TRIBAL CODE

OF REGULATIONS

TCOR-WOS 2008-001 081009-002

This codified version of the Little Traverse Bay Bands of Odawa Indians Tribal Regulations are mandated by law or deemed necessary by the Executive according to LTBB WOS 2008-001, the Administrative Procedures Act. (APA) These Regulations are only those approved by Tribal Council. In some cases where it is necessary to create Interim Regulations to carry out the intent of the law, those Interim Regulations can be found on the LTBB Website in the Odawa Register. The APA also makes allowances for any person(s) to make comments about the regulations. You can use the link on the website to the Document Comment Form for your comments and send them to the Executive Branch Office. Additional instructions are included on the form itself.

SPECIAL ATTENTION

This is a living document. It is imperative that whenever referencing a printed version of this document that special attention is paid to the version that is currently on the Little Traverse Bay Bands of Odawa Indian's website. The latest version can also be accessed by contacting the Executive Branch via email at chairman@ltbbodawa-nsn.gov or via phone at 231-242-1401.

Table of Contents

TITLE I – THE CONSTITUTION OF THE LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS 1

Chapter 1. APPLICATION. 1

TITLE II – CITIZENSHIP, TRIBAL ENROLLMENT 2

Chapter 1. CITIZENSHIP REGULATIONS 2

TITLE III – ELECTIONS 11

Chapter 1. *[Reserved]* 11

TITLE IV – NATURAL RESOURCES PROTECTION 12

Chapter 1. NATURAL RESOURCES COMMISSION REGULATIONS FOR LICENSING AND PERMITS 12

TITLE V – CHILD WELFARE 17

Chapter 1. REGULATIONS FOR ISSUING AND MONITORING CHILD FOSTER CARE FACILITY LICENSES 17

TITLE VI – TRIBAL GOVERNMENT AND ADMINISTRATION 20

Chapter 1. *[Reserved]* 20

TITLE VII – ECONOMIC DEVELOPMENT 21

Chapter 1. REGULATIONS OF THE GAMING REGULATORY COMMISSION 21

Chapter 2. TRIBAL MINIMUM INTERNAL CONTROL STANDARDS 52

TITLE VIII – HOUSING 131

Chapter 1. *[Reserved]* 131

TITLE IX – CRIMINAL AND CIVIL LAWS 132

Chapter 1. *[Reserved]* 132

TITLE X – LAND USE AND BUILDING 133

Chapter 1. *[Reserved]* 133

TITLE XI – HEALTH AND EDUCATION 134

Chapter 1. MICHELLE CHINGWA EDUCATION ASSISTANCE SCHOLARSHIP REGULATIONS 134

Chapter 2. WELFARE OF ADULTS REGULATIONS *138*

Chapter 3. FOOD SAFETY REGULATIONS 141

Chapter 4. BURIAL REQUEST PROGRAM REGULATIONS 142

TITLE XII – CORPORATIONS, BUSINESSES AND COMMERCIAL TRANSACTIONS 144

Chapter 1. BUSINESS REGISTRATION REGULATIONS 144

TITLE XIII – DOMESTIC RELATIONS & PROBATE 148

Chapter 1. *[Reserved]* 148

TITLE I – THE CONSTITUTION OF THE LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS

Chapter 1. APPLICATION.

Regulations do not apply to the Constitution. The Constitution mandates that laws are created to govern the Tribe which may or may not require regulations. The Executive has the authority to develop regulations when they are not mandated when the Executive deems necessary for implementation of the law.

TITLE II – CITIZENSHIP, TRIBAL ENROLLMENT

Chapter 1. CITIZENSHIP REGULATIONS

I. Introduction and explanation. The Regulations below are not required by the Citizenship Statute, WOS 2008-06. However, the Executive may develop Regulations for such statutes that the Executive deems necessary for the implementation of the intent of the law and shall forward such Regulations to the Tribal Council for approval in accordance with WOS 2008-001, the Administrative Procedures Statute.

II. Definitions:

A. **Adopted Child (ren):** refers to children given up by their natural parents and adopted by others – it does not refer to adoption into the tribe.

B. **Amended Birth Certificate:** (aka: adopted birth certificate) A term used to refer to the new birth certificate that is issued for an adopted child after an adoption becomes final, which shows the new name of the adopted child and the adoptive parents as the parents of the child, as though they are its biological parents. This new birth certificate is placed in the public records in place of the child's original birth certificate. The original birth certificate is then stored in a separate secure location that is not accessible to the public, and may be viewed only by court order.

C. **Certificate Degree of Indian Blood:** (also abbreviated CDIB) is an official U.S. document that certifies an individual possesses a specific degree of Native American blood of a federally recognized Indian tribe, band, nation, pueblo, village, or community. They are issued by the Bureau of Indian Affairs.

D. **Certified funds:** means an amount of money in the form of a money order or certified check from a banking institute.

E. **Degree of Indian Blood:** (also abbreviated DIB) means a letter from a federally recognized Tribe including Canada that lists the degree or amount of Indian ancestry, signed by the Enrollment Office or designee.

F. **Directory:** (a.k.a as the Tribal Directory) means a complied list, in the form of a booklet, of the Little Traverse Bay Bands of Odawa Indians adult citizens who have not declined to be included in the directory.

G. **Directory Labels:** means mailing labels created from the tribal directory.

H. **Immediate Family:** means: wife, husband, son, daughter, mother, father, brother, sister, step-mother, step-father, step-brother, step-sister, father-in-law, mother-in-law, child and step-child, grandmother, grandfather, brother-in-law and sister-in-law.

I. **Little Traverse Bay Bands of Odawa Indians:** means the "Tribe" or "LTBB".

J. **Length of Residency:** For the purpose of this regulation, a resident is defined as an individual who is a full-time occupant of a dwelling located within the 1855 Reservation for a cumulative total of 15 years and who is likely to be at their stated address when not at work or school. A person who owns property within the 1855 Reservation, but does not reside in the 1855 Reservation, is not considered a resident for the purpose of this regulation.

K. **Natural Parent:** This is also known as biological father or mother.

L. **Roll:** means a comprehensive list of all of the Little Traverse Bay Bands of Odawa Indians living citizens, deceased citizens are not included.

M. **Strong Commitment to LTBB:** This is defined as participation or volunteerism in tribal functions such as Tribal sports, Tribal jiingtamok (pow-wow- celebratory gatherings), Tribal language studies and/or Tribal ghost suppers or other ceremonies.

N. **Substantial Community Ties**: means a combination of the length of Residency and evidence of a Strong Commitment to the Little Traverse Bay Bands of Odawa Indians.

III. Adoption.

Demonstration of Substantial Community Ties for Non – LTBB Indians. Applicant must be at least one-fourth (¼) North American Indian blood quantum and provide proof of Indian blood, i.e., CDIB or DIB. The applicant must provide documentation that demonstrates substantial community ties.

A. **Documentation Requirements.**

1. **Length of Residency.** The records or affidavit must include the name, street address, and length of residency of the person applying under Substantial Community ties. The residence of a minor child is presumed to be the legal residence of the parent(s) or guardian(s) who have physical

custody of the child. Length of Residency will be determined by one or more of following listed below:

a. A lease or rental agreement consisting of written evidence that the agreement is valid and current, and a current utility bill (gas, electric, water, home telephone, or cable) or;

b. Notarized affidavit by landlord, Employer, Personal Tax Accountant with length of residency or;

c. Any other documents which are similar in nature listed above verifying length of residency, approved by the Enrollment Officer.

2. **Immediate Family Member by Marriage.** Will be determined by the following listed below:

a. The applicant must provide identification such as a Driver's License, State Identification, School Identification, Military Identification, Pictured Tribal Identification or any pictured identification with a signature, and;

b. A copy of his/her marriage license to the immediate family member.

3. **Proof of Strong Commitment to the LTBB.** This includes a Notarized Affidavit signed by an LTBB Elder stating the applicant's strong commitment to LTBB. The applicant may use an affidavit form generated by the Enrollment Office or any other written notarized document.

4. **Proof of North American Indian Blood.** Proof must be provided of North American Indian blood, i.e., CDIB or DIB to the Enrollment Office. The Enrollment Office will verify the proof of blood quantum via phone.

IV. Enrollment Eligibility for non-LTBB Indian minor children who are legally adopted by Citizens of the Little Traverse Bay Bands of Odawa Indians. The minor must be at least one-fourth (¼) North American Indian blood quantum and provide proof of Indian blood by submitting the following documentation:

A. Must provide order of adoption that lists the LTBB Citizen's name(s).

B. Must provide an amended birth certificate or original birth certificate.

C. Must provide proof of North American Indian blood i.e., CDIB or DIB. The Enrollment Office will verify the proof of blood quantum.

V. Enrollment eligibility of LTBB Indian Children or Adult adopted by Non-member Indian or Non-Indian Families. A minor child or adult who is eligible for citizenship under Section (A) (3) LTBB Constitution must submit the following documentation:

A. A copy of the adoption decree together with either the original birth certificate identifying the natural parent(s) or a legal document identifying the natural parent(s).

B. Certification from the Secretary of the Interior or his/her authorized representative pursuant to the Indian Child Welfare Act of 1978 (P.L. 95-608) of the relationship between an applicant and the natural parent(s); and

C. When necessary, the Enrollment Department shall petition a government or government agency or department, or private adoption agency for the information necessary to establish the identity of the natural parents of the applicant.

1. The Enrollment Department will complete the Petition for Adoption Information and Order form, or any other necessary forms, and submit it to the respective state court or private adoption agency where the adoption was finalized.

2. A copy of the Adoptive Birth Certificate, Order of Adoption and self-addressed return envelope will be submitted with the Petition. If required by the respective state court or private adoption agency, a copy of the applicant's request for LTBB Tribal citizenship will also be submitted.

3. If the respective state court requires a fee to file the Petition, the Enrollment Department shall notify the applicant of the amount. Certified funds made out to the respective state court will be needed before the Petition can be filed.

4. Upon receipt of the birth parent(s) information from the respective state court or private adoption agency, the research to determine degree of Indian blood and tribal affiliation will be done and if appropriate, a confidential Degree of Indian blood (DIB) will be issued and maintained in the applicant's file. No birth parent information will be listed on the DIB. Procedures for enrollment pursuant to Article V of the LTBB Constitution shall apply.

5. If the information received from the respective state court or private adoption agency does not trace to the Little Traverse Bay Bands of Odawa Indians, a denial letter stating that the applicant is not traceable will be issued to the applicant. In cases of denial the Enrollment Department will destroy information received from the respective state court or private agency after two (2) years.

6. If the Enrollment Department cannot continue with the blood quantum research because the natural parent(s) were not enrolled with LTBB, the Enrollment Department shall release the records to the Bureau of Indian Affairs, Midwest Agency, Sault Ste. Marie, MI for further research and attempted verification of blood quantum.

   a. In circumstances where the Enrollment Department is unable to receive the information necessary to issue a Certificate Degree of Indian Blood, documentation along with the enrollment application will be submitted to the Bureau of Indian Affairs requesting a CDIB. If the respective state court or private agency requires a fee to file the Petition, the Enrollment Department will notify the applicant that certified funds made out to the respective state court or private agency will be needed before the Petition can be filed.

   b. All fees are the responsibility of the applicant.

VI. Requests for Increasing Blood Quantum. Tribal citizens may file a request with the Enrollment Department to adjust their blood quantum; or the LTBB Enrollment Department may request a change in blood quantum if additional documentation is discovered.

A. **Submission by Tribal Citizens.** Tribal citizens requesting an adjustment to their blood quantum shall provide the Enrollment Department with documents supporting an adjustment to determine eligibility.

1. Supporting documents may be any of the following:

   a. Birth Certificate; or

   b. Baptismal record; or

   c. Bureau of Indian Affairs records; or

   d. Marriage license if blood is derived through the father; or

e. School Record(s); and/or

f. Any other documents that are accepted by the Citizenship Commission.

2. **Submission by Enrollment Office**.

a. The Enrollment Department shall submit received documents to the Citizenship Commission for approval.

b. In cases where the Enrollment Department discovers documents which support a change in blood quantum, these documents shall also be submitted to the Citizenship Commission for review.

3. **Review by Citizenship Commission**. The Citizenship Commission shall review submitted documents and make a determination on whether the submitted documents support a change in blood quantum.

a. If the Citizenship Commission determines that the submitted documents do not support a change in blood quantum, the Citizenship Commission shall pass a motion stating that a change in the individual's blood quantum is not warranted and inform the individual of the reasons why their request for a blood quantum change was denied.

b. If the Citizenship Commission determines that the submitted documents do support a change in blood quantum, the Citizenship Commission shall pass a motion stating that a change in the individual's blood quantum is warranted and the reasons why such a change is warranted.

4. **Effective Date**. A blood quantum adjustment shall be effective upon the date of the motion by the Citizenship Commission supporting the blood quantum change.

a. Enrollment Staff will notify the LTBB Citizen of the decision made via first class mail.

VII. Access to Electronic Computer Enrollment Records. Pursuant to WOS 2008-006, Section XIX(A)(4) access to electronic computer enrollment records is limited to LTBB enrollment staff/personnel.

VIII. Tribal Roll. The Executive Branch shall maintain the official roll of all Tribal members.

A. **Contents of Roll.**

1. First, Middle, Last Name, Suffix and where applicable Maiden Name;

2. Date of Birth;

3. Enrollment Number; and

4. Address, City, State and Zip; and Phone Number.

B. **Safeguards of Roll.** The roll of LTBB Citizens shall only contain the information listed in Section A above shall be subject to the safeguard provisions contained in WOS# 2008-006 Citizenship Statute, Section XIX, (C). Each person, department/program who receives a copy of the roll must control access to the roll so as to conform to the safeguards provisions cited above.

C. **Requests for Copies of the Roll.**

1. Requests from the executive branch departments/programs for copies of the roll are made using a form generated by the Enrollment Office or in writing and must state the reason for the request and shall be authorized by one of the following: the Tribal Chairperson, Tribal Vice-Chairperson, or the Tribal Administrator.

2. Requests for copies of the roll from the judicial branch must be submitted using the form generated by the Enrollment Office or in writing and must state the reason for the request. Judicial requests shall be authorized by the Chief Judge or designee.

3. Requests from the Legislative Branch must be submitted using the form generated by the Enrollment Office or in writing and must state the reason for the request. Legislative Branch requests shall be authorized by the Legislative Leader or designee.

4. If labels are required by any of the requesters under this Section (C), 1, 2, and 3 above, the requesting party must provide the labels to the Enrollment Office.

IX. Public Access to Enrollment Data.

A. **LTBB List of Citizen Names.** A list containing the names of all adult Tribal Citizens shall be public and available to Tribal Citizens upon request.

1. A request for the list must be on a form generated by the Enrollment Office accompanied by identification. Requests will be accepted by mail with the proper form and identification. A fee shall apply. See Section XI,(B)(e) of these regulations.

B. **Tribal Directory.** The Directory of Citizens ("Directory") shall contain the name and address of each adult Tribal citizen, unless they decline to be included pursuant to procedures set out below. The Enrollment Department shall use the most current list of adult enrolled citizens to compile the directory. Only LTBB citizens enrolled prior to one (1) month of publication of the Tribal Directory will be included.

1. **Compilation**.

a. **Frequency.** The Directory shall be compiled at least once every four (4) years, but may be compiled more frequently, if so directed by the Executive.

b. **Notification.**

i. The Enrollment Department shall post a Preparation of Tribal Directory Form Notice on the LTBB website, in the Odawa Register, in Tribal governmental office buildings, and other readily available methods of publication, which may include a mailing, at least one (1) month prior to publication.

ii. The Tribal Directory Form Notice shall contain a statement that the Tribal Citizen's name and address will be published in the Directory and also a statement that Tribal Citizens may choose to have their information excluded from the Directory. The notice must contain a deadline for receipt of declination notices by the Enrollment Office. Citizens must notify the Enrollment Office directly by mail if they want to be excluded from the Directory.

2. **Tribal Directory Labels**. Mailing labels may be generated from the Tribal Directory for any Tribal citizen or LTBB employee making such request. The mailing labels must be provided by the requestor. A fee shall apply. See Section XI,(B)(e) of these regulations.

3. **Availability.** The Directory shall be available to Tribal Citizens or LTBB employees and may be picked up at the Enrollment Office or upon request may be sent via U.S. mail. A fee shall apply. See Section XI,(B)(e) of

these regulations.

4. **Fees.** The Enrollment Office shall apply the following fees for public access to enrollment data:

Tribal Directory = $5.00, plus shipping costs, if applicable.

Tribal Directory Labels = $5.00, plus shipping costs, if applicable.

LTBB List = $5.00, plus shipping costs, if applicable.

TITLE III – ELECTIONS

Chapter 1. *[Reserved]*

TITLE IV – NATURAL RESOURCES PROTECTION

Chapter 1. NATURAL RESOURCES COMMISSION REGULATIONS FOR LICENSING AND PERMITS

I. AUTHORITY AND PURPOSE

A. **Authority.** As stated in Waganakising Odawak Statute 2001-04 and Waganakising Odawak Statute 2005-01 as amended: "The primary purpose of the Natural Resources Commission is to protect treaty hunting and fishing rights through monitoring resources and promulgating regulations that are consistent with the treaty rights and wise use of the resources. The Commission shall promulgate rules and regulations for all hunting, fishing, trapping and gathering, including subsistence and commercial, for the area within the boundary established by the Treaty of 1855, the 1836 Treaty Ceded Territory, and 1836 Treaty Ceded Waters." To carry out its responsibilities, the powers granted the Commission under that Statute include: "To issue, suspend or revoke licenses [and permits] . . . addressing the commercial fishery and the harvest of the inland natural resources."

B. **Purpose.** The purpose of these regulations is to establish standards and procedures for the issuance, suspension, revocation and denial of licenses and permits issued by the Natural Resources Commission under LTBB natural resources laws and regulations for Great Lakes commercial and subsistence fishing, inland on-reservation hunting, fishing and gathering, and inland Ceded Territory hunting, fishing and gathering.

II. DEFINITIONS

A. None

III. PROCEDURES FOR ISSUANCE OF LICENSES

A. **Duties Delegated to Department.**

1. The Natural Resources Department shall develop application forms, accept applications, and collect fees as set by the Commission, and issue

licenses and permits to persons eligible under applicable LTBB law and Commission regulations and policies.

2. Except as noted in subsection 3 below, the Department will only deny permits if the person does not meet statutory or regulatory requirements, if they are subject to a suspension or revocation order of the Commission or Tribal Court, or if a suspension or revocation action is pending.

3. In the event that a limited number of permits are available for a particular species or activity, and the number of applicants exceeds the available permits, the Commission will develop policies to allocate such permits.

B. **Appeal to Commission.** Any person whose license is suspended, revoked or denied may request a hearing before the Commission in accordance with the procedures set out in Section V.

IV. SUSPENSION OR REVOCATION OF LICENSES

In the event that a licensee or permittee is convicted of violating any law or regulation within the Tribe's jurisdiction, including guilty and no-contest pleas, related to the licensed activity, the Commission may issue such suspension or revocation orders as it deems necessary and appropriate using the following guidelines.

A. **First time offenders.**

1. For first time civil convictions, a suspension will not exceed one (1) year.

2. For first time criminal convictions, a suspension shall not exceed five (5) years.

B. **Repeat offenders.**

1. For repeat offenders where both offenses are civil the suspension shall not exceed two (2) years.

2. For repeat offenders where one offense is civil and one criminal the suspension shall not exceed seven (7) years.

3. For repeat offenders where both offenses are criminal the suspension shall not exceed nine (9) years.

V. APPEALS

A. **Initial Action.** Since a suspension or revocation will generally follow Tribal Court convictions the Commission need not hold a hearing before taking suspension or revocation actions. The person against whom such action has been taken shall have the right to appeal the revocation or suspension in a hearing before the Commission only if the person is an enrolled LTBB citizen.

B. **Notice.** Notices of suspensions and revocations shall be served upon the licensee by personal service or by United States mail. If the notice is served by mail, it shall be addressed to the licensee's last known address. It is the licensees' duty to keep the Commission informed of their current address.

C. **Right to Hearing before Commission.** The notices to people subject to denial, suspension or revocation shall include a statement of the following:

1. The right to a hearing before the Natural Resources Commission on the suspension or revocation.

2. Must file a written notice of appeal request to the Commission for a hearing within thirty (30) days following the effective date of the Commission's action. Failure to properly request a hearing in a timely manner waives the person's right to a hearing or any other appeal of the Commission's decision.

D. **Timing of Hearing**

After receipt of a written notice of appeal, the Commission shall schedule a hearing not later than thirty (30) calendar days after receipt of the request unless the Commission and person making the appeal mutually agree to an extension. Following the hearing the Commission shall make a decision to uphold, modify, or reverse the suspension or revocation.

E. **Conduct of Hearing**

1. The hearing must be held before a quorum of the Commission. The members of the Commission shall serve in the capacity of hearing officers; the Commission shall designate one member to serve as presiding officer.

2. The person challenging the suspension or revocation must appear personally at the hearing and may also bring an advocate (i.e. attorney, tribal member, friend, etc). Parties retaining an advocate who require fees shall retain the advocate at their own cost. Failure of a licensee to appear personally at the hearing, unless otherwise excused by the Commission, forfeits their right for further consideration.

3. The Commission reserves the right to directly question the licensee during the hearing.

4. The licensee shall have the right to present any evidence and witnesses the licensee believes supports reversal or modification of the Commission's action.

5. The Commission shall issue its decision upholding, modify or reversing the action in writing within thirty (30) days of the hearing. If the Commission finds that its initial action was based on misinformation, such as mistaken identity, it must reverse. Otherwise, the Commission will uphold, modify or reverse its initial action at its discretion based on the totality of the circumstances.

F. **Tribal Court Review**

1. Following a final decision of the Commission after a hearing under these Regulations, a licensee has a right to file an appeal with the Tribal Court. The burden of proof in the appeal process is on the applicant or licensee.

2. All appeals shall be in writing. A licensee shall have twenty (20) calendar days from the date of receiving the hearing decision of the Commission to file an appeal in writing with the Tribal Court.

The sole purpose of the Appeals Process will be to determine if there has been a clear error in the Commission's decision based on the documentation in the Commission's record including that provided by the licensee to the Commission before or during the hearing, or if the Commission made a procedural error that significantly prejudiced the licensee. The Tribal Court shall only overrule the decision of the Commission if the evidence cannot reasonably be construed to support the Commission's action. In the event the Tribal Court determines a prejudicial procedural error was made, it shall remand to the Commission to hold a new hearing in accordance with these Regulations.

(Source: REG WOS 2005-01 070909-004)

TITLE V – CHILD WELFARE

Chapter 1. REGULATIONS FOR ISSUING AND MONITORING CHILD FOSTER CARE FACILITY LICENSES

I. Introduction. Pursuant to the enactment WOS 2009-013, Section V (A,B) the Little Traverse Bay Bands of Odawa Indians Child Welfare Commission is delegated to develop regulations for the licensing and monitoring of child foster care facilities which shall include at a minimum the monitoring of home safety standards and the qualifications for license holders.

II. Definitions:

A. **Applicant:** means the person(s) or facility requesting consideration for a child foster care license.

B. **BIA:** means Bureau of Indian Affairs.

C. **Central Registry Clearance:** means a clearance administered by the Michigan Department of Human Services by making a request on standard form DHS-194.

D. **Child Foster Care License:** means a license issued by the CWC authorizing the Licensee to provide foster care services.

E. **Criminal Background Check:** means a criminal background check administered by the LTBB Social Services Program.

F. **CWC:** means the Little Traverse Bay Bands of Odawa Indians Child Welfare Commission.

G. **DHS:** means Michigan Department of Human Services.

H. **Foster Home Reference:** means a questionnaire form that individuals who want a license fill out and submit to the LTBB Social Services Program.

I. **Home Assessment:** means a two (2) part check of the household measures related to such items as electric, fire, securities, plumbing, maintenance, lights and ventilation, etc.

J. **Home Study:** means a general or relative placement interview process related to the home and the person(s) residing in the home.

K. **Licensee:** means a person(s) or facility that has been issued a license by the LTBB Child Welfare Commission.

L. **LTBB:** means the Little Traverse Bay Bands of Odawa Indians.

M. **Medical Background:** means to show proof that the licensee is physically able to care for the children.

III. Criteria for Foster Home Licensing.

A. When considering an application for licensure, the LTBB Social Services Program and CWC will use the following criteria:

1. The BIA Standards in 25 CFR 63, Minimum Standards of Character;

2. PL 101-630, Criminal Investigations; and

3. The LTBB Foster Care Licensing Criteria, which includes the following:

a. The LTBB Good Moral Character Handbook;

b. A LTBB Home Study;

c. A LTBB Home Assessment;

d. A Foster Home Reference; and

e. A Medical Background.

