the first Business Day following generation.</p> <p>Submitted within three (3) Business Days following written request by the Gaming Commission (Note 1)</p>
<p>D. Daily Manager's Reports</p>	<p>Daily submittal by 5:00 p.m. the following Business Day.</p>
<p>E. Personnel Action Reports involving the following:</p> <ol style="list-style-type: none"> 1. Change in address/telephone of licensed employee. 2. Suspension of any licensed employee. 3. Termination (voluntary or involuntary) of any licensed employee. 4. Promotion or other job change of licensed employee 	<p>As Generated; Submitted by 5:00 p.m. the first Business Day following generation.</p>
<p>F. Updated Floor Plan for all Slot Machines.</p>	<p>Monthly (on or before the 5th of each Month)</p>
<p>G. Exception Notices</p> <ol style="list-style-type: none"> 1. Compliance 2. Auditing 	<p>Monthly (on or before the 10th of each Month)</p>
<p>H. Cash Transaction Reports</p>	<p>As generated; submitted by 5:00 p.m. the first Business Day following generation.</p>
<p>I. Suspicious Activity Reports</p>	<p>As generated; submitted by 5:00 p.m. the first Business Day following generation.</p>
<p>J. Slot Machine Numbers and Locations</p>	<p>Monthly (on or before the 5th of each Month)</p>

Note 1. The types of reports identified in this section seem to be the more significant ones noted in the MICS; however, there are other reports that the MICS require the gaming enterprise to generate and to provide to the regulatory body on request. This change would require the report to be provided upon request vs. automatically upon generation.

4.7 Required Notification to the Gaming Commission

4.7.1. The Gaming Commission's Surveillance Department shall be immediately notified of the occurrence of the following events by a representative of the gaming enterprise. For purposes of this Regulation, the term "immediately notified" means verbal notification (via radio or telephone) as soon as practical after a representative of the gaming enterprise becomes aware of the occurrence of the event.

- (a) A jackpot of \$1,200.00 or greater from any slot machine;
- (b) A payout and/or jackpot of \$10,000.00 or greater from any table game;
- (c) Accident or other incident resulting in substantial (>\$50,000.00) in property damage to the gaming enterprise;
- (d) Accident or other incident resulting in damage to gaming equipment or electronic data processing

(EDP) equipment used in connection with gaming operations;

(e) A felonious act that was committed on the property of the gaming enterprise;

(f) The arrest of a felony suspect at the gaming enterprise;

(g) If an outside law enforcement agency contacts representatives of the gaming enterprise as part of their official duties.

4.7.2. The Gaming Commission must be notified of, and must verify, all jackpots of \$35,000.00 or greater from either a slot machine or table game before a gaming enterprise can pay out any such jackpot.

4.7.3. Each licensed employee of a gaming enterprise shall notify the Gaming Commission within five (5) Business Days after the licensed employee being contacted or notified by any law enforcement agency regarding any of the following:

(a) The employee's arrest for any misdemeanor or felony offense;

(b) Issuance of an arrest warrant for the employee for any misdemeanor or felony offense;

(c) The employee is notified that he/she is, or may be, a suspect in any misdemeanor or felony investigation;

(d) The employee is notified that he/she is being investigated by a law enforcement agency with respect to any misdemeanor or felony offense; or

(e) The employee has been issued a citation (ticket) or charged with any misdemeanor or felony offense.

Chapter 5. Surveillance Requirements

5.1.1 Surveillance System (General)

5.1.2. The purpose of a gaming facility surveillance system is to safeguard assets, to deter, detect and prosecute criminal acts, and maintain public confidence and trust that the Little River Casino Resort gaming is conducted honestly and free of criminal elements and activity.

5.1.3. The Little River Casino Resort shall develop a surveillance system plan, and install, maintain and operate the gaming facility surveillance system in accordance with the standards set forth in the Little River Gaming Commission regulations, NIGC-MICS, or any other applicable gaming rule or regulation. The Commission shall approve the surveillance system plan.

5.1.4. The plan shall include the following:

- A. A description of all equipment utilized in the surveillance system
- B. A blueprint or diagram that shows all of the areas to be monitored and the placement of surveillance equipment in relation to the activities being observed
- C. A copy of the procedures utilized in the operation of the surveillance system
- D. A detailed description of the Little River Casino Resort's Surveillance Training Program
- E. A description of the qualifications, and training of the surveillance personnel
- F. Organizational reporting structure for surveillance personnel
- G. Any other requirement set forth in the Commission regulations, NIGC-MICS, or any other applicable gaming rule or regulation

5.1.5. The Commission shall review the proposed surveillance plan submitted by the Little River Casino Resort and advise the Little River Casino Resort whether the minimum standards are satisfied. The Commission shall review the installation of the surveillance system. The Little River Casino Resort shall alter the surveillance system as necessary to meet the minimum standards. If the Little River Casino Resort currently has a surveillance system in place, the surveillance plan may use a combination of current equipment and new to meet the standards, if there is no compromise of picture, recording, and playback quality.

5.1.6. The Little River Casino Resort shall separate management of the functions of security and surveillance.

5.2.1. Surveillance System Minimum Standards

5.2.2. The surveillance system equipment must be able to identify each player, the dealer or employee, and be of sufficient resolution and clarity to read individual cards, dice, chips, and money denomination.

5.2.3. The surveillance system playback equipment must be of sufficient resolution and clarity to identify each player, the dealer or employee, and to read individual cards, dice, chips, and money denomination.

5.2.4. The surveillance system shall be a combination of fixed cameras and pan-tilt-zoom (PTZ) cameras.

5.2.5. The cameras and monitors may be black and white, color or a combination of both (the Commission recommends, but does not require a combination of both).

5.2.6. The primary surveillance room and monitors shall have override capabilities.

5.2.7. The surveillance system shall have a date and time stamp generator, which is displayed on all monitors, and VCR recordings.

5.2.8. The field of view displayed on the monitors shall not be obstructed by the date and time displayed from the date and time stamp generator.

5.2.9. The entrance to the surveillance room shall be situated to preclude it from being readily accessible by the operation's employees, and the general public.

5.2.10. Access to the surveillance room shall be limited to Surveillance personnel, Little River Gaming Commission representatives, and other employees authorized by the Surveillance Manager.

5.2.11. The surveillance system shall be powered by an uninterruptable power supply (UPS) capable of providing power to all elements of the system that enables monitoring of all areas remaining open for play and all areas covered by dedicated or fixed cameras (during a power outage).

5.2.12. The surveillance room shall be staffed for all shifts and activities in the gaming facility. The staff shall be trained in the following areas:

- A. The use of the monitoring equipment
- B. The System of Internal Controls
- C. Little River Casino Resort's policies and procedures
- D. Rules of the games being played
- E. Games protection

5.2.12. The Little River Casino Resort shall provide the Commission certification documents that reflect the employee's signature attesting to the training and test evaluations for the above (5.2.12. A. to E.) areas of knowledge.

5.2.13. Telephones on the gaming floor shall have the capability of a direct line or extension to surveillance personnel.

5.2.14. Surveillance personnel in the surveillance room shall have radio communications with security personnel.

5.2.15. All video recordings shall be maintained for a minimum of seven (7) days.

5.2.16. Surveillance records/documents shall be maintained for inspection.

5.2.17. All original recordings involving suspected or confirmed gaming crimes, unlawful activities, or detentions and questionings by security personnel shall be retained as evidence as required by appropriate laws (recordings shall be retained for a minimum of thirty (30) days and all recording of linked systems shall be maintained for a minimum of thirty (30) days).

