



Little River Band of Ottawa Indians
2608 Government Center Drive
Manistee, MI 49660
(231) 723-8288

Resolution #19-0206-030

*Accepting for Filing the Revised Gaming Commission Regulation
#R400-04:GC-02 Chapter 2 – Gaming Devices, Equipment, and Supplies*

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Aníshinaábek* (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribe adopted amendments to the Constitution on April 26, 2004, which, became effective upon approval by the Assistant Secretary-Indian Affairs on May 3, 2004; and

WHEREAS, the Tribe adopted amendments to the Constitution on July 11, 2016 which became effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(I) to take action, not inconsistent with the Constitution or Federal law, which is necessary and proper to carry out the sovereign powers of the Tribe; and

WHEREAS, the Tribal Council has, pursuant to Gaming Commission Ordinance #04-400-04, created a Gaming Commission and delegated to such Commission the authority to regulate all gaming activities authorized by the Tribe and to enforce all Tribal and federal laws governing the conduct of Tribally-licensed gaming activities; and

WHEREAS, Section 6.04 (a) of the Gaming Commission Ordinance permits the Gaming Commission to promulgate regulations and internal operational procedures of the Gaming Commission and its staff; and

WHEREAS, Gaming Commission Regulation #R400-04:GC-02 Chapter 2 – Gaming Devices, Equipment, and Supplies was approved by the Gaming Commission on September 16, 2008 and a recent review by the Gaming Commission revealed it was very outdated; and

WHEREAS, the Gaming Commission revised and approved the regulation on January 15, 2019 by Gaming Commission Resolution #GC19-0115-01; and

WHEREAS, the Gaming Commission Regulation *Chapter 2 – Gaming Devices, Equipment, and Supplies* is now being forwarded to Tribal Council for filing in accordance with Gaming Commission Ordinance #04-400-04 – Section 6.04 (b).

NOW THEREFORE IT IS RESOLVED THAT that Gaming Commission Regulation #R400-04:GC-2 Chapter 2 – Gaming Devices, Equipment, and Supplies is hereby accepted for filing by the Little River Band of Ottawa Indians Tribal Council.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Open Session of the Little River Band of Ottawa Indians Tribal Council held on February 2, 2019, at the Government Center in Manistee, Michigan, with a quorum being present for such vote.



Joseph Riley II, Tribal Council Speaker



Sandra Lewis, Tribal Council Recorder

Attest:

Distribution: Council Records
Gaming Commission

Gaming Commission Regulations

Regulation # R400-04:GC-02

Chapter 2 – Gaming Devices, Equipment, and Supplies

Section 1. Purpose; Authority

- 1-1. *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 supplies. As part of the Gaming Commission's regulatory oversight, these Regulations address the equipment, devices, and supplies that are used in gaming enterprises within its jurisdiction. This Chapter establishes the process for seeking and obtaining regulatory approval of gaming devices, equipment, and supplies; maintenance and disposal of gaming devices, equipment, and supplies; and defines gaming devices, equipment, and supplies.
- 1-2. *Authority.* These rules and regulations are issued under and pursuant to the authority of Gaming Ordinance #01-400-01 and Gaming Commission Ordinance #04-400-04.
- 1-3. *General.* For purposes of this Regulation, certain terms are defined in this Regulation. The word "shall" is always mandatory and not merely advisory. Unless defined elsewhere, terms defined in this Chapter are defined for the purposes of all Gaming Commission Regulations.

Section 2. Definitions

- 2-1. *Cashless wagering system* means a method of wagering and accounting:
 - a. In which the validity and value of a wagering instrument or wagering credits are determined, monitored and retained by a computer operated and maintained by a licensee which maintains a record of each transaction involving the wagering instrument or wagering credits, exclusive of the game or gaming device on which wagers are being made. The term includes computerized systems which facilitate electronic transfers of money directly to or from a game or gaming device; or
 - b. Used in a race book or sports pool in which the validity and value of a wagering instrument or wagering credits are determined, monitored and retained on a computer that maintains a record of each transaction involving the wagering instrument or wagering credits and is operated and maintained by a licensee.
- 2-2. *Cheques* means cash substitutes, in various denominations, issued by a gaming enterprise and used for wagering.
- 2-3. *Chips* means cash substitutes used for wagering purposes, which have no monetary value when removed from the specific table (i.e., Roulette, tournament, or promotional).
- 2-4. *Control program* means any software, source language or executable code which affects

the result of a wager by determining win or loss. The term includes, but is not limited to, software, source language or executable code associated with the:

