

Gun Lake Tribal Gaming Commission
MATCH-E-BE-NASH-SHE-WISH



Rules and Regulations

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Change Log

Change	Date	Author
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§1 Purpose

1.1 Applicable Regulations

1.1.1 From Gaming Ordinance

1.02 Importance. The gaming industry of the Tribe is vitally important to the economy of the Tribe and the general welfare of Tribal members. Protecting this gaming industry requires that the public maintain confidence and trust in the integrity of gaming activities, which activities must be free of criminal and corruptive elements.

1.03 Strict Regulation. To prevent improper or unlawful conduct in the course of gaming activities and to promote the development of a balanced tribal economy by dedicating all of the net revenues from gaming activities to the public purposes of the Tribe, including the support of the Tribe's governmental programs and Tribal members, strict regulation of all persons, locations, practices, associations and activities must be maintained. Therefore, all establishments where gaming is conducted and where gaming devices are operated must be formally licensed, controlled and operated to protect public safety, morals, good order and general welfare, and to foster the stability and success of gaming.

1.2 Governance. The Gun Lake Tribal Gaming Commission, empowered by the Gun Lake Tribe via the Gaming Ordinance and under the provisions of the Indian Gaming Regulatory Act as the Primary regulator of Gaming on all Tribal Lands, hereby declares that the Purpose of these Rules and Regulations is to codify the Operation of the Gun Lake Tribal Gaming Commission.

1.3 Dissemination. These Rules and Regulations, as adopted by the Commission by written resolution and subsequently approved by a resolution of the Tribal Council, shall be made publicly available.

§2 Definitions

2.1 "Bar" and "Barred" means a person who the Operation has determined cannot be on allowed on property.

2.2 "Commission" means the Gun Lake Tribal Gaming Commission as a whole.

2.3 "Commission Board" means the body of Commissioners, acting as a whole.

2.4 "Commissioner" means any person appointed under Section 8 of the Ordinance to serve as a Gaming Commissioner of the Gun Lake Tribal Gaming Commission.

2.5 "Excluded List" means a list maintained by the Commission of all persons excluded from the Operation.



- 2.6 “Excluded Person” means a person on the Excluded List.
- 2.7 “Gaming Facility” or “Gaming Facilities” means the buildings or structures in which Class II gaming and/or Class III gaming is conducted on Indian Lands.
- 2.8 “Gaming Operation” or “Operation” means each entity that has a gaming facility license issued by the Gaming Commission, operates the games, receives the revenues, issues the prizes, and pays the expenses, i.e. The Gun Lake Casino.
- 2.9 “License” means a gaming license issued by the Commission.
- 2.10 “Licensee” means the holder of a gaming license issued by the Commission.
- 2.11 “Ordinance” means the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians Ordinance to govern the Operation of gaming.
- 2.12 “Patron” means a person who is, or could be, a customer or guest of the Operation.
- 2.13 “Petitioner” means the person requesting a hearing.

§3 Hearings

3.1 Applicable Regulations

3.1.1 From Gaming Ordinance

7.18 Hearings; Appeals. Pursuant to Commission regulations, the Commissioners may hold any hearing, and shall provide for any appeal deemed necessary in the administration of its powers and duties under this Ordinance. Whenever it shall appear to the satisfaction of the Commissioners that all of the interested parties involved in any proposed hearing or appeal have agreed concerning the matter at hand by written stipulation, the Commissioners may issue its order without convening a hearing.

3.2 Rules of Procedure for Hearings and Appeals

3.2.1 Hearings and appeals conducted by the Commission Board pursuant to the Ordinance and these Regulations will be governed by this Section.

3.2.2 The Chairperson of the Commission Board will preside over all hearings conducted before the full Commission Board and will call the proceedings to order, control the presentation and admission of evidence, the appearance of witnesses, and the order of proceedings.

3.2.2.1 The chairperson of the Commission Board may, if they are unavailable or have a conflict of interest in the matter, delegate to the Vice Chair the authority to conduct the hearing.



3.2.2.2 In the event the Vice Chair is similarly unavailable or conflicted, then the authority will rest with the Secretary.