B. The LTBB Social Services Program requires the applicant to submit a Preliminary Applicant Information Form, undergo a Criminal Background Check, and a Request for Central Registry Clearance. Once these preliminary steps have been successfully completed, the LTBB Social Services Program conducts the final LTBB Foster Care Licensing Criteria studies, assessments, and reports which, once completed in their entirety, are sent to the CWC for licensure consideration in the form of a file referred to as the applicant's file.

IV. Waiver Process. Where an offense or offenses are identified in Section III (A) of these regulations, or other licensing criteria and license issuance is still recommended, the recommendation shall be reviewed by the CWC (the licensing body) with recommendations from staff, such as the Social Services Program representative(s) and legal representative(s) for a final determination as to the issuance of a foster child care

license.

V. **Submission for CWC Approval.** Upon completion of the criteria required to obtain a child foster care facility license, the LTBB Social Services Program shall forward the applicant's file to the CWC for approval of the license.

VI. **Approval of License.** When the license is approved, a copy of the CWC recommendation approving the license shall be sent to the LTBB Social Services Program. A tribal child foster care facility license shall then be prepared by the LTBB Social Services Program and signed by the CWC Chairperson or designee, and the license is issued and sent to the Licensee. Copies of all licenses are retained by the CWC and the LTBB Social Services Program.

VII. **Written Notice.** The Social Services Program shall provide the license applicant with a written response, as soon as practicable after the review, indicating the determination of CWC (the licensing body). The license applicant has the option to request a meeting with the CWC to discuss the written notice.

VIII. **Denial of License Renewal.** The Child Welfare Commission shall not deny the license renewal of a current licensee based upon convictions which have been reviewed when the license was issued. However, if new findings or new convictions are discovered or disclosed, the licensing body will consider previously reviewed convictions when deciding to approve or deny the license of a current licensee.

IX. **Monitoring.** The LTBB Social Services Program staff monitors Licensees on a continual basis and is responsible for monitoring and assessing complaints related to child foster care Licensees. All licenses are reviewed at a minimum of one (1) time annually. Criminal Background Investigations are conducted at a minimum of every five (5) years. If new convictions are discovered the LTBB Social Services Program shall initiate action by filing a report with the CWC. Upon review of the report the CWC may take immediate action to revoke, may decide that it will not support a revocation, or may have a meeting with the Licensee in question if the CWC feels that a meeting is necessary to make a determination. The Licensee in question has the option to request a meeting with the CWC to protest a revocation. In all cases, the continued welfare and safety of tribal children will be the primary criteria considered in any revocation or reinstatement decision.

(Source: REG-WOS 2009-013 071709-003)

TITLE VI – TRIBAL GOVERNMENT AND ADMINISTRATION

Chapter 1. *[Reserved]*

TITLE VII – ECONOMIC DEVELOPMENT

Chapter 1. REGULATIONS OF THE GAMING REGULATORY COMMISSION

SECTION I. PREAMBLE

A. Development of Regulations. The following regulations are issued pursuant to the powers vested in the Gaming Regulatory Commission by the Gaming Regulatory Ordinance enacted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians on February 18, 2001 (Waganakising Odawa Statute 2001-02) and approved by the National Indian Gaming Commission ("NIGC") on May 18, 2001. The Tribal Council reviewed and approved these Regulations on April 18, 2004.

B. Policy. It is the declared policy of the Tribe that all of the Gaming Enterprises and Gaming Operations subject to its jurisdiction be controlled through a comprehensive system of licenses, non-key licenses, and other appropriate regulations so as to ensure compliance with all applicable law and regulations governing the operation of the gaming enterprise.

C. Authority. These regulations are promulgated and adopted under the authority of Waganakising Odawak Statute 2001-02 and replace any earlier regulations of the Gaming Regulatory Commission.

SECTION II. DEFINITIONS

A. "Chairperson" means the chairperson of the Gaming Regulatory Commission chosen by the members of the Commission under Section X (B) (2) of the Gaming Regulatory Ordinance.

B. "Collateral Agreement" means any written contract that is related, either directly or indirectly, to a management contract, or to any rights, duties or obligations created between a tribe or any of its members, entities, or organizations.

C. "Tribal Council" means the governing body of the Little Traverse Bay Bands of Odawa Indians also called the Board of Directors in the Tribe's interim Constitution and By-Laws.

D. “Employee” has the same meaning as the term used by the United States Internal Revenue Service.

E. “Gambling game” or “game” or “gaming” means any game authorized by the LTBB Gaming Regulatory Ordinance.

F. “Enterprise” means the commercial enterprise of the Tribe authorized to engage in Gaming, and all ancillary commercial activities within the building(s) and other improvements constructed for the conduct of Gaming.

G. “Facility” means the building(s) and other improvements of the Little Traverse Bay Bands of Odawa Indians for the conduct of Gaming.

H. “Gaming Operations” means all operations directly related to the conduct of Gaming at the facilities.

I. “Key Contractor” means any person or other legal entity, other than a primary management official or key employee, who has a contract with the Gaming Operations where the contractor performs for the gaming operation any function described in the definition for a key employee or primary management official, included but not limited to all providers of Class II or Class III games of chance, gaming equipment, supplies or services.

J. “Key employee” means

(a) A person who performs one or more of the following functions:

(1) Bingo Caller;

(2) Counting Room Supervisor

(3) Chief of Security

(4) Custodian of gaming supplies or cash;

(5) Floor Manager

(6) Pit Boss

(7) Dealer

(8) Croupier

(9) Approver of Credit; or

(10) Custodian of gambling devices including persons with access to cash and accounting records within such devices;

(b) If not otherwise included, any other person whose total cash compensation is in excess of $50,000 per year; or

(c) If not otherwise included, the four most highly compensated persons in the gaming operation.

(d) Additionally, the Gaming Regulatory Commission may require a similar standard of review for employees who do not fall under the definition of key employee whose position and access to money or records warrants such review.

K. "License" means a revocable privilege (including temporary licenses) granted for a limited period of time by the Gaming Regulatory Commission, pursuant to these Regulations, to a person or entity to perform certain acts.

L. "Management contract" means any contract, subcontract, or collateral agreement between LTBB and a contractor or between a contractor and a subcontractor if such contract or agreement provides for the management of all or part of a gaming operation.

M. "Management contractor" means any person or other legal entity having a direct or indirect financial interest in a management contract. Provided, the Gaming Regulatory Commission may in its discretion treat spouses of any such person as management contractors where it is determined that such treatment is necessary to protect the interests of the Tribe.

N. "Person having a direct/indirect financial interest in a management contract" means:

1. When a person is a party to a management contract, any person having a direct financial interest in such management contract;

2. When a trust is a party to a management contract, any beneficiary or trustee;

3. When a partnership is a party to a management contract, any partner;

4. When a corporation is a party to a management contract, any person who is a director or who holds at least 10% of the issued and outstanding stock alone or in combination with another stockholder who is a spouse, parent, child or sibling; or

5. When an entity other than a natural person has an interest in a trust, partnership or corporation that has an interest in a management contract, all parties of that entity are deemed to be persons having a direct financial interest in a management contract.

O. "Person having management responsibility for a management contract" means the person designated by the management contract as having management responsibility for the gaming operation, or a portion thereof.

P. "Primary Management Official" means:

1. The person having management responsibility for a management contract;

2. Any person who has authority:

   a. To hire and/or fire employees; or

   b. To set up working policy for the gaming operation; or

3. The chief financial officer or other person who has financial management responsibility over the Gaming Enterprise.

Q. "National Indian Gaming Commission" or "NIGC" means the federal gaming regulatory body created by the Indian Gaming Regulatory Act (Public Law 100-497, 25 U.S.C. §§ 2701 *et seq*,) ("IGRA").

R. "Player" means a person who participates in a game other than as an employee or contractor of the gaming operation.

S. “Gaming Regulatory Commission” means the Gaming Regulatory Commission established by the Gaming Regulatory Ordinance (Waganakising Odawak Statute 2001-02) of the Tribe.

T. “Standard employee” or “non-key employee” means any employee of a gaming operation who works in any capacity except primary management officials and key employees.

U. “Temporary License” means a revocable privilege granted for a limited period of time by the Gaming Regulatory Commission, pursuant to these Regulations, to a person or entity to perform certain acts that do not require separate approval from the federal government.

V. “Tribe” or “LTBB” means the Little Traverse Bay Bands of Odawa Indians.

W. “Non-key license” means a license issued to non-key employees under Section V.

SECTION III. SURVEILLANCE SERVICES

Surveillance policy-making responsibilities; written policies required. The Gaming Regulatory Commission shall supervise and establish written surveillance policies and procedures for the Gaming Regulatory Commission’s surveillance system and staff. When convened to discuss surveillance policies and procedures, the general manager of the gaming operation to which the surveillance services are provided shall be invited to participate in the discussion.

SECTION IV. LICENSES

A. Revocable privilege.

1. An application for a license constitutes a request to the Gaming Regulatory Commission for a decision upon the applicant’s suitability, character, integrity, and ability to participate or engage in, or be associated with, the gaming industry in the manner or position sought by the applicant.

2. The burden of proving an applicant's qualification to receive any license is at all times on the applicant.

3. The granting of a license by the Gaming Regulatory Commission does not constitute a commitment on behalf of the Gaming Regulatory Commission or any other party or entity to hire or continue to employ the licensee.

4. These regulations do not apply to bona fide traditional Indian gambling games, so long as such games are conducted by Indian persons or organizations at Tribal celebrations or gatherings and not as a business.

B. License categories.

1. Facility license. No gambling games may be played at any place, facilities, or location within the Tribe's jurisdiction unless the manager of the gaming operation first obtains and thereafter maintains in good standing a valid facility license issued in accordance with these regulations.

2. Management contractor's license. No person, corporation or other entity other than the Tribe may serve as the management contractor for a Tribally owned gaming operation within the Tribe's jurisdiction unless said management contractor first obtains and thereafter maintains in good standing a valid management contractor's license issued in accordance with these regulations.

3. Primary management official's license. No person, corporation, or other entity other than the Tribe may have a management interest, or financial interest in the profits of a gaming operation unless she/he first obtains and thereafter maintains in good standing a valid primary management official's license issued in accordance with these regulations.

4. Key employee license. No person shall be employed as a Key Employee by the Gaming Enterprise or by the Gaming Regulatory Commission unless such person first obtains and thereafter maintains in good standing a valid key employee license issued in accordance with these regulations.

5. Non-key license. Each non-key employee in a gaming operation shall first obtain and maintain in good standing a valid non-key license issued in accordance with Section V of these regulations.

6. Key contractor license. No person or other legal entity shall enter into any contract with the Gaming Operation that establishes the entity as a key contractor unless the entity first obtains and thereafter maintains in good standing a valid key contractor license issued in accordance with these regulations.

C. Standards for issuance of a license. No key or primary management official license may be issued to any applicant who:

1. Is under the age of 18; or

2. Has been convicted of, or entered a plea of guilty or no contest to, a gambling related offense, fraud or misrepresentation. The terms "fraud or misrepresentation," as used in this subsection shall mean a criminal offense committed in Michigan or any other jurisdiction, involving, theft, fraud or misrepresentation, which is a felony or would be a felony if committed in Michigan, and which was committed as an adult or prosecuted as an adult offense, and which has not been effectively removed from the employee's criminal record by executive pardon, state court order, or operation of law. or

3. Has been convicted of, or entered a plea of guilty or no contest to, any offense not specified in subparagraph (2) within the immediately preceding five years; this provision shall not apply if that person has been pardoned by the Governor of the State where the conviction occurred or, if a Tribal Member, has been determined by the Gaming Regulatory Commission to be a person who is not likely again to engage in any offensive or criminal course of conduct and the public good does not require that the applicant be denied a license as a key employee or primary management official.

The term "any offense," as used in subsection this (C)(3), shall mean any criminal offense not described in subsection (C)(2), whether committed in this state or any other jurisdiction, that is, or would be, a crime under the provisions of the Michigan Penal Code, Act No. 328 of the Public Acts of 1931, as amended, being MCL 750.1 to 750.568, or the controlled substance provisions of the Public Health Code, Act No. 368 of the Public Acts of 1978, as amended, being MCL 333.7101 to 333.7545, or any other criminal offense not specified in subparagraph (2) involving theft, dishonesty, fraud or misrepresentation arising under the law of Michigan or another state or jurisdiction, that was committed as an adult or prosecuted as an adult offense, and which has not been effectively removed from the employee's criminal record by executive pardon, state court order, or operation of law; or

4. Is determined by the Gaming Regulatory Commission to have participated in organized crime or unlawful gambling or whose prior activities, criminal records, reputation, habits, and/or associations 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 and activities in the conduct of gaming or to the carrying on of the business and financial arrangements incidental to the conduct of gaming; or

5. has knowingly and willfully provided materially false statements or fails to disclose (verbally or in writing) information to the Gaming Regulatory Commission or its licensing department or refused to respond to questions asked him/her by the Gaming Regulatory Commission; or

6. has any outstanding warrant for arrest from any jurisdiction; or

7. does not meet the federal requirements pertaining to Indian gaming licenses, especially the IGRA and related regulations.

D. License application procedures.

1. General requirements. Applicants for a gaming license must complete the appropriate application form and submit the form, all necessary additional documents to the Gaming Regulatory Commission. The application will not be regarded as complete until all the requested information has been received from the applicant.

2. Application forms; contents; amendments.

a. Every application or report must be filed on forms furnished or approved by the Gaming Regulatory Commission and must contain and be accompanied by such documents and information as may be specified thereon or otherwise required.

b. All information required to be included in an application must be true and complete as of the date submitted to the Gaming Regulatory Commission, and an applicant shall promptly supply any material factual information occurring after the original application. Failure by an applicant to promptly update his/her application to include all material facts shall be deemed by the Gaming Regulatory Commission as a failure to disclose.

c. Every application for any gaming license, other than a facility license, shall include, at a minimum, the following information:

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

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

(3) The names and current addresses of at least three personal references, including one personal reference who was acquainted with the applicant during each period of residence listed under paragraph (a)(2) of this section;

(4) Current business and residence telephone numbers;

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

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

(7) The name and address of any licensing or regulatory agency with which the person has filed an application for a license or permit related to gaming, whether or not such license or permit was granted;

(8) For each felony for which there is an ongoing prosecution or a conviction, the charge, the name and address of the court involved, and the date and disposition if any;

(9) For each misdemeanor conviction or ongoing misdemeanor prosecution (excluding minor traffic violations) within 10 years of the date of the application, the name and address of the court involved and the date and disposition;

(10) For each criminal charge (excluding minor traffic charges) whether or not there is a conviction, if such criminal charge is within 10 years of the date of the application and is not otherwise listed pursuant to paragraph (8) or (9) of this subsection, the criminal charge, the name and address of the court involved and the date and disposition;

(11) The name and address of any licensing or regulatory agency with which the person has filed an application for an occupational license or permit, whether or not such license or permit was granted;

(12) A photograph;

(13) Any other information the Gaming Regulatory Commission deems relevant; and

(14) Fingerprints consistent with procedures adopted by the Tribe.

d. The Gaming Regulatory Commission may only license facilities owned by the Tribe and operated by the Tribe itself or the Tribe in conjunction with a management contractor pursuant to a management agreement approved by the NIGC. Every application for a facility license shall include, at minimum, the following information;

(1) The name, address, and telephone number of the Gaming Operation;

(2) The name, address, and telephone number of the management

company, if any, and the name address, social security number, birth date, and percentage interest in the management company of each person possessing a financial interest in excess of 5% in the management company;

(3) An operating plan containing at a minimum the details specified in Section IV(L)(2) of these Regulations;

(4) A list of all primary management officials, including the position and annual salary of each individual listed; and

(5) The complete current or proposed house rules of the gaming operation.

e. An application may be amended only with the consent and solely at the direction of the Gaming Regulatory Commission at any time prior to the Gaming Regulatory Commission's final action on the application.

f. Any document filed under any of the provisions of the Gaming Regulatory Ordinance or these regulations may be incorporated by reference in a subsequent application if it is available in the files of the Gaming Regulatory Commission, to the extent that the document is currently accurate.

3. Fingerprints. An application for a primary management official, or employee license shall not be complete until the applicant furnishes to the Gaming Regulatory Commission his/her fingerprints in duplicate on fingerprint impression cards taken by the Gaming Regulatory Commission or Tribal Police Department.

4. Application and investigation fees.

a. Non-refundable application fees as periodically set by the Gaming Regulatory Commission and approved by Tribal Council must be paid by the applicant or the Gaming Enterprise under section 4.d.

b. In addition to any non-refundable application fees paid, the Gaming Regulatory Commission may require an applicant to pay such supplementary investigative fees and costs as may be determined by the Gaming Regulatory Commission. The Gaming Regulatory Commission may estimate the supplementary investigative fees and costs and require the applicant to pay the

estimated fees and costs in advance as a condition precedent to beginning or continuing an investigation.

c. The Gaming Regulatory Commission may not act upon any application unless all application and investigation fees and costs have been paid in full. The Gaming Regulatory Commission shall deny an application if the applicant has failed or refused to pay all application and investigation fees and costs.

d. The Gaming Regulatory Commission may take preliminary or final action on an application before the required application and investigation fees are received only if payment of the fees is guaranteed by an agreement with the Gaming Enterprise.

e. In the event of a management contract, the application fee will be the actual cost of processing the application for a management contractor, including the cost of background investigations. A management contractor shall pay a $50,000.00 deposit with the application. Once the application is processed, the Gaming Regulatory Commission shall either refund any portion of the deposit not needed to cover processing expenses, or bill the management contractor for any processing costs in excess of the deposit amount.

E. Background investigations.

1. Within 14 Calendar days after receipt of a complete application and such supplemental information as the Gaming Regulatory Commission may require, the licensing staff shall begin its investigation of the applicant's background to determine if the applicant meets the Gaming Regulatory Commission's minimum license standards. The licensing staff shall investigate the criminal history of each applicant for a license and the personal background, character, reputation and associations of each applicant for a license, and may make such inquiries of and/or about said associations as may be necessary to form a conclusion about the applicant's eligibility for a license. At a minimum, the following investigations shall be performed before taking preliminary or final action on any application:

a. Applicant for any gaming license. The criminal background of an applicant for any gaming license shall be investigated by submitting the applicant's vital information, including but not limited to: full name; any other

names used, date and place of birth; citizenship, drivers license numbers; social security number; and physical description to the Michigan State Police and/or local law enforcement agencies, and to the Federal Bureau of Investigation Criminal Information Center, and any other law enforcement agencies that the Gaming Regulatory Commission deems appropriate, requesting a criminal history report. Any fingerprints of applicants required to be taken under these regulations shall also be submitted to these law enforcement agencies.

b. Applicant for any gaming license - additional requirements. If the applicant lived outside the United States for more than six months during the preceding eight years the Gaming Regulatory Commission shall also submit the applicant's vital information to INTERPOL and request an international criminal history report for the applicant. The Gaming Regulatory Commission shall also interview at least three previous employers, associates, or other persons familiar with the applicant to determine if the applicant's reputation, character, habits, and activities meet the standards for issuance of a license. The Gaming Regulatory Commission shall also obtain a credit bureau report on the applicant, and shall take such other steps as it may deem reasonable to verify the information provided by the applicant.

c. Applicant for a primary management official's license. In addition to other investigations, the Gaming Regulatory Commission shall contact banks, other financial institutions, and other information sources as needed to verify the accuracy of financial information provided by each person's name in an application for a primary management official's license.

2. The Gaming Regulatory Commission is not limited to the above investigations and shall make additional investigations and inquiries as required by federal law or regulation or as needed to determine with reasonable certainty that an applicant either does or does not meet the minimum standards for issuance of a gaming license. Such investigation may include personal interviews with applicants.

3. The Gaming Regulatory Commission shall attempt to complete its background investigation within 60 days following receipt of a complete application. If the investigation cannot be completed within 60 days after receipt of a complete application, the Gaming Regulatory Commission shall notify the applicant in writing why the investigation is not complete and when it expects to complete the investigation.

4. The Gaming Regulatory Commission may contract with private, state, and/or federal investigation agencies to perform the required background and/or criminal history investigations when necessary.

F. Application reviews; approvals; denials; waivers.

1. Review. Within 14 calendar days following completion of the background investigation the Gaming Regulatory Commission shall review each applicant and all background investigation and criminal history reports to determine if the applicant meets the standards for issuance of the requested license.

2. License approval.

a. Preliminary approval; temporary licenses. If, in the Gaming Regulatory Commission's judgment, the applicant meets the standards for issuance of a license and all application and investigation fees are fully paid, the Gaming Regulatory Commission may grant its preliminary approval of the application. At its discretion, the Gaming Regulatory Commission may also issue a temporary or conditional license. A temporary license is valid for 90 days.

b. National Indian Gaming Commission review. Within seven (7) days after granting preliminary approval of a license application, the Gaming Regulatory Commission shall send the results of the background investigation per the NIGC requirements. The Gaming Regulatory Commission shall also include a cover letter indicating the Gaming Regulatory Commission's intent to issue the applicant a license and request that the federal agency review the application pursuant to the requirements of federal law. A copy of this letter may also be sent to the applicant with a notice that the application is not finally approved.

c. Final approval. The Gaming Regulatory Commission may grant final approval of a license application only after:

(1) Receiving notice from the NIGC that it has no objection to the issuance of the license; or

(2) 30 days have elapsed since the responsible federal agency was notified of the Gaming Regulatory Commission's intent to issue the license and the federal agency has not responded; or

(3) The federal agency timely objected to the issuance of the license, the Commission has reconsidered the application, taking into account the federal agency's objections and the Commission has determined that the applicant may be licensed notwithstanding those objections.

The Gaming Regulatory Commission shall promptly notify each approved applicant that his/her application is approved and issue a license. If a temporary license was previously issued, the effective date of the license shall be the issue date of the temporary license.

3. License limitations and restrictions. No license shall be valid unless signed by a majority of the Gaming Regulatory Commission members. The Gaming Regulatory Commission may limit the term of the license, or place such conditions thereon as it may deem necessary to protect the Tribe or public interest.

4. Denial.

a. The Gaming Regulatory Commission shall deny an application for any class of license if, in the Gaming Regulatory Commission's opinion, the applicant does not meet the standards required for issuance of the requested license under these regulations and applicable law. The Gaming Regulatory Commission has the discretion to deny any application or revoke a license, if, in the Gaming Regulatory Commission's judgment, such a denial or revocation is in the interests of the Tribe.

b. The Gaming Regulatory Commission may deny an application at any time during the application process, including after granting preliminary approval to the application.

c. The Gaming Regulatory Commission shall promptly notify an applicant that his/her application was denied and shall specify the reasons for the denial, including a list of criminal conviction(s), date(s), and location(s), if any, that contributed to the Gaming Regulatory Commission's decision to deny the application. If an application was denied as a result of information contained in the applicant's FBI identification record, the applicant shall be advised of the procedures to change, correct, or update the record as set forth in Title 28 CFR, Section 16.34.

5. Waivers. Any enrolled member of the Tribe denied a license may request a waiver of the license standards, only to the extent allowed under Section IV (C)(3) pursuant to the hearing provisions set out in Section VII of these regulations. Waivers may not be considered for any non-LTBB member. The eligible applicant must show that a waiver is in the best interests of the Tribe or the Gaming Regulatory Commission may not grant the requested waiver.

G. Expirations.

1. Except for a facility license, management contractor's license and a key contractor license, the expiration date of each license shall be determined by the licensee's anniversary date. The license shall expire on the licensee's next anniversary date.

2. A key contractor or management contractor's license shall expire not later than one year from the date it was issued.

3. A facility license shall expire not later than one year from the date it was issued.

4. The expiration schedules in this section describe the maximum period for which a license may be granted. The Gaming Regulatory Commission may issue any license for a shorter period if the Gaming Regulatory Commission deems the shorter period is necessary to adequately protect the interests of the Tribe or the public.