- a. Random number generation process;
- b. Mapping of random numbers to game elements to determine game outcome;
- c. Evaluation of the randomly selected game elements to determine win or loss;
- d. Payment of winning wagers;
- e. Game recall;
- f. Game accounting including the reporting of meter and log information to on-line slot metering system;
- g. Monetary transactions conducted with associated equipment;
- h. Software verification and authentication functions which are specifically designed and intended for use in a gaming device;
- i. Monitoring and generation of game tilts or error conditions; and
- j. Game operating systems which are specifically designed and intended for use in a gaming device.

** The term does not include software used for artistic attributes of a game including graphics, sound and animation providing entertainment unless such elements are material to game play because they are necessary for the player to understand the game or game outcome.*

2-5. *Game of chance* means a game in which randomness determines all outcomes of the game as determined over a period of continuous play.

2-6. *Game of skill* means a game in which the skill of the player, rather than chance, is the dominant factor in affecting the outcome of the game as determined over a period of continuous play.

2-7. *Game outcome* is the final result of the wager.

2-8. *Game variation* means a change or alteration in a game or gambling game that affects the manner or mode of play of an approved game. This includes, but is not limited to, the addition or removal of wagering opportunities or a change in the theoretical hold percentage of the game.

2-9. *Gaming device* means a microprocessor-controlled electronic device which allows a player to play games of chance, some of which are affected by skill, which is activated by the insertion of a coin, currency, tokens, tickets, or by the use of credit, and which awards

game credits, cash tokens, replays or a receipt that can be redeemed by the player.

- 2-10. *Gaming session* means the period of time commencing when a player initiates a game or series of games on a gaming device by committing a wager and ending at the time of a final game outcome for that game or series of games.
- 2-11. *Hybrid game* means a game in which a combination of the skill of the player and chance affects the outcome of the game as determined over a period of continuous play.
- 2-12. *Identifier* means any specific and verifiable fact concerning a player or group of players which is based upon objective criteria relating to the player or group of players, including, without limitation:
- a. The frequency, value or extent of predefined commercial activity;
 - b. The subscription to or enrollment in particular services;
 - c. The use of a particular technology concurrent with the play of a gaming device;
 - d. The skill of the player;
 - e. The skill of the player relative to the skill of any other player participating in the same game;
 - f. The degree of skill required by the game; or
 - g. Any combination of (a) to (f), inclusive.
- 2-13. *Independent contractor* means any person who:
- a. Is not an employee of a licensed manufacturer; and
 - b. Pursuant to an agreement with a licensed manufacturer:
 - 1. designs, develops, programs, produces or composes a control program on behalf of the licensed manufacturer; or
 - 2. designs, develops, produces or composes software, source language or executable code intended to be compiled into a control program by the licensed manufacturer.
 - c. Meets the IRS definitions of independent contractor. See IRS Publication 1779.

** As used in this regulation "licensed manufacturer" includes any affiliate that is owned or controlled by or under common control with the licensee.*