3.2.3 The Commission Board may require any person to appear and testify before it with regard to any matter within its jurisdiction at such time and place as it may designate. Such testimony will be under oath and may include any matters that the Commission Board deems relevant to the discharge of their duties.

3.3 Denial, Exclusion, and Patron Dispute Hearings

3.3.1 Grounds for Hearing. A hearing may be requested by any entity whose:

3.3.1.1 Application for a gaming license has been denied;

3.3.1.2 Who has been fined;

3.3.1.3 License has been suspended;

3.3.1.4 License has not been renewed after timely application for renewal;

3.3.1.5 Been placed on the Exclusion List and deemed to be an Excluded Person;

3.3.1.6 Received a final determination from the Commission regarding a patron dispute issued under §4 below OR;

3.3.1.7 Been denied an approval from the Commission under these regulations.

3.3.2 The petitioner will submit a hearing request, in writing, to the offices of the Commission within 14 days after receiving a notice the actions detailed in 3.3.1 above. The Commission will hold the hearing within 30 days of receipt of the request.

3.3.2.1 The request for hearing must contain all of the following:

3.3.2.1.1 The name, address and telephone number of the petitioner;

3.3.2.1.2 A detailed statement of the reasons for, and the facts that support, petitioner's request for relief AND;

3.3.2.1.3 A signed statement that the petitioner has read the request for hearing and that, to the best of petitioner's knowledge, it is true, complete and correct.

3.3.3 Discovery may be granted by the Commission Board upon written request stating the reasons why discovery is necessary. If granted, discovery will be limited to such documentation that may legally be provided.

3.3.4 Witnesses and exhibit lists will be exchanged 10 days before a hearing, unless the Commission Board orders otherwise. The Commission Board may exclude any witness or exhibit that was not disclosed in a timely manner.



- 3.3.5 The Commission Board may schedule a pre-hearing conference at the request of a party or on its own initiative on any matters deemed necessary to facilitate the hearing.
- 3.3.6 The Commission Board may adjourn or continue a hearing at any time on its own initiative or at the request of a party made not less than 10 days before the hearing upon a showing of good cause. In the event of any delay in the proceedings, any interim action taken by the Commission (including any suspensions) will remain in full force and effect.
- 3.3.7 Hearings pursuant to this section will proceed as follows:
- 3.3.7.1 All proceedings will be transcribed or recorded by audio or video.
 - 3.3.7.2 The petitioner has the right to representation by an attorney.
 - 3.3.7.3 The petitioner, at all times, will have the burden of proof to establish entitlement to the requested relief by clear and convincing evidence. A gaming license at Gun Lake Casino is a privilege and not a right.
 - 3.3.7.4 Testimony will be given under oath or affirmation.
 - 3.3.7.5 The Commission Board will not be bound by the technical rules of evidence. However, to promote uniformity in the consideration of evidence, the Commission Board will use as a guide the rules of evidence used in Gun Lake Tribal Court for non-jury civil cases and will use its discretion to assure that the evidence submitted is competent, material to the matters at issue, and trustworthy.
 - 3.3.7.6 Each party may conduct cross-examination of all witnesses.
 - 3.3.7.7 Upon conclusion of the Commission's case, the petitioner may present evidence in rebuttal.
 - 3.3.7.8 The Commission representative and/or Commissioner Board may ask questions of witnesses at any time and may request or allow additional evidence.
- 3.3.8 The Commission Board may require or allow the parties to submit post-hearing briefs, proposed findings of fact, and conclusions of law within 10 days of the conclusion of the hearing or such other time period as the Commission Board may allow.
- 3.3.9 The Commission Board will render a decision and issue a written order following the conclusion of the hearing, or after receipt of all post-hearing briefs, if allowed.
- 3.3.10 Said decision will be made by majority vote of the Commission Board members present for the Hearing. All present will be required to make a yay or nay vote at the conclusion of the process and ties will be construed as favoring the initial ruling of the Commission.



3.3.11 Any decision and/or written order issued by the Commission Board following a denial, exclusion, or patron dispute hearing will comply with the relevant requirements of the Ordinance and will become final, subject only to the appeal proceedings set forth in 3.5 below.