H. Renewals. Subject to the power of the Gaming Regulatory Commission to deny, revoke, suspend, or limit licenses, any gaming license in force may be renewed for the next year with payment of applicable license and investigation fees as required by law and the regulations of the Gaming Regulatory Commission. The Gaming Regulatory Commission shall encourage license holders to apply for a license renewal at least 60 days prior to expiration of the current license, but the Gaming regulatory Commission may not accept a renewal application more than 120

days prior to expiration of the current license.

I. Issuance of License Identification Cards.

1. The Gaming Regulatory Commission shall issue a license identification card to every person granted a license. The identification card shall include the licensee's photograph, name, license number, name of the gaming operation by which they are employed or to which they provide services, expiration date of the license, logo, and such other identifying marks deemed necessary by the Gaming Regulatory Commission to readily identify legitimate cards from counterfeit cards. The licensing staff shall issue identification cards pursuant to procedures established by the Gaming Regulatory Commission. A license identification card may not be issued until the applicant's application has been approved by the licensing department and the license is signed by the a majority of members of the Gaming Regulatory Commission.

2. Every licensee shall at all times while on duty or on site wear their license identification card issued by the Gaming Regulatory Commission. Gaming Regulatory Commission employees are not required to wear their identification card, however, are required to carry it with them at all times and are required to promptly show his/her identification card to any person requesting to inspect the card.

3. The licensee shall be required to surrender his/her photo identification card when: the card expires; a new license is issued; the licensee's association with the gaming operation ends, whether or not the termination is voluntary; or the license is suspended or revoked.

4. Any person who has lost his/her photo identification card must report the loss to the licensing staff within 24 hours of the loss or discovery of the loss. Replacement of a lost photo identification card may be made for a fee of $10.00.

J. Employment of unlicensed persons prohibited. A licensee shall not employ any person or enter into any contract or agreement for services with any person in a capacity for which that person is required to obtain a license if that person does not possess the proper and valid license as required by these regulations. The gaming operation shall immediately discharge any employee and cancel any contract or agreement upon notification by the Gaming Regulatory Commission that the employee's or contractor's license has been revoked by the Gaming Regulatory Commission or that the employee or contractor does not possess the required license.

(As this amendment is approved by Tribal Council November 19, 2006, Section IV(J))

K. Background review for hiring. Employees of the Gaming Enterprise who make hiring determinations may review the background information, to the extent allowed by applicable law and regulation, compiled by the Gaming Regulatory Commission for potential employees who have been issued a license.

L. Facility license requirements.

1. License fees. The Tribal Government may require and set a facility licensing fee to cover or help offset the actual expenses incurred by the Gaming Regulatory Commission in carrying out its licensing and compliance functions.

2. Operating plan.

a. Every facility licensee shall at all times maintain on file with the Gaming Regulatory Commission a current operating plan, verified by the affidavit of the operation's general manager, including, but not limited to: days and hours of operation; the maximum number and type of gaming tables or devices expected to be uncovered or in use at any time during the year; the number of gaming tables or devices expected to be in actual use during the first month of the report year. The approved operating budget shall be submitted to the Gaming Regulatory Commission within one week of its approval by the operation's manager but not later than two weeks prior to the beginning of the operation's new fiscal year.

b. Any significant changes (up or down) to the operating plan shall be reported to the Gaming Regulatory Commission in writing no more than two weeks following the end of the month in which the change occurred. Significant changes include, but are not limited to: a change of 15% or more in the number of gaming tables or devices uncovered or in use; a change of 15% or more in the net profit forecast for the balance of the current year; or a change in the operation's fiscal year or accounting policies.

3. Key employee report.

a. Each facility licensee shall submit an annual key employee report to the Gaming Regulatory Commission on a form to be furnished by the Gaming Regulatory Commission.

b. The annual key employee report shall identify every primary management official and key employee of the operation and their annual wage or salary compensation. The report shall also include an organization chart for the operation and a description of each primary management official's and key employee's duties and responsibilities, and the authority delegated to each individual identified in the report.

c. Any changes, additions, or deletions to any information contained within the annual key employee report which occurs subsequent to the filing of the report and prior to the filing of the next year's report shall be reported to the Gaming Regulatory Commission in writing no more than two weeks following the month during which the change, addition, or deletion occurred.

4. Financial Reports. A copy of the final annual audit report shall be submitted to the Gaming Regulatory Commission by the Gaming Enterprise within three (3) days of when the annual audit report is received by the Gaming Enterprise. This report is required to be received no later than one-hundred-twenty (120) days from the end of the fiscal year from the person responsible for preparing such report under the Tribe's law, regulations, and contracts.

5. Environmental, Public Health, and Safety (EPHS) Certification

a. The Gaming Regulatory Commission shall receive a document listing all laws, resolutions, codes, policies, standards, and procedures identified as applicable to the gaming facility in :

- Emergency Preparedness
- Food and Potable Water
- Construction and Maintenance
- Hazardous Materials
- Sanitation
- Any other applicable areas related to environmental or public health and safety standards adopted by the Tribe.

b. The Gaming Regulatory Commission is required to receive Annual

Certification that the gaming facility complies with and enforces the identified laws, resolutions, codes, policies, standards, and procedures.

6. Purpose. The Gaming Regulatory Commission is required to receive the reports and information specified in subsections 1., 2., 3., 4., and 5., solely to ensure that the gaming operation is in compliance with Environmental, Public Health, and Safety standards established by the Tribal Government, free of corruption and to aid in planning staffing and budgeting for Regulatory Departments. The Gaming Regulatory Commission is not responsible for, and shall not interfere with, any business decisions of the Gaming Enterprise.

M. Posting of facility license. A facility license by the Gaming Regulatory Commission must be prominently displayed at all times upon the licensed premises in such position as it may be observed by persons participating in the gaming activities.

N. Notice to patrons. In each facility of the Tribe where Class III Gaming is conducted the Tribe shall post in a prominent position a Notice to Patrons at least two (2) feet by three (3) feet in dimension with the following language.

NOTICE

THIS FACILITY IS REGULATED BY ONE OR MORE OF THE FOLLOWING: THE NATIONAL INDIAN GAMING COMMISSION, BUREAU OF INDIAN AFFAIRS OF THE U. S. DEPARTMENT OF THE INTERIOR AND THE GOVERNMENT OF THE LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS

THIS FACILITY IS NOT REGULATED BY THE STATE OF MICHIGAN

(As this amendment is approved by Tribal Council September 27, 2009, Section IV(L,4))

SECTION V. NON-KEY LICENSE

A. Non-key licenses required. All non-key employees must obtain and maintain in good standing a non-key license issued by the Gaming Regulatory Commission as set out in this section. A non-key employee cannot be promoted to a key employee position without first obtaining a license under Section IV of these Regulations. The application contents and procedures for a non-key license are the same as those for a license under Section IV, except information on non-key employees need not be sent to the NIGC or made available to the State of Michigan, and the investigation need only include criminal history checks

B. Issuance standards. The Gaming Regulatory Commission shall not issue a non-key license to any applicant under one or more of the following:

1. who is under the age of eighteen, with the exception of applicants in an approved summer work programs in non-gaming floor areas of the Enterprise;

2. who currently has a pending felony charge;

3. who has been convicted in the past five years of any felony involving theft, fraud or violence. Provided, this provision shall not apply if that person has been pardoned by the Governor of the State where the conviction occurred or, if a Tribal Member, has been determined by the Gaming Regulatory Commission to be a person who is not likely again to engage in any offensive or criminal course of conduct and the public good does not require that the applicant be denied a non-key license; or

4. who is determined by the Gaming Regulatory Commission, based on criminal history checks, to pose a threat to the safety or security of the Enterprise or persons present in the facilities.

C. A non-key license may be suspended or revoked in accordance with Section VI but only based on undisclosed or new criminal convictions or pending charges.

SECTION VI. PENALTIES

A. Suspensions.

1. Emergency suspensions. The Gaming Regulatory Commission's licensing manager or his/her subordinates may seize an individual's identification card and exclude that individual from the gaming establishment for up to 72 hours if, in the licensing manager's judgment, the licensee's actions or commissions pose a threat to the integrity of the gaming operation, the safety of the general public, patrons, or other employees, or the image and reputation of the Tribe. The Gaming Regulatory Commission or its designated staff shall immediately notify the gaming operation's general manager of the emergency suspension. At its discretion, the Gaming Regulatory Commission may take formal suspension action against the individual.

2. Formal suspension.

a. The Gaming Regulatory Commission may issue an order suspending a license if the Gaming Regulatory Commission has reasonable cause to believe that:

(1) the suspension is necessary for the immediate preservation of the public peace, health, safety, morals, good order, or general welfare of the Tribe; or

(2) the licensee may have violated any condition or requirement imposed on the licensee by the Gaming Regulatory Commission or applicable laws.

b. The suspension order becomes effective when it is signed by the chairperson or a majority of members of the Gaming Regulatory Commission and the holder of the license receives actual or constructive notice of the order.

c. The order suspending the license must state the reason for the suspension.

d. The suspension order shall state that the licensee shall forfeit his/her right to a hearing and any appeal if s/he fails properly to request a hearing before the Gaming Regulatory Commission within 30 days following effective date of the order.

e. By the end of the next business day following the effective suspension date of a license, the Gaming Regulatory Commission shall notify the general manager of the gaming operation employing or contracting services of the suspended license(s) of the Gaming Regulatory Commission's action. The gaming operation's general manager shall immediately suspend the employee or contract and shall not pay the employee or contractor any wages, benefits, or other compensation except for legitimate services actually rendered prior to the suspension. If the suspension involves the license of the general manager or the facility, the Gaming Regulatory Commission shall notify the management contractor or other representative of the operation's owner.

f. The Gaming Regulatory Commission may suspend a license for any period of time up to one year in length.

g. The Gaming Regulatory Commission may reinstate a license only after the licensee resolves to the Gaming Regulatory Commission's satisfaction the cause for making the suspension.

B. Civil Penalties. The Gaming Regulatory Commission may impose a civil penalty or penalties against any licensee reasonably determined by the Gaming Regulatory Commission to have violated any of these regulations, whether or not the Gaming Regulatory Commission deems a penalty is appropriate, it shall notify the licensee of the Gaming Regulatory Commission's intent to impose the penalty and set a time and date to hear the licensee's rebuttal of the Gaming Regulatory Commission's determination. The licensee shall be required to pay any penalty before the license may be reinstated.

C. Criminal Prosecution. The Gaming Regulatory Commission shall promptly submit any knowledge or evidence of criminal wrongdoing that it may discover to appropriate law enforcement official for prosecution.

D. Revocations. In addition to any penalty the Gaming Regulatory Commission may elect to impose against a licensee, the Gaming Regulatory Commission may revoke a suspended gaming license if the Gaming Regulatory Commission determines that the licensee:

1. Does not meet the minimum standards or requirements for issuance of a license;

2. Failed to disclose, misstated, or otherwise misled the Gaming Regulatory Commission about any fact contained within any application for a license;

3. Violated any of the terms or conditions under which the Gaming Regulatory Commission granted the license; or

4. Failed to request a hearing before the Gaming Regulatory Commission to reinstate a suspended license.

Any person or other legal entity who has had a license revoked by the Gaming Regulatory Commission shall not be eligible to apply for a new license for one year after the effective date of the revocation.

SECTION VII. APPEALS AND HEARINGS

SECTION VII. APPEALS AND HEARING PROCEDURES (Denials, Suspensions and Revocations)

A. Applicability

These Hearing Procedures apply to Licensees under the jurisdiction of the Gaming Regulatory Commission (hereafter referred to as "Commission") and shall be used in all Licensing Hearings conducted by the Commission.

B. Fair Hearings

The Commission is comprised of appointed officials with delegated authority under Tribal and Federal law to promulgate regulations for the Little Traverse Bay Bands Gaming Enterprise(s). The Commission shall make every effort to take affirmative steps to provide fair and objective hearings.

C. Roles and Responsibilities

The Commission shall serve in the capacity of "hearing officers", of which one shall serve as the "Presiding Officer." The Regulatory Director or his /her delegate shall serve in the capacity of "Petitioner," whose responsibility is to provide facts and argument relating to the licensing matter. "Licensee" refers to applicants, employees, vendors and facilities and includes both key and non-key licenses. Together, Petitioner and Licensee are referred to as the "Parties." The Commission reserves the right to designate and assign duties to the Gaming Regulatory Director and/or Gaming Regulatory Administrative Assistant.

D. Service of a Notice to Deny Suspend or Revoke a License

Notices and other hearing documents that deny, suspend or revoke a license shall be served upon the Licensee by personal service or by United States mail. If the notice is served by mail, it shall be addressed to the Licensee's last known address. It is the Licensees' duty to keep the Commission's designee informed of current address.

E. Rights of Licensee

The Licensee whose license is denied, suspended, or revoked:

1. Has the right to a hearing before the Gaming Regulatory Commission on the Gaming Regulatory Commission's decision or order.

2. Must file a written notice of appeal request to the Gaming Regulatory Commission for a hearing within 30 days following the effective date of the Gaming Regulatory Commission's decision or order as stated on the order. Failure to properly request a hearing in a timely manner waives the person's right to a hearing or any other appeal of the Gaming Regulatory Commission's decision.

F. Timing of Hearing

After receipt of a written notice of appeal, the Gaming Regulatory Commission shall schedule a hearing not later than 21 calendar days after receipt of the request unless the Commission and person making the appeal mutually agree to an extension. Following the hearing the Gaming Regulatory Commission shall make a decision to uphold, modify, or reverse the order imposing the denial, suspension of revocation.

G. Prohibition of Ex Parte Communication

In an effort to assure a fair hearing process, unless required for the disposition of ex parte matters authorized by law or by the Commission:

1. Commissioners shall not communicate, directly or indirectly with any party or their representative in connection with any issue of fact or law related to a hearing except upon notice and opportunity to all parties to participate;

2. This section shall not preclude Gaming Regulatory staff from having contact with a Licensee at any stage of the proceedings.

H. Appearance through an Advocate

Parties to proceedings governed by this regulation may appear personally or through an advocate (i.e. attorney, tribal member, friend, etc). If a party appears through an advocate, the party must attend hearings unless excused by the Commission. Parties retaining an advocate who require fees shall retain the advocate at their own cost.

1. When a party has appeared through an attorney, service of notices of hearings, decisions or any other matters shall thereafter be made upon the attorney.

2. When a party has appeared through other advocate sources, service of all notices of hearings, decisions or any other matters shall thereafter be made upon the Licensee at which point s/he assumes the responsibility of sharing information

with the advocate.

3. The Commission reserves the right to directly question the Licensee during the hearing.

I. Discovery and Mandated Exchanges

Prior to the hearing the parties shall exchange all evidence they intend to introduce and exchange written lists of persons each party intends to call as a witness. Each witness shall be identified by name, and a brief description of the reason for which the witness will be called. Failure to disclose evidence and witness lists prior to the hearing may limit a party's opportunity to introduce evidence.

J. Confidential and Privileged Materials

If any document or other material required to be produced is the subject of a privilege or is confidential under applicable law or is subject to a confidentiality agreement, the document shall be marked "confidential" before disclosure or use in a hearing. A Licensee shall not further disseminate confidential or privileged materials except to counsel/advocate of record in the action.

K. Request for Information

Either party may make a written request to the Commission for its assistance in obtaining relevant documents, witnesses and other evidence within the Commission's jurisdiction. Information requests must be specific and contain type of evidence and date of occurrence. Determinations regarding relevancy shall be in the Commission's sole discretion.

L. Limitations

If any party or their attorney/advocate fails reasonably to comply with these regulations, or any

order entered regarding any matter, including discovery, the Commission may impose upon such party or attorney, or both, appropriate limitations including an order prohibiting the use of any witness or evidence which should have been disclosed, produced, exhibited, or exchanged.

M. Conduct of Hearings

The hearing before the Commission will proceed as follows:

1. Opening comments and questions.

a) Presiding Officer

b) Petitioner

c) Licensee

2. Case Presentation

a) Petitioner

b) Licensee

3. Rebuttals

a) Petitioner

b) Licensee

4. Commission/Hearing Officers' Questions.

5. Closing Argument

a) Petitioner

b) Licensee

N. Evidence

The Commission shall consider evidence that it finds relevant and material to the dispute, giving the evidence such weight as is appropriate. The Commission may limit testimony to exclude evidence that would be immaterial or unduly repetitive. Upon request before the hearing, the Commission in its discretion may permit the introduction of additional previously undisclosed evidence.

O. Failure to Testify

If a party fails to testify in their own behalf or asserts a claim of privilege in response to any question, the Commission may infer that such testimony or answer would have been adverse to Licensee's case. Licensee may rebut such inference with an explanation based on a legitimate legally binding reason, such as a confidentiality agreement.

P. Continuances

Continuances will not be granted except for good cause shown.

Q. Default

Failure of a Licensee to appear personally at the hearing, unless otherwise excused by the Commission shall constitute admission of all matters and facts. A judgment by default shall be rendered against an unexcused Licensee and the Commission may take action against the gaming license without further notices to the Licensee.

R. Decision of the Commission

The Commission's decision shall be in writing and shall be based upon a preponderance of the evidence standard (the offense or other cause for the suspension, revocation, denial or penalty more likely than not occurred). Written notice of the decision shall be sent to the parties.

S. Tribal Court Review

1. Following a final decision of the Gaming Regulatory Commission after a hearing under this Section, a Licensee has a right to file an appeal with the Tribal Court. The burden of proof in the appeal process is on the applicant or Licensee.

2. All appeals shall be in writing. A Licensee shall have 20 calender days from the date of receiving the hearing decision of the Gaming Regulatory Commission to file an appeal in writing with the Tribal Court.

3. The sole purpose of the Tribal Court appeal will be to determine if the Commission made a procedural error that significantly prejudiced the Licensee. In the event the Tribal Court determines such error was made, it shall remand to the Gaming Regulatory Commission to hold a new hearing in accordance with these Regulations.

(As this amendment is approved by Tribal Council May 21, 2006, Section VII)

SECTION VIII. GAMING OPERATIONS

A. Gaming equipment.

1. No Class III or Class II games of chance, equipment or supplies may be purchased, leased or otherwise acquired by the Tribe unless the equipment or supplies meet the technical standards of either the State of Nevada, State of New Jersey or the State of Michigan.

2. The seller, lessor, manufacturer, or distributor shall provide, assemble and install all Class III or Class II games of chance, gaming equipment, and supplies in a manner approved and licensed by the Tribe.

B. Gambling by Employees. No employee of a licensed facility, member of the Gaming Regulatory Commission, employee of the Gaming Regulatory Commission, member of the Gaming Board of Directors, employee of the Gaming Board of Directors, member of the Tribal Council or Tribal Chairperson and Vice Chairperson shall be permitted to participate as a player in any game operated within the facility.

1. None of the parties listed in section VIII (B) shall be permitted to participate as a player in any game operated within the facility for a period of thirty (30) days following the vacation, relinquishment, or termination of their employment or elected or appointed position.

2. Surveillance employees of the Gaming Regulatory Commission shall be barred from participating as a player in any game operated within the facility for a period of one (1) year after their employment with the Gaming Regulatory Commission terminates; whether the termination of the employment relationship was voluntary of involuntary.

(As this amendment is approved by Tribal Council, January 8, 2006, Section VIII (B))

C. Credit Prohibited. No credit shall be extended by a gaming operation to any

player. This prohibition shall not be construed, however, to prevent players or customers from utilizing bank cards, credit cards, and other forms of personal credit when the credit is guaranteed or extended by an independent financial institution.

D. Age Prohibition. No patron under twenty one (21) years of age may play any game

in the operation, nor shall any such person be allowed to loiter or remain in the immediate area in which any such game is being played.

SECTION IX. DISPUTE RESOLUTION

Disputes between the gaming public and the Tribe or management official shall be resolved as follows:

A. The complaining member of the gaming public shall first have an opportunity to present his/her grievance, verbally or in writing, to the general manager of the Gaming enterprise or a person designated by the general manager to resolve grievances with members of the gaming public.

B. If the grievance is not resolved under Section A. the complaining member of the general public may file a written grievance with the Gaming Regulatory Commission. The Gaming Regulatory Commission shall prepare and make available grievance forms that include space for the name, address, and phone number of the grievant, and a description of the situation or incident complained of. The Gaming Regulatory Commission shall review the written grievance within seven (7) days of receipt. If the Gaming Regulatory Commission deems it necessary, it may hold a fact finding hearing to question the grievance and any employees of the facility involved in the grievance. The Gaming Regulatory Commission shall take final action on the grievance within thirty (30) days of receipt which may include any action authorized under the Gaming Regulatory Ordinance and these regulations.

(Source: REG-WOS 2005-06 041804-005)

Chapter 2. TRIBAL MINIMUM INTERNAL CONTROL STANDARDS

Table of Contents

Section 1 Definitions

Section 2 General Operations

Section 3 Currency Reporting Transactions

Section 4 Bingo

Section 5 Card Games

Section 6 Table Games

Section 7 Slots

Section 8 Accounting

Section 9 Cage

Section 10 Management Information Services

Section 11 Complimentary Services

Section 12 Drop & Count

Section 13 Internal Audit

Section 14 Surveillance

Section 1 – Definitions

The definitions in this section shall apply to all sections of this part unless otherwise noted.

Account access card means an instrument used to access customer accounts for wagering at a gaming machine. Account access cards are used in connection with a computerized account database. Account access cards are not smart cards.

Accountability means all items of cash, chips, coins, tokens, plaques, receivables, and customer deposits constituting the total amount for which the bankroll custodian is responsible at a given time.

Accumulated credit payout means credit earned in a gaming machine that is paid to a customer manually in lieu of a machine payout.

Actual hold percentage means the percentage calculated by dividing the win by the drop or coin-in (number of credits wagered). Can be calculated for individual tables or gaming machines, type of table games, or gaming machines on a per day or cumulative basis.

Ante means a player's initial wager or predetermined contribution to the pot before the dealing of the first hand.

Bill acceptor means the device that accepts and reads cash by denomination in order to accurately register customer credits.

Bill acceptor canister means the box attached to the bill acceptor used to contain cash or cash equivalent received by bill acceptors.

Bill acceptor canister release key means the key used to release the bill acceptor canister from the bill acceptor device.

Bill acceptor canister storage rack key means the key used to access the storage rack where bill acceptor canisters are secured.

Bill acceptor drop means cash or cash equivalent contained in bill acceptor canisters.

Bill-in meter means a meter included on a gaming machine accepting cash or cash equivalent that tracks the cash or cash equivalent put in the machine.

Bingo session means bingo games played within the gaming day.

Box person means the first-level supervisor who is responsible for directly participating in and supervising the operation and conduct of a craps game.

Cage means a secure work area within the gaming operation for cashiers and a storage area for the gaming operation bankroll.

Cage accountability form means an itemized list of the components that make up the cage accountability.

Calibration module means the section of a weigh scale used to set the scale to a specific amount or number of coins to be counted.

Card game means a game in which the gaming operation is not party to wagers and from which the gaming operation receives compensation in the form of a rake, a time buy-in, or other fee or payment from a player for the privilege of playing.

Card room bank means the operating fund assigned to the card room or main card room bank.

Cash-out ticket means an instrument of value generated by a gaming machine representing a cash amount owed to a customer at a specific gaming machine. This instrument may be wagered at other machines by depositing the cash-out ticket in the machine bill acceptor.

Cash Equivalent means Ticket-In/Ticket-out (TITO).

Chips mean cash substitutes, in various denominations, issued by a gaming operation and used for wagering.

Coin-in meter means the meter that displays the total amount wagered in a gaming machine that includes coins-in and credits played.

Coin meter count machine means a device used in a coin room to count coin.

Commission means the Little Traverse Bay Bands of Odawa Indians Gaming Regulatory Commission.

Complimentary means a service or item provided at no cost, or at a reduced cost, to a customer. This does not include non-gaming items made available to all Tribal Citizens, all Gaming Operation Employees, all LTBB Government Employees, or attendees at a conference or training session.

Count means the total funds counted for a particular game, gaming machine, shift, or other period.

Count room means a room where the coin and cash or cash equivalent drop from gaming machines, table games, or other games are transported to and counted.

Count team means personnel that perform either the count of the gaming machine drop and/or the table game drop.

Counter Game means a game in which the gaming operation is party to wagers and the gaming operation documents all wagering. The term includes, but is not limited to bingo. The term does not include table games card games or gaming machines.

Credit slip means a form used to record the return of chips from a gaming table to the cage.

Dealer means an employee who operates a game, individually or as a part of a crew, administering house rules and making payoffs.

Dedicated camera means a video camera required to continuously record a specific activity.