- 2-14. *Mobile gaming system* means a system that allows for the conduct of games through mobile communications devices operated solely within a public area of the licensed gaming establishment by the use of communications technology that allows a patron to bet or wager, and corresponding information related to the display of the game, gaming outcomes or other similar information.
- 2-15. *Proprietary hardware and software* means hardware or software specifically designed for use in a gaming device including a mobile gaming system and interactive gaming system.
- 2-16. *Randomness* is the observed unpredictability and absence of pattern in a set of elements or events that have definite probabilities of occurrence.
- 2-17. *Skill* means the knowledge, dexterity or any other ability or expertise of a natural person.
- 2-18. *System based game* is a gaming device comprised of a server or system part and client stations that, together, form a single integrated device where the system portion of the game determines the outcomes of the individual games conducted on the client stations and the client stations cannot operate independently from the system. Both the system portion and the clients of the system based gaming device will reside in a single gaming establishment.
- 2-19. *System supported game* is a gaming device comprised of a collection of conventional gaming devices or client stations connected to a system for the purpose of downloading control programs and other software resources to the conventional gaming device or client station on an intermittent basis. The system portion as well as the client stations are installed in a single gaming establishment. The client stations connected to the system are capable of operating independently from the system once the downloading process has been completed. This configuration encompasses cases where the system may take control of peripheral devices or associated equipment typically considered part of a conventional gaming device such as a bill validator or a printer. In a system supported game, game outcome is determined by the conventional gaming devices or client stations connected to the system and not by the system itself.

Section 3. Policy

- 3-1. Gaming devices and associated equipment that incorporate innovative, alternative and advanced technology are beneficial to and in the best interests of the Gaming Commission to encourage the development and deployment of such technologies by manufacturers, distributors and gaming establishments to the extent consistent with these Regulations.

Section 4. Minimum Standards for Gaming Devices

- 4-1. All gaming devices shall:

- a. Theoretically pay out a mathematically demonstrable percentage of all amounts wagered, which shall comply with Section 18 of this Regulation.

- b. Determine game outcome solely by the application of:
 - 1. chance;
 - 2. the skill of the player; or
 - 3. a combination of the skill of the player and chance.
 - c. Display in an accurate and non-deceptive manner:
 - 1. the rules of play;
 - 2. the amount required to wager on the game or series of games in a gaming session;
 - 3. the amount to be paid on winning wagers;
 - 4. any rake-off percentage or any fee charged to play the game or series of games in a gaming session;
 - 5. any monetary wagering limits for games representative of live gambling games;
 - 6. the total amount wagered by the player;
 - 7. the game outcome; and
 - 8. such additional information sufficient for the player to reasonably understand the game outcome.
 - d. Satisfy the technical standards in Section 5 of this Regulation.
- 4-2. Once a game is initiated by a player on a gaming device, the rules of play for that game, including the probability and award of a game outcome, cannot be changed. In the event the game or rules of play for the game, including probability and award of a game outcome, change between games during a gaming session, notice of the change shall be prominently displayed to the player.
- 4-3. Gaming devices connected to a common payoff schedule shall:
- a. All be of the same denomination and have equivalent odds of winning the common payoff schedule/common award based as applicable on either or both of the combined influence of the attributes of chance and skill; or
 - b. If of different denominations, equalize the expected value of winning the payoff schedule/common award on the various denominations by setting the odds of winning the payoff schedule in proportion to the amount wagered based as

applicable on either or both the combined influence of the attributes of chance and skill, or by requiring the same wager to win the payoff schedule/award regardless of the device's denomination. The method of equalizing the expected value of winning the payoff schedule/award shall be conspicuously displayed on each device connected to the common payoff schedule/common award. For the purposes of this requirement, equivalent is defined as within a 5 percent (5%) tolerance for expected value and no more than a 1 percent (1%) tolerance on return to player or payback.

- 4-4. All possible game outcomes shall be available upon the initiation of each play of a game upon which a player commits a wager on a gaming device.
- 4-5. For gaming devices that are representative of live gambling games, the mathematical probability of a symbol or other element appearing in a game outcome shall be equal to the mathematical probability of that symbol or element occurring in the live gambling game.
- 4-6. Gaming devices that offer games of skill or hybrid games shall indicate prominently on the gaming device that the outcome of the game is affected by player skill.
- 4-7. Gaming devices shall not alter any function of the device based on the actual hold percentage.
- 4-8. Gaming devices may use an identifier to determine which games are presented to or available for selection by a player.
- 4-9. Installation of a system based game or a system supported game. A gaming enterprise shall not install or use a system based game or system supported game without prior approval of the system network implementation by the Gaming Commission, including any modifications.