3.4 Disciplinary Hearings (note: in this section the term “respondent” refers to the person who is subject to the hearing)

3.4.1 The Commission may initiate a disciplinary action against a Licensee if the Commission has reason to believe that the Licensee is not:

3.4.1.1 Maintaining suitability for licensure;

3.4.1.2 Complying with conditions of a license;

3.4.1.3 Complying with the Indian Gaming Regulatory Act, the State of Michigan-Tribal Gaming Compact, the Ordinance, these Regulations, the Gun Lake Tribal Internal Control Standards (TICS), agreements with any governmental entity, or any other governing standards of procedure OR;

3.4.1.4 In compliance with any other rule, regulation or regulation applicable to the effective regulation of gaming within the Tribe’s jurisdiction.

3.4.2 At any time prior to service of a complaint, the Commission will issue a notice of noncompliance to a Licensee in writing. The notice will provide the Licensee with a reasonable opportunity to remedy the violation and come into compliance.

3.4.3 The Commission may enter into a compliance agreement with a Licensee at any time prior to service of a formal complaint to address any matter that may subject a Licensee to disciplinary action. The compliance agreement will contain such terms and conditions deemed necessary to obtain compliance or continued suitability, including the assessment of monetary payments or other permitted disciplinary sanctions.

3.4.4 A disciplinary action under this section will be initiated by the service of a written complaint or written statement summarizing the basis for the proposed discipline on the respondent by personal delivery, or certified or registered mail. The complaint or statement will contain the following:

3.4.4.1 A citation to the provision(s) of the Ordinance, these regulations, the Compact, IGRA, any conditions of licensure or other applicable law that has been violated or not complied with.

3.4.4.2 A statement of the facts upon which the Commission will rely to show that respondent should be disciplined.

3.4.4.3 A notice of the respondent’s right to a hearing under this Section.



3.4.5 Respondent will file a written answer to a disciplinary complaint or statement within 14 days of service of the complaint or statement.

3.4.6 In a proceeding under this Section, the respondent is entitled to:

3.4.6.1 Notice of all allegations contained in the complaint or statement.

3.4.6.2 Assistance of counsel at respondent's expense.

3.4.6.3 Request the issuance of subpoenas for information relevant to the complaint or statement.

3.4.6.4 Call and cross examine witnesses.

3.4.7 A hearing pursuant to this section will be conducted before the Commission Board, and will proceed as follows:

3.4.7.1 The Commission will have the affirmative duty of establishing, by a preponderance of evidence, a factual basis for the proposed disciplinary action.

3.4.7.2 The case against the respondent will be presented by the Executive Director, Commission delegated attorney or another designated Director of the Commission if necessary.

3.4.7.3 The respondent has the burden of proof to establish any affirmative defenses pled in the answer by a preponderance of the evidence, and to demonstrate that respondent has continually met all requirements of the Ordinance and these regulations applicable to respondent.

3.4.7.4 Testimony will be given under oath or affirmation.

3.4.7.5 Any person making false statements in any matter before the Commission is guilty of perjury.

3.4.7.6 The Commission Board will not be bound by the technical rules of evidence. However, to promote uniformity in the consideration of evidence, the Commission will use as a guide the rules of evidence used in Gun Lake Tribal Court for non-jury civil cases and will use its discretion to assure that the evidence submitted is competent, material to the matters at issue, and trustworthy.

3.4.7.7 Each party may conduct cross-examination of adverse witnesses.

3.4.7.8 The Commission representative may present rebuttal evidence at the conclusion of respondent's case.

3.4.7.9 The Commission representative and/or Commission Board may ask questions of witnesses and may request or allow additional evidence at any time.

3.4.7.10 The Commission Board may require or allow the parties to submit post-hearing briefs and findings of fact and conclusions of law within 10 days of the hearing or within another time period determined by the Commission.