Drop (for gaming machines) means the total amount of cash, cash-out tickets, coupons, coins, and tokens removed from drop buckets and/or bill acceptor canisters

Drop (for table games) means the total amount of cash, chips, and tokens removed from drop boxes.

Drop box means a locked container affixed to the gaming table into which the drop is placed. The game type, table number, and shift are indicated on the box.

Drop box contents keys means the key used to open drop boxes.

Drop box release keys means the key used to release drop boxes from tables.

Drop box storage rack keys means the key used to access the storage rack where drop boxes are secured.

Drop bucket means a container located in the drop cabinet (or in a secured portion of the gaming machine in coinless/cashless configurations) for the purpose of collecting coins, tokens, cash-out tickets, and coupons from the gaming machine.

Drop cabinet means the wooden or metal base of the gaming machine that contains the gaming machine drop bucket.

Drop period means the period of time that occurs between sequential drops.

EPROM means erasable programmable read-only memory or other equivalent game software media.

Extraneous Items are any personal items transported into the cage area.

Fill means a transaction whereby a supply of chips, coins, or tokens is transferred from a bankroll to a table game or gaming machine.

Fill slip means a document evidencing a fill.

Game server means an electronic selection device, utilizing a random number generator.

Gaming machine means an electronic or electromechanical machine that allows a player to play games of chance, some of which may be affected by skill, which contains a microprocessor with random number generator capability for outcome selection or computer terminal that accesses an outcome that is subsequently and randomly selected in drawings that are electronically conducted by central computer or other such methods of chance selection, whether mechanical or electronic. The machine is activated by the insertion of cash or cash equivalents and which awards cash, cash equivalents, merchandise or a written statement of the player's accumulated credits, which written statements may be redeemable for cash.

Gaming machine analysis report means a report prepared that compares theoretical to actual hold by a gaming machine on a monthly or other periodic basis.

Gaming machine booths and change banks means a booth or small cage in the gaming machine area used to provide change to players, store change aprons and extra coin, and account for jackpot and other payouts.

Gaming machine count means the total amount of coins, tokens, and cash removed from a gaming machine. The amount counted is entered on the Gaming Machine Count Sheet and is considered the drop. Also, the procedure of counting the coins, tokens, and cash or the process of verifying gaming machine coin and token inventory.

Gaming machine pay table means the reel strip combinations illustrated on the face of the gaming machine that can identify payouts of designated coin amounts.

Gross gaming revenue means annual total amount of cash wagered on class II and class III games and admission fees (including table or card fees), less any amounts paid out as prizes or paid for prizes awarded.

Hold means the relationship of win to coin-in for gaming machines and win to drop for table games.

Internal audit means persons who perform a Regulatory audit function of a gaming operation that is independent of the department subject to audit. Independence is obtained through the organizational reporting relationship, as the internal audit department shall not report to management of the gaming operation. Internal audit activities should be conducted in a manner that permits objective evaluation of areas examined. Internal audit personnel may provide audit coverage to more than one operation within a Tribe's gaming operation holdings.

Issue slip means a copy of a credit instrument that is retained for numerical sequence control purposes.

Jackpot payout means the portion of a jackpot paid by gaming machine personnel. The amount is usually determined as the difference between the total posted jackpot amount and the coins paid out by the machine. May also be the total amount of the jackpot.

Lammer button means a type of chip that is placed on a gaming table to indicate that the amount of chips designated thereon has been given to the customer for wagering on credit before completion of the credit instrument. Lammer button may also mean a type of chip used to evidence transfers between table banks and card room banks.

Linked electronic game means any game linked to two (2) or more gaming operations that are physically separate and not regulated by the same Tribal gaming regulatory authority.

LTBB Gaming Regulatory Commission means the tribally designated entity responsible for gaming regulation.

Main card room bank means a fund of cash, coin, and chips used primarily for poker and pan card game areas. Used to make even cash transfers between various games as needed. May be used similarly in other areas of the gaming operation.

Master game program number means the game program number listed on a gaming machine EPROM.

Master game sheet means a form used to record, by shift and day, each table game's winnings and losses. This form reflects the opening and closing table inventories, the fills and credits, and the drop and win.

Mechanical coin counter means a device used to count coins that may be used in addition to or in lieu of a coin weigh scale.

Meter means an electronic (soft) or mechanical (hard) apparatus in a gaming machine. May record the number of coins wagered, the number of coins dropped, the number of times the handle was pulled, or the number of coins paid out to winning players.

Motion activated dedicated camera means a video camera that, upon its detection of activity or motion in a specific area, begins to record the activity or area.

Multi-game machine means a gaming machine that includes more than one type of game option.

On-line gaming machine monitoring system means a system used by a gaming operation to monitor gaming machine meter readings and/or other activities on an on-line basis.

Order for credit means a form that is used to request the transfer of chips from a table to the cage. The order precedes the actual transfer transaction that is documented on a credit slip.

Par percentage means the percentage of each dollar wagered that the house wins (i.e., gaming operation advantage).

Par sheet means a specification sheet for a gaming machine that provides machine hold percentage, model number, hit frequency, reel combination, number of reels, number of coins that can be accepted, and reel strip listing.

Payout means a transaction associated with a winning event.

PIN means the personal identification number used to access a player's account.

Pit podium means a stand located in the middle of the tables used by gaming operation supervisory personnel as a workspace and a record storage area.

Pit supervisor means the employee who supervises all games in a pit.

Player tracking system means a system typically used that can record the gaming play of individual customers.

Primary and secondary jackpots means promotional pools offered at certain card games that can be won in addition to the primary pot.

Progressive gaming machine means a gaming machine, with a payoff indicator, in which the payoff increases as it is played (i.e., deferred payout). The payoff amount is accumulated, displayed on a machine, and will remain until a player lines up the jackpot symbols that result in the progressive amount being paid.

Progressive jackpot means deferred payout from a progressive gaming machine.

Progressive table game means table games that offer progressive jackpots.

Promotional payout means merchandise or awards given to players by the gaming operation based on a wagering activity.

Promotional progressive pots and/or pools means funds contributed to a table game or card game by and for the benefit of players. Funds are distributed to players based on a predetermined event.

Rake means a commission charged by the house for maintaining or dealing a game such as poker.

Rake circle means the area of a table where rake is placed.

Random number generator means a device that generates numbers in the absence of a pattern. May be used to determine numbers selected in various games such as keno and bingo. Also commonly used in gaming machines to generate game outcome.

Reel symbols means symbols listed on reel strips of gaming machines.

Revenue Audit means persons who perform a Revenue Audit function of a gaming operation that is independent of the department subject to audit.

Runner means a gaming employee who transports chips/cash to or from a gaming table and a cashier.

Series number means the unique identifying number printed on each sheet of bingo paper that identifies the bingo paper as a series or packet. The series number is not the free space or center space number located on the bingo paper.

Shift means an eight-hour period, unless otherwise approved by the Tribal gaming regulatory authority, not to exceed twenty-four (24) hours.

Short pay means a payoff from a gaming machine that is less than the listed amount.

Soft count means the count of the contents in a drop box or a bill acceptor canister.

Statistical Drop means total amount of money, chips, and tokens contained in the drop boxes.

Statistical Win means closing bankroll, plus chips, tokens, or credit slips returned to the cage plus drop, minus operating bankroll, minus fills to the table.

Sufficient clarity means use of monitoring and recording at a minimum of twenty (20) frames per second. Multiplexer tape recordings are insufficient to satisfy the requirement of sufficient clarity.

Surveillance room means a secure location(s) in a gaming operation used primarily for casino surveillance.

Surveillance system means a system of video cameras, monitors, recorders, video printers, switches, selectors, and other ancillary equipment used for casino surveillance.

Table games means games that are banked by the house or a pool whereby the house or the pool pays all winning bets and collects from all losing bets.

Table inventory means the total coins and chips at a table.

Table inventory form means the form used by gaming operation supervisory personnel to document the inventory of chips, coins, and tokens on a table at the beginning and ending of a shift.

Table tray means the container located on gaming tables where chips, coins, or cash are stored that are used in the game.

Theoretical hold means the intended hold percentage or win of an individual gaming machine as computed by reference to its payout schedule and reel strip settings or EPROM.

Theoretical hold worksheet means a worksheet provided by the manufacturer for all gaming machines that indicate the theoretical percentages that the gaming machine should hold based on adequate levels of coin-in. The worksheet also indicates the reel strip settings, number of credits that may be played, the payout schedule, the number of reels and other information descriptive of the particular type of gaming machine.

Tier A means gaming operations with annual gross gaming revenues of more than $1 million but not more than $5 million.

Tier B means gaming operations with annual gross gaming revenues of more than $5 million but not more than $15 million.

Tier C means gaming operations with annual gross gaming revenues of more than $15 million.

Title 31 is the section of the Bank Secrecy Act requiring record keeping and reporting requirements for the gaming operation.

TITO means Ticket In/Ticket Out

TMICS means tribal minimum internal control standards.

Tokens mean a coin-like cash substitute, in various denominations, used for gambling transactions.

Tribe means the Little Traverse Bay Bands of Odawa Indians or Waganakising Odawak.

Vault means a secure area within the gaming operation where tokens, checks, cash, coins, and chips are stored.

Weigh/count means the value of coins and tokens counted by a weigh machine.

Weigh scale calibration module means the device used to adjust a coin weigh scale.

Weigh scale interface means a communication device between the weigh scale used to calculate the amount of funds included in drop buckets and the computer system used to record the weigh data.

Weigh tape means the tape where weighed coin is recorded.

Wide area progressive gaming machine means a progressive gaming machine that is linked to machines in other operations and play on the machines affect the progressive amount. As wagers are placed, the progressive meters on all of the linked machines increase.

Win means the net win resulting from all gaming activities. Net win results from deducting all gaming losses from all wins prior to considering associated operating expenses.

Win-to-write hold percentage means win divided by write to determine hold percentage.

Wrap means the method of storing coins after the count process has been completed, including, but not limited to, wrapping, racking, or bagging. May also refer to the total amount or value of the counted and stored coins.

Write means the total amount wagered in bingo operations.

Writer means an employee who writes bingo tickets.

Section 2 – General Operations

A. The LTBB Gaming Operation shall develop Emergency Procedures. These procedures and any subsequent changes shall require Tribal Gaming Regulatory Commission approval.

B. The LTBB Gaming Operation shall comply with the Little Traverse Bay Bands of Odawa Indians Health and Safety Standards.

C. The LTBB Gaming Operation shall ensure that the Hardware/Software agreement is signed by the required gaming related companies. A signed copy will be forwarded to the Regulatory Licensing Department to be maintained in their Licensing file.

D. The LTBB Gaming Operation shall respond to all audits within 30 days (Internal Audit or Safety Audit). If a change to Policies or Procedures is required, a draft of the changes will be submitted with the response. An extension can be granted by the Regulatory Director in the event that more time is required.

E. Requests for Surveillance Dubs shall be submitted on the dub request form to the Surveillance Supervisor on duty. The Surveillance Manager in coordination with the Gaming Operation General Manager shall develop the list of gaming operation personnel authorized to request dubs. This list will require Regulatory Director approval.

F. The Surveillance Manager in coordination with the Gaming Operation General Manager shall develop the list of gaming operation personnel authorized to enter the Surveillance Suite to view dubs. This list will require Regulatory Director approval.

G. Access to the Surveillance Room requires Tribal Gaming Regulatory Commission approval. Requests for access shall be submitted to the Regulatory Director.

H. Gaming Equipment must comply with Gaming Laboratories Inc. Standards or be approved for our jurisdiction.

Section 3 - Currency Reporting Transactions

A. Requirements for Casino Management

1. The LTBB Gaming Operation shall comply with the Bank Secrecy Act, BSA (Title 31) and all applicable standards set forth by the US Department of Treasury or its designee (FINCEN and IRS) and establish reporting policies and procedures.

2. The LTBB Gaming Operation shall have established training programs to insure the adherence to all BSA reporting requirements as may be promulgated under the BSA by FINCEN and IRS

3. The LTBB Gaming Operation shall determine the hours for the gaming day to ensure proper reporting.

4. Copies of all Suspicious Activity Reports shall be forwarded to Gaming Regulatory.

5. The LTBB Gaming Operation shall ensure that BSA (Title 31) training is conducted for all new hires and on a bi-annual basis thereafter. These training records shall be made available to the Regulatory Department upon request.

B. Requirements for all Departments

1. The Bank Secrecy Act contains certain record keeping and reporting requirements for the casino.

2. The LTBB Gaming Operation shall comply with all reporting requirements set by the Bank Secrecy Act.

The LTBB Gaming Operation shall make every effort to prevent circumvention of these reporting requirements by a gaming patron. Therefore, the casino will identify currency transactions in excess of $2,500 and record them on a Multiple Transactions Log (MTL) by individual patron.

Section 4 - Bingo

A. Computer Applications

1. For any computer applications utilized, alternate documentation and/or procedures that provide at least the level of control described by the standards in this section, as approved by the LTBB Gaming Regulatory Commission will be acceptable.

B. Standards for Bingo

1. **The LTBB Gaming Operation** shall develop Bingo Game Protection procedures. These procedures and any subsequent changes shall require LTBB Gaming Regulatory Commission approval.
2. **The LTBB Gaming Operation** shall develop Bingo Cash Handling procedures. These procedures and any subsequent changes shall require LTBB Gaming Regulatory Commission approval.

3. **The LTBB Gaming Operation** shall develop Bingo Emergency procedures. These procedures and any subsequent changes shall require LTBB Gaming Regulatory Commission approval.
4. Bingo staff shall comply with the established standards set forth in Title 31 reporting policies and procedures.

C. Game Play Standards

1. The functions of seller and payout verifier shall be segregated. Employees who sell cards on the floor shall not verify payouts with cards in their possession. Floor clerks who sell cards on the floor are permitted to announce the serial numbers of winning cards.

2. All sales of bingo cards shall be documented by recording at least the following:
   a. Date;
   b. Shift (if applicable);
   c. Session (if applicable);
   d. Dollar amount;
   e. Signature, initials, or identification number of at least one seller (if manually documented); and

   f. Signature, initials, or identification number of a person independent of the seller who has randomly verified the card sales (this requirement is not applicable to locations with $1 million or less in annual write).

3. The total win and write shall be computed and recorded by shift (or session, if applicable).

4. **The LTBB Gaming Operation** as approved by the LTBB Gaming Regulatory Commission shall establish and comply with procedures that ensure the correct calling of numbers selected in the bingo game.

5. Each ball shall be shown to a camera immediately before it is called so that it is individually displayed to all customers. For speed bingo games not verified by camera equipment, a person independent of the bingo caller responsible for calling the speed bingo game shall verify each ball drawn.

6. For all coverall games and other games offering a payout of $1,200 or more, as the balls are called the numbers shall be immediately recorded by the caller and maintained for a minimum of twenty-four (24) hours.

7. Controls shall be present to assure that the numbered balls are placed back into the election device prior to calling the next game.

8. The authenticity of each payout shall be verified by at least two persons. A computerized card verifying system may function as the second person verifying the payout if the card with the winning numbers is displayed on a reader board.

9. Payouts in excess of $1,200 shall require written approval, by personnel independent of the transaction, that the bingo card has been examined and verified with the bingo card record to ensure that the ticket has not been altered.

10. Total payout shall be computed and recorded by shift or session, if applicable.

D. Promotional Payouts or Awards

1. If the gaming operation offers promotional payouts or awards, the payout form/documentation shall include the following information:
   a. Date and time;
   b. Dollar amount of payout or description of personal property (e.g., jacket, toaster, car, etc.), including fair market value;
   c. Type of promotion; and
   d. Signature of at least one employee authorizing and completing the transaction.

2. [Reserved]

E. Accountability Form

1. All funds used to operate the bingo department shall be recorded on an accountability form.

2. All funds used to operate the bingo department shall be counted independently by at least two persons and reconciled to the recorded amounts at the end of each shift or session.

F. Bingo Equipment

1. Access to controlled bingo equipment (e.g., blower, balls in play, and back-up balls) shall be restricted to authorized persons.

2. The procedures established by **the LTBB Gaming Operation** as approved by the LTBB Gaming Regulatory Commission, shall include standards relating to the inspection of new bingo balls put into play as well as for those in use.

3. Bingo equipment shall be maintained and checked for accuracy prior to each bingo session.

4. The bingo card inventory shall be controlled so as to assure the integrity of the cards being used as follows:
   a. Purchased paper shall be inventoried and secured by a person from the Revenue Audit department.
   b. The issue of paper to the cashiers shall be documented and signed for by a Revenue Audit Employee and a cashier. The document log shall include the series number of the bingo paper;
   c. A copy of the bingo paper control log shall be given to the bingo ball caller for purposes of determining if the winner purchased the paper that was issued for sale that day (electronic verification satisfies this standard);
   d. At the end of each month, Revenue Audit shall verify the accuracy of the ending balance in the bingo paper control by reconciling the paper on-hand;
   e. A monthly comparison for reasonableness shall be made of the amount of paper sold from the bingo paper control log to the amount of revenue recognized.

G. Standards for Statistical Reports

1. Records shall be maintained, which include win, write (card sales), and a win-to-write hold percentage, for:
   a. Each shift or each session;
   b. Each day;
   c. Month-to-date; and
   d. Year-to-date or fiscal year-to-date.

2. A manager independent of the bingo department shall review bingo statistical information on at least a monthly basis and investigate any large or unusual statistical fluctuations.

3. Investigations shall be documented, maintained for inspection, and provided to the LTBB Gaming Regulatory Commission upon request.

H. Electronic Equipment

1. If **the LTBB Gaming Operation** utilizes electronic equipment in connection with the play of bingo, then the following standards shall also apply.
   a. If the electronic equipment contains a bill acceptor, then Sec. 10 Drop & Count – F. & G. (as applicable) shall apply.
   c. If the electronic equipment uses a bar code or microchip reader, the reader shall be tested periodically by a person or persons independent of the bingo department to determine that it is correctly reading the bar code or the microchip.
   d. If the electronic equipment returns a voucher or a payment slip to the player, then Sec. 6 Slots – M. (as applicable) shall apply.

Section 5 – Card Games

A. Computer Applications

1. For any computer application utilized, alternate documentation and/or procedures that provide at least the level of control described by the standards in this section, as approved by the LTBB Gaming Regulatory Commission will be acceptable.

B. Standards for Drop and Count

1. The procedures for the collection of the card game drop and the count thereof shall comply with Section 12.

C. Standards for Supervision

1. Supervision shall be provided at all times the card room is in operation by personnel with authority equal to or greater than those being supervised.

2. Exchanges between table banks and the main card room bank (or cage, if main card room bank is not used) in excess of $100.00 shall be authorized by a supervisor. All exchanges shall be evidenced by the use of a lamer unless the exchange of chips, token, and/or cash takes place at the table.

3. Exchanges from the main card room bank (or cage, if main card room bank is not used) to the table banks shall be verified by the card room dealer and the runner.

4. Transfers between the main card room bank and the cage shall be properly authorized and documented.

5. A rake collected or an ante placed shall be done in accordance with the posted rules.

D. Standards for playing cards.

1. Playing cards shall be maintained in a secure location to prevent unauthorized access and reduce the possibility of tampering.

2. Used cards shall be maintained in a secure location until marked, scored, or destroyed, in a manner approved by the LTBB Gaming Regulatory Commission, to prevent unauthorized access and reduce the possibility of tampering.

3. The LTBB Gaming Regulatory Commission, or the LTBB Gaming Operation as approved by the LTBB Gaming Regulatory Commission, shall establish and the LTBB Gaming Operation shall comply with a reasonable time period, which shall not exceed seven (7) days, within which to mark, cancel, or destroy cards from play.
   a. This standard shall not apply where playing cards are retained for an investigation

.

4. A card control log shall be maintained that documents when cards and dice are received on site, distributed to and returned from tables and removed from play by the LTBB Gaming Operation.

E. Plastic Cards

1. Notwithstanding paragraph (D) of this section, if the LTBB Gaming Operation uses plastic cards (not plastic-coated cards), the cards may be used for up to three (3) months, if the plastic cards are routinely inspected, and washed or cleaned in a manner and time frame approved by the LTBB Gaming Regulatory Commission.

F. Standards for reconciliation of card room bank.

1. The amount of the main card room bank shall be counted, recorded, and reconciled on at least a per shift basis.

2. At least once per shift, the table banks that were open during that shift shall be counted, recorded, and reconciled by a dealer or other person, and a supervisor, and shall be attested to by their signatures on the check-out form.

G. Standards for promotional progressive pots and pools.

1. All funds contributed by players into the pools shall be returned when won in accordance with the posted rules with no commission or administrative fee withheld.

2. Rules governing promotional pools shall be conspicuously posted and designate:
   a. The amount of funds to be contributed from each pot;
   b. What type of hand it takes to win the pool (e.g., what constitutes a "bad beat");
   c. How the promotional funds will be paid out;
   d. How/when the contributed funds are added to the jackpots; and
   e. Amount/percentage of funds allocated to primary and secondary jackpots, if applicable.

3. Promotional pool contributions shall not be placed in or near the rake circle, in the drop box, or commingled with gaming revenue from card games or any other gambling game.

4. The amount of the jackpot shall be conspicuously displayed in the card room.

5. At least once a day, the posted pool amount shall be updated to reflect the current pool amount.

6. At least once a day, increases to the posted pool amount shall be reconciled to the cash previously counted or received by the cage by personnel independent of the card room.

7. All decreases to the pool must be properly documented, including a reason for the decrease.

I. Promotional progressive pots and pools where funds are displayed in the card room.

1. Promotional funds displayed in the card room shall be placed in a locked container in plain view of the public.

2. Persons authorized to transport the locked container shall be precluded from having access to the content keys.

3. The contents key shall be maintained by personnel independent of the card room.

4. At least once a day, the locked container shall be removed by two persons, one of whom is independent of the card games department, and transported directly to the cage or other secure room to be counted, recorded, and verified.

5. The locked container shall then be returned to the card room where the posted pool amount shall be updated to reflect the current pool amount.

J. Promotional progressive pots and pools where funds are maintained in the cage.

a. Promotional funds removed from the card game shall be placed in a locked container.

2. Persons authorized to transport the locked container shall be precluded from having access to the contents keys.

3. The contents key shall be maintained by personnel independent of the card room.

4. At least once a day, the locked container shall be removed by two persons, one of whom is independent of the card games department, and transported directly to the cage or other secure room to be counted, recorded, and verified, prior to accepting the funds into cage accountability.

5. The posted pool amount shall then be updated to reflect the current pool amount.

Section 6 - Table Games

A. Computer Applications

For any computer applications utilized, alternate documentation and/or procedures that provide at least the level of control described by the standards in this section, approved by the LTBB Gaming Regulatory Commission, will be acceptable.

B. Standards Table Games

1. The Table Games Department shall develop Game Protection procedures. These procedures and any subsequent changes shall require LTBB Gaming Regulatory approval.

2. The Table Games Department shall develop Cash Handling procedures. These procedures and any subsequent changes shall require LTBB Gaming Regulatory approval.

3. The Table Games Department shall develop Emergency Procedures. These procedures and any subsequent changes shall require LTBB Gaming Regulatory approval.

4. The Table Games Department shall comply with the established standards set forth in Title 31 reporting policies and procedures.

5. All sensitive keys for Table Games shall be maintained in a secure manner. Key logs shall be maintained by Security to record authorized use of keys.

C. Fill and Credit Standards

1. Fill slips and credit slips shall be in at least triplicate form, and in a continuous, pre-numbered series. Such slips shall be concurrently numbered in a form utilizing the alphabet and only in one series at a time. The alphabet need not be used if the numerical series is not repeated during the business year.

2. Unissued and issued fill/credit slips shall be safeguarded and adequate procedures shall be employed in their distribution, use, and control. Personnel from the cashier or pit departments shall have no access to the secured (control) copies of the fill/credit slips.

3. When a fill/credit slip is voided, the cashier shall clearly mark ""void"" across the face of the original and first copy, the cashier and a Security Officer shall sign both the original and first copy, and shall submit them to the accounting department for retention and accountability.

4. Fill transactions shall be authorized by pit supervisory personnel before the issuance of fill slips and transfer of chips, tokens, or cash equivalents. The fill request shall be communicated to the cage where the fill slip is prepared.

5. At least three parts of each fill slip shall be utilized as follows:
   a. One part shall be transported to the pit with the fill and, after the appropriate signatures are obtained, deposited in the table game drop box;
   b. One part shall be retained in the cage for reconciliation of the cashier bank; and
   c. For computer systems, one part shall be retained in a secure manner to insure that only authorized persons may gain access to it. For manual systems, one part shall be retained in a secure manner in a continuous unbroken form.