Section 5. Approval of Gaming Devices, Equipment and Supplies

- 5-1. No gaming device, equipment or supply shall be purchased, leased or otherwise acquired by the gaming enterprise unless:
 - a. The vendor is properly licensed by the Gaming Commission, and;
 - b. Usage of new gaming devices, equipment or supplies has been approved by the Gaming Commission. and/or;
 - c. Certified by Gaming Laboratories International (GLI), BMM Labs or other recognized testing laboratory per Section 19, 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 technical standards.
- 5-2. Approval of new gaming platforms and new technologies (i.e., internet gaming, daily

fantasy sports, mobile gaming) shall be:

- a. Approved by the Gaming Commission; and
 - b. Shall have jurisdictional approval or legal determination (if applicable); and
 - c. The vendor shall be properly licensed; and
 - d. Equipment and software shall be approved and certified by Gaming Laboratories International (GLI), BMM Labs, or other recognized testing laboratory per Section 19, 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 technical standards.
- 5-3. The gaming enterprise shall not install, use or offer for play any new technology or new game platform without Gaming Commission approval (Section 5-2) and:
- a. A minimum ninety (90) calendar days advanced written notice to the Gaming Commission that includes:
 1. type of technology or game to be installed;
 2. manufacturer;
 3. approval letters from an approved gaming laboratory (if applicable);
 4. date of proposed installation;
 5. date of proposed implementation;
 6. name of enterprise contact person; and
 7. rules for the proposed game (if applicable).
- 5-4. Proposed procedures shall be submitted to the Gaming Commission sixty (60) calendar days in advance of implementation, for Gaming Commission approval.
- 5-5. New technologies include, but are not limited to:
- a. Slot Accounting Systems
 - b. Revenue Accounting Systems
 - c. Server supported games
 - d. Server based games

- e. Player Tracking Systems
- f. Cashless Wagering Systems

5-6. New game categories include, but are not limited to:

- a. Bingo
- b. Pull Tabs
- c. Keno
- d. Pari-Mutuel
- e. Sports Book
- f. Internet Gaming
- g. Any other form of gambling

5-7. New technologies and game categories shall not be offered to the gaming public until Tribal Minimum Internal Control Standards and/or System of Internal Control Standards have been approved by the Gaming Commission and implemented by the gaming enterprise

5-8. Use of any unapproved gaming device, equipment or supplies will result in the levying of a fine of not more than \$3,000 a day for the gaming device, equipment or supplies used at the gaming enterprise.

Section 6. Responsibility to Report

- 6-1. Any person having evidence or reason to believe that any gaming device, equipment, or supply 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.
- 6-2. 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 enterprise, shall immediately report such evidence or belief to the Gaming Commission.
- 6-3. Upon receipt of information described in Section 6-1 or 6-2, a Gaming Commission agent may secure and/or take custody of the suspected equipment or device and any evidence required to be reported pursuant to this subsection.

Section 7. Gaming Device Control Programs

7-1. Gaming device control programs shall:

Chapter 2. Gaming Devices, Equipment, and Supplies
Gaming Commission Approved: 01-15-19
Gaming Commission Resolution #GC19-0115-01
Tribal Council Acceptance: 02-06-19
Tribal Council Resolution #19-0206-030

- a. Be shipped to and verified by the Gaming Commission;
 - b. Remain in the custody of the Gaming Commission until the time of installation;
 - c. Gaming device software NOT requiring verification will be turned over to the gaming enterprise's Slot Performance Department.
- 7-2. All RAM Clear, RAM Reset, Set or other maintenance software will remain in the custody of the Gaming Commission at all times except when the vendor brings in these types media, in which case they shall remain in the vendor's possession at all times.

Section 8. Required Notifications to the Gaming Commission

- 8-1. New gaming device, equipment or supply notice. Prior to the shipment of any gaming device, equipment or supply, the vendor is required to notify the Gaming Commission of the pending shipment. The Gaming Commission shall receive the notice at least five (5) calendar days prior to the shipment of any gaming device, equipment or supply. The Notice shall include the following information:
- a. Description of the gaming device, equipment or supply;
 - b. Number of each item being shipped;
 - c. The serial number of each item (if applicable) being shipped;
 - d. The control program manufacturer and ID Number;
 - e. Date of shipment and expected arrival date;
 - f. Method of shipment; and
 - g. Certification from an approved independent gaming laboratory.
- 8-2. Replacement of malfunctioning, broken or damaged gaming device, equipment or supply notice. Prior to the immediate shipment of any replacement(s) (identical replacement) for malfunctioning, broken or damaged gaming device, equipment or supply, the vendor shall give the Gaming Commission notification of shipment. The shipping notification shall include the following information:
- a. Description of the gaming device, equipment; or supply;
 - b. Number of each item being shipped;
 - c. The serial number of each item (if applicable) being shipped; and/or
 - d. The control program manufacturer and ID Number (if applicable);