- 3.4.8 The Commission Board will render a decision and issue a written order at the conclusion of the hearing or after receipt of all post-hearing briefs, if allowed.
- 3.4.9 Said decision will be made by majority vote of the Commission Board members present for the Hearing. All present will be required to make a yea or nay vote at the conclusion of the process and ties will be construed as favoring the initial ruling of the Commission.
- 3.4.10 The Commission Board may take any of the following actions in a disciplinary proceeding against a Licensee:
- 3.4.10.1 Suspend, revoke, restrict or place conditions on, the license of a Licensee;
 - 3.4.10.2 Impose a civil fine of up to \$5,000.00 per violation (with a total not to exceed \$100,000.00 or an amount equal to the daily gross receipts, whichever is greater) against the Operation or licensed Management Contractor for each factual scenario which resulted in violations of the Ordinance or these Regulations;
 - 3.4.10.3 Impose a civil fine of up to \$5,000.00 per violation (with a total not to exceed \$25,000.00) against a vendor Licensee for each factual scenario which resulted in violations of the Ordinance or these Regulations OR;
 - 3.4.10.4 Impose a civil fine of up to \$5,000.00 per violation (with a total not to exceed \$10,000.00) against an employee Licensee for each factual scenario which resulted in violations of the Ordinance or these Regulations.
- 3.4.11 Any decision and/or written order issued by the Commission Board following a Disciplinary hearing will comply with the requirements of the Ordinance and will become final, subject only to the appeal proceedings set forth in 3.5 below.

3.5 Appeal Proceedings

- 3.5.1 Within 14 days of a final written order issued by the Commission regarding a hearing under this Section, a respondent may request an appeal of the final order to the Commission Board. A request for appeal must include, in writing, statements regarding the basis for the appeal, including any claim of error made by the Commission Board.
- 3.5.2 The Commission Board may either grant or deny the request for appeal. The decision to grant or deny the appeal will be communicated in writing to the party filing a request for appeal within 14 days of the Commission receipt of the request for appeal.



3.5.2.1 If the Commission Board grants the request for appeal, then it will include in its communication notification of the ability for parties to submit supporting briefs, the deadline for submission of briefs, and any hearings scheduled on the matter in accordance with this Section.

3.5.2.2 If the Commission Board denies the request for appeal, then the Commission Board will issue a written statement to the party requesting the appeal that puts forth the reasons for the denial of the request for appeal.

3.5.2.3 Leave to appeal will be freely granted by the Commission Board unless the respondent seeking to appeal fails to provide a written statement regarding the basis for the appeal, including any claim of error based upon a Record of the proceedings.

3.5.3 Any appeal granted by the Commission Board will be heard by the Commission Board at a meeting or hearing which a quorum of the Commission Board is present.

3.5.4 The parties may submit briefs that include the legal arguments for affirming or overturning a prior order. All briefs must be submitted to the Commission within 14 days of the grant or denial of the request for appeal. The Commission Board may, but is not required to, hold hearings to receive oral arguments from the parties.

3.5.5 Any appeal of an order entered by the Commission Board will be based solely on the existing Record unless otherwise stated in writing by the Commission Board. The Commission Board may only invalidate a prior order if the prior order is clearly erroneous.

3.5.6 The Commission Board will put forth a final ruling on the appeal in writing stating the basis for its ruling following its consideration of the appeal at a meeting or hearing of the Commission Board, and its consideration of any briefs filed by any parties (if any are permitted by the Commission Board). The final ruling will be provided to all parties via personal delivery or certified or registered mail.

3.5.7 Any decision reached by the Commission Board after the appeal proceedings and included in its final ruling will be final. A denial of a request for appeal will also be considered a final ruling.

3.6 Sanctions

3.6.1 The Commission Board may impose sanctions and penalties if it finds that a party has failed to appear at a scheduled hearing without good cause, has acted in bad faith for the purpose of delay, or has otherwise abused the hearing process. Sanctions include, but are not limited to, a fine, limitation of evidence or witnesses or default judgment.



3.6.2 If a party or its Agent fails or refuses to answer a subpoena or to testify fully at the request of the Commission Board, the Commission Board may deem such refusal as independent grounds for a finding against the party.

§4 Patron Disputes

4.1.1 Applicable Regulations

4.1.1.1 From the Gaming Ordinance

7.18.1 Patron Dispute Resolution. In the event of a Patron dispute, the Gaming Operation must notify the Patron of his/her right to contact the Commission regarding the dispute.