6. The part of the fill slip that is placed in the table game drop box shall be of a different color for fills than for credits, unless the type of transaction is clearly distinguishable in another manner.

7. The table number, shift, and amount of fill by denomination and in total shall be noted on all copies of the fill slip. The correct date and time shall be indicated on at least two copies.

8. All fills shall be carried from the cashier's cage by a Security Officer.

9. The fill slip shall be signed by at least the following persons (as an indication that each has counted the amount of the fill and the amount agrees with the fill slip):
   a. Cashier who prepared the fill slip and issued the chips, tokens, or cash equivalent;
   b Security Officer who carried the chips, tokens, or cash equivalents from the cage to the pit;
   c. Dealer or box person who received the chips, tokens, or cash equivalents at the gaming table; and
   d. Pit supervisory personnel who supervised the fill transaction.

10. Fills shall be broken down and verified by the dealer or box person in public view before the dealer or box person places the fill in the table tray.

11. A copy of the fill slip shall then be deposited into the drop box on the table by the dealer, where it shall appear in the soft count room with the cash receipts for the shift.

12. Table credit transactions shall be authorized by a pit supervisor before the issuance of credit slips and transfer of chips, tokens, or other cash equivalent. The credit request shall be communicated to the cage where the credit slip is prepared.

13. At least three parts of each credit slip shall be utilized as follows:
   a. Two parts of the credit slip shall be transported by the Security Officer to the pit. After signatures of the Security Officer, dealer, and pit supervisor are obtained, one copy shall be deposited in the table game drop box and the original shall accompany transport of the chips, tokens, markers, or cash equivalents from the pit to the cage for verification and signature of the cashier.
   b. For computer systems, one part shall be retained in a secure manner to insure that only authorized persons may gain access to it. For manual systems, one part shall be retained in a secure manner in a continuous unbroken form.

14. The table number, shift, and the amount of credit by denomination and in total shall be noted on all copies of the credit slip. The correct date and time shall be indicated on at least two copies.

15. Chips, tokens, and/or cash equivalents shall be removed from the table tray by the dealer or box person and shall be broken down and verified

by the dealer or box person in public view prior to placing them in racks for transfer to the cage.

16. All chips, tokens, and cash equivalents removed from the tables and markers removed from the pit shall be carried to the cashier's cage by a Security Officer.

17. The credit slip shall be signed by at least the following persons (as an indication that each has counted.
    a. Cashier who received the items transferred from the pit and prepared the credit slip;
    b. Security Officer who carried the items transferred from the pit to the cage;
    c. Dealer who had custody of the items prior to transfer to the cage; and
    d. Pit supervisory personnel who supervised the credit transaction.

18. The credit slip shall be inserted in the drop box by the dealer.

19. Chips, tokens, or other cash equivalents shall be deposited on or removed from gaming tables only when accompanied by the appropriate fill/credit transfer forms...

20. Cross fills (the transfer of chips between table games) and even cash exchanges are prohibited in the pit.

D. Table Inventory Forms

1. At the close of each shift, for those table banks that were opened during that shift:
    a. The table's chip, token, and coin inventory shall be counted and recorded on a table inventory form.

2. If final fills are not made, beginning and ending inventories shall be recorded on the master game sheet for shift win calculation purposes.

3. The accuracy of inventory forms prepared at shift end shall be verified by the outgoing pit supervisor and the dealer. Alternatively, if the dealer is not available, such verification may be provided by another pit supervisor or another supervisor from another gaming department. Verifications shall be evidenced by signature on the inventory form.

4. When inventory forms are placed in the drop box, such action shall be performed by the Dealer.

E. Table Games Computer Generated Documentation Standards

1. The computer system shall be capable of generating adequate documentation of all information recorded on the source documents and transaction detail (e.g., fill/credit slips etc.).

2. This documentation shall be restricted to authorized personnel.

3. The documentation shall include, at a minimum:
   a. System exception information (e.g., appropriate system parameter information, corrections, voids, etc.); and
   b. Personnel access listing, which includes, at a minimum:
      1. Employee name or employee identification number (if applicable); and
      2. Listing of functions employees can perform or equivalent means of identifying the same.

F. Standards for Playing Cards and Dice

1. Playing cards and dice shall be maintained in a secure location to prevent unauthorized access and to reduce the possibility of tampering.

2. Used cards and dice shall be maintained in a secure location until Defaced, in the manner approved by the LTBB Gaming Regulatory Commission, to prevent unauthorized access and reduce the possibility of tampering.

3. Used cards and dice shall be defaced by Security within 7 days of being received from the pit.
   a. This standard shall not apply where playing cards or dice are retained for an investigation.

4. Inventory Logs shall be maintained in the Card Room by Security that document when cards and dice are received on site, distributed to and returned from tables and removed from play by **the LTBB Gaming**

Operation. Internal Audit or designated Regulatory Staff with Security present, may access the Card Room for inspection of all cards, dice, balls, and Inventory Logs.

5. Internal Audit or designated Regulatory Staff shall be present during inspection of received shipments prior to issuance to the gaming floor.

G. Standards for Supervision

Pit supervisory personnel (with authority equal to or greater than those being supervised) shall provide supervision of all table games.

H. Analysis of Table Game Performance Standards

1. Records shall be maintained by day and shift indicating any single-deck blackjack games that were dealt for an entire shift.

2. Records reflecting hold percentage by table and type of game shall be maintained by shift, by day, cumulative month-to-date, and cumulative year-to-date.

3. This information shall be presented to and reviewed by management independent of the Table Games Department on at least a monthly basis.

4. Management independent of the Table Games department shall investigate any unusual fluctuations in hold percentage with pit supervisory personnel.

5. The results of such investigations shall be documented, maintained for inspection, and provided to the Regulatory Director or designated Regulatory Staff upon request.

I. Accounting/ Revenue Auditing Standards

1. The accounting and auditing procedures shall be performed by The Revenue Audit Department

2. If a table game has the capability to determine drop e.g., bill-in/coin-drop meters, bill acceptor, computerized record, etc. the dollar amount of the drop shall be reconciled to the actual drop by shift.

3. Accounting/auditing employees shall review exception reports for propriety of transactions and unusual occurrences.

4. All noted improper transactions or unusual occurrences shall be investigated with the results documented.

5. Evidence of table games auditing procedures and any follow-up performed shall be documented, maintained for inspection, and provided to the LTBB Gaming Regulatory Commission upon request.

6. A daily recap shall be prepared for the day and month-to-date, which shall include the following information:
   a. Drop;
   b. Win; and
   c. Gross revenue.

J. Foreign Currency

l. Foreign currency will not be accepted at any gaming table.

Section 7 – Slots

A. Standards for Gaming Machines

1. For this section only, credit or customer credit means a unit of value equivalent to cash or cash equivalents deposited, wagered, won, lost, or redeemed by a customer.

2. Coins shall include tokens.

3. For all computerized gaming machine systems, a personnel access listing shall be maintained, which includes at a minimum:
   a. Employee name or employee identification number or equivalent.; and
   b. Listing of functions employee can perform or equivalent means of identifying same.

4. The Slot Department shall develop Game Protection procedures. These procedures and any subsequent changes shall require LTBB Gaming Regulatory Commission approval.

5. The Slot Department shall develop Cash Handling Procedures. These procedures and any subsequent changes shall require LTBB Gaming Regulatory Commission approval.

6. The Slot Department shall develop Emergency Procedures. These procedures and any subsequent changes shall require LTBB Gaming Regulatory Commission approval.

7. Internal Audit or designee shall be present for all incoming slot machine shipments to break seal and verify incoming shipment. Internal Audit or designee shall be notified of all out going slot machine shipments.

8. The Slot Department shall notify the Regulatory Department of any Gaming Machine movement in storage and forward Gaming Machine Inventory reports to Internal Audit on a monthly basis. The inventory report shall include machines in-house and at storage sites.

9. The Slot Department shall notify the Regulatory Department of any gaming machine movement on the gaming floor at least 72 hours prior to movement.

10. The Slot Department shall comply with the established standards set forth in Title 31 reporting policies and procedures.

B. Computer Applications

1. For any computer applications utilized, alternative documentation and/or procedures that provide at least the level of control described by the standards in this section, as approved by the LTBB Gaming Regulatory Commission, will be acceptable.

C. Jackpot Payouts, Gaming Machines Fills, Short Pays and Accumulated Credit Payouts Standards.

1. For jackpot payouts and gaming machine fills, documentation shall include the following information:
   a. Date and time;

b. Machine number;
c. Dollar amount of cash payout or gaming machine fill both alpha and numeric. or description of personal property awarded, including fair market value. Alpha is optional if another unalterable method is used for evidencing the amount of the payout;
d.. Game outcome, including reel symbols, card values, suits, etc., for jackpot payouts. Game outcome is not required if a computerized jackpot/fill system is used;
e. Preprinted or concurrently printed sequential number; and
f. Signatures of at least two employees are required when verifying and witnessing the payout or gaming machine fill of $1200.00 and over the signature of one employee is sufficient if the jackpot or fill is less than $1,200.00.
   i. Jackpot payouts of $2,500.00 to $9,999.99 will also require the signature of the Slot Supervisor on duty, $10,000.00 or more will also require pay out to be authorized by a Shift Manager on duty.

2. For short pays of $10.00 or more, and payouts required for accumulated credits, the payout form shall include the following information:
   a. Date and time;
   b. Machine number;
   c. Dollar amount of payout both alpha and numeric.; and
   d. Short Pays of $50.00 or less will not require a Verifier.
   e. The signature of one Slot Department employee is sufficient if the payout is less than $1,200.00 for pay outs required for accumulated credits.

3. Computerized jackpot/fill systems shall be restricted so as to prevent unauthorized access and fraudulent payouts by one person as required by Information Systems Minimum Internal Control Standards.

4. Payout forms shall be controlled and routed in a manner that precludes any one person from producing a fraudulent payout by forging signatures or by altering the amount paid out subsequent to the payout and misappropriating the funds.

D. Promotional Payouts or Awards

1. If **the LTBB Gaming Operation** offers promotional payouts or awards that are not reflected on the gaming machine pay table, then the payout form/documentation shall include:

a. Date and time;
b. Machine number and denomination;
c. Dollar amount of payout or description of personal property (e.g., jacket, toaster, car, etc.), including fair market value;
d. Type of promotion (e.g., double jackpots, four-of-a-kind bonus, etc.); and
e. Signature of at least one employee authorizing and completing the transaction.

E. Gaming Machine Department Funds Standards

1. The gaming machine booths and change banks that are active during the shift shall be counted down and reconciled each shift utilizing appropriate accountability documentation.

2. The wrapping of loose gaming machine booth and cage cashier coin shall be performed under camera coverage at a time or location that does not interfere with the hard count/wrap process or the accountability of that process.

3. A record shall be maintained evidencing the transfers of wrapped and unwrapped coins and retained for seven (7) days.

F. EPROM or Other Equivalent Game Control Hardware and Software Control Standards

1. At least annually, procedures shall be performed to insure the integrity of a sample of gaming machine game program EPROM's, or other equivalent game software media, by the Regulatory Internal Audit Department.

2. **The LTBB Gaming Operation** with the approval of the LTBB Gaming Regulatory Commission shall develop and implement procedures for the following:
   a. Removal of EPROM's, or other equivalent game software media, from devices, and the verification of the existence of errors as applicable.
   b. EPROM's, or other equivalent software media, shall be received from the manufacturer by the Regulatory Department.
   c. Destruction of EPROM's or other equivalent game control hardware and software shall be witnessed by a Security Officer and the log shall be completed by the Slot Technician and the Security Officer.

d. After receipt from the Regulatory Department master game EPROM's or equivalent game software media will be stored in a dual lock box to prevent unrestricted access.

3. The master game program number, par percentage, and the pay table shall be verified to the par sheet when initially received from the manufacturer.

4. Gaming machines with potential jackpots in excess of $100,000 shall have the game software circuit boards locked or physically sealed. The lock or seal shall necessitate the presence of Regulatory Department designated staff to access the device game program EPROM, or other equivalent game software media. If a seal is used to secure the board to the frame of the gaming device, it shall be pre-numbered.

5. Records that document the procedures for the removal of EPROM's, or other equivalent software media, shall include the following information:
   a. Date;
   b. Machine number source and destination.;
   c. Manufacturer;
   d. Program number;
   e. Personnel involved;
   d. Disposition of any permanently removed EPROM, or other equivalent game software media;
   e. Seal numbers, if applicable; and
   f. Approved testing lab approval numbers, if available.

6. EPROMS, or other equivalent game software media, returned to gaming devices shall be labeled with the program number. Supporting documentation shall include the date, program number, information identical to that shown on the manufacturer's label, and initials of the person replacing the EPROM, or other equivalent game software media.

G. Standards for Evaluating Theoretical and Actual Hold Percentages.

1. Accurate and current theoretical hold worksheets shall be maintained for each gaming machine.

2. For multi-game/multi-denominational machines, an employee of the Revenue Audit Department shall.
   a. Weekly, record the total coin-in meter;

b. Quarterly, record the coin-in meters for each pay table contained in the machine;
c. On an annual basis, adjust the theoretical hold percentage in the gaming machine statistical report to a weighted average based upon the ratio of coin-in for each game pay table.

3. For those gaming operations that are unable to perform the weighted average calculation as required by paragraph (G)(2) of this section, the following procedures shall apply:
   a. On at least an annual basis, calculate the actual hold percentage for each gaming machine;
   b. On at least an annual basis, adjust the theoretical hold percentage in the gaming machine statistical report for each gaming machine to the previously calculated actual hold percentage; and
   c. The adjusted theoretical hold percentage shall be within the spread between the minimum and maximum theoretical payback percentages.

4. The adjusted theoretical hold percentage for multi-game/multi-denominational machines may be combined for machines with exactly the same game mix throughout the year.

5. The theoretical hold percentages used in the gaming machine analysis reports should be within the performance standards set by the manufacturer.

6. Records shall be maintained for each machine indicating the dates and type of changes made and the recalculation of theoretical hold as a result of the changes.

7. Records shall be maintained for each machine that indicate the date the machine was placed into service, the date the machine was removed from operation, the date the machine was placed back into operation, and any changes in machine numbers and designations.

8. All of the gaming machines shall contain functioning meters that shall record coin-in or credit-in, or on-line gaming machine monitoring system that captures similar data.

9. All gaming machines with bill acceptors shall contain functioning bill-in meters that record the dollar amounts or number of bills accepted by denomination.

10. Gaming machine in-meter readings shall be recorded at least weekly immediately prior to or subsequent to a gaming machine drop. On-line

gaming machine monitoring systems can satisfy this requirement. However, the time between readings may extend beyond one week in order for a reading to coincide with the end of an accounting period only if such extension is for no longer than six (6) days.

11. The employee who records the in-meter reading shall either be independent of the hard count team or shall be assigned on a rotating basis, unless the in-meter readings are randomly verified quarterly for all gaming machines and bill acceptors by a person other than the regular in-meter reader.

12. Upon receipt of the meter reading summary, the accounting department shall review all meter readings for reasonableness using pre-established parameters.

13. Prior to final preparation of statistical reports, meter readings that do not appear reasonable shall be reviewed with gaming machine department employees or other appropriate designees, and exceptions documented, so that meters can be repaired or clerical errors in the recording of meter readings can be corrected.

14. A report shall be produced at least monthly showing month-to-date, year-to-date (previous twelve (12). months data preferred), and if practicable, life-to-date actual hold percentage computations for individual machines and a comparison to each machine's theoretical hold percentage previously discussed.

15. Each change to a gaming machine's theoretical hold percentage, including progressive percentage contributions, shall result in that machine being treated as a new machine in the statistical reports (i.e., not commingling various hold percentages), except for adjustments made in accordance with paragraph (g)(2) of this section.

16. If promotional payouts or awards are included on the gaming machine statistical reports, it shall be in a manner that prevents distorting the actual hold percentages of the affected machines.

17. The statistical reports shall be reviewed by both gaming machine department management and management employees independent of the gaming machine department on at least a monthly basis.

18. For those machines that have experienced at least 100,000 wagering transactions, large variances, three percent (3%). between theoretical hold and actual hold shall be investigated and resolved by the Revenue

Audit Department with the findings documented and provided to the Regulatory Internal Audit Department within 72 hours of request .

19. Maintenance of the on-line gaming machine monitoring system data files shall be performed by a department independent of the gaming machine department. Alternatively, maintenance may be performed by gaming machine supervisory employees if sufficient documentation is generated and it is randomly verified on a monthly basis by employees independent of the gaming machine department.

20. Updates to the on-line gaming machine monitoring system to reflect additions, deletions, or movements of gaming machines shall be made at least weekly prior to in-meter readings and the weigh process.

H..Gaming machine hopper contents standards

1. When machines are temporarily removed from the floor, gaming machine drop and hopper contents shall be protected to preclude the misappropriation of stored funds.
2. When machines are permanently removed from the floor, the gaming machine drop and hopper contents shall be counted and recorded by at least two employees with appropriate documentation being routed to the accounting department for proper recording and accounting for initial hopper loads.

I. Player Tracking System

1. The following standards apply:
   a. The player tracking system shall be secured so as to prevent unauthorized access as indicated in Section 8 a. 7. (e.g., changing passwords at least quarterly and physical access to computer hardware, etc...)
   b. The addition of points to members' accounts other than through actual gaming machine play shall be sufficiently documented including substantiation of reasons for increases. and shall be authorized by the Revenue Audit Department. Alternatively, addition of points to members' accounts may be authorized by gaming machine supervisory employees if sufficient documentation is generated and it is verified by Revenue Audit on a quarterly basis.
   c. Booth employees who redeem points for members shall be allowed to receive lost players club cards, provided that they are

immediately deposited into a secured container for retrieval by Security personnel for destruction.

d.. Changes to the player tracking system parameters, such as point structures and employee access, shall be performed by supervisory employees independent of the gaming machine department. Alternatively, changes to player tracking system parameters may be performed by gaming machine supervisory employees if sufficient documentation is generated and it is randomly verified by the Revenue Audit Department on a monthly basis.

e.. All other changes to the player tracking system shall be appropriately documented.

J. In-house Progressive Gaming Machine Standards

1. A meter that shows the amount of the progressive jackpot shall be conspicuously displayed at or near the machines to which the jackpot applies.

2. At least once each day, the Revenue Audit Department shall record the amount shown on each progressive jackpot meter at **the LTBB Gaming Operation** except for those jackpots that can be paid directly from the machine's hopper;

3. Explanations for meter reading decreases shall be maintained with the progressive meter reading sheets, and where the payment of a jackpot is the explanation for a decrease Revenue Audit Department shall record the jackpot payout number on the sheet or have the number reasonably available; and

4. Revenue Audit Department shall record the base amount of each progressive jackpot the gaming operation offers.

5. The LTBB gaming Regulatory Commission shall approve procedures specific to the transfer of progressive amounts in excess of the base amount to other gaming machines. Such procedures may also include other methods of distribution that accrue to the benefit of the gaming public via an award or prize.

K. Wide Area Progressive Gaming Machine Standards

1. A meter that shows the amount of the progressive jackpot shall be conspicuously displayed at or near the machines to which the jackpot applies.

2. As applicable to participating gaming operations, the wide area progressive gaming machine system shall be adequately restricted to prevent unauthorized access, e.g., changing passwords at least quarterly, restrict access to EPROM's or other equivalent game software media, and restrict physical access to computer hardware, etc...

3. The LTBB Gaming Regulatory Commission shall approve procedures for the wide area progressive system that:
   a.. Reconcile meters and jackpot payouts;
   b.. Collect/drop gaming machine funds;
   c.. Verify jackpot, payment, and billing to gaming operations on pro-rata basis;
   d. System maintenance;
   e. System accuracy; and
   f.. System security.

4. Reports, where applicable, adequately documenting the procedures required in paragraph (1)(3) of this section shall be generated and retained.

5. The Regulatory Director or designated Regulatory Staff shall be contacted to participate in the verification process of Wide Area Progressive Jackpots.

L. Accounting/Revenue Auditing standards

1. Gaming machine accounting/auditing procedures shall be performed by the Revenue Audit Department.

2. For on-line gaming machine monitoring systems, procedures shall be performed at least monthly to verify that the system is transmitting and receiving data from the gaming machines properly and to verify the continuing accuracy of the coin-in meter readings as recorded in the gaming machine statistical report.

3. For weigh scale and currency interface systems, for at least one drop period per month Revenue Audit employees shall make such comparisons as necessary to the system generated count as recorded in the gaming machine statistical report. Discrepancies shall be resolved prior to generation/distribution of gaming machine reports.

4. For each drop period, Revenue Audit personnel shall compare the coin-to-drop meter reading to the actual drop amount. Discrepancies should be resolved prior to generation/distribution of on-line gaming machine monitoring system statistical reports.

5. Follow-up shall be performed for any one machine having an unresolved variance between actual coin drop and coin-to-drop meter reading in excess of three percent 3%. and over $25.00. The follow-up performed and results of the investigation shall be documented, maintained for inspection, and provided to the LTBB Gaming Regulatory Commission upon request.

6. On, at least a weekly basis, for each drop period, Revenue Audit employees shall compare the bill-in meter reading to the total bill acceptor drop amount for the week. Discrepancies shall be resolved before the generation/distribution of gaming machine statistical reports.

7. Follow-up shall be performed for any one machine having an unresolved variance between actual currency drop and bill-in meter reading in excess of an amount that is both more that $25 and at least three percent 3% of the actual currency drop. The follow-up performed and results of the investigation shall be documented, maintained for inspection, and provided to the LTBB Gaming Regulatory Commission upon request.

8. At least annually, Revenue Audit personnel shall randomly verify that EPROM or other equivalent game software media changes are properly reflected in the gaming machine analysis reports.

9. Revenue Audit employees shall review exception reports for all computerized gaming machine systems on a daily basis for propriety of transactions and unusual occurrences.

10. All gaming machine auditing procedures and any follow-up performed shall be documented, maintained for inspection and provided to the LTBB Gaming Regulatory Commission upon request.

M. **Ticket In/Ticket Out**

1. In addition to the applicable auditing and accounting standards in paragraph (L), Auditing/Accounting Standard, on a quarterly basis, the gaming operation shall foot all jackpot cash-out tickets equal to or

greater than $1,200 and trace totals to those produced by the host validation computer system.

2. The customer may request a cash-out ticket from the gaming machine that reflects all remaining credits. The cash-out ticket shall be printed at the gaming machine by an internal document printer. The cash-out ticket shall be valid for 60 days as approved by the LTBB gaming Regulatory Commission. Cash-out tickets may be redeemed for payment or inserted in another gaming machine and wagered, if applicable, during the specified time period.

3. The customer shall redeem the cash-out ticket at a change booth or cashiers' cage. Due to utilization of a remote computer validation system, the LTBB Gaming Operation as approved by the LTBB Gaming Regulatory Commission, shall develop alternate standards for the maximum amount that can be redeemed, which shall not exceed $2999.99 per cash-out transaction.

4. Upon presentation of the cash-out ticket s. for redemption, the following shall occur:
   a.. Scan the bar code via an optical reader or its equivalent; or
   b. Input the cash-out ticket validation number into the computer.

5. The information contained in paragraph M4. of this section shall be communicated to the host computer. The host computer shall verify the authenticity of the cash-out ticket and communicate directly to the redeemer of the cash-out ticket.

6. If valid, the cashier pays the customer the appropriate amount and the cash-out ticket is electronically noted "paid" in the system. The "paid" cash-out ticket shall remain in the cashiers' bank for reconciliation purposes. The host validation computer system shall electronically reconcile the cashier's banks for the paid cashed-out tickets.

7. If invalid, the host computer shall notify the cashier redeemer of the cash-out ticket The cashier shall refuse payment to the customer and notify a supervisor of the invalid condition. The supervisor shall resolve the dispute.

8. If the host validation computer system temporarily goes down, cashiers may redeem cash-out tickets at a change booth or cashier's cage after recording the following:

a.. Serial number of the cash-out ticket;
b. Date and time;
c. Dollar amount;
d. Issuing gaming machine number;
e. Marking ticket “paid”; and
f.. Ticket shall remain in cashier’s bank for reconciliation purposes.

9. Cash-out tickets shall be validated as expeditiously as possible when the host validation computer system is restored.