- e. Date of shipment and expected arrival date; and
 - f. Method of shipment.
- 8-3. Request for shipping waiver. The vendor may request a waiver from the shipping notification requirements. The waiver request shall be made to the Gaming Commission. Any request for waiver shall include:
- a. Justification for the waiver;
 - b. Items listed in 8-2 above; and
 - c. Contact information of the requestor
- *All waiver requests will be evaluated on a case-by-case basis and are only granted for valid mitigating circumstances. A request for a waiver is not a guarantee. Approved waivers will be sent to the vendor's contact person and may contain specific instructions.*
- 8-4. Failure to comply with any required notification requirements set forth in Section 8 may result in the following fines, unless defined otherwise by Gaming Commission Order.
- a. \$2,000.00 – first offense
 - b. \$4,000.00 – second offense
 - c. \$6,000.00 – third offense
 - d. \$10,000.00 – fourth offense
- 8-5. Offenses shall be cumulative within a twelve (12) month period from the date of the last offense.
- 8-6. All fines under this Section are assessed against the vendor.

Section 9. Receipt of Gaming Devices, Equipment and Supplies

- 9-1. No gaming devices, equipment or supplies may be accepted at the gaming enterprise unless:
- a. Proper notification has been received by the Gaming Commission prior to shipment.
 - b. A Gaming Commission agent is present to verify delivery and inspect gaming devices, equipment and supplies at the time of receipt. (This does not include software, which is delivered directly to the Gaming Commission).
 - c. The Gaming Commission agent(s) confirms the accuracy the items

delivered, verifying the item(s), number delivered and serial number(s) (if applicable) to the shipment notification.

Section 10. Gaming Cheques and Chips

10-1. Approval of Cheques and Chips

- a. The gaming enterprise shall not issue any cheques or chips for use in connection with gaming operations or promotions, and the gaming enterprise shall not redeem any such cheques and/or chips, unless the Gaming Commission has approved the cheques and/or chips.
- b. The gaming enterprise shall not modify, in any manner, cheques or chips previously approved by the Gaming Commission unless the modifications have been approved by the Gaming Commission.
- c. Requests for approval of cheques and chips or requests to modify previously approved cheques or chips shall be made in such a manner as the Gaming Commission may prescribe. The request shall include, at a minimum the following information:
 1. An exact drawing, in color, of each side and the edge of the proposed cheque or chip, drawn to actual size or drawn larger than actual size in scale, and showing the measurements of the proposed cheque or chip in each dimension.
 2. Written specifications for the proposed cheque or chip.
 3. The name and address of the manufacturer.
 4. The gaming enterprise's intended use for the proposed cheque or chip.
 5. A verification upon oath or notarized affirmation, executed by the cheque/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 cheques/chips, and related material. The System of Internal Controls shall 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:
 - i. Provide for the secure storage or destruction of all pre-production prototypes, samples, production rejects and other non-saleable products.

- ii. Provide security over the finished artwork, hubs, plates, dies, molds, stamps and other related items that are used in the manufacturing process.
 - iii. Prevent the unauthorized removal of the product from the production facility through the utilization of security devices such as metal detectors, and surveillance cameras.
 - iv. Restrict access to raw materials; work in progress and finished goods inventories to authorized personnel.
 - v. Establish procedures for documenting approval of production runs.
 - vi. Establish and maintain a perpetual inventory system, which adequately documents the flow of materials through the manufacturing process.
 - vii. 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 the manufacture and immediately reported to the Gaming Commission and to the gaming enterprise.
 - viii. 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.
 - ix. 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.
 - x. Document controls over shipment of finished product, and
 - xi. Provide other 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 as determined by the Gaming Commission that 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 cheques and/or chips, 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 cheques and/or chips in final,

manufactured form. If the Gaming Commission is satisfied that the sample conforms with the requirements of this regulation and the information submitted with the application, the Gaming Commission may approve the proposed cheques or chips and notify the gaming enterprise in writing. The Gaming Commission shall retain the sample cheques and/or chips submitted pursuant to this subsection.