7.18.2 Dispute Procedures. The Commission shall establish procedures for resolution of Patron disputes and such procedures shall provide the opportunity for a hearing and an appeal process. If, however, a dispute occurs prior to the establishment of Patron dispute resolution procedures by the Commission, the Commission shall be responsible for Patron dispute resolution. The Commission may conduct any investigation, hold any hearing and shall provide for any appeal deemed necessary to resolve the Patron dispute in accordance with section 9.01.12 of this Ordinance.

4.1.2 Scope

4.1.2.1 This section will pertain specifically to those cases in which a patron contacts the Commission regarding questions as to the integrity and fairness of the gaming and promotions being conducted at one of the Facilities under license from the agency.

4.1.2.2 This process will not apply to claims regarding personal injury or property damage allegedly caused by the Operation or any employee thereof.

4.2 Policy

4.2.1 Patrons of a Operation will be treated fairly and with respect in any dispute between the patron and the Operation concerning the conduct of any gaming activity.

4.2.2 The Commission will investigate whether the Operation made a reasonable effort to address and resolve the patron's dispute with integrity and fairness.

4.3 Required Notice

4.3.1 Every Gaming Facility will have posted, in at least three prominent locations, a notice on a permanent sign with letters at least 1 inch tall:



Notice to Patrons – Patron Dispute Procedure

If you have a dispute regarding the integrity and fairness of the gaming, you are entitled to have your dispute heard. You also have certain rights to review and appeal. For full details, contact any supervisor or a Gun Lake Tribal Gaming Commission representative. You may also contact the Commission at:

Gun Lake Tribal Gaming Commission

1123 129th Avenue

Wayland, MI 49348

Or via email at patron.dispute@gltgc.org

4.3.2 Operations personnel will provide a Commission authored *Patron Dispute Informational Card* with the information detailed in 4.3.1 to any patron who presents a dispute within the scope of this Section.

Operations personnel will further notify the patron of his or her right to contact the Commission regarding a potential Patron Dispute.

4.4 Patron Dispute, Form and Time for Filing

4.4.1 A patron dispute will be on a form authored by the Commission and will contain all of the following:

4.4.1.1 The name, address and telephone number of the patron;

4.4.1.2 A summary of the nature of the patron dispute, including the time and date of the incident which gave rise to the dispute;

4.4.1.3 A list of the names, if known, of any employee that was involved in, or witness to, the incident that led to the dispute;

4.4.1.4 The name, address, and telephone number, if known, of any witnesses to the incident that led to the dispute;

4.4.1.5 A summary of Operation's attempt to resolve the dispute if the Operation was contacted AND;

4.4.1.6 Any other information deemed necessary by the Executive Director or the Commission Board.

4.4.2 A patron will submit the dispute to the Commission within 5 days of the incident that led to the dispute.

The Commission will investigate disputes submitted after the 5 day limit, however may be limited in their investigation.

4.5 Investigation of Disputes

4.5.1 Upon receipt of a patron dispute, the Commission will conduct an investigation. The investigation will be completed in no more than 30 days, unless an extension is granted by the Commission Board. In the event of an extension the patron will be informed of the delay.



4.5.2 Upon completion of the investigation:

4.5.2.1 If the Commission find merit in the dispute, the Commission will issue a determination of the matter, which will be promptly served in writing on Operations and the patron.

4.5.2.2 If the Commission finds no merit in the dispute, the Commission will inform the patron in writing.

4.5.3 The Commission may, at any time and on its own initiative, investigate the facts and circumstances surrounding a patron dispute to determine if a Licensee has violated the Ordinance or these regulations. If a violation is found, then the Commission may initiate action against the Operation.

4.5.4 Wherein the dispute is regarding winnings, if the Commission finds with the patron, a summary judgement compelling compensation from the Operation to the patron may be issued. Such compensation must be equal to the amount that should have been won were the game or promotion being operated in a fair and/or impartial manner.

4.6 Commissioner Review

4.6.1 A patron aggrieved by a determination of the Commission regarding a patron dispute may request a review of the determination by filing a written request with the Commission Board for a hearing within 14 days from the date of receipt of said determination.