5.2.18. The surveillance department shall maintain the following logs:

A. A log to record all entrances and departures to and from the surveillance room

B. A video library log

C. A malfunction/repair log which details the following:

1. The date, time and nature of each malfunction
2. The efforts expended to repair the malfunction
3. The date and time of each effort as described above (2)
4. The reason for any delays in repairing the malfunction
5. The date and time the malfunction is repaired
6. Any alternative security measures that were taken

D. A daily activity log which details the following:

1. Date and time each surveillance commenced
2. The name and employee number of each person who initiates, performs, or supervises the surveillance
3. Reason for the surveillance including the name (if known), alias (if known), the description of each individual being monitored, and a brief description of the activity in which the person being monitored is engaging
4. The times at which each video or audio tap recording is commenced and terminated
5. The time which each suspected criminal offense is observed along with a notation of the reading on the meter, counter, or device specified in the controls that identifies the point on the video tape at which such offense was recorded.
6. Time of termination of surveillance
7. A summary of the results of the surveillance

5.2.19. The Little River Casino Resort shall ensure that procedures are established that require a reasonable effort will be made to repair each malfunction of the surveillance system equipment required by this regulation within forty-eight (48) hours after the malfunction is discovered.

5.2.20. The Little River Casino Resort shall ensure that procedures are established that require surveillance to provide alternative camera coverage or other security measures (such as additional supervisory or security personnel, to protect the subject activity) if a dedicated camera malfunction.

5.2.21. Each video camera shall be installed in a manner that will prevent it from being readily obstructed, tampered with, or disabled by patrons or employees.

5.2.22. Each video camera required by the standards set forth in the Commission's regulations, NIGC-MICS, or any other applicable gaming rule or regulation shall have the capability of having its field of view

displayed on a video monitor and recorded.

5.2.23. Table Game requirements:

A. There shall be a minimum of one (1) PTZ camera per two (2) table games and surveillance must be capable of taping and playing back with sufficient clarity to identify the following:

1. Patrons
2. Dealers
3. Simultaneously, the table bank inventory, configuration of wagers, card values, table number, and game outcome

A. There shall be a minimum of one dedicated camera over each table game that provides an overall view of the entire table with sufficient clarity to identify patrons and dealers.

C. The craps tables shall have a minimum of two (2) dedicated cross-view cameras covering both ends of the tables.

D. The roulette table shall have one (1) overhead-dedicated camera covering the roulette wheel and one (1) dedicated camera providing an overview of the play of the table.

E. Each progressive table game with a potential jackpot of \$10,000.00 or more shall be recorded by a dedicated cameras that provide coverage of the following:

1. The table surface, sufficient that the card values and card suits can be clearly identified
2. An overall view of the entire table with clarity to identify patrons and dealers
3. A view of the progressive meter amount. If more than one table is linked to the same progressive jackpot meter, only one meter needs to be recorded
4. All big wheel games shall have one (1)-dedicated camera viewing the wheel.

5.2.24. Keno requirements:

A. The surveillance system shall possess the capability to monitor the keno ball drawing device or the random number generator which shall be recorded during the course of the draw by a dedicated camera or automatically activated camera with sufficient clarity to identify the balls drawn or numbers selected.

B. The surveillance system shall monitor and record general activities in each keno game area with sufficient clarity to identify the employees performing the different functions.

5.2.25. Bingo requirements:

A. The surveillance system shall possess the capability to monitor the bingo ball drawing device or the random number generator which shall be recorded during the course of the draw by a dedicated camera or automatically activated camera with sufficient clarity to identify the balls drawn or numbers selected.

B. The surveillance system in the bingo game area shall monitor and record the game board and the activities of the employees responsible for drawing, calling, and entering the balls drawn or numbers selected.

5.2.26. Cage and Vault requirements:

A. The surveillance system shall monitor and record a general overview of activities occurring in each cage and vault area with sufficient clarity to identify employees within the cage.

B. The surveillance system shall monitor and record a general overview of activities occurring in each cage and vault area with sufficient clarity to identify employees and patrons at the counter areas.

C. Each cashier/work station shall be equipped with one (1) stationary overhead camera covering the transaction area.

D. The surveillance system shall have an overview of cash transactions. This overview shall include the customer, the employee and the surrounding area.

E. Each cage and vault area shall have at a minimum one (1) PTZ camera.

F. Non-customer areas of the cage shall have two (2) dedicated cameras with cross views preventing blind spots, and at least one (1) PTZ camera.

G. The vault cage shall have two (2) dedicated cameras with cross views preventing blind spots.

H. The cage or vault area in which fills and credits are transacted shall be monitored and recorded by a dedicated camera or motion activated dedicated camera, that provides coverage with sufficient

clarity to identify chip values and the amounts on the fill and credit slips.

I. Each hard and soft count area shall have at a minimum, two (2) dedicated cameras (which are recorded) with cross views preventing blind spots, and at least one (1) PTZ camera. Coverage is required for the following areas:

1. All doors to the soft and hard count rooms
2. All wrapping machines
3. Table game drop box storage rack (or area)
4. All areas where uncounted coin and currency may be stored during the drop and count process
5. Safes
6. All areas where currency is sorted, stacked, counted, verified, or stored during the count process

J. The soft count room shall possess audio recording capabilities.

K. Each hard and soft count workstation shall have a dedicated overhead camera.

L. All soft count room counting surfaces must be continuously monitored by a dedicated camera during the soft count process.

M. Each hard count room scale shall have one dedicated overhead camera with sufficient clarity to view any attempted manipulation of recorded data.

5.2.27. Electronic Gaming Devices requirements:

A. Every electronic gaming device shall be able to be viewed by at least one (1) PTZ camera.

B. All progressive electronic gaming devices shall be monitored and recorded by dedicated cameras.

The cameras shall provide coverage of the following:

1. All patrons and employees at the machine
2. The face of the machine with sufficient clarity to identify the pay out line(s)

5.2.28. All stationary banks used by change runners on the gaming floor shall be covered by a dedicated overview camera, covering the bank and general area.

5.2.29. The surveillance system shall have cameras to monitor and record a general overview of the activities occurring at each change cart garage.

5.2.30. All entrances and exits to the gaming facility shall be monitored by stationary cameras.

5.2.31. Cameras or security shall be positioned to enable coverage of entire exterior of the gaming facility.

5.2.32. The interior of elevators used in the transportation on monies and personnel at the same time shall be monitored by a camera.

5.2.33. There shall be sufficient number of monitors and recorders to simultaneously display and record multiple gaming and count room activities, and record the views of all dedicated cameras and motion activated cameras.

Chapter 6. Vendor Licensing

6.1 Introduction

The Tribal Council has established the Little River Band of Ottawa Indians Gaming Commission (“Gaming Commission”) as the regulatory authority with primary responsibility for ensuring the integrity, honesty and fairness of all gaming activities conducted on the Little River Band of Ottawa Indian’s Reservation. The purpose of this regulation is to set a uniform process for the issuance of licenses to vendors and suppliers of gaming equipment, supplies, or services, as well as vendors supplying non-gaming equipment, supplies and services to any gaming enterprise operating on the Reservation.

6.2 Authority

These Regulations are adopted under the authority of Section 6.04(a) of the Gaming Commission Ordinance #02-400-04, which authorizes the Gaming Commission to adopt regulations necessary to carry out the orderly performance of the Gaming Commission’s duties. These Regulations are specifically enacted in furtherance of the Gaming Commission’s duty to license vendors contracting with any gaming enterprise within the jurisdiction of the Tribe pursuant to Section 8.04 and Section 11 of the Gaming Ordinance #02-400-01.