10-2. Cheques Specifications. Cheques shall be designed, manufactured, and constructed in compliance with the standards of the State of Nevada and all applicable regulations of the Gaming Commission, and in such a manner as to prevent counterfeiting of the cheques to the extent reasonably possible.

- a. In addition to such other specifications as the Gaming Commission may approve;
 1. The name and location of the gaming enterprise shall be inscribed on each side of each chip.
 2. The value of the chip shall be inscribed on each side of each chip.
 3. The manufacturer's name or distinctive logo or other mark identifying the manufacturer shall be inscribed on at least one side of each chip.
 4. Each chip shall be designed so that when stacked with cheques 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 cheques and tokens in the stack.

10-3. Additional Cheques Specifications. Unless the Gaming Commission approves otherwise, the color of the cheques shall be:

- a. \$0.50 cheques shall be predominately blue in color
- b. \$1.00 cheques shall be predominately white in color
- c. \$5.00 cheques shall be predominately red in color
- d. \$25.00 cheques shall be predominately green in color
- e. \$100.00 cheques shall be predominately black in color
- f. \$500.00 cheques shall be predominately purple in color
- g. \$1,000.00 cheques shall be predominately orange in color

10-4. Use of Cheques. Cheques 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.

- a. If cheques are to be used at the gaming enterprise, the management of the gaming enterprise shall:
 1. Comply with all applicable statutes and regulations of the Little River Band of Ottawa Indians and the United States of America pertaining to cheques.
 2. Issue cheques only to patrons of the gaming establishment and only at their request.
 3. Promptly redeem its own cheques from its patrons by cash or check drawn on an account of the gaming enterprise.
 4. The gaming enterprise shall not redeem cheques if presented by a person who the gaming enterprise knows or reasonably should know is not a patron except that the gaming enterprise shall promptly redeem its cheques if presented by:
 - i. Another gaming enterprise who represents that it redeemed the cheques from its patrons or received them unknowingly, inadvertently, or unavoidably.
 - ii. An employee of the gaming enterprise who presents the cheques in the normal course of employment.
- 10-5. Use of Chips. Chips shall not be used, and the gaming enterprise shall not permit their use, in transactions other than roulette and the promotions or tournaments for which they are issued.
- 10-6. Redemption and disposal of discontinued chips and/or cheques. If the gaming enterprise permanently removes from use or replaces approved cheques or tokens at its gaming enterprise, or ceases operating its gaming enterprise, the gaming enterprise shall prepare a plan for redeeming discontinued cheques or tokens that remain outstanding at the time of discontinuance. The gaming enterprise shall submit a plan in writing to the Gaming Commission no later than thirty (30) calendar days before the 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.
 - a. In addition to such other reasonable provisions as the Gaming Commission may approve or require, the plan shall provide for:
 1. Redemption of outstanding discontinued cheques or tokens in accordance with this regulation for at least ninety (90) calendar days after the removal or replacement of the cheques or tokens.
 2. Redemption of the cheques or tokens at the premises of the gaming

enterprise.

3. Publication of notice of the discontinuance of the cheques or tokens and of the redemption and the pertinent times and location in at least two (2) newspapers of general circulation in the state of Michigan. The publication shall run 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 Section 10-6 (a) (3) at the gaming enterprise and at all buildings of the Little River Band of Ottawa Indians.
 5. Destruction or such other disposition of the discontinued cheques or tokens as the Gaming Commission may approve or require.
- 10-7. Destruction and Disposal of Damaged Foreign Cheques, Chips and Tokens. The gaming enterprise shall establish procedures for the destruction of damaged or foreign cheques, chips, and tokens. These procedures shall include, at a minimum:
- a. Recording the number and denominations of the damaged or foreign cheques, chips, or tokens to be destroyed, or otherwise disposed of, pursuant to this Section.
 - b. Approved methods of destruction or disposition.
 - c. Department responsible for carrying out the destruction or other disposition on behalf of the gaming enterprise.
 - d. The gaming enterprise shall maintain each record required by this subsection for at least five (5) years.