10. The LTBB Gaming Operation as approved by the LTBB Gaming Regulatory Commission, shall establish and the LTBB Gaming Operation shall comply with procedures to control cash-out ticket paper, which shall include procedures that:
    a.. Mitigate the risk of counterfeiting of cash-out ticket paper;
    b. Adequately control the inventory of the cash-out ticket paper; and
    c. Provide for the destruction of all unused cash-out ticket paper.
    d. Alternatively, if the gaming operation utilizes a computer validation system, this standard shall not apply.

11. If the host validation computer system is down for more than four (4). hours, the LTBB Gaming Operation shall promptly notify the LTBB Gaming Regulatory Commission or its designated representative.

12. These gaming machine systems shall comply with all other standards as applicable. in this part including:
    a.. Standards for bill acceptor drop and count;
    b. Standards for coin drop and count; and
    c. Standards concerning EPROMS or other equivalent game software media.

N. Account Access Cards

Not Applicable at this time

O. Smart Cards

All smart cards that maintain the only source of account data are prohibited, i.e., cards that possess the means to electronically store and retrieve data.

Section 8 – Accounting

A. LTBB Gaming Operation shall prepare accurate, complete, legible, and permanent records of all transactions pertaining to revenue and gaming activities.

B. LTBB Gaming Operation shall prepare general accounting records to Generally Accepted Accounting Principles on a double-entry system of accounting, maintaining detailed, supporting, subsidiary records, including, but not limited to:

1. Detailed records identifying revenues, expenses, assets, liabilities, and equity for each gaming operation.
2. Individual and statistical game records to reflect statistical drop, statistical win, and the percentage of statistical win to statistical drop by each table game, and to reflect statistical drop, statistical win, and percentage of statistical win to statistical drop for each type of table game, by shift, by day, cumulative month-to-date and year-to-date, and individual and statistical game records reflecting similar information for all other games;
3. Gaming machine analysis reports which, by each machine, compare actual hold percentage to theoretical hold percentages;
4. The records required by this part and by the Tribal Internal Control Standards;
5. Journal entries prepared by the gaming operation and by its independent accountants; and
6. Any other records specifically required to be maintained.

C. LTBB Gaming Operation shall establish administrative and accounting procedures for the purpose of determining effective control over a gaming operation's fiscal affairs. The procedures shall be designed to reasonably ensure that:

1. Assets are safeguarded;
2. Financial records are accurate and reliable;
3. Transactions are performed only in accordance with management's general and specific authorization;
4. Transactions are recorded adequately to permit proper reporting of gaming revenue and of fees and taxes, and to maintain accountability of assets;

5. Recorded accountability for assets is compared with actual assets at reasonable intervals, and appropriate action is taken with respect to any discrepancies; and
6. Functions, duties, and responsibilities are appropriately segregated in accordance with sound business practices.

D. Gross gaming revenue computations.

1. For table games, gross revenue equals the closing table bankroll, plus credit slips for cash, chips, tokens or personal/payroll checks returned to the cage, plus drop, less opening table bankroll and fills to the table, and money transfers issued from the game through the use of a cashless wagering system.

2. For gaming machines, gross revenue equals drop, less fills, jackpot payouts and personal property awarded to patrons as gambling winnings. Additionally, the initial hopper load is not a fill and does not affect gross revenue. The difference between the initial hopper load and the total amount that is in the hopper at the end of the gaming operation's fiscal year should be adjusted accordingly as an addition to or subtraction from the drop for the year

3. For each counter game, gross revenue equals:
    a. The money accepted by the LTBB Gaming Operation on events or games that occur during the month or will occur in subsequent months, less money paid out during the month to patrons on winning wagers (“cash basis”); or
    b. The money accepted by the LTBB Gaming Operation on events or games that occur during the month, plus money, not previously included in gross revenue, that was accepted by the gaming operation in previous months on events or games occurring in the month, less money paid out during the month to patrons as winning wagers (“modified accrual basis”).

4. For each card game and any other game in which the gaming operation is not a party to a wager, gross revenue equals all money received by the operation as compensation for conducting the game.

a. computing gross revenue for gaming machines, keno and bingo, the actual cost to the gaming operation of any personal property distributed as losses to patrons may be deducted from winnings (other than costs of travel, lodging, services, food, and beverages), if the gaming operation maintains detailed documents supporting the deduction.

5. The LTBB Gaming Operation shall establish internal control systems sufficient to ensure that currency (other than tips or gratuities) received from a patron in the gaming area is promptly placed in a locked box in the table, or, in the case of a cashier, in the appropriate place in the cashier's cage, or on those games which do not have a locked drop box, or on card game tables, in an appropriate place on the table, in the cash register or in another approved repository.

6. If the LTBB Gaming Operation provides periodic payments to satisfy a payout resulting from a wager, the initial installment payment, when paid, and the actual cost of a payment plan, which is funded by the gaming operation, may be deducted from winnings. The LTBB Gaming Operation is required to obtain the approval of all payment plans from the LTBB Gaming Regulatory Commission. For any funding method which merely guarantees the LTBB Gaming Operation's performance, and under which the LTBB Gaming Operation makes payments out of cash flow (e.g. irrevocable letters of credits, surety bonds, or other similar methods), the LTBB Gaming Operation may only deduct such payments when paid to the patron.

7. For payouts by wide-area progressive gaming machine systems, the LTBB Gaming Operation may deduct from winnings only its pro rata share of a wide-area gaming machine system payout.

8. Cash-out tickets issued at a gaming machine or gaming device shall be deducted from gross revenue as jackpot payouts in the month the tickets are issued by the gaming machine or gaming device. Tickets deducted from gross revenue that are not redeemed within a period, not to exceed the validation date approved by the LTBB Gaming Regulatory Commission, shall be included in gross

revenue. An unredeemed ticket previously included in gross revenue may be deducted from gross revenue in the month redeemed.

9. The LTBB Gaming Operation may not deduct from gross revenues the unpaid balance of a credit instrument extended for purposes other than gaming.

10. The LTBB Gaming Operation may deduct from gross revenue the unpaid balance of a credit instrument if the gaming operation documents, or otherwise keeps detailed records of, compliance with the following requirements. Such records confirming compliance shall be made available to the LTBB Gaming Regulatory Commission upon request:

    a. The LTBB Gaming Operation can document that the credit extended was for gaming purposes;

    b. The LTBB Gaming Operation has established procedures and relevant criteria to evaluate a patron's credit reputation or financial resources and to then determine that there is a reasonable basis for extending credit in the amount or sum placed at the patron's disposal;

    c. In the case of personal checks, The LTBB Gaming Operation has established procedures to examine documentation, which would normally be acceptable as a type of identification when cashing checks, and has recorded the patron's bank check guarantee card number or credit card number, or has satisfied paragraph (j)(2) of this section, as management may deem appropriate for the check-cashing authorization granted;

    d. In the case of third-party checks for which cash, chips, or tokens have been issued to the patron, or which were accepted in payment of another credit instrument, The LTBB Gaming Operation has established procedures to examine documentation, normally accepted as a means of identification when cashing checks, and has, for the check's maker or

drawer, satisfied paragraph (j)(2) of this section, as management may deem appropriate for the check-cashing authorization granted;

e. In the case of guaranteed drafts, procedures should be established to ensure compliance with the issuance and acceptance procedures prescribed by the issuer;

f. The LTBB Gaming Operation has established procedures to ensure that the credit extended is appropriately documented, not least of which would be the patron's identification and signature attesting to the authenticity of the individual credit transactions. The authorizing signature shall be obtained at the time credit is extended.

g. The LTBB Gaming Operation has established procedures to effectively document its attempt to collect the full amount of the debt. Such documentation would include, but not be limited to, letters sent to the patron, logs of personal or telephone conversations, proof of presentation of the credit instrument to the patron's bank for collection, settlement agreements, or other documents which demonstrate that the gaming operation has made a good faith attempt to collect the full amount of the debt. Such records documenting collection efforts shall be made available to the LTBB Gaming Regulatory Commission upon request.

D. Maintenance and preservation of books, records and documents.

All original books, records and documents pertaining to the conduct of wagering activities shall be retained by a gaming operation in accordance with the following schedule. A record that summarizes gaming transactions is sufficient, provided that all documents containing an original signature(s) attesting to the accuracy of a gaming related transaction are independently preserved. Original books, records or documents shall not include copies of originals, except for copies that contain original comments or notations on parts of multi-part forms. The following original books, records

and documents shall be retained by a gaming operation for a minimum of five (5) years:

a. Casino cage documents;
b. Documentation supporting the calculation of table game win;
c. Documentation supporting the calculation of gaming machine win;
d. Documentation supporting the calculation of revenue received from the games of keno, pari-mutuel, bingo, pull-tabs, card games, and all other gaming activities offered by the gaming operation;
e. Table games statistical analysis reports;
f. Gaming machine statistical analysis reports;
g. Bingo statistical reports;
h. Revenue audit department documentation and reports;
i. All other books, records and documents pertaining to the conduct of wagering activities that contain original signature(s) attesting to the accuracy of the gaming related transaction.

2. Unless otherwise specified in this part, all other books, records, and documents shall be retained until such time as the accounting records have been audited by the gaming operation's independent certified public accountants.

3. The above definition shall apply without regards to the medium by which the book, record or document is generated or maintained (paper, computer-generated, magnetic media, etc.).

Section 9 - Cage

A. Computer Applications

1. For any computer applications utilized, alternate documentation and/or procedures that provide at least the level of control described by the standards in this section, as approved by the LTBB Gaming Regulatory Commission, will be acceptable.

B. Standards for Cage

1. The Cage Department shall develop Cash Handling procedures. These procedures and any subsequent changes shall require LTBB Gaming Regulatory Commission approval.

2. The Cage Department shall develop Emergency Procedures. These procedures and any subsequent changes shall require LTBB Gaming Regulatory Commission approval.

3. The Cage Department shall comply with the established standards set forth in Title 31 reporting policies and procedures.

C. Personal, Cashier, Payroll and Counter Checks

1. The LTBB Gaming Operation does not cash checks for guests. Check cashing services are provided within the casino by an outside company.

D. Customer Deposited Funds

1. The LTBB Gaming Operation does not allow guests to deposit funds.

E. Cage and Vault Accountability Standards

1. All transactions that flow through the cage shall be summarized on a cage accountability form on a per shift basis and shall be supported by documentation.

2. The cage and vault inventories shall be counted by the oncoming and outgoing cashiers. These employees shall make individual counts for comparison of accuracy and maintenance of individual accountability. Such counts shall be recorded at the end of each shift during which

activity took place. All discrepancies shall be noted and investigated. Unverified transfers of cash and/or cash equivalents are prohibited.

3. The LTBB Gaming Operation cash-on-hand shall include, but is not limited to, the following components:
   a. Currency and coins;
   b. House chips, including reserve chips;
   c. Chips on tables;
   d. Hopper loads (coins put into machines when they are placed in service); and
   e. Fills and credits (these documents shall be treated as assets and liabilities, respectively, of the cage during a business day. When win or loss is recorded at the end of the business day, they are removed from the accountability).

4. The LTBB Gaming Operation as approved by the LTBB Gaming Regulatory Commission shall comply with the established minimum bankroll formula to ensure cash or cash equivalents are (on hand and in the bank, if readily accessible) in an amount sufficient to satisfy obligations to the LTBB Gaming Operation customers as they are incurred.

F. Chip and Token Standards

1. The LTBB Gaming Operation shall comply with established procedures for the receipt, inventory, and storage, of gaming chips and tokens. All chips and tokens will be stored in a secure location and become part of inventory. Destruction of damaged or obsolete chips and tokens shall be performed by a bonded vendor. Chips or tokens slated for destruction shall be verified by Internal Audit or designee prior to destruction.
2. The Regulatory Department shall be notified of incoming shipments of new chips and/or tokens. The Internal auditor or designee shall be involved in the receipt and inspection of the new chips/and or tokens shipment.

G. Coupon Standards

Any program for the exchange of coupons for chips, tokens, and/or another coupon program shall be approved by the LTBB Gaming Regulatory Commission or designated staff prior to implementation. The LTBB Gaming Operation shall establish and comply with procedures that

account for and control such programs.

H. Accounting/Auditing Standards

1. The cage accountability shall be reconciled to the general ledger at least monthly.

2. All cage accounting procedures and any follow-up performed shall be documented, maintained for inspection, and provided to the LTBB Gaming Regulatory Commission, Director, or designee upon request.

3. The LTBB Gaming Operation with the approval of the LTBB Gaming Regulatory Commission shall develop and implement procedures for the investigation of all cage/vault variances.

I. Extraneous Items

1. Extraneous items transported into or out of the Cage or Vault will be checked by Security prior to entry or exit, then may be passed across the cage counter in full view of Surveillance.
2. Coats and purses are not allowed in the Cage or Vault area.

Section 10 - Management Information Services

A. General Controls for Gaming Hardware and Software

1. Management shall take an active role in making sure that physical and logical security measures are implemented, maintained, and adhered to by personnel to prevent unauthorized access that could cause errors or compromise data or processing integrity.
   a. Management shall ensure that all new gaming vendor hardware and software agreements/contracts contain language requiring the vendor to adhere to tribal internal control standards applicable to the goods and services the vendor is providing.

b. Physical security measures shall exist over computer, computer terminals, and storage media to prevent unauthorized access and loss of integrity of data and processing.
c. Access to systems software and application programs shall be limited to authorized personnel.
d. Access to computer data shall be limited to authorized personnel. The Information Services Department shall develop procedures approved by the LTBB Gaming Regulatory Commission that restrict users only to resources that are necessary to conduct their assigned duties.
e. Access to computer communications facilities, or the computer system, and information transmissions shall be limited to authorized Personnel. Standards in paragraph (a) (1) of this section shall apply to each applicable department within the LTBB Gaming Operation.

2. The main computers (i.e., hardware, software, and data files) for each gaming application (e.g., keno, race and sports, gaming machines, etc.) shall be in a secured area with access restricted to authorized persons, including vendors.

3. Access to computer operations shall be restricted to authorized personnel to reduce the risk of loss of integrity of data or processing.

4. Incompatible duties shall be adequately segregated and monitored to prevent error in general information technology procedures to go undetected or fraud to be concealed.

5. Non-information services personnel shall be precluded from having unrestricted access to the secured computer areas.

6. The computer systems, including application software, shall be secured through the use of passwords or other approved means where applicable. Management personnel or persons independent of the department being controlled shall assign and control access to system functions.

7. Passwords shall be controlled as follows unless otherwise addressed in the standards in this section.
   a. Each user shall have their own individual password.
   b. Passwords shall be changed at least quarterly with changes documented; and
   c. For computer systems that automatically force a password change on a quarterly basis, documentation shall be maintained listing the systems and the date the user was given access.

8. Adequate backup and recovery procedures shall be in place that include:
   a. Frequent backup of data files;
   b. Backup of all programs;
   c. Secured off-site storage of all backup data files and programs or other adequate protection; and
   d. Recovery procedures that are tested on a sample basis, at least annually, with documentation of results.

9. Adequate information technology system documentation shall be maintained, including descriptions of hardware and software, operator manuals, etc.

B. Independence of Management Information Services Personnel

1. The Management Information Services personnel shall be independent of the gaming areas (e.g., cage, pit, count rooms, etc.). Management Information Services personnel procedures and controls should be documented and responsibilities communicated.

2. Management Information Services personnel shall be precluded from unauthorized access to:
   a. Computers and terminals located in gaming areas;

   b. Source documents; and
   c. Live data files (not test data).

3. Management Information Services personnel shall be restricted from:
   a. Having unauthorized access to cash or other liquid assets except pay phones; and
   b. Initiating general or subsidiary ledger entries.

C. Security logs

1. Computer security logs are generated by the systems, and shall be reviewed by Management Information Services supervisory personnel for evidence of:
   a. Multiple attempts to log-on, or alternatively, the system shall deny user access after three attempts to log-on;
   b. Unauthorized changes to live data files; and
   c. Any other unusual transactions.

2. This paragraph shall not apply to personal computers.

D. Remote access

1. If remote access (eg. VPN, modem, wireless) to any associated equipment is allowed for software support, the LTBB Gaming Operation shall maintain an access log that includes:
   a. Name of employee authorizing remote access;
   b. Name of authorized programmer or manufacturer representative;
   c. Reason for remote access;
   d. Description of work performed; and
   e. Date, time, and duration of access.

2. Computer generated logs if possible will be required and shall include the following for each access.
   a. Username
   b. Date, time and duration of access

D. Document Storage

1. Documents may be scanned or directly stored to an unalterable storage medium under the following conditions.
   a. The storage medium shall contain the exact duplicate of the original document.
   b. All documents stored on the storage medium shall be maintained with a detailed Index containing the gaming operation department and date. This index shall be available upon request by the LTBB Gaming Regulatory Commission.
   c. Upon request and adequate notice by the LTBB Gaming Regulatory Commission, hardware (terminal, printer, etc.) shall be made available in order to perform auditing procedures.
   d. Controls shall exist to ensure the accurate reproduction of records up to and including the printing of stored documents used for auditing purposes.
   e. Computer generated logs shall be retained for a minimum of five years.

f. The storage medium shall be retained for a minimum of five years.
g. Original documents must be retained until the books and records have been audited by an independent certified public accountant.

Section 11 - Complimentary Services

A. The LTBB Gaming Operation shall establish and comply with procedures for the authorization, issuance, and tracking of complimentary services and items, including cash and non-cash gifts. Such procedures must be approved by the LTBB Gaming Regulatory Commission and shall include, but shall not be limited to, the procedures by which The LTBB Gaming Operation delegates to its employees the authority to approve the issuance of complimentary services and items, and the procedures by which conditions or limits, if any, which may apply to such authority are established and modified (including limits based on relationships between the authorizer and recipient), and shall further include effective provisions for audit purposes.

B. At least monthly, accounting, information technology, or revenue audit personnel that cannot grant or receive complimentary privileges shall prepare reports that include the following information:
(1) Name of customer who received the complimentary service or item;
(2) Name(s) of authorized issuer of the complimentary service or item;
(3) The actual cash value of the complimentary service or item;
(4) The type of complimentary service or item (i.e., food, beverage, etc.); and
(5) Date the complimentary service or item was issued.

C. The report required by paragraph (b) of this section shall not be required to include complimentary services or items below $100.00, but will include a cumulative daily total of $100.00 or more per customer as approved by the LTBB Gaming Regulatory Commission.

D. The internal audit or the gaming operation accounting departments shall review the reports required in paragraph (B) of this section at least monthly. These reports shall be made available to the Tribe, LTBB Gaming Regulatory Commission, or other entity designated by the Tribe upon request.

Section 12 - Drop & Count

A. Computer Applications

1. For any computer applications utilized, alternate documentation and/or procedures that provide at least the level of control described by the standards in this section, as approved by the LTBB Gaming Regulatory Commission, will be acceptable.

B. Standards for Count Teams

1. The Hard and Soft Count department shall develop cash handling procedures. These procedures and any subsequent changes shall require LTBB Gaming Regulatory Commission.
   a. The Hard and Soft Count department shall develop Emergency procedures. These procedures and any subsequent changes shall require Tribal Gaming Regulatory Commission.

C. Table Game Drop Standards

1. The setting out of empty table game drop boxes and the drop shall be a continuous process.

2. At the end of each shift:
   a. All locked table game drop boxes shall be removed from the tables by Security;
   b. The LTBB Gaming Operation utilizes a single drop box with separate openings and compartments for each shift; and
   c. Upon removal from the tables, table game drop boxes shall be transported directly to the count room or other equivalently secure area with comparable controls and locked in a secure manner until the count takes place.

3. If drop boxes are not placed on all tables, then the pit department shall document which tables were open during the shift.

4. The transporting of table game drop boxes shall be performed by a minimum of two persons, at least one of whom is independent of the pit shift being dropped.

5. All table game drop boxes shall be posted with a number corresponding to a permanent number on the gaming table and marked to indicate game, table number, and shift.
6. Surveillance shall be notified when the drop is to begin so that surveillance may monitor the activities.

D. Soft Count Room Personnel

1. The table game soft count and the gaming machine bill acceptor count shall be performed by a minimum of three employees.

2. Count room personnel shall not be allowed to exit or enter the count room during the count except for emergencies or scheduled breaks. At no time during the count, shall there be fewer than three employees in the count room until the drop proceeds have been accepted into cage/vault accountability. Surveillance shall be notified whenever count room personnel exit or enter the count room during the count.

3. The count team shall be independent of transactions being reviewed and counted. The count team shall be independent of the cage/vault departments, however, an accounting representative may be used if there is an independent audit of all soft count documentation.

E. Table Game Soft Count Standards

1. The table game soft count shall be performed in a soft count room or other equivalently secure area with comparable controls.

2. Access to the count room during the count shall be restricted to members of the drop and count teams, with the exception of authorized observers, supervisors for resolution of problems, and authorized maintenance personnel.

3. If counts from various revenue centers occur simultaneously in the count room, procedures shall be in effect that prevent the commingling of funds from different revenue centers.

4. The table game drop boxes shall be individually emptied and counted in such a manner to prevent the commingling of funds between boxes until the count of the box has been recorded.
   a. The count of each box shall be recorded in ink or other permanent form of recordation.
   b. A second count shall be performed by an employee on the count team who did not perform the initial count.
   c. Corrections to information originally recorded by the count team on soft count documentation shall be made by drawing a single line through the error, writing the correct figure above the original figure, and then obtaining the initials of at least two count team members who verified the change.

5. A count team member shall be able to observe the loading and unloading of all currency at the currency counter, including rejected currency.

6. Table game drop boxes, when empty, shall be shown to another member of the count team, or to surveillance, provided the count is monitored in its entirety by the Surveillance Department or designated Regulatory Staff.

7. Orders for fill/credit if applicable shall be matched to the fill/credit slips. Fills and credits shall be traced to or recorded on the count sheet.

8. The opening/closing table forms shall either be:
   a. Examined and traced to or recorded on the count sheet; or
   b. If a computerized system is used, accounting personnel can trace the opening/closing table forms to the count sheet. Discrepancies shall be investigated with the findings documented and maintained for inspection.

9. The count sheet shall be reconciled to the total drop by a count team member who shall not function as the sole recorder.

10. All members of the count team shall sign the count document or a summary report to attest to their participation in the count.

11. All drop proceeds and cash equivalents that were counted shall be turned over to the cage or vault cashier for verification. Such person shall certify by signature as to the accuracy of the drop proceeds delivered and received.

12. The count sheet, with all supporting documents, shall be delivered to the accounting department by a count team member or a person independent of the cashiers department. Alternatively, it may be adequately secured e.g., locked container to which only accounting personnel can gain access until retrieved by the accounting department.

13. Access to stored, full table game drop boxes shall be restricted to authorized members of the drop and count teams.

F. Gaming Machine Bill Acceptor Drop Standards

1. A minimum of three employees shall be involved in the removal of the gaming machine drop, at least one of who is independent of the gaming machine department.

2. All bill acceptor canisters shall be removed only at the time previously designated by the gaming operation and reported to the LTBB Gaming Regulatory Commission or Designee except for emergency drops.

3. Surveillance shall be notified when the drop is to begin so that surveillance may monitor the activities.

4. The bill acceptor canisters shall be removed by a Drop Team member then transported directly to the count room or other equivalently secure area with comparable controls and locked in a secure manner until the count takes place.
   a. Security shall be provided over the bill acceptor canisters removed from the gaming machines and awaiting transport to the count room.
   b. The transporting of bill acceptor canisters shall be performed by a minimum of two persons, at least one of who is independent of the gaming machine department.

5. All bill acceptor canisters shall be posted with a number corresponding to a permanent number on the gaming machine.

G. Gaming Machine Bill Acceptor Count Standards

1. The gaming machine bill acceptor count shall be performed in a soft count room or other equivalently secure area with comparable controls.

2. Access to the count room during the count shall be restricted to members of the drop and count teams, with the exception of authorized observers, supervisors for resolution of problems, and authorized maintenance personnel.

3. If counts from various revenue centers occur simultaneously in the count room, procedures shall be in effect that prevent the commingling of funds from different revenue centers.

4. The bill acceptor canisters shall be individually emptied and counted in such a manner to prevent the commingling of funds between canisters until the count of the canister has been recorded.
   a. The count of each canister shall be recorded in ink or other permanent form of recordation.
   b. A second count shall be performed by an employee on the count team who did not perform the initial count.

c. Corrections to information originally recorded by the count team on soft count documentation shall be made by drawing a single line through the error, writing the correct figure above the original figure, and then obtaining the initials of at least two count team members who verified the change.