6.3 Vendor Definitions

For purposes of these Regulations, except where otherwise specifically provided, the following terms shall have the following meaning:

6.3.1. “*Control Person*” means any person who has the power to direct or cause direction of the management and policies of the business operations of a person. Control shall be presumed for any person owning shares of a corporation that is not a publicly traded corporation if that person owns, controls or holds the power to vote ten percent (10%) or more of the voting securities of a person. Control persons include members of the Board of Directors, Chief Executive Officer, Chief Operating Officer, and any person with the responsibility and authority to contract on behalf of the person with respect to the goods and services being provided to a gaming enterprise.

6.3.2. “*Gaming Vendors*” shall mean any person providing gaming services or gaming equipment or supplies.

6.3.3. “*Gaming equipment or supplies*” means a machine, mechanism, device, or implement that affects the result of a gambling game by determining a win or loss, including without limitation, any of the following:

- (i) Electronic gaming devices;
- (ii) Software;
- (iii) Cards; and
- (iv) Dice.

Gaming equipment or supplies also includes lay outs for live table games and representatives of values, including without limitation, chips, tokens, or electronic debit cards and related hardware and software that do not affect the result of the game.

6.3.4. “*Gaming Service*” means any goods, services or concessions which directly relate to the conduct of gaming, security, or surveillance at any gaming enterprise, including without limitation, providers of casino credit reporting services, casino surveillance systems or services, and suppliers, servicers or repairers of any gaming equipment or supplies, computerized gaming monitoring systems, drop boxes, bill exchangers, and credit voucher machines.

6.3.5. “*General Manager*” means the employee responsible for directing and overseeing the operations of a gaming enterprise whether employed by a management company or by the tribe.

6.3.6. “*Non-Gaming Vendor*” means any vendor providing goods and services to any gaming enterprise, other than gaming services or gaming equipment and supplies, in an amount equal to or greater than \$25,000, in any calendar year.

6.3.7. “*Person*” means an individual, a corporation, a partnership, an association, a joint stock company, an unincorporated organization, any similar entity, or any combination of the foregoing acting in concert.

6.3.8. “*Service Vendors*” means any vendor providing goods, services, or concessions to any gaming

enterprise, other than gaming services or gaming equipment and supplies, in an amount equal to or less than \$24,999.99 in any calendar year.

6.4 License Required

6.4.1. Unless exempted from licensing requirements pursuant to Section 6.4.4 or Section 6.4.5, every person supplying any gaming equipment or supplies, gaming service, or other goods and services must obtain a Gaming Vendor's license, or a Non-Gaming Vendor's license as appropriate.

6.4.2. The gaming enterprise shall be responsible for notifying any person with which it is considering conducting business of the licensing requirements prior to contracting with such person.

6.4.3. Prior to entering into any contract for the purchase of any gaming equipment or supplies, gaming service, or other goods and services from any person, the gaming enterprise shall determine if such person possesses or is required to possess, a Gaming Vendor's or Non-Gaming Vendor's License under these Regulations and forward a written "Notice of Intent to Conduct Business" to the Gaming Commission. The "Notice of Intent to Conduct Business" shall describe the equipment, supplies or services to be provided by the vendor, together with a good faith estimate of the dollar amount of the projected purchases from the vendor.

6.4.4. Exempted Vendors.

(i) *Service Vendors.* Service Vendors, as defined in these regulations, shall not be required to obtain a Non-Gaming Vendor's License from the Gaming Commission. Service Vendors will, however, be required to provide such information as may be required by the gaming enterprise under the Service Vendor Program developed in accordance with Section 6.11 of these Regulations.

(ii) The Gaming Commission, at its sole discretion, may exempt persons (or businesses) from Vendor licensing requirements in certain highly regulated fields. The following is provided as a general reference for normally approved exemption categories:

(a) Medical corporations, partnerships or sole proprietorships, where the officers, directors and owners are physicians.

(b) Insurance companies licensed in any of the 50 U.S. States.

(c) Attorneys licensed to practice law in any U.S. State, including legal partnerships and legal professional corporations.

(d) Any lending institution regulated by the federal government or a state government, or any servicer, loan arranger, or placement agent exclusively for such institutions.

(e) Any public or private institution of education.

(f) Public utilities regulated by the Michigan Public Service Commission. Local, state and federal governmental agencies in Michigan, including the U.S. Postal Service.

(g) Travel industry enterprises licensed by the Interstate Commerce Commission or the Michigan Public Utilities Commission or approved by the Air Traffic Conference or the International Air Transport Association. (This exemption does NOT apply to any "junket enterprise" or travel agency used by the gaming enterprise for official business travel.)

(h) Commercial enterprises licensed or regulated by the Federal Communications Commission such as radio and television stations.

(iii) The Gaming Commission may grant special exemptions for persons from vendor licensing requirements in certain fields providing professional services or unique services under circumstances where the Gaming Commission determines that licensing of the vendor is not necessary to protect the public interest or accomplish the policies or purposes of the Gaming Ordinance. Persons that would normally qualify for special exemptions in the following circumstances: businesses from which a gaming enterprise purchases advertising, such as billboard companies, trade magazines and newspapers; advertising agencies providing artistic or creative services; and persons making isolated (single item/event) sales of goods or services which do not impact any gaming activity.

6.4.5. The Gaming Commission may enter an Order(s) exempting certain fields (i.e. all insurance companies; regulated financial institutions) in the above categories from licensing or exempting fields under specified circumstances. In all other cases, the vendor and the gaming enterprise must each submit a request for

exemption from the licensing requirements, detailing all factors relevant to the request.

6.4.6. Vendors granted an exemption by the Gaming Commission shall be required to provide a completed Conflict of Interest Disclosure Form prior to the commencement of business with the gaming enterprise.

6.4.7. Prior to entering into any contract with an Exempted Vendor, the gaming enterprise shall forward a written "Notice of Intent to Conduct Business" to the Gaming Commission. The "Notice of Intent to Conduct Business" shall describe the equipment, supplies or services to be provided by the vendor, together with a good faith estimate of the dollar amount of the projected purchases from the vendor.

6.5 Fee Schedule

Licensing fees will be charged to Gaming Vendors and Non-Gaming Vendors for processing of applications and investigations utilized in the licensing process by the Gaming Commission.

6.5.1. *Gaming Vendor - Initial Application.* Vendors providing gaming services, gaming supplies, or gaming equipment to the gaming enterprise will be charged licensing fees according to the following schedule. If a vendor does not know that total dollar amount of the vendor's anticipated or proposed annual sales to the gaming enterprise for the twelve (12) month period for which the License will apply, the vendor shall make a good faith estimate of the dollar amount of the projected sales and describe the basis for the estimate.

6.5.1.1. All new Gaming Vendors providing, or expecting to provide, gaming equipment, supplies, or services to the gaming enterprise in the succeeding twelve (12) month period, equal to or exceeding \$100,000.00, will be assessed a license fee of \$5,000.00.

6.5.1.2. All new Gaming Vendors providing, or expecting to provide, gaming equipment, supplies or services to the gaming enterprise in the succeeding twelve (12) month period, equal to or more than \$50,000.00 but less than \$100,000.00, will be assessed a license fee of \$3,000.00.

6.5.1.3. All new Gaming Vendors providing, or expecting to provide, gaming equipment, supplies or services to the gaming enterprise in the succeeding twelve (12) month period, less than \$50,000.00, will be assessed a license fee of \$1,500.00.