Section 11. Other Instrumentalities

- 11-1. Other instrumentalities utilized by the gaming enterprise shall be designed, manufactured, approved, used, discontinued, destroyed, or otherwise disposed of in accordance with the provisions of this regulation applicable to cheques, chips and tokens, except as follows:
- a. Such other instrumentalities shall 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 or may grant approval subject to such conditions, as considered appropriate.

Section 12. Storage of Gaming devices, Equipment or Supplies

- 12-1. The gaming enterprise shall develop and implement (upon Gaming Commission approval), procedures for the secured storage of gaming devices, equipment or supplies not yet issued for use. Access to the secured storage locations shall be controlled by the Security Department.
- 12-2. Used cards, dice and layouts shall be maintained by a department independent of the Table Games Department, in a secure location until “marked”, “scored”, or “destroyed” within seven (7) calendar days.
- 12-3. The gaming enterprise shall establish procedures for the destruction and/or disposal of gaming devices, cards, dice, and layouts with the Tribal logo present. Included in these procedures shall be, at a minimum:
 - a. A log shall be kept and maintained to ensure accountability of all gaming devices, cards, dice, and TITO ticket stock payouts;
 - b. Destruction process (including how and who); and
 - c. All gaming devices, cards, dice, and layouts shall be destroyed under surveillance coverage.

Section 13. Destruction and/or Disposal of Gaming Device Control Programs

- 13-1. Agents of the Gaming Commission shall maintain all gaming device control programs removed from any gaming device. Gaming device control programs shall be destroyed or disposed of by representatives of the Gaming Commission in accordance with Gaming Commission procedures.

Section 14. Suspicious Instruments

- 14-1. All suspicious instruments (i.e., lights, magnets, coins, tokens, etc.) found by, or delivered to agents of the gaming enterprise shall be forwarded to the Gaming Commission within twenty-four (24) hours.

Section 15. Sensitive Key and Lock Replacement

- 15-1. Sensitive Gaming Keys. The gaming enterprise shall establish procedures for the replacement or “re-keying” of all locks opened by any sensitive gaming key that is lost or removed from the gaming enterprise. Sensitive gaming keys shall include, but are not limited to:
 - a. Slot main door
 - b. Slot belly glass door

- c. Cash box housing
- d. Cash box content
- e. Cage/satellite cage
- f. Cash drawer
- g. Chip Bank
- h. Main Bank
- i. Soft/Hard count
- j. Vault keys
- k. CPU keys
- l. Table game reset
- m. Roll over
- n. Table Games drop box content
- o. Table Games release
- p. Card and Dice Room
- q. any other key deemed sensitive by the Gaming Commission or any key held in any sensitive gaming electronic key management system.

15-2. Sensitive Non-Gaming Keys. The gaming enterprise shall establish procedures for the replacement or “re-keying” of all locks opened by any sensitive non-gaming key that is lost or removed from the gaming enterprise. Sensitive non-gaming keys shall include, but are not limited to:

- a. Hotel master
- b. Gift Shop
- c. Non-Gaming outlets (i.e., restaurants, entertainment, bars, conference, etc.)
- d. Any other key deemed sensitive by the Gaming Commission or any key held in any sensitive non-gaming electronic key management system.

15-3. These procedures shall include:

- a. Provisions to replace or “re-key” all associated locks of any sensitive key lost or removed from the gaming enterprise.
- b. Notification to the Gaming Commission that includes:
 1. identification of affected locks;
 2. number of locks affected;
 3. department(s) affected;
 4. action to be taken (replace or “re-key”); and
 5. date action taken.