5. A count team member shall be able to observe the loading and unloading of all currency at the currency counter, including rejected currency.

6. Canisters, when empty, shall be shown to another member of the count team, or to surveillance, provided that the count is monitored in its entirety by the Surveillance Department or designated Regulatory Staff

7. The count sheet shall be reconciled to the total drop by a count team member who shall not function as the sole recorder.

8. All members of the count team shall sign the count document or a summary report to attest to their participation in the count.

9. All drop proceeds and cash equivalents that were counted shall be turned over to the cage or vault cashier for verification. Such person shall certify by signature as to the accuracy of the drop proceeds delivered and received.

10. The count sheet, with all supporting documents, shall be delivered to the revenue audit department by a count team member or a person independent of the cashiers department. Alternatively, it may be adequately secured (e.g., locked container to which only revenue audit personnel can gain access) until retrieved by the revenue audit department.

11. Access to stored bill acceptor canisters, full or empty, shall be restricted to:
    a.. Authorized members of the drop and count teams; and
    b. Authorized personnel in an emergency for the resolution of a problem.

12. All bill acceptor canisters contents shall be posted with a number corresponding to a permanent number on the gaming machine.

H. Gaming Machine Coin Drop Standards

1. A minimum of three employees shall be involved in the removal of the gaming machine drop, at least one of who is independent of the gaming machine department.

2. All drop buckets shall be removed only at the time previously designated by the LTBB Gaming Operation and reported to the LTBB Gaming Regulatory Commission, except for emergency drops.

3. Surveillance shall be notified when the drop is to begin in order that Surveillance may monitor the activities.

4. Security shall be provided over the buckets removed from the gaming machine drop cabinets and awaiting transport to the count room.

5. As each machine is opened, the contents shall be tagged with its respective machine number if the bucket is not permanently marked with the machine number. The contents shall be transported directly to the area designated for the counting of such drop proceeds. If more than one trip is required to remove the contents of the machines, the filled carts of coins shall be securely locked in the room designed for counting or in another equivalently secure area with comparable controls. There shall be a locked covering on any carts in which the drop route includes passage out of doors.
   a. Alternatively, a smart bucket system that electronically identifies and tracks the gaming machine number, and facilitates the proper recognition of gaming revenue, shall satisfy the requirements of this paragraph.

6. Each drop bucket in use shall be:
   a. Housed in a locked compartment separate from any other compartment of the gaming machine and keyed differently than other gaming machine compartments; and
   b. Identifiable to the gaming machine from which it is removed. If the gaming machine is identified with a removable tag that is placed in the bucket, the tag shall be placed on top of the bucket when it is collected.

7. Each gaming machine shall have drop buckets into which coins or tokens that are retained by the gaming machine are collected. Drop bucket contents shall not be used to make change or pay hand-paid payouts.

8. The collection procedures may include procedures for dropping gaming machines that have trays instead of drop buckets.

I. Hard Count Room Personnel

1. The weigh/count shall be performed by a minimum of three employees.

2. At no time during the weigh/count shall there be fewer than three employees in the count room until the drop proceeds have been accepted into cage/vault accountability. Surveillance shall be notified whenever count room personnel exit or enter the count room during the count.

3. The count team shall be independent of transactions being reviewed and counted. The count team shall be independent of the cage/vault departments, unless they are non-supervisory gaming machine employees and perform the laborer function only A non-supervisory gaming machine employee is defined as a person below the level of gaming machine shift supervisor. A cage cashier may be used if this person is not allowed to perform the recording function. An accounting representative may be used if there is an independent audit of all count documentation.

J. Gaming Machine Coin Count and Wrap Standards

1. Coins shall include tokens.

2. The gaming machine coin count and wrap shall be performed in a count room or other equivalently secure area with comparable controls.

3. Access to the count room during the count shall be restricted to members of the drop and count teams, with the exception of authorized observers, supervisors for resolution of problems, and authorized maintenance personnel.

4. If counts from various revenue centers occur simultaneously in the count room, procedures shall be in effect that prevent the commingling of funds from different revenue centers.

5. The following functions shall be performed in the counting of the gaming machine drop:
    a. Recorder function, which involves the recording of the gaming machine count; and
    b. Count team supervisor function, which involves the control of the

gaming machine weigh and wrap process. The supervisor shall not
perform the initial recording of the weigh/count unless a weigh scale with a printer is used.

6. The gaming machine drop shall be counted, wrapped, and reconciled in such a manner to prevent the commingling of gaming machine drop coin with coin (for each denomination.) from the next gaming machine drop until the count of the gaming machine drop has been recorded. If the coins are not wrapped immediately after being weighed or counted, they shall be secured and not commingled with other coin.
    a. The amount of the gaming machine drop from each machine shall be recorded in ink or other permanent form of recordation on a gaming machine count document by the recorder or mechanically printed by the weigh scale.
    b. Corrections to information originally recorded by the count team on gaming machine count documentation shall be made by drawing a single line through the error, writing the correct figure above the original figure, and then obtaining the initials of at least two count team members who verified the change.
        i. If a weigh scale interface is used, corrections to gaming machine count data shall be made using either of the following:
            1. Drawing a single line through the error on the gaming machine
                document, writing the correct figure above the original figure, and then obtaining the initials of at least two count team employees. If this procedure is used, an employee independent of the gaming machine department and count team shall enter the correct figure into the computer system prior to the generation of related gaming machine reports;

7. The recorder and at least one other count team member shall sign the weigh tape and the gaming machine count document attesting to the accuracy of the weigh/count.

8. All members of the count team shall sign the count document or a summary report to attest to their participation in the count.

9. All drop proceeds and cash equivalents that were counted shall be turned over to the cage or vault cashier who shall be independent of the count team. or to an authorized person/employee independent of the revenue generation and the count process for

verification. Such person shall certify by signature as to the accuracy of the drop proceeds delivered and received.

10. All gaming machine count and wrap documentation, including any applicable computer storage media, shall be delivered to the revenue audit department by a count team member or a person independent of the cashier's department. Alternatively, it may be adequately secured (e.g., locked container to which only revenue audit personnel can gain access) until retrieved by the revenue audit department.

11. If the coins are transported off the property, a second (alternative) count procedure shall be performed before the coins leave the property. Any variances shall be documented.

12. Variances. Large (by denomination, either $1,000 or 2% of the drop, whichever is less) or unusual (e.g., zero for weigh/count or patterned for all counts) variances between the weigh/count and wrap shall be investigated by management personnel independent of the gaming machine department, count team, and the cage/vault functions within 72 hours. The results of such investigation shall be documented, maintained for inspection, and provided to the LTBB Gaming Regulatory Commission upon request.

K. Security of the Count Room Inventory During the Gaming Machine Coin Count and Wrap

1. If the count room is segregated from the coin room, or if the coin room is used as a count room and the coin room inventory is secured to preclude access by the count team, all of the following requirements shall be completed, at the conclusion of the count:
   a.. At least two members of the count/wrap team shall count the final wrapped gaming machine drop independently from each other;
   b. The counts shall be recorded on a summary report;
   c.. The same count team members shall compare the final wrap to the weigh/count, recording the comparison and noting any variances on the summary report;
   d. A member of the cage/vault department shall count the wrapped gaming machine drop by denomination and reconcile it to the weigh/count;

e. At the conclusion of the reconciliation, at least two count team members and the cage/vault employee shall sign the summary report attesting to its accuracy; and
f. The wrapped coins shall be transported to the cage, vault or coin vault after the reconciliation of the weigh/count to the wrap.

L. Transfers during the gaming machine coin count and wrap are not permitted.

M. Gaming Machine Drop Key Control Standards

1. Gaming machine coin drop cabinet keys, including duplicates, shall be maintained by the Security department.

2. The physical custody of the keys needed to access gaming machine coin drop cabinets, including duplicates, shall require the involvement of two persons, one of whom is independent of the gaming machine department.

3. Two employees separate from key custodian shall be required to accompany such keys while checked out and observe each time gaming machine drop cabinets are accessed, unless surveillance is notified each time keys are checked out and surveillance observes the person throughout the period the keys are checked out.

N. Table Game Drop Box Key Control Standards

1. Procedures shall be developed and implemented to insure that unauthorized access to empty table game drop boxes shall not occur from the time the boxes leave the storage racks until they are placed on the tables.

2. The involvement of at least two Security Officers shall be required to access stored empty table game drop boxes.

3. The release keys shall be separately keyed from the contents keys.

4. At least three count team members are required to be present at the time count room and other count keys are issued for the count.

5. All duplicate keys shall be maintained in a manner that provides the same degree of control as is required for the original keys. Records shall be

maintained for each key duplicated that indicate the number of keys made and destroyed.

6. Logs shall be maintained by the custodian of sensitive keys to document authorization of personnel accessing keys.

O. Table Game Drop Box Release Keys

1. The table game drop box release keys shall be maintained by the Security department.

2. Only Security Officers authorized to remove table game drop boxes from the tables shall be allowed access to the table game drop box release keys; however, the count team members may have access to the release keys during the soft count in order to reset the table game drop boxes.

3. Security Officers authorized to remove the table game drop boxes shall be precluded from having simultaneous access to the table game drop box contents keys and release keys.

4. For situations requiring access to a table game drop box at a time other than the scheduled drop, the date, time, and signature of employee signing out/in the release key must be documented.

P. Bill Acceptor Canister Release Keys

1. The bill acceptor canister release keys shall be maintained by the Security department.

2. Only the persons authorized to remove bill acceptor canisters from the gaming machines shall be allowed access to the release keys.

3. Persons authorized to remove the bill acceptor canisters shall be precluded from having simultaneous access to the bill acceptor canister contents keys and release keys.

4. For situations requiring access to a bill acceptor canister at a time other than the scheduled drop, the date, time, and signature of employee signing out/in the release key must be documented.

Q. Table Game Drop Box Storage Rack Keys

1. A person independent of the pit department shall be required to accompany the table game drop box storage rack keys and observe each timetable game drop boxes are removed from or placed in storage racks.

2. Persons authorized to obtain table game drop box storage rack keys shall be precluded from having simultaneous access to table game drop box contents keys with the exception of the count team.

R. Bill Acceptor Canister Storage Rack Keys

1. A person independent of the gaming machine department shall be required to accompany the bill acceptor canister storage rack keys and observe each time canisters are removed from or placed in storage racks.

2. Persons authorized to obtain bill acceptor canister storage rack keys shall be precluded from having simultaneous access to bill acceptor canister contents keys with the exception of the count team.

S. Table Game Drop Box Contents Keys

1.The physical custody of the keys needed for accessing stored, full table game drop box contents shall require the involvement of persons from at least two separate departments, with the exception of the count team.

2. Access to the table game drop box contents key at other than scheduled count times shall require the involvement of at least three persons from separate departments, including management. The reason for access shall be documented with the signatures of all participants and observers.

3. Only count team members shall be allowed access to table game drop box content
keys during the count process.

T. Bill Acceptor Canister Contents Keys

1.The physical custody of the keys needed for accessing stored, full bill acceptor canister contents shall require involvement of persons from two separate departments, with the exception of the count team.

2.Access to the bill acceptor canister contents key at other than scheduled count times shall require the involvement of at least three persons from

separate departments, one of whom must be a supervisor. The reason for access shall be documented with the signatures of all participants and observers.

3. Only the count team members shall be allowed access to bill acceptor canister contents keys during the count process.

U. Gaming Machine Computerized Key Security Systems

1. Computerized key security systems which restrict access to the gaming machine drop and count keys through the use of passwords, keys or other means, other than a key custodian, must provide the same degree of control as indicated in the aforementioned key control standards; refer to paragraphs (M)(P)(R)and (T) of this section. Note: This standard does not apply to the system administrator. The system administrator is defined in paragraph (U) (2) (a) of this section.

2. For computerized key security systems, the following additional gaming machine key control procedures apply:

   a. Management personnel independent of the gaming department assign and control user access to keys in the computerized key security system i.e., system administrator. To ensure that gaming machine drop and count keys are restricted to authorized employees.
   b. In the event of an emergency or the key box is inoperable, access to the emergency manual keys. A.k.a., override key. used to access the box containing the gaming machine drop and count keys, requires the physical involvement of at least three persons from separate departments, including management. The date, time, and reason for access, must be documented with the signatures of all participating employees signing out/in the emergency manual keys.
   c. The custody of the keys issued pursuant to paragraph (U) (2) (b) of this section requires the presence of two persons from separate departments from the time of their issuance until the time of their return.
   d. Routine physical maintenance that requires accessing the emergency manual keys, override key, and does not involve the accessing of the gaming machine drop and count keys, only requires the presence of two persons from separate departments. The date, time and reason for access must be documented with the signatures of all participating employees signing out/in the emergency manual keys.

3. For computerized key security systems controlling access to gaming machine drop and count keys, accounting/audit personnel, independent of the system administrator, will perform the following procedures:

    a. Daily, review the report generated by the computerized key security system indicating the transactions performed by the individuals that adds, deletes, and changes user's access within the system i.e., system administrator.. Determine whether the transactions completed by the system administrator provide an adequate control over the access to the gaming machine drop and count keys. Also, determine whether any gaming machine drop and count keys removed or returned to the key cabinet by the system administrator was properly authorized.
    b. For at least one day each month, review the report generated by the computerized key security system indicating all transactions performed to determine whether any unusual gaming machine drop and count key removals or key returns occurred.
    c. Review quarterly a sample of users that are assigned access to the gaming machine drop and count keys to determine that their access to the assigned keys is adequate relative to their job position.
    d. All noted improper transactions or unusual occurrences are investigated with the results documented.

4. Quarterly, an inventory of all count room, drop box release, storage rack and contents keys is performed, and reconciled to records of keys made, issued, and destroyed. Investigations are performed for all keys unaccounted for, with the investigation being documented.

V. Table Games Computerized Key Security Systems

1. Computerized key security systems which restrict access to the table game drop and count keys through the use of passwords, keys or other means, other than a key custodian, must provide the same degree of control as indicated in the aforementioned key control standards; refer to paragraphs (N)(O)(Q) and (S) of this section. Note: This standard does not apply to the system administrator. The system administrator is defined in paragraph (V) (2) (b) of this section.

2. For computerized key security systems, the following additional table game key control procedures apply:
    a. Management personnel independent of the table game department

assign and control user access to keys in the computerized key security system i.e., system administrator. to ensure that table game drop and count keys are restricted to authorized employees.

b. In the event of an emergency or the key box is inoperable, access to the emergency manual keys. a.k.a. override key., used to access the box containing the table game drop and count keys, requires the physical involvement of at least three persons from separate departments, including management. The date, time, and reason for access, must be documented with the signatures of all participating employees signing out/in the emergency manual keys.

c. The custody of the keys issued pursuant to paragraph (V) (2) (b) of this section requires the presence of two persons from separate departments from the time of their issuance until the time of their return.

d. Routine physical maintenance that requires accessing the emergency manual keys. override key. and does not involve the accessing of the table games drop and count keys, only requires the presence of two persons from separate departments. The date, time and reason for access must be documented with the signatures of all participating employees signing out/in the emergency manual keys..

3. For computerized key security systems controlling access to table games drop and count keys, accounting/audit personnel, independent of the system administrator, will perform the following procedures:

a. Daily, review the report generated by the computerized key security system indicating the transactions performed by the individuals. That adds, deletes, and changes user's access within the system i.e., system administrator. Determine whether the transactions completed by the system administrator provide an adequate control over the access to the table games drop and count keys. Also, determine whether any table games drop and count keys. removed or returned to the key cabinet by the system administrator was properly authorized.

b. For at least one day each month, review the report generated by the computerized key security system indicating all transactions performed to determine whether any unusual table games drop and count key removals or key returns occurred.

c. At least quarterly, review a sample of users that are assigned access to the table games drop and count keys to determine that their access to the assigned keys is adequate relative to their job position.

e. All noted improper transactions or unusual occurrences are I investigated with the results documented.

4. Quarterly, an inventory of all count room, table game drop box release, storage rack and contents keys is performed, and reconciled to records of

keys made, issued, and destroyed. Investigations are performed for all keys unaccounted for, with the investigations being documented.

W. Emergency Drop Procedures

1. Emergency drop procedures shall be developed by the LTBB Gaming Regulatory Commission, or the LTBB Gaming Operation as approved by the LTBB Gaming Regulatory Commission.

X. Equipment Standards For Gaming Machine Count

1. A weigh scale calibration module shall be secured so as to prevent unauthorized access e.g., pre-numbered seal, lock and key, etc..

2. A person independent of the cage, vault, gaming machine, and count team functions shall be required to be present whenever the calibration module is accessed. Such access shall be documented and maintained.

3. If a weigh scale interface is used, it shall be adequately restricted so as to prevent unauthorized access (passwords, keys, etc).

4. If the weigh scale has a zero adjustment mechanism, it shall be physically limited to minor adjustments e.g., weight of a bucket. or physically situated such that any unnecessary adjustments to it during the weigh process would be observed by other count team members.

5. The weigh scale and weigh scale interface (if applicable) shall be tested by a person or persons independent of the cage, vault, and gaming machine departments and count team at least quarterly. At least annually, this test shall be performed by internal audit in accordance with the internal audit standards. The result of these tests shall be documented and signed by the person or persons performing the test.

6. Prior to the gaming machine count, at least two employees shall verify the accuracy of the weigh scale with varying weights or with varying amounts of previously counted coin for each denomination to ensure the scale is properly calibrated (varying weights/coin from drop to drop is acceptable).

7. If a mechanical coin counter is used instead of a weigh scale., the LTBB Gaming Regulatory Commission, or the LTBB Gaming Operation as approved by the LTBB Gaming Regulatory Commission, shall establish and the gaming operation shall comply, with procedures that are equivalent to those described in paragraphs (X)(4), (X)(5) and (X)(6) of this section.

8. If a coin meter count machine is used, the count team member shall record the machine number denomination and number of coins in ink on a source document, unless the meter machine automatically records such information.
   a. A count team member shall test the coin meter count machine prior to the actual count to ascertain if the metering device is functioning properly with a predetermined number of coins for each denomination.
   b. [Reserved]

Y. Emergency Drop Procedures

The LTBB Gaming Operation shall develop Emergency Drop Procedures. These procedures and any subsequent changes shall require LTBB Gaming Regulatory Commission approval

Section 13 - Internal Audit

A. Internal Audit Personnel

1. A separate Internal Audit department shall be maintained whose primary function is performing internal audit work and that is independent with respect to the departments subject to audit.

2. The internal audit personnel shall report directly to the LTBB Gaming Regulatory Commission, as designated by the Tribe.

B. Audits

1. Internal audit personnel shall perform audits of all major gaming areas of the gaming operation. The following shall be reviewed at least annually:

a. Bingo, including but not limited to, bingo card control, payout procedures, and cash reconciliation process;
b. Card Games, including but not limited to, card games operation, cash exchange procedures, shill transactions, and count procedures.
c.. Table games, including but not limited to, fill and credit procedures, soft drop/count procedures and the subsequent transfer of funds, unannounced testing of count room currency counters and/or currency interface, location and control over sensitive keys, the tracing of source documents to summarized documentation and accounting records, and reconciliation to restricted copies;
d. Gaming machines, including but not limited to, jackpot payout and gaming machine fill procedures, gaming machine drop/count and bill acceptor drop/count and subsequent transfer of funds, unannounced testing of weigh scale and weigh scale interface, unannounced testing of count room currency counters and/or currency interface, gaming machine drop cabinet access, tracing of source documents to summarized documentation and accounting records, reconciliation to restricted copies, location and control over sensitive keys, compliance with EPROM, or other equivalent software media duplication procedures, and compliance with MICS procedures for gaming machines that accept currency or coins. and issue cash-out tickets or gaming machines that do not accept currency or coins. and do not return currency or coins.
e. Cage and credit procedures including all cage, credit, and collection procedures, and the reconciliation of trial balances to physical instruments on a sample basis. Cage accountability shall be reconciled to the general ledger;
f. Information technology functions, including review for compliance with information technology standards;
g. Complimentary service or item, including but not limited to, procedures whereby complimentary service items are issued, authorized, and redeemed; and
h. Any other internal audits as required by the Tribe, LTBB Gaming Regulatory Commission.

2. In addition to the observation and examinations performed under paragraph (b) (1). of this section, follow-up observations and examinations shall be performed to verify that corrective action has been taken regarding all instances of noncompliance cited by internal audit, the independent accountant, and/or the LTBB Gaming Regulatory Commission. The verification shall be performed within six (6) months following the date of notification.

3. Whenever possible, internal audit observations shall be performed on an unannounced basis i.e., without the employees being forewarned that their activities will be observed.

C. Documentation

1. Documentation (e.g., checklists, programs, reports, etc.) shall be prepared to evidence all internal audit work performed as it relates to the requirements in this section, including all instances of noncompliance.

2. The internal audit department shall operate with audit programs, which, at a minimum, address the MICS. Additionally, the department shall properly document the work performed, the conclusions reached, and the resolution of all exceptions. Institute of Internal Auditors standards are recommended but not required.

D. Reports

1. Reports documenting audits performed shall be maintained and made available to the LTBB Gaming Regulatory Commission upon request.

2. Such audit reports shall include the following information:
   a. Audit objectives;
   b. Audit procedures and scope;
   c. Findings and conclusions;
   d. Recommendations, if applicable; and
   e. Management's response.

E. Material Exceptions

All material exceptions resulting from internal audit work shall be investigated and resolved with the results of such being documented and retained for five years. Reports of material exceptions will be forwarded to Tribal Executive and Tribal Council.

F. Role of Management

1. Internal audit findings shall be reported to management.

2. Management shall be required to respond to internal audit findings stating corrective measures to be taken to avoid recurrence of the audit exception.

3. Such management responses shall be included in the internal audit report that will be delivered to Tribal Executive, Tribal Council, LTBB Gaming Regulatory Commission, and Casino Management.

G. Internal Audit Guidelines

1. In connection with the internal audit testing pursuant to paragraph (B) (1) of this section, the LTBB Regulatory Commission shall develop recommended Internal Audit Guidelines, which shall be available upon request.

Section 14 – Surveillance

A. The surveillance system shall be maintained and operated from a staffed surveillance room and shall provide surveillance over gaming areas.

B. The entrance to the surveillance room shall be located so that it is not readily accessible by either The LTBB Gaming Operation employees who work primarily on the casino floor, or the general public.

C. Access to the surveillance room shall be limited to surveillance personnel, designated employees, and other persons authorized in accordance with the surveillance department policy as approved by the LTBB Gaming Regulatory Commission. The surveillance department shall maintain a sign-in log of other authorized persons entering the surveillance room.

D. Surveillance room equipment shall have total override capability over all other satellite surveillance equipment located outside the surveillance room.

E. In the event of power loss to the surveillance system, an auxiliary or backup power source shall be available and capable of providing immediate restoration of power to all elements of the surveillance system that enable surveillance personnel to observe the table games remaining open for play and all areas covered by dedicated cameras. Auxiliary or backup power sources such as a UPS System, backup generator, or an alternate utility supplier, satisfy this requirement.

F. The surveillance system shall include date and time generators that possess the capability to display the date and time of recorded events on video and/or digital recordings. The displayed date and time shall not significantly obstruct the recorded view.

G. The surveillance department shall ensure staff is trained in the use of the equipment, knowledge of the games, and house rules.

H. Each camera required by the standards in this section shall be installed in a manner that will prevent it from being readily obstructed, tampered with, or disabled by customers or employees. All camera movement will only be completed by personnel authorized by the LTBB Gaming Regulatory Commission.

I. Each camera required by the standards in this section shall possess the capability of having its picture displayed on a monitor and recorded. The surveillance system shall include sufficient numbers 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 dedicated cameras.

J. Reasonable effort shall be made to repair each malfunction of surveillance system equipment required by the standards in this section within seventy-two (72) hours after the malfunction is discovered. The LTBB Gaming Regulatory Commission shall be notified of any cameras that has malfunctioned for more than twenty-four 24 hours.

a. In the event of a dedicated camera malfunction, the LTBB Gaming Operation and/or the surveillance department shall immediately provide alternative camera coverage or other security measures, such as additional supervisory or security personnel, to protect the subject activity.

K. Bingo

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

2. The surveillance system 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.

L. Card Games

The surveillance system shall monitor and record general activities in each card room with sufficient clarity to identify the employees performing the different functions.