6.5.1.4. The Gaming Commission reserves the right to require additional fees if the vendor applicant has significant subsidiaries or foreign holdings requiring investigation. Further, the Gaming Commission reserves the option to require any gaming vendor, regardless of the monetary value of their contract, to submit to licensing and associated fees if it is deemed necessary.

6.5.2. *Gaming Vendor - Renewal Application.*

6.5.2.1. All Gaming Vendors holding Vendor Licenses issued by the Gaming Commission must renew their license prior to the expiration date of their current Vendor License. The fee for this renewal is \$1500.00, regardless of anticipated cost for goods and/or services.

6.5.2.2. All Gaming Vendors are under a continuing duty to disclose to the Gaming Commission any material changes to the information or documentation provided in or with an application for license under Section 6.6.

6.5.2.3. In the event that significant new information is disclosed since the last renewal/issuance of the Vendor Gaming License, the fee will be adjusted based on investigative requirements. This fee will be discussed with the Vendor prior to initiation of the investigation.

6.5.2.4. If any vendor fails to complete the requirements for renewal of its Gaming Vendor License prior to the expiration of such person's current Vendor License, the Gaming Commission will enter an Order prohibiting the gaming enterprise from doing business with such vendor until such vendor complies with all licensing requirements.

6.5.3. *Non-Gaming Vendor - Initial Application.* All Vendors providing goods or services, other than gaming equipment or supplies and gaming services, will be charged licensing fees according to the following schedule. If a vendor does not know that total dollar amount of the vendor's anticipated or proposed annual sales to any gaming enterprise for the succeeding twelve (12) month period for which the License will apply, the vendor shall make a good faith estimate of the dollar amount of the projected sales and the describe the basis for the estimate.

6.5.3.1. All new Non-Gaming Vendors providing, or expecting to provide, non-gaming equipment, supplies or services to any gaming enterprise in the succeeding twelve (12) month period, equal to

or more than \$25,000.00 but less than \$50,000.00, will be assessed a license fee of \$750.00.

6.5.3.2. All new Non-Gaming Vendors providing, or expecting to provide, non-gaming equipment, supplies or services to any gaming enterprise in the succeeding twelve (12) month period equal to or exceeding \$50,000.00 but not more than \$100,000.00, will be assessed a license fee of \$1,500.00.

6.5.3.3. All new Non-Gaming Vendors providing, or expecting to provide, non-gaming equipment, supplies or services to any gaming enterprise in the succeeding twelve (12) month period equal to or exceeding \$100,000.00 will be assessed a license fee of \$3,000.00.

6.5.3.4. The Gaming Commission reserves the right to require additional fees if the vendor applicant has significant subsidiaries or foreign holdings requiring investigation. Further, the Gaming Commission reserves the option to require any Non-Gaming Vendor, regardless of the monetary value of their contract, to submit to licensing and associated fees if it is deemed necessary.

6.5.4. *Non-Gaming Vendor - Renewal Application.*

6.5.4.1. All Non-Gaming Vendors must renew their license prior to the expiration date of their current Vendor License. The fees for this renewal is \$750.00, regardless of anticipated cost for goods and/or services.

6.5.4.2. All Non-Gaming Vendors are under a continuing duty to disclose any material changes to the information or documentation provided in or with an application for license under Section 6.6.

6.5.4.3. In the event that significant new information is disclosed since the last renewal/issuance of the Non-Gaming Vendor License, the rate will be adjusted based on investigative requirements. This rate will be discussed with the Vendor prior to initiation of the investigation.

6.5.4.4. If any vendor fails to complete the requirements for renewal of its Non-Gaming Vendor License prior to the expiration of such person's current Vendor License, the Gaming Commission will enter an Order prohibiting the gaming enterprise from conducting business with such vendor until such vendor complies with all licensing requirements.

6.6. Contents of Application

6.6.1. *Gaming Vendor Application.* Any applicant for a Gaming Vendor's License shall furnish to the Gaming Commission the following information:

(i) A list of all equipment, supplies and/or services offered for sale or lease to the gaming enterprise. In the case of a Gaming Vendor License renewal, a summary of the equipment, supplies and/or services sold to the gaming enterprise during the prior license period, including the total dollar amount of such sales;

(ii) A completed Corporate Disclosure Form for the Vendor's business;

(iii) A written certification, in compliance with Gaming Commission Rules, that all supplies, devices, software and equipment conform to Section 6 of the Tribal-State Gaming Compact and Chapter 2 of Gaming Commission's Regulations;

(iv) A list of jurisdictions in which the Vendor has applied for licensure and all jurisdictions in which the Vendor holds a current and valid gaming license.

(v) A list of jurisdictions in which the Vendor has been denied a gaming license or had a gaming license suspended or revoked.

(vi) For each new applicant for a Gaming Vendor License, a completed Control Person Personal History Disclosure for each "Control Person" identified in the Corporate Disclosure Form; provided that Gaming Vendors holding current and valid gaming licenses from any of the jurisdictions listed in Section 6.9.1 shall be exempt from this requirement.

(vii) A completed Conflict of Interest Disclosure Form.

(viii) An executed Rider to Gaming Related Contracts.

(ix) In the case of a Gaming License Renewal, a completed Control Person Application For Renewal Of Gaming License.

6.6.2. *Non-Gaming Vendor Application.* Any applicant for a Non-Gaming Vendor License shall furnish to the Gaming Commission the following information:

(i) A list of all equipment, devices, supplies and/or services offered for sale or lease to the gaming

enterprise. In the case of a Non-Gaming Vendor License renewal, a summary of the equipment, supplies and/or services sold to the gaming enterprise during the prior license period, including the total dollar amount of such sales;

(ii) A completed Corporate Disclosure Form for the Vendor's business;

(iii) A list of all occupational or professional licenses or permits currently held by the Vendor, together with the jurisdictions in which the Vendor holds such licenses or permits.

(iv) A list of jurisdictions in which the Vendor has been denied any professional or occupational license or permit, or had any occupational or professional license or permit suspended or revoked.

(v) For each new applicant for a Non-Gaming Vendor License, a completed Control Person Personal History Disclosure for each "Control Person" identified in the Corporate Disclosure Form; provided that Non-Gaming Vendors holding current and valid non-gaming licenses from any of the jurisdictions listed in Section 6.9.1 shall be exempt from this requirement.

(vi) A completed Conflict of Interest Disclosure Form.

(vii) In the case of a Non-Gaming Vendor License renewal, a completed Control Person Application For Renewal Of Non-Gaming License.

6.6.3. Vendor License applications must be completed and signed by a "control person" on behalf of each vendor, have signatures on license applications notarized as indicated and return the completed application to the Gaming Commission office.

6.7 Action on Application for Vendor License

6.7.1. A complete investigation will be conducted regarding the information supplied by the applicant(s).

6.7.2. The Gaming Commission will vote on the approval or denial of the vendor license application or renewal. The Gaming Commission's licensing suitability determination shall be based on the information obtained or verified through investigation process and the suitability criteria described in Section 6.8.

6.7.3. If the Gaming Commission approves a Vendor License, the Vendor and the gaming enterprise will be notified of that fact.

6.7.4. If the Gaming Commission denies the license, the Vendor will be notify the Vendor and the gaming enterprise of that fact within 7 calendar days of the Gaming Commission's decision. The notice to the vendor shall also state the specific grounds for denial, including any criminal conviction(s) prompting the denial, and of applicant's right to request a hearing before the Gaming Commission and to appeal the decision of the Gaming Commission in accordance with Section 12 of the Tribal Gaming Ordinance and any applicable regulations prescribed by the Gaming Commission.