4.6.2 Hearings will be conducted in accordance with the provisions of §3 above.

§5 Patron Exclusions

5.1 Applicable Regulations

5.1.1 From the Gaming Ordinance

7.18.4 Exclusion and Reinstatement Authority. The Commission shall have the authority to issue all permanent exclusions from access to the Gaming Facility and shall receive notice from the Operation in the event the Operation permanently excludes a patron. The Commission shall have the exclusive authority to issue reinstatements in accordance with the provisions of this Ordinance, the IGRA, NIGC regulations and Commission regulations.

5.2 Exclusion of Persons; Exclusion List

5.2.1 The Commission will establish and maintain an exclusion list, which will contain a list of persons to be excluded from any Gaming Facility under the jurisdiction of the Commission.



- 5.2.2 The Commission will maintain an internal list (between the Commission and Operation) of all persons that have been ordered to be excluded from the Gaming Facility, which list will include all of the following information and data (if available) for each Excluded Person:
- 5.2.2.1 The person's full name and any known aliases;
 - 5.2.2.2 A physical description and, if available, a photograph;
 - 5.2.2.3 Date of birth;
 - 5.2.2.4 Current or last known address;
 - 5.2.2.5 The type of exclusion (self, Operational, etc.).
 - 5.2.2.6 The effective date the person was placed on the Exclusion List;
 - 5.2.2.7 The date, if any, that the exclusion will expire AND;
 - 5.2.2.8 Any other information deemed necessary by the Executive Director or the Commission Board for the enforcement of this Section or to facilitate identification of the Excluded Person.
- 5.2.3 The Operation may add persons to the Exclusion List by submitting, either electronically or in writing, the information detailed in 5.2.2 above to the Executive Director or their designee.
- 5.2.3.1 A detailed explanation for the exclusion, sufficient to make a case in the event of an appeal to the Exclusion must be included.
 - 5.2.3.2 Any person added to the Exclusion List by the Operation can only be removed via the removal process detailed in 5.4 below.
 - 5.2.3.3 The Commission will conduct an investigation regarding a person who has been placed on the Exclusion List by the Operation. This is to support any future appeal.
- 5.2.4 The Commission will maintain a public list with only the names of Excluded Persons.
- 5.2.4.1 Upon request by another gaming entity the Commission may verify the identity of an Excluded Person (beyond their name).
- 5.2.5 The Commission may place a person on the Exclusion List if the person meets any of the following criteria:
- 5.2.5.1 Has been convicted, plead guilty or no contest to a gambling-related offense or an offense that involves fraud or misrepresentation.
 - 5.2.5.2 Has violated or conspired to violate any provision of the Compact, the Ordinance, these Regulations, Tribal law or federal law.
 - 5.2.5.3 Has been observed by one or more reliable witnesses participating in cheating or the manipulation of games or equipment at the Operation.



5.2.5.4 Whose presence in a Gaming Facility would undermine the public interest, safety, or welfare or is incompatible with the maintenance of public confidence in the Operation, the Commission, or the Tribe.

5.2.5.5 The person's name appears on any valid and current Exclusion List in any jurisdiction and the reason for the person's exclusion in the other jurisdiction would also be likely to result in exclusion from a Gaming Facility within the Commission's jurisdiction under the criteria set forth in these Regulations.

5.2.6 If possible, the Commission will send via first-class mail a written statement to the person placed on the list that includes notice of the placement on the Exclusion List and the opportunity for a hearing on the matter pursuant to §3 above of these Regulations.

5.2.7 If the person fails to request a hearing or fails to present any relevant evidence or testimony to refute the basis for the decision to exclude the person, such person's name will remain on the Exclusion List.

5.3 Exclusion List; Duty of Operations to Report and to Exclude

5.3.1 If a real-time electronic Exclusion List is not available to the Operation, then the Exclusion List will be updated and provided daily to the Operation.

5.3.2 Operations will deny entry to the Gaming Facility and inform the Commission of the names of persons that it knows meet the criteria for exclusion under 5.2.5 above of these regulations.