M. Progressive Card Games

1. Progressive card games with a progressive jackpot of $25,000 or more shall be
   monitored and recorded by dedicated cameras that provide coverage of:
   a. The table surface, sufficient that the card values and card suits can be clearly identified;

   b. An overall view of the entire table with sufficient clarity to identify customers and dealer; and
   c. A view of the posted jackpot amount.

N. Table Games

1. Operations with four (4) or more table games.
   Except as otherwise provided in paragraphs N3 and N4 of this section, the surveillance system of gaming operations operating four (4) or more table games shall provide at a minimum one (1) pan-tilt-zoom camera per two (2) tables and surveillance must be capable of taping:

   a. With sufficient clarity to identify customers and dealers; and
   b. With sufficient coverage and clarity to simultaneously view the table bank and determine the configuration of wagers, card values, and game outcome.
   c. One (1) dedicated camera per table and one (1) pan-tilt-zoom camera per four (4) tables may be an acceptable alternative procedure to satisfy the requirements of this paragraph.

2. Operations with three (3) or fewer table games.

   The surveillance system of gaming operations operating three 3. or fewer table games shall:

a. Comply with the requirements of paragraph N1, of this section; or
b. Have one (1) overhead camera at each table.

3. Craps.

All craps tables shall have two (2) dedicated cross view cameras covering both ends of the table.

4. Roulette.

All roulette areas shall have one (1) overhead dedicated camera covering the roulette wheel and shall also have one (1) dedicated camera covering the play of the table.

O. Progressive Table Games

1. Progressive table games with a progressive jackpot of $25,000 or more shall be monitored and recorded by dedicated cameras that provide coverage of:
   a. The table surface, sufficient that the card values and card suits can be clearly identified;
   b.. An overall view of the entire table with sufficient clarity to identify customers and dealer; and
   c.. A view of the progressive meter jackpot amount. If several tables are linked to the same progressive jackpot meter, only one meter need be recorded.

P. Gaming Machines

1. Except as otherwise provided in paragraphs P2 and P3, of this section, gaming machines offering a payout of more than $250,000 shall be monitored and recorded by a dedicated cameras. to provide coverage of:
   a. All customers and employees at the gaming machine, and
   b. The face of the gaming machine, with sufficient clarity to identify the payout lines of the gaming machine.

2. In-House Progressive Machine

In-house progressive gaming machines offering a base payout amount jackpot reset amount. of more than $100,000 shall be monitored and recorded by a dedicated cameras. to provide coverage of:

a. All customers and employees at the gaming machine; and
b. The face of the gaming machine, with sufficient clarity to identify the payout lines. of the gaming machine.

3. Wide-area Progressive Machine

Wide-area progressive gaming machines offering a base payout amount of $1 million or more and monitored by an independent vendor utilizing an on-line progressive computer system shall be monitored and recorded by a dedicated cameras. to provide coverage of:

a. All customers and employees at the gaming machine; and
b. The face of the gaming machine, with sufficient clarity to identify the payout lines. of the gaming machine.
c. The Surveillance Department shall contact the Regulatory Department Director or Designee when Wide Area Jackpots are awarded.

4. Notwithstanding paragraph P1, of this section, if the gaming machine is a multi-game machine, the LTBB Gaming Operation, subject to the approval of the LTBB Gaming Regulatory Commission, shall develop and implement alternative procedures to verify payouts.

Q. Cage and Vault

1. 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 and customers and employees at the counter areas.

2. Each cashier station shall be equipped with one (1) dedicated overhead camera covering the transaction area.

3. The surveillance system shall provide an overview of cash transactions. This overview should include the customer, the employee, and the surrounding area.

R. Fills and Credits

1. 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 the chip values and the amounts on the fill and credit slips.

2. Controls provided by a computerized fill and credit system maybe deemed an adequate alternative to viewing the fill and credit slips.

S. Currency and Coin

1. The surveillance system shall monitor and record with sufficient clarity all areas where currency or coin may be stored or counted.

2. Audio capability of the soft count room shall also be maintained.

3. The surveillance system shall provide for:

   a. Coverage of scales shall be sufficiently clear to view any attempted manipulation of the recorded data.
   b. Monitoring and recording of the table game drop box storage rack or area by either a dedicated camera or a motion-detector activated camera.
   c. Monitoring and recording of all areas where coin may be stored or counted, including the hard count room, all doors to the hard count room, all scales and wrapping machines, and all areas where uncounted coin may be stored during the drop and count process.
   d. Monitoring and recording of soft count room, including all doors to the room, all table game drop boxes, safes, and counting surfaces, and all count team personnel. The counting surface area must be continuously monitored and recorded by a dedicated camera during the soft count.
   e. Monitoring and recording of all areas where currency is sorted, stacked, counted, verified, or stored during the soft count process.

T. Change booths.

The surveillance system shall monitor and record a general overview of the activities occurring in each gaming machine change booth.

U. Digital Equipment Standards

(1)Frame Rate shall be a minimum of thirty (30) frames per second for all coverage of the gaming floor.

2. Picture size measured in Common Image Format (CIF) shall be a minimum of (1) CIF. Digital storage shall be minimally hot swappable Raid 5 or equivalent.

3. Raid Units (Redundant Array of Independent Drives) shall, at a minimum, be configured as Raid 5.

4. A supervisory program that monitors the system and immediately reports malfunctions is required.

5. Access to the system for program changes shall be restricted to employees approved by the LTBB Gaming Regulatory Commission. Personnel involved in accessing the system shall be documented and reported to the LTBB Gaming Regulatory Commission upon request.
6. All digital records of coverage provided by the dedicated cameras or motion-activated dedicated cameras required by the standards in this section shall be retained for a minimum of ten (10) days.

7. Recordings involving suspected or confirmed gaming crimes, unlawful activity, or detentions by security personnel, must be retained for a minimum of thirty (30) days.

8. Duly authenticated copies of digital records shall be provided to the LTBB Gaming Regulatory Commission upon request.

V. Video Library Log

A video library log, or comparable alternative procedure approved by the LTBB Gaming Regulatory Commission, shall be maintained to demonstrate compliance with the storage, identification, and retention standards required in this section.

W. Malfunction and Repair Log

1. Surveillance personnel shall maintain a log or alternative procedure approved by the LTBB Gaming Regulatory Commission that documents

each malfunction and repair of the surveillance system as defined in this section.

2. The log shall state the time, date, and nature of each malfunction, the efforts expended to repair the malfunction, and the date of each effort, the reasons for any delays in repairing the malfunction, the date the malfunction is repaired, and where applicable, any alternative security measures that were taken.

X. Surveillance Log.

1. Surveillance personnel shall maintain a log of all surveillance activities.

2. Such log shall be maintained by surveillance room personnel and shall be stored securely within the surveillance department.

3. At a minimum, the following information shall be recorded in a surveillance log:
   i. Date;
   ii. Time commenced and terminated;
   iii. Activity observed or performed; and
   iv. The name or license credential number of each person who initiates, performs, or supervises the surveillance.

4. Surveillance personnel shall also record a summary of the results of the surveillance of any suspicious activity. This summary may be maintained in a separate log.

XI.Surveillance Review.

1. Surveillance shall develop review procedures for review purposes for Tribal Law Enforcement and Casino Management. These procedures and any subsequent changes shall require LTBB Gaming Regulatory Commission approval.

(Source: WOS-2005-06 042907-005 Tribal Minimum Internal Control Standards)

TITLE VIII – HOUSING

Chapter 1. *[Reserved]*

TITLE IX – CRIMINAL AND CIVIL LAWS

Chapter 1. *[Reserved]*

TITLE X – LAND USE AND BUILDING

Chapter 1. *[Reserved]*

TITLE XI – HEALTH AND EDUCATION

Chapter 1. MICHELLE CHINGWA EDUCATION ASSISTANCE SCHOLARSHIP REGULATIONS

I. APPLICATION

A. Students must submit a completed application packet to apply for the MCEA scholarship, which includes the following: MCEA application, Release of Information form, and the Student Aid Report, prior grade report(s) for the last semester attended (reflecting cumulative GPA) and the last semester awarded (reflected awarded MCEA scholarship).

B. The continuation of a student's scholarship application for subsequent semesters during an academic year relies on the submission of a new course schedule for the upcoming semester.

II. DEFINITIONS

A. **Education Appeals Board:** means the body appointed by Tribal Council who handles the MCEA Appeals and Hearings.

B. **Education Department:** means the LTBB Education Department that is overseen by the Executive.

C. **Enrollment Verification Form:** means a form provided by the LTBB Education Department to the student(s) who has the institution where they complete their portion and return it to the LTBB Education Department.

D. **Executive:** means the Tribal Chairperson or his/her designee.

E. **FAFSA:** means "Free Application for Federal Student Aid".

F. **GPA:** means a student's Grade Point Average reported by an institution on a student's transcript and/or a report card.

G. **LTBB:** means The Little Traverse Bay Bands of Odawa Indians or the "Tribe".

H. **MCEA:** means Michelle Chingwa Education Assistance.

I. **Release of Information Form:** means a form provided by the LTBB Education Department that the student completes that gives the department permission for 3rd part communication with the institution.

J. **Student Aid Report:** means the student's copy of the processed FAFSA.

III. DISTRIBUTION OF SCHOLARSHIP

A. Students will be allowed one (1) award per semester or semester equivalent, which shall be awarded to any eligible student, who applies prior to the established deadlines as defined in WOS 2007-005 Section III. Application (C)(2).

B. Scholarship awards will be distributed directly to the institution unless the student provides acceptable proof, to the Education Department that their MCEA scholarship will reduce other financial aid awards, in which case the Education Department will distribute the scholarship directly to the student.

C. The scholarships will be distributed in two (2) installments each semester. The second installment is subject to adjustments for changes in a student's original enrollment schedule. Students receiving an award for the summer semester will receive the award in one (1) full installment.

D. Check requests for the second installment will be submitted upon receipt of an original Enrollment Verification Form, a copy of the grades for the last semester attended, and a copy of the grades for the last semester awarded. The student is responsible for submitting the requested information to the Education Department

prior to the last day of the student's enrolled semester.

E. Students must submit grade reports for the previously awarded semester(s). If necessary, adjustments will be made for any credits dropped, withdrawn or deemed ineligible according to the GPA guidelines.

F. All applications must be submitted by hand delivery or postmarked by the deadlines set forth in the MCEA to be considered timely. Pursuant to WOS 2007-05, MCEA Section III(C)(d) and (e) scholarships granted after the deadlines shall be classified as ***late*****.** Late scholarships shall be available only to those who failed to complete their application at no fault of the applicant and provided that funds are available. The Executive shall have the authority to limit the amount of late scholarships funded during the winter and summer cycles to help project available funds for the fall cycle.

G. It is at the discretion of the Education Department to determine on a case-by-case basis if the late application(s) are to be considered due to no fault of the student.

H. If a student's application is late for one (1) semester that shall not impact a timely application made in another semester.

IV. SCHOLARSHIP LEVELS

A. The Executive shall post the scholarship levels on the Tribal website under Executive Directives and in the Tribal newsletter. Scholarship information shall be made readily available to students through the Education Department.

V. APPEAL PROCESS AND RESTRICTIONS

Tribal Citizens may only appeal MCEA award denials made by the Education Department based on GPA status, or scholarship award adjustments due to withdrawal from a course.

A. Tribal Citizens who wish to appeal a denial or adjustment must submit an Appeal Form provided by the Education Department.

B. The Tribal Citizen must submit their appeal in person or postmarked within fifteen (15) business days from the date of receiving the notice of denial or adjustment.

C. The Tribal Citizen has the right to attend and speak at the Appeal Hearing. The Appeal Form shall contain a checkbox for the student to indicate whether they will be attending the Appeal Hearing or that they waive their right to attend the hearing. This box ***must*** be checked either "yes" or "no". This checkbox determines when the hearing will be held. Additionally, the form will require that the student provide ***current*** contact information, email, phone number (cell or message number), and/or address, so the student can be contacted in an expedient manner regarding their appeal and hearing.

D. All appeals shall be addressed to: "***The Education Appeals Board c/o Tribal Chairman's Office***, 7500 Odawa Circle, Harbor Springs, Michigan 49740."

E. Upon receiving an Appeal Form, an Appeal Hearing shall be held within ten (10) business days. Appeals shall be closed only at the request of the student requesting the appeal.

F. When making a determination in an appeal process regarding the 2.0 GPA status, the Education Appeals Board shall either:

1. Grant the appeal and place the student on probation, for a period determined by the Education Appeals Board. If the appeal is granted and the student is placed on a probationary period, the probationary period is clearly indicated in the determination letter.

OR

2. Deny the appeal.

F. Students who are granted a probationary period:

1. Must reach a 2.0 cumulative GPA by the end of their designated probationary period.

2. Must maintain academic progress, as reflected in a semester GPA report.

3. May appeal in subsequent semesters.

G. After a determination has been made by the Education Appeals Board, the Commission Chairperson, or the Chairperson's designee, shall attempt to personally contact the Tribal Citizens as to the outcome of their appeal. In all cases, the Education Appeals Board shall notify the Tribal Citizen by mail within ten (10) business days and the Education Department will be copied on the letter.

H. All decisions by the Education Appeals Board are final within the Executive Branch.

I. In order for the Education Department to consider funding students for a course more than twice, the student must provide acceptable proof, as defined in Section V(I)(1) below in these regulations, to the Education Department that they need to take the class over to complete a degree requirement. No student may be funded for the same class more than three (3) times.

VI. REPORTING

The following reports shall be submitted to Tribal Council:

A. Three (3) summary reports for each semester's scholarships in March, July and October and a year-end summary each January for all the previous year's scholarships.

B. Each report shall contain:

1. Number of students in each class of scholarships.

2. Number of semester equivalent credits or equivalent contact hours in each class of scholarship.

3. Total dollar amount of scholarships for each designated semester and the academic year.

4. Present scholarship rates and projected rates for the next school year to meet the budget for the next cycle.

5. Total number of dropped rates and adjusted rates.

6. Graduations and types of degrees received.

(Source: REG-WOS 2007-05 080809-006)

Chapter 2. WELFARE OF ADULTS REGULATIONS

I. Application of Regulations. These Regulations apply only to Executive Departments and are limited to actions brought by Executive Departments. These Regulations do not apply to actions authorized by the Welfare of Adults Statute which are brought by interested parties that are not part of the Executive branch of government.

Deference to Actions Brought by Non-Governmental Parties. In cases where a private action authorized by the Statute has been commenced in Tribal court, Executive departments shall be precluded from commencing an action regarding the same individual(s) or circumstances involved in the private action, unless:

A. An Executive Department authorized to bring an action under these Regulations believes that failure to bring an independent action on behalf of an adult Tribal citizen poses a risk to the health, safety, or well-being of the adult Tribal citizen and;

B. The Chairperson or their designee reviews the case information and the conclusions of the Executive Department, and agrees with the Executive Department and authorizes that department to either intervene in the private action or commence an independent action.

II. Definitions:

A. **Private Action:** means an action which is authorized by the Welfare of Adults Statute which is commenced by a non-government party.

B. **Authorization to Bring Actions:** means the authority of the Tribal Administrator under WOTC 11.403.B to bring petitions on behalf of adult tribal citizens may be exercised through the Human Services Department –Social Services Program.

C. **Department:** means the LTBB Human Services Department.

III. Procedures for Bringing Actions:

A. Actions by Executive Departments:

1. **Referrals**. Receipt of information of circumstances requiring action shall be sent to the Director of Social Work, Human Services Department – Social Services Program.

   a. Executive Departments and Programs, including but not limited to, Health Services, Substance Abuse, Elder's Program, Housing, etc that observe events or circumstances which indicate that an adult Tribal citizen is in an abusive situation, abandoned, medically incapacitated, incompetent, or in situations where the individual is unable to manage their personal, medical, or financial affairs they shall report such circumstances to the Human Services Department-Social Services Program.

   b. Referrals should be made on a form approved by the Department for this purpose.

   c. The Human Services Department- Social Services Program may require that the individual making the referral file a written report which provides more information about the reason for the referral, etc. Any report requested by the Human Services Department-Social Services Program should be completed within the time frame provided by the Department.

2. **Follow-up and Investigation** Upon receipt of information that an adult Tribal citizen has been or currently is in an abusive situation, abandonment, medical incapacitation, or in situations where the individual is unable to manage their personal, medical, or financial affairs, the Director of Social Work, Human Services Department – Social Services Program or their designee shall visit the adult to determine whether additional services are needed by the adult, whether action on the part of the Department is necessary to provide such services, and whether the situation calls for additional action or investigation by the Department and/or Law Enforcement.

   a. The Department will make every reasonable effort to make face-to-face contact with the adult subject within seventy-two (72)

hours after receiving the information of a possible abusive situation.

b. If Department personnel see any indication in their initial visit of possible criminal violations, they will refer the matter to Tribal Law Enforcement for further investigation by LTBB or other law enforcement agency having jurisdiction based on the location of the adult.

c. A report on the initial visit must be completed within thirty (30) days after receiving a complaint/referral.

3. **Consultation**. If the initial Department report and/or subsequent law enforcement investigation indicates a need for further action to protect the adult the Department shall consult with Enjinaaknegeng and the Chairperson, or their designee to determine what action, if any, is necessary.

4. **Filing Petition**. If a determination is made that a petition should be filed, the Director of Social Work, Human Services Department – Social Services Program shall coordinate with Enjinaaknegeng to file an appropriate petition in Tribal Court.

B. **Coordination with Law Enforcement Agencies**. The Department is authorized to coordinate with appropriate law enforcement agencies in investigating an adult welfare case.

C. **Interdepartmental Cooperation.** Upon request from the Department, other Executive departments shall assist the Department in processing adult welfare cases to the extent permitted by LTBB law, or applicable federal law.

(Source: REG-WOS-2005-07-030709-004)

Chapter 3. FOOD SAFETY REGULATIONS

Chapter 4. BURIAL REQUEST PROGRAM REGULATIONS

I. Introduction. These regulations have been formulated to clarify the intentions of the LTBB Burial Program Statute WOS 2006-017 which provides burial funding of no more than $8,000.00 for all eligible deceased LTBB Tribal Citizens. An explanation of the Burial Funds Assistance Program shall be published at least once annually in the Odawa Trails Newspaper and by other readily accessible locations such as the LTBB website. Electronic and paper versions of the full burial assistance program regulations and procedures shall be made available to any Tribal Citizen requesting burial assistance. The LTBB Human Services Department has been given the authority and responsibility of the Burial Funds Requests oversight.

II. Definitions.

A. **LTBB:**

B. **Requestor:**

III. Office Procedures. The LTBB Human Services Department shall establish written office procedures to facilitate the distribution of funds by means of supplying instructions as well as forms and applications used in the facilitation of burial funds requests.

IV. Initial Processing of Burial Funds Requests. All burial funds requests are processed through the LTBB Human Services Department as outlined below.

B. The deceased person's citizenship status, or eligibility for citizenship if child is less than one (1) year of age, shall be determined and/or verified through the LTBB Enrollment Office.

C. Original death certificates shall be hand delivered to the LTBB Enrollment Office. A copy shall be retained in the deceased individual's confidential burial funds request file at the LTBB Human Services Department.

D. Upon determination and/or verification of eligibility the Human Services Department will notify the requestor, and the funeral home if appropriate, of the submission requirements for receipts and/or invoices.

V. Allowable Expenses.

A. The following is a list of all expenses which are considered allowable:

1. Funeral Services/Funeral Director Fees;

2. Casket or other container;

3. Cremation or embalming expense;

4. Cemetery and/or ground opening expense;

5. Floral arrangements;

6. Cosmetics for burial expense;

7. Clergy or officiate;

8. Drum/Pipe Carrier/Music/Spirit Medicines;

9. Transportation to/from funeral home/cemetery;

10. Catering of food;

11. Grave markers;

12. Guest books;

13. Photos/ Photo albums;

14. Printing;

15. Food or supplies for feasts or ceremonies or other similar expenses; and

16. Taxes on any of the above expenses.

B. The LTBB Human Services Department reviews and verifies that all receipts and/or invoices that are submitted for each burial are allowable.

VI. Statutory Time Limit. There is a six (6) month statutory time limit for submission of receipts and/or invoices of all allowable expenses.

VII. Burial Funds Request Denials. If a burial funds request is denied, the LTBB Human Services shall notify the requestor as soon as possible or with three (3) business days of the reason(s) for denial.

VIII. Processing Receipts and/or Invoices.

A. To process receipts the burial funds requestor or designee according to WOS 2006-017 of allowable receipts shall be reimbursed by guidelines set forth in the LTBB Human Services Office Procedures and the LTBB Accounting Department.

The processing of invoices related to burial funds requests for allowable items or services, or the like, shall be sent to the payable on the invoice.

(Source: REG-WOS 2006-017 022307-002)

TITLE XII – CORPORATIONS, BUSINESSES AND COMMERCIAL TRANSACTIONS

Chapter 1. BUSINESS REGISTRATION REGULATIONS

I. Purpose. The Little Traverse Bay Bands of Odawa Indians (LTBB) authorizes entities or individuals to do business under assumed names.

II. Definitions.

A. **DBA:** means Business Registrations Certificate, Persons Conducting Business Under Assumed Name or Partnership; aka: "Doing Business As".

B. **DOC:** means the Department of Commerce for the Little Traverse Bay Bands of Odawa Indians.

C. **Tribe:** means the Little Traverse Bay Bands of Odawa Indians. "LTBB".

D. **Tribal Citizen:** means an enrolled person the Little Traverse Bay Bands of Odawa Indians.

III. Jurisdiction. These regulations shall apply to all LTBB lands whether held in fee or in federal trust, and to any person(s) under the jurisdiction of LTBB.

IV. Filing for a Business Registration. The Department of Commerce shall receive and process requests for persons filing a Business Registration Certificate for Persons

Conducting Business Under Assumed Name or Partnership. Individuals or authorized entities who operate, or intend to operate a business, under an assumed name within the Tribe's jurisdiction may file a Certificate of Assumed Name (also known as a DBA) with the DOC of the Little Traverse Bay Bands of Odawa Indians.

A. The requestor's tribal citizenship status shall be verified through the DOC using an electronic membership list that is provided by the LTBB Enrollment Department.

B. To ensure there are no existing businesses using the name chosen, the DOC will verify that there is no duplication of business names within the Tribal jurisdiction.

C. The Business Registration Certificate (DBA) form may be filled out prior, however they may ***not*** be signed. The certificate ***must*** be signed only when it is presented at the DOC office.

D. Signatures ***must*** be signed and witnessed by a ***Notary Public***. The Department of Commerce will provide notarization if all owners are present at time of signing, and have a current valid LTBB Tribal Identification, Driver's License or government issued identification.

E. **Change of Name or Address.** In the event an individual or authorized entity who has filed a DBA through the DOC changes their name or address, the filer must notify the DOC in writing, within thirty (30) of the change. The filer is required to fill out another DBA form with the new address or name reflected. The Change of Name and or Address filing fee will apply for each change. The original DBA number issued will remain the same.

F. A Certificate of Assumed Name or Co-Partnership must be amended when there is a change in the composition of the partners.

V. Dissolution.

A. In the event an individual or authorized entity who has filed a DBA becomes deceased, documentation such as an obituary or notification in writing from a family member may be used to document the death of the filer. Information received from the Tribal Enrollment office may also be used to document the deceased filer. The original DBA number will not be issued to another filer and the DBA is considered to be dissolved on the date of death.

B. A DBA is deemed dissolved if the business moves outside of the Tribal jurisdiction.

VI. Renewals

A. Business Registration Certificates (DBA's) are valid for a period of ten (10) years.

B. Upon expiration of Certificates of Assumed Names, the filer may reapply for the DBA using the same business name. The filer may do so up to 30 days prior to expiration. If the filer does not file for renewal by the expiration date (December 31st of the 10th year), then the DBA is automatically dissolved and the business name may be used by other persons.

VII. Fees.

A. The fee for the Business Registration Certificate (DBA) is fifteen-dollars ($15.00).

B. In order to change the address of a DBA or Co-Partnership it is a two (2) step process consisting of two (2) separate forms. The existing DBA or Co-Partnership must first be dissolved and then reapplied for. There is a ten dollar ($10.00) filing fee for each form, therefore the **total** fee when filing for a Change of Name or Address is twenty dollars ($20.00).

C. Dissolution of Assumed Name or Co-Partnership Fee is ten dollars ($10.00).

(Source: REG-WOS 2006-009 080809-003)

TITLE XIII – DOMESTIC RELATIONS & PROBATE

Chapter 1. *[Reserved]*