6.8 Grounds for Refusal to Issue License.

6.8.1. *Gaming Vendors.* A person, firm or corporation is ineligible to receive a Gaming Vendor's License if any of the following exist:

(i) The Person, or any Control Person, has been convicted of a felony under the laws of Michigan, any other State, or the United States within the 5 years preceding the application for license;

(ii) The Person, or any Control Person, has been convicted of or entered a plea of guilty or no contest to a gambling-related offense, or to a felony offense involving fraud or misrepresentation;

(iii) The Person, or any Control Person, is a member of, or employed by, the Gaming Commission;

(iv) The firm or corporation employs a person who participates in the management or operations of any gaming enterprise regulated by the Gaming Commission;

(v) The firm or corporation has an officer, director or managerial employee who submitted the license application which contains false or misleading information;

(vi) The person, firm or corporation is associated with organized crime;

(vii) The person, firm or corporation has been determined to be one whose prior activities, reputation, habits and association (including any Conflict of Interest) pose a threat to the public interest or to the effective regulation and control of gaming, or create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, or activities in the operation of gaming or the carrying on of the business and financial arrangements thereto; or

(viii) If a provider of gaming equipment or supplies, including any hardware or software relating to such equipment, has refused or failed to provide services which meet the technical requirements for such goods or services meeting the technical requirements prescribed in Tribal law and in Section 6 of the Tribal-State Compact.

6.8.2. *Other.* In addition to the eligibility requirements for licensing prescribed in Section 6.8.1, the Gaming Commission shall also satisfy itself that each applicant for a Gaming or Non-Gaming Vendor license:

(i) Is a Person whose background, reputation and associations evidence good character, integrity, and honesty.

(ii) Has not knowingly or intentionally provided false statements or information or knowingly or intentionally omitted information on the application.

(iii) Has not demonstrated a willful disregard for compliance with any gaming regulatory authority in any jurisdiction or has failed to provide information requested by the Gaming Commission or staff.

(iv) Has not pursued or is pursuing economic gain in an occupational manner or context which is in violation of the laws of any state, if such pursuit creates probable cause to believe that the participation of such vendor in gaming related activities or the operations of the gaming enterprise would be detrimental, or perceived as detrimental, to the Little River Band of Ottawa Indians.

6.9 Provisional License

6.9.1. The Gaming Commission may, at its discretion, issue a 90-day provisional license to any applicant who provides written documentation that it holds a current gaming vendor's license, or a non-gaming vendor's license, from the States of Michigan, New Jersey, or Nevada, and who has submitted the appropriate license application fee. The date of issuance of the provisional license shall also be the starting date for the annual license.

6.10 Effect of License.

6.10.1. The holder of a vendor's license is authorized to sell or lease, and to contract to sell or lease, gaming equipment and supplies unique to gaming to the gaming enterprise during the calendar year for which the license applies.

6.10.2. *No Property Interest.* A vendor license issued by the Gaming Commission is a privilege and shall not constitute a property interest under Tribal or federal law.

6.11. Service Vendor Program.

6.11.1. The General Manager of any gaming enterprise shall be responsible for developing and administering an investigative program providing for the investigation of all Service Vendors doing business with such gaming enterprise.

6.11.2. The General Manager of any gaming enterprise shall submit its proposal for investigating Service Vendors to the Gaming Commission for approval on an annual basis. The gaming enterprise shall submit its request for renewal of its Vendor Service Program to the Gaming Commission on or before December 1st of each year. The gaming enterprise's request shall clearly note any proposed changes to the Vendor Service Program.

6.11.3. *Contents of Service Vendor Program.* The Service Vendor Program shall include the following elements:

(i) The criteria and scope of investigation proposed for Service Vendors. At a minimum, all Service Vendors shall be required to complete and execute a Conflict of Interest Disclosure Form;

(ii) Standards for exempting any class of Service Vendors or individual Service Vendors from the investigation requirement.;

(iii) Fees charged Service Vendors to off-set investigation costs; and

(iv) Monthly reporting to the Gaming Commission of management oversight to assure compliance with vendor licensing requirements, including:

(a) A current list of approved Service Vendors, including new Service Vendors added since the last reporting period and any Service Vendors removed from the Program,

(b) The identity of Service Vendors which the gaming enterprise has refused to do business with or suspended business as a result of investigation findings,

(c) Tracking of year-to-date sales by or compensation paid to each approved Service Vendor.

(v) Provide for advance notice to the Gaming Commission if the gaming enterprise has reason to believe that the sales to the gaming enterprise by a Service Vendor, or compensation for services to a Service Vendor, will equal or exceed \$25,000 during the calendar year. Such notice shall describe the circumstances warranting the increased volume of business, and, if appropriate under the circumstances, a request for exemption from the Non-Gaming Vendor Licensing requirements. The Gaming Commission may deem it appropriate to exempt a Service Vendor from Non-Gaming Licensing requirements if the gaming enterprise demonstrates that following circumstances apply:

(a) The amount of goods or services purchased in excess of \$25,000 during such calendar year is the result of unforeseen or unusual circumstances; and

(b) The Gaming Commission determines that the Vendor qualifies for exemption from licensing under Section 6.4.4 of this Chapter.

(vi) It shall be the responsibility of the gaming enterprise to notify Vendors of the licensing requirements.

6.11.4. The Gaming Commission will conduct periodic reviews and audits of the Service Vendor Program.

Chapter 7. Restrictions on Employment for Gaming Commission Personnel

7.01. No member of the Gaming Commission or any person who is employed by the Gaming Commission in a position that affords such person access to internal operations of the Gaming Commission, including Compliance Officers and Surveillance Operators, Surveillance Supervisors, or Surveillance Technicians, shall be eligible to be licensed for any employment position with Little River Casino Resort within twelve (12) months after the date such person left the Gaming Commission except as provided in this Regulation.

7.02. No former member of the Gaming Commission, or any person employed by the Gaming Commission in a position that affords such person access to internal operations of the Gaming Commission, including Compliance Officers and Surveillance Operators, Surveillance Supervisors, or Surveillance Technicians, may be licensed for any "line" positions that are classified as Gaming or Key Employee positions at Little River Casino Resort, except as provided in Sections 7.04 and 7.06. For purposes of this Regulation, "line" positions include: all Dealer positions, Soft Count Team, Hard Count Team, Count Team Supervisor, Cashier, Cashier Supervisor, Slot Representatives, Slot Supervisor, Slot Technician, and Security Officer.

7.03. Former members of the Gaming Commission and persons employed by the Gaming Commission in any of the positions described in Section 7.01 may be licensed for supervisory or management positions not described in Section 7.02 at Little River Casino Resort, provided the Gaming Commission determines that such individuals' employment in that position will not pose an unreasonable risk to effective regulation of gaming activities.

7.04. Former members of the Gaming Commission and persons employed by the Gaming Commission in any of the positions described in Section 7.01 may be licensed for "line" positions in Gaming-related Departments prior to the expiration of twelve (12) months after such person left the Gaming Commission, if the Surveillance Department Manager certifies to the Commission that the placement and coverage of surveillance cameras has been significantly modified from that in place during said person's employment.

7.05. Former members of the Gaming Commission and persons employed by the Gaming Commission in any of the positions described in Section 7.01, may be licensed for any Non-Gaming position at Little River Casino Resort without restriction.

7.06. Former members of the Gaming Commission and persons formerly employed by the Gaming Commission in any of the positions described in Section 7.01, may be licensed for any Gaming, Key Employee, or Primary Management Official position at Little River Casino Resort without restriction, if the date of such person's proposed employment is more than twelve (12) months after such person left his position at the Gaming Commission.