5.3.3 Operations may bar any person from its facility for up to 364 days.

5.3.3.1 A person barred is not included in the Exclusion List maintained by the Commission.

5.3.3.2 Barred persons may be reinstated by the Operation.

5.3.3.3 The Operation must Exclude a barred person on the 365th day of that person being barred, or remove them from the barred list.

5.4 Removal from Exclusion List

5.4.1 The Commissioners reserve the right to remove any person from the Exclusion List with a simple majority vote.

5.4.2 A person may request removal from the Exclusion list in writing directly to the Commission. The written request must include:

5.4.2.1 The name of the Excluded Person;

5.4.2.2 Their address and phone number;

5.4.2.3 A detailed description of their understanding of the reason for the Exclusion AND;

5.4.2.4 A detailed case for why the Exclusion should be removed.



5.4.3 A person may only request to be removed once in any 1 year period. The first such request may not be made until 365 days have passed from the initial exclusion. Such requests may be granted or denied an appeal hearing following §3 above; notification will be sent to the person within 14 days as to the determination and the reasoning behind said determination by the Commission.

5.4.4 These exclusion policies will not prohibit eligible voters of the Tribe from entering non-gaming floor areas of a Gaming Facility for the purposes of exercising voting rights, members from attending Tribal political or community meetings, or Tribe employees from attending mandatory work-related meetings during work hours held in the Gaming Facility.

5.4.5 An employee of the Operation who is on the Exclusion List (via a self-exclusion) is permitted in the Gaming Facility only during their working hours while performing their assigned duties. They may not participate in gaming or in any other Gaming Facility amenities at any time.

5.4.6 Operations is required to notify the Commission immediately upon discovery any of jackpots won by excluded patrons.

5.4.7 Any jackpot won by a person whose name appears on the Exclusion List will be forwarded to the Tribe per the Ordinance section 11.15.

5.5 Self-Exclusion

5.5.1 A patron may request addition to the Exclusion List by:

5.5.1.1 Completing a “Self-Exclusion” form.

5.5.1.1.1 This form will include:

5.5.1.1.1.1 The person’s full name;

5.5.1.1.1.2 Date of birth;

5.5.1.1.1.3 Current address;

5.5.1.1.1.4 The signature and date;

5.5.1.1.1.5 The name, signature and date signed of the witness (either an Operations or Commission employee);

5.5.1.1.1.6 The term of the exclusion (either one year or permanent);

5.5.1.1.1.7 Details of the hearing process required to overturn an exclusion AND;

5.5.1.1.1.8 Any other information deemed necessary by the Executive Director or the Commission Board for the enforcement of this Section or to facilitate identification of the Excluded Person.

5.5.1.1.2 The form is valid if:



5.5.1.1.2.1 It is signed by an employee of the Operation or Commission, who affirms the identity of the patron OR;

5.5.1.1.2.2 Is notarized confirming the identity of the patron.

5.5.2 The Self-Exclusion form:

5.5.2.1 Will be authored by the Commission.

5.5.2.2 Will be made available to the Operation.

5.5.2.3 Will be readily available to patrons at the Gaming Facility upon request.

5.5.2.4 Will be available at the Commission offices.

5.5.2.5 Will be available online.

5.5.3 If witnessed by the Operation, a copy of the form will be provided to the patron. The original will be delivered to the Commission within 1 day of receipt.

5.5.4 If witnessed by the Commission, a copy of the form will be provided to the patron.

5.5.5 Once received by the Commission:

5.5.5.1 If the form is complete and accurate, the patron will be added to the Exclusion List.

5.5.5.2 If the form is incomplete, the Commission will attempt to contact the patron to properly complete the form.

5.5.6 Removal from Exclusion List

5.5.6.1 Patrons who self-exclude for one year will automatically be removed after 365 days, if the Commission finds no record of them violating the self-exclusion.

5.5.6.2 Persons on the on-year self-excluded list may be moved to permanent exclusion list if they violate the term of the exclusion.

5.5.6.3 Patrons permanently self-excluded must follow the process detailed in 5.4 above.

§6 Vendor Licensing

6.1 Introduction: The Gun Lake Tribal Gaming Commission (“Commission”) is a regulatory subdivision of the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians (“Tribe”), which provides oversight of gaming activity occurring within the Tribe’s jurisdiction to ensure compliance with the Gun Lake Gaming Ordinance (“Ordinance”) and other applicable laws.