15-4. For incidents that affect a large number of locks (i.e., slot door keys) the gaming enterprise may make a written request for an exemption to the Gaming Commission for the replacement or “re-keying” of locks. The written request shall include, at a minimum, the following:

- a. Locks affected;
- b. Number of locks affected;
- c. Cost associated;
- d. Detailed justification/rationale; and
- e. Corrective actions to prevent future occurrences.

15-5. “Removed” does not apply to keys issued to on-duty gaming enterprise employee while executing their work duties. gaming enterprise employee shall return all issued keys prior to leaving the gaming enterprise.

Section 16. Prohibition of Electronic and Mechanical Aids

16-1. Except as specifically permitted by the Gaming Commission, no person shall possess, with the intent to use in connection with gaming, either individually, or in concert with others, any calculator, computer or other electronic or mechanical device to assist in projecting the outcome or odds of such gaming, to keep track of cards, or to change probabilities of any game or the playing strategy regularly utilized in such gaming.

Section 17. Requirements for Percentage Payouts

17-1. Gaming devices shall meet the following minimum theoretical percentage pay outs

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during the expected lifetime of the gaming device:

- a. The gaming device shall pay out at least eighty percent (80%), for games of chance not involving skill.
- b. The gaming device shall pay out at least eighty-five percent (85%), for games of chance that involve some skill. (i.e., video poker).

Section 18. Independent Testing Laboratories Recognition

Independent testing laboratories may request recognition from the Gaming Commission. Recognition means that the Gaming Commission recognizes the independent testing laboratory as an independent testing facility and will accept testing results, certification results and verification information from the recognized independent testing laboratories. The Gaming Commission will recognize independent testing laboratories at its sole discretion.

18-1. To gain recognition, the independent testing laboratory shall:

- a. Send an official communication to the Gaming Commission stating its request to be recognized as an independent testing laboratory.
- b. Provide support documentation that demonstrates:
 - 1. Integrity;
 - 2. Independence from any manufacturer, distributor, or operator of any game, gaming device, associated equipment, cashless wagering system, inter-casino linked system, mobile gaming system or interactive gaming system, or any component thereof or modification thereto, regardless of whether or not such person or entity is licensed, registered, or otherwise does business within the jurisdiction of the Little River Band of Ottawa Indians;
 - i. Shall not have a financial or other interest, direct or otherwise, in a manufacturer, distributor, or operator of any game, gaming device, associated equipment, cashless wagering system, inter-casino linked system, mobile gaming system or interactive gaming system, or any component thereof or modification thereto, regardless of whether or not the person or entity is licensed, registered, or otherwise does business within the jurisdiction of the Little River Band of Ottawa Indians;
 - ii. Shall not participate, consult, or otherwise be involved in the design, development, programming, or manufacture of any game, gaming device, associated equipment, cashless wagering system, inter-casino linked system, mobile gaming system or interactive gaming system, or any component thereof or modification thereto;

iii. Shall not have any other interest in or involvement with a manufacturer, distributor, or operator that could cause the independent testing laboratory to act in a manner that is not impartial; and

iv. Such individuals shall not serve in any capacity with a manufacturer, distributor, or operator beyond the scope of the independent testing laboratory's engagement pursuant to these regulations.

3. Be accredited in accordance with ISO/IEC 17025 by an accreditation body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Agreement, unless the independent testing laboratory is only seeking registration for the inspection and certification of games and game variations;

4. Demonstrate it is technically competent in testing the category of game, device, or system in which it is seeking registration;

5. Demonstrate it is technically competent to test compliance with the applicable Nevada and/or New Jersey statutes, regulations, standards and policies.

18-2. The Gaming Commission shall maintain a list of recognized independent testing laboratories.

18-3. The restrictions in this Section are not intended to limit an independent testing laboratory, or the above listed individuals from providing consulting services to a manufacturer, distributor, or operator, provided that such services do not directly or indirectly indicate, suggest, or imply how to design, develop, program or manufacture a game, gaming device, associated equipment, cashless wagering system, inter-casino linked system, mobile gaming system or interactive gaming system, or any components thereof or modification thereto.

Note: The Gaming Commission recognizes Gaming Laboratories International (GLI) and BMM Test Labs and are not required to be re-recognized.