Chapter 10. Compliance and Enforcement Regulations

Purpose of Chapter 10

These Compliance and Enforcement Regulations are designed to assist the Little River Casino and Resort, and any entity created or authorized by the Tribe to engage in gaming activities on behalf of the Tribe, the employees, contractors and patrons of the entities, to understand the tribal and federal laws and regulations applicable to gaming and to provide for the protection and integrity of gaming operated or authorized by the Tribe. An effective enforcement protocol can only be successful when all parties charged with the duty of following the law are striving for compliance and held accountable for their actions. Entities can act only through the individuals hired as employees, contractors and agents, so therefore the individuals involved in gaming activities are responsible for compliance with tribal and federal laws and regulations. Tribal and federal laws and these Regulations hold all persons and entities involved in gaming activities responsible for compliance. Accordingly, these Regulations focus compliance responsibility upon the accountable employee or entity acting outside the parameters of the law and those accountable employees and entities that are supervising those actors. These Regulations grant an abundance of due process for accountable employees and entities charged with a violation of law, however there are mechanisms available to protect gaming integrity and Tribal assets if the allegation of wrongdoing is sufficiently serious to warrant expedited processes. Finally, the Gaming Commission, in promulgating these Regulations, has reflected upon its responsibility to the Tribe, its laws, traditions and customs and the preservation of the integrity of gaming activities by authorized entities and from those sources and for those purposes, the Gaming Commission draws its strength and desire to fulfill its role.

10.1. Definitions

As used in this chapter, the following terms shall have the following meanings:

10.1.1. “*Accountable Employee*” means the employee who is responsible for compliance with the Rules and correcting compliance issues and preventing future violations through training employees and supervising employees in a manner which reasonably assures compliance with the Rules. Accordingly, the employee that commits the violation, as well as all employees in the chain of command, are potential Accountable Employees. The supervisory employee or entity who is ultimately responsible for correcting compliance issues is the General Manager or Management Contractor for a gaming enterprise.

10.1.2. “*Compliance Issue*” means a single event during which any Accountable Employee is in violation of one or more processes or procedures required under the Rules.

10.1.3. “*Corrective Action Plan*” means the statement of steps to be taken by an Accountable Employee to correct or prevent the circumstances that prompted the Gaming Commission’s issuance of a Notice.

10.1.4. “*Employee*” means any person employed in the Gaming Enterprise, whether employed by or contracted to the Tribe, including without limitation, managers, assistant managers, accounting personnel, security personnel, cashiers, supervisors, shift bosses, machine mechanics, management companies and their principals; and any other person whose employment duties require authorized access to areas of any gaming facility.

10.1.5. “*Rules*” mean Little River Band of Ottawa Indians Gaming Ordinance or other Tribal law, these Regulations, Tribal-State Compact, Indian Gaming Regulatory Act, federal regulations, or internal controls or policies and procedures of the Entity that impact the integrity of the gaming operation and other laws which include, but are not limited to, health, safety and environmental.

10.1.7. “*Source*” means the person or entity providing information to the Gaming Commission that a compliance issue may exist.

10.2 Enforcement Responsibility

10.2.1. *Responsibility*. The Gaming Commission, its Commissioners, employees and agents are responsible for enforcement of the Rules.

10.2.2. *Executive Director*. The Executive Director of the Gaming Commission may issue any of the Notices provided under these Regulations, provide the Gaming Commission’s response to Accountable Employees

responses to Notices and cause the investigation of allegations which may give rise to the issuance of a Notice under these Regulations.

10.2.3. *Compliance Managers.* The Compliance Managers of the Gaming Commission may issue a Notice of Inquiry and Notice of Non Compliance under these Regulations.

10.2.4. *Employees and Agents.* Employees and Agents of the Gaming Commission shall perform those duties and responsibilities as directed by the Commissioners and Executive Director of the Gaming Commission and pursuant to their instructions may carry out and fulfill the Gaming Commission's duties and responsibilities.

10.3 Progressive Sanction Policy.

10.3.1. *General Compliance Policy.* It shall be the policy of the Gaming Commission to assure compliance by Accountable Employees with the Rules in a manner that, whenever possible in the Gaming Commission's sole discretion, allows for sanctions that are of increasingly progressive in severity. Provided that, the Gaming Commission reserves the right to issue sanctions outside the progressive policy to protect the health and safety of the patrons and employees, or protect the assets of the Tribe, or to protect the integrity or security of the gaming activities.

10.3.2. *Purpose of Progressive Sanction Policy.* The intent of the progressive sanction policy is to:

- a. Encourage self-regulation and corrective action by any Accountable Employee without involvement of the Gaming Commission;
- b. Engage in fact finding and tracking of initial and recurring compliance issues before imposing sanctions that are progressively more severe;
- c. Identify Accountable Employees to facilitate implementation of corrective actions;
- d. To track compliance issues by type and frequency for which employees are accountable;
- e. To track compliance issues for employees supervised by one or more common employees to determine if a pattern of non-compliance exists for which that Accountable Employee is responsible; and
- f. Authorize informal resolution of compliance issues regarding the operation of gaming by any Accountable Employee including specifically the General Manager before formal involvement of the Gaming Commission ensues.

10.3.3. *Progressive Sanction Notices.* The Gaming Commission shall implement the progressive sanction policy through the submission of notices to the General Manager and to the Accountable Employee that are of increasing severity and to be issued in the following manner:

- a. Notice of Inquiry; then
- b. Notice of Non-Compliance; then
- c. Notice of Concern; then
- d. Violation Citation.

10.3.4. *Sanctions.* The Gaming Commission may impose sanctions on any Accountable Employee for any violation of the Rules. Sanctions may include:

- a. Tracking an incidence of noncompliance against the enforcement record of any Accountable Employee(s)
- b. An order requiring implementation of corrective action within a specified period of time.
- c. Where the event of noncompliance results in the issuance of a Violation Citation, the Gaming Commission may impose sanctions which include:
 1. Civil penalties of up to \$5,000 per violation;
 2. License suspensions, revocation or imposing conditions upon a licensee's continued licensing (provided that the suspension, revocation or conditioning of any license for regulatory violations shall proceed in accordance with the Tribal Gaming Ordinance and any applicable hearings procedures adopted by the Gaming Commission); and
- d. Referral for Criminal prosecution in courts of competent jurisdiction.

10.3.5. *Reservation of Enforcement Authority.* The Gaming Commission reserves the right to deviate from the progressive sanction policy or, take summary enforcement action when such actions are deemed necessary

under any the following circumstances:

- a. The compliance issue poses a threat to the physical safety of another individual or tribal property or to impair the operation of gaming activities; or
- b. The compliance issue presents an immediate threat to the honesty, integrity, fairness or security of gaming activities; or
- c. The conduct of an Accountable Employee evidences a pattern of noncompliance or a willful disregard for the Rules.

In the event the Gaming Commission takes any summary enforcement action, any Accountable Employee whose license is affected by such summary action shall immediately be notified in writing of the reason for the action, the right to appeal the action, and the appropriate appeal process. Any hearing on the action taken against any employee(s) shall be conducted in accordance with the Gaming Ordinance and any applicable hearing procedures adopted by the Gaming Commission.

10.4 Self-Correction by Enterprise

10.4.1. The General Manager shall inform the Gaming Commission of any and all violations of the Rules and any and all potential violations of the Rules.

10.4.2. The General Manager may seek from the Gaming Commission a waiver of the enforcement provisions of these Regulations. The Gaming Commission shall take into account any and all mitigating circumstances that justify a waiver of the enforcement provisions of these Regulations. Whether the Gaming Commission issues a waiver is within the sole discretion of the Gaming Commission.

10.4.3. Mitigating circumstances include, but are not limited to:

- a. whether the violation or potential violation is self reported
- b. whether the accountable employee reasonably addressed precipitating events
- c. the foreseeability of the violation or potential violation
- d. the position, experience and sophistication of the Accountable Employee involved
- e. the severity of the violation or potential violation
- f. the history of violations involving the Accountable Employee involved in the violation or potential violation
- g. the cooperation forthcoming in the investigation of the violation or potential violation
- h. the reasonableness of the corrective action taken by the Accountable Employee and
- i. the timing of the self reporting, corrective action and other matters.

10.4.4. Compliance issues which are identified and self-corrected by Accountable Employees and where the Gaming Commission has issued a waiver in accordance with this section shall not prejudice any Accountable Employee for purposes of tracking compliance issues in accordance with section 10.3 of these regulations.

10.5. Commencement of Action – General Provisions

10.5.1. The process of enforcing compliance with any Rules commences when the Gaming Commission receives information from any source that the acts or omissions of any Accountable Employee at the gaming enterprise creates an actual, potential or perceived threat to the honesty, integrity, security, or fairness to the operation of the gaming enterprise.

10.5.2. The Gaming Commission shall make all reasonable efforts to issue a notice to the Accountable Employee in accordance with section 10.9 within ten calendar days of the date the Gaming Commission receives information from any source that the acts or omissions of any employee(s) at the gaming enterprise create an actual, potential or perceived threat to the honesty, integrity, security, or fairness to the operation of the gaming enterprise.

10.6. Form of Notice

10.6.1. Any notice issued shall include the following components:

- a. Identification of the facts resulting in the notice, including:
 1. A citation to the Rule(s) involved;
 2. A copy, or identification (by date and number) of any notice(s) previously forwarded to

- the General Manager and Accountable Employee by the Gaming Commission, if applicable;
3. The Accountable Employee involved, including identification of the employee's position, department and shift; and
 4. The particular conduct or circumstances involved.
 5. The approximate date and time of the Compliance Issue
- b. Classification of the compliance issue into one or more of the following compliance categories:
1. IGRA;
 2. Gaming Ordinance;
 3. Compact;
 4. Tribal Law;
 5. Federal Law;
 6. Gaming Regulations;
 7. NIGC or Tribal Minimum Internal Controls;
 8. Integrity;
 9. Health and/or Safety;
 10. Security;
 11. Entity policy or procedure or system of internal controls; or
 12. Other action reasonably related to the protection of the integrity or security of the games or gaming operation, or related to the health or safety of the employees or patrons of the gaming operation.
- c. Request for a signed written response from the Accountable Employee in the form described in section 10.7.3.
- d. Notification that failure to respond in whole or in part could result in action being taken against the Accountable Employee with respect to the compliance issue(s), and facts related to or identifying the compliance issue.

10.7. Response to Notice

10.7.1 *Time for Response.* The Accountable Employee shall respond to any notice issued by the Gaming Commission within ten calendar days after issuance of the notice. The Gaming Commission may, for good cause, grant an extension of up to ten additional days to submit the response. All responses, including requests for extensions, shall be made in writing.

10.7.2. *Failure to Respond in Whole or in Part.* The failure of an Accountable Employee to fully respond may result in action being taken against the Accountable Employee. The Gaming Commission will assume the facts described in the Notice are true and action will be taken as the Gaming Commission may deem just and proper.

10.7.3. *Form of Response.* Responses submitted by an Accountable Employees shall be in the form prescribed in sections 10.7.4 through 10.7.6.

10.7.4. *Acceptance in Whole.* Any response to accept, in whole, the compliance issues and facts described in the notice issued by the Gaming Commission, shall include but is not limited to, the following:

- a. Acceptance of the factual statement depicting the compliance issue as provided in the notice issued by the Gaming Commission;
- b. Acknowledgment of the compliance issue;
- c. Identification of the Accountable Employee, and
- d. Statement of the Corrective Action Plan to resolve the compliance issue, including the corrective actions by the Accountable Employee and follow-up by the Accountable Employee responsible for implementing and assuring compliance with the Corrective Action Plan. The Accountable Employee preparing the response shall provide the Gaming Commission with a record of any and all disciplinary actions (i.e. Verbal Warnings, Written Warnings) taken as part of the corrective action.

10.7.5. *Acceptance in Whole and Request for Exception.* A response to accept, in whole, the compliance issues and facts described in the notice, with a request for the Gaming Commission to provide an exception to the progressive sanction process, shall include but is not limited to the following:

- a. Acceptance of the factual statement depicting the event as described in the notice issued by the Gaming Commission;
- b. Acknowledgment of the compliance issue;
- c. Identification of the Accountable Employee; and
- d. Request for the exception, including but not limited to, justification for the exception, with supporting documentation, if applicable. Moreover, a statement of the Corrective Action Plan to resolve the compliance issue, including the corrective actions by the Accountable Employee.

10.7.6. *Denial of the Compliance Issue in Whole or in Part.* Any response to deny, in whole or in part, the compliance issue provided in the Notice, shall include a detailed statement of the factual and/or legal basis supporting the denial, with supporting documentation, if applicable.

10.8. Action Following Response from Gaming Enterprise

10.8.1. Action Following Receipt of Acceptance in Whole.

- a. The Gaming Commission shall issue a Statement of Resolution to the Accountable Employee within ten calendar days of receipt of the response accepting, in whole, the compliance issues and facts.
- b. The Statement of Resolution shall provide notice to the Accountable Employee that the Gaming Commission:
 - 1. Accepts the manner in which the compliance issue was resolved or is in the process of being resolved; or
 - 2. Disapproves the manner in which the compliance issue was resolved or is in the process of being resolved, which specifies the basis for its disapproval, and provides notice of the Accountable Employee's right to appeal the Gaming Commission's decision

10.8.2. Action Following Receipt of Acceptance in Whole and Request for Exception.

- a. If the Accountable Employee accepts the compliance issue and facts described in the Notice, but requests an exception to the progressive sanction process, the Gaming Commission shall consider the request and the facts supporting the request for exception and render a decision as to the merit of the request and whether a waiver was granted, within twenty-one calendar days of receipt.
- b. The effect of the Gaming Commission decision to grant an exception is the waiver of the utilization of the compliance issues and facts for tracking of the compliance issues involving the Accountable Employee involved in accordance with section 10.3.
- c. If the Gaming Commission denies the Accountable Employee's request for an exception, the Gaming Commission's response shall inform the Accountable Employee of the specific reasons for the denial and the right to request the Gaming Commission to reconsider the request for an exception.

10.8.3. Action Following Receipt of Denial of Compliance Issue or Facts.

- a. If the Accountable Employee denies the compliance issues or facts described in the Notice, the Gaming Commission shall consider the factual and legal support for the denial and render a decision as to the merit of the denial within ten calendar days of receipt.
- b. The effect of the Gaming Commission decision to agree with the Accountable Employee's denial of the compliance issues or facts is to modify the compliance issues or facts recorded for purposes of tracking compliance issues involving the Accountable Employee in accordance with section 10.3.
- c. If the Gaming Commission rejects the Accountable Employee's denial, the Gaming Commission's response shall inform the Accountable Employee of their right to appeal the decision of the Gaming Commission pursuant to section 10.10.

10.8.4. Action Following Receipt of Denial of the Compliance Issue in Whole or in Part.

- a. If the Accountable Employee denies that the event or facts described in the notice constitute a compliance issue, the Gaming Commission shall consider the factual and legal support for the denial and render a decision as to the merit of the denial within ten calendar days of receipt.
- b. The effect of the Gaming Commission decision to agree with the Accountable Employee's denial that the event or facts constitute a compliance issue is to expunge the compliance issues and facts for tracking purposes in accordance with section 10.3.

- c. If the Gaming Commission rejects the Accountable Employee's denial, the Gaming Commission's response shall inform the Accountable Employee of their right to appeal the decision of the Gaming Commission pursuant to section 10.11.

10.9 Notices from Gaming Commission

10.9.1. *Basis for Issuing Notice of Inquiry.* The Gaming Commission may issue a Notice of Inquiry upon receipt of information from any source that compliance issues which did, or could, result in an actual or potential threat to the honesty, integrity, security, and fairness of the operation of the gaming enterprise.

10.9.2. *Basis for Issuing Notice of Non-Compliance.* The Gaming Commission shall issue a Notice of Non-Compliance if:

- a. A Notice of Inquiry was previously issued; and
- b. The Gaming Commission has received information from any source that a subsequent compliance issue, has occurred or is occurring, which consists of facts that are the same or similar to those enumerated in a previously issued Notice of Inquiry.
- c. The Gaming Commission did not submit a Notice of Inquiry but did receive information from any source that:
 1. At least two (2) independent compliance issues involving the same Accountable Employee(s) did occur within a seven (7) day period; and
 2. Each independent compliance issue consists of facts that are the same or similar in content.

10.9.3. *Notice of Concern.*

- a. The Gaming Commission shall issue a Notice of Concern if:
 1. A Notice of Non-Compliance was previously issued; and
 2. The Gaming Commission has received information from any source that a compliance issue has occurred or is occurring which consists of facts that are the same or similar to those enumerated in a previously issued Notice of Non Compliance.
 3. The Gaming Commission receives information from any source that:
 - A. At least three (3) independent compliance issues involving the same Accountable Employee did occur within a seven (7) day period; and
 - B. Each independent compliance issue consists of facts that are the same or similar in content to the Notice.
 4. The Notice of Concern shall, in addition to the other notice requirements set forth in this Regulation, describe the steps necessary to effect a cure of the Rules violation(s).
 5. The Accountable Employee receiving a Notice of Concern may meet with the Gaming Commission and discuss a resolution which may cure the compliance issue.

It is the Accountable Employee's duty to request a meeting with the Gaming Commission and a failure to request a meeting in writing and delivered to the offices of the Gaming Commission within seven calendar days of the issuance of the Notice of Concern will cause the Gaming Commission to assume that a meeting is not sought by the Accountable Employee.

10.9.4. *Notice of Citation Violation.*

- a. The Gaming Commission shall issue a Notice of Violation Citation if:
 1. A Notice of Concern was previously issued, and
 2. The Gaming Commission has received information from any source that a compliance issue has occurred or is occurring which consists of facts that are the same or similar to those enumerated in a previously issued Notice of Concern.
- b. A Violation Citation shall include:
 1. Notice of Hearing which includes a date, time and location of a hearing, the purpose for the hearing, the recipient's opportunity to obtain a copy of the Rules, the possible sanctions if the Violation Citation is sustained, the Accountable Employee's right to procure at their own cost, the representation of legal counsel, call witnesses and offer evidence, and notice

that a failure to appear at the hearing may cause the Gaming Commission to consider and rule on the substance of the Violation Citation without the Accountable Employee's participation.

2. Identification of the underlying nature of the Violation Citation resulting in the notice, including:

- A. A citation to the Rule(s) involved;
- B. A copy, or identification (by date and number) of any notice(s) previously forwarded to the Accountable Employee, by the Gaming Commission, if applicable;
- C. The Accountable Employee involved, including identification of the employee's position, department and shift; and
- D. The particular conduct or circumstances involved.
- E. The approximate date and time of the Compliance Issue

b. In addition to the form of notice required by section 10.6, the Accountable Employee shall also be provided a Notice of Hearing, which informs them of the date and time of a hearing before the Gaming Commission, or its designated hearing examiner, to consider the merit and substance of the compliance issues and facts supporting the Notice. The Notice of Hearing shall inform the Accountable Employee that the purpose of the hearing will be to determine whether the Gaming Commission will issue the Violation Citation. The Notice of Hearing shall provide the recipient information regarding their opportunity to receive a copy of the Gaming Ordinance to, among other things, access their rights under Section 12 of that Ordinance. The Notice of Hearing shall provide information regarding possible sanctions as referenced in Section 10.3.4 of these Regulations.

c. Any hearing conducted by the Gaming Commission, or its designated hearing examiner, under these Regulations, shall be conducted pursuant to the procedures described in the Gaming Ordinance and in accordance with any hearing procedures adopted by the Gaming Commission.

d. The Gaming Commission shall issue a Violation Citation against the Accountable Employee if:

1. A hearing was conducted to determine the merit and substance of the compliance issue; and
2. The Gaming Commission finds that it is more likely than not that the compliance issue described in the Notice of Violation Citation occurred.

e. The Violation Citation shall include the following components:

1. A description of the circumstances surrounding the violation, set forth in common and concise language;
2. A citation to the Rule(s) that has been or is being violated;
3. Date of the hearing before the Gaming Commission;
4. Sanction(s) that may be imposed; and
5. Right to appeal the decision to the Tribal Court.

f. The Gaming Commission may issue an order temporarily suspending an Accountable Employee's gaming license pending a hearing before the Gaming Commission. Any Accountable Employee affected by such orders shall be provided a notice of temporary suspension and/or a notice of intent to revoke such Accountable Employee's gaming license in accordance with the Gaming Ordinance. Affected Accountable Employee's shall also be informed of their right to request a hearing before the Gaming Commission, or in the case of Accountable Employees whose licenses have been summarily or temporarily suspended, and the right to request an appeal of the Gaming Commission's decision to the Tribal Court.

10.10. Appeals to Gaming Commission

10.10.1. Action or inaction by Gaming Commission employees or agents is subject to review by the Gaming Commission. A review of Gaming Commission employee or agent action or inaction shall be characterized procedurally as a "Request for Administrative Review of Compliance Issue." An Accountable Employee that seeks administrative review of a Gaming Commission employee or agent action or inaction shall initiate the process in writing by titling the document "Request for Administrative Review of Compliance Issue," set

forth the substance of the action or inaction which is for review, execute the document and deliver the document to the Gaming Commission within ten calendar days of the date of the Gaming Commission employee action or inaction. The Gaming Commission shall review the Request for Administrative Review of Compliance Issue and issue a written ruling in response. The Gaming Commission in its sole discretion may provide the Accountable Employee an opportunity to be heard on the issues involved in the matter.

10.10.2. The Gaming Commission shall render a written decision within twenty-one calendar days of its receipt of the matter for consideration or at the close of the final hearing, if any, on the matter.

10.11. Appeal to Little River Band of Ottawa Indians Tribal Court.

10.11.1. Accountable Employees may seek judicial review in Tribal Court of any decision of the Gaming Commission as provided in the Tribal Gaming Ordinance.

10.11.2. In any instance in which the Gaming Commission has issued a summary or emergency order, including an order temporarily suspending the gaming license of any Accountable Employee, the Accountable Employee shall have the right to file an immediate appeal with the Tribal Court.

10.12. Compliance Audit.

10.12.1. The Gaming Commission shall conduct compliance audits to confirm the representation from the Accountable Employee that a compliance issue is resolved or in the process of resolution within thirty (30) days of receipt of the response to the notice issued by the Gaming Commission.