6.1.1 Per the ordinance (10.02.3) “Any Gaming Service Supplier shall apply for and obtain a license before providing any Gaming Service.”



- 6.1.2 Purpose: Support the Commission’s mission to ensure adequate protection of public health and safety, and to foster the stability and success of gaming.
- 6.1.3 Applicability: This chapter applies to all vendor companies (“Vendors”) issued a license by the Commission and their employees, agents, subcontractors and contractors who will enter the gaming facility on behalf of the Vendor and have access to gaming devices or those programs and devices that support gaming. It further applies to any such persons who have access to proprietary gaming information maintained by the Casino or the Commission regardless of their location. This propriety information includes (but is not limited to) patron data, revenue information, gaming information, gaming devise setup information and surveillance streams. These persons (“Vendor Individuals”) must have a valid gaming license issued by the Commission or from another regulatory agency as approved by the Commissioners.
- 6.1.4 Tribal Laws: In performing obligations, Vendors shall comply and cause Vendor Individuals to comply with rules and regulations promulgated by the Gun Lake Gaming Commission, the Gun Lake Gaming Ordinance and all other applicable Tribal laws.
- 6.1.5 Federal Laws: In performing obligations, Vendors shall comply and cause Vendor Individuals to comply with applicable federal laws, including, but not limited to gambling laws, anti-corruption, anti-money laundering, privacy, data security and financial laws.
- 6.1.6 Duties. Vendor shall:
- 6.1.6.1 Maintain, and have readily available for review, all records required by the Commission for a minimum of three (3) years;
 - 6.1.6.2 Provide data protection such that proprietary data is reasonably safe from data breaches;
 - 6.1.6.3 Have systems in place to ensure that data protection is up-to-date and meets industry best practices;
 - 6.1.6.4 Have systems in place to ensure that proprietary data is only available to licensed Vendor Individuals;
 - 6.1.6.5 Display surveillance streams in a secure location approved by the Commission;
 - 6.1.6.6 Maintain all required systems to ensure compliance with all applicable laws;
 - 6.1.6.7 Submit notification, prior to implementation, to the Commission to any changes to systems, data protection and location changes of the above required systems; and
 - 6.1.6.8 The Commission shall be notified immediately of any items or events of non-compliance, including data breaches and violations of law.
- 6.1.7 Prohibited Acts. Vendor and Vendor Individuals shall not:



- 6.1.7.1 Disclose or distribute, any proprietary information, including surveillance security streams or other confidential information without the prior written approval of the Commission.
- 6.1.7.2 Participate recreationally in any gaming activity within the jurisdiction of the Commission.
- 6.1.7.3 Fail to provide notification to the Commission Licensing department in writing of any good or service gifted to the any KEY or PMO casino licensee or their families in excess of one-hundred dollars (\$100).
- 6.1.7.4 Fail to comply with applicable laws or regulations.
- 6.1.8 Enforcement: Failure by Vendors or Vendor Individuals to comply with this Regulation, the Gun Lake Gaming Ordinance or any applicable laws may result in regulatory action by the Commission, including but not limited to, suspension pending investigation, fines and/or revocation. [The regulatory action may be taken against a Vendor, Vendor Individuals, or both](#)

§7 Proprietary Information and Access

7.1 Introduction:

7.1.1 The Gun Lake Tribal Gaming Commission (“Commission”) is a regulatory subdivision of the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians (“Tribe”), which provides oversight of gaming activity occurring within the Tribe’s jurisdiction to ensure compliance with the Gun Lake Gaming Ordinance (“Ordinance”) and other applicable laws.

7.1.2 Per the Gun Lake Tribal Gaming Ordinance, (“Ordinance”) 7.12; “All documents and records created by the Commission or received by the Commission, including personnel files and employment records, information, records, interviews, reports, statements, memorandums or other data related to investigations of any matter within the scope of authority of the Commission are deemed the sole property of the Commission and not subject to disclosure. The Commission may release records of the Commission when authorized by Tribal Council Resolution, Commission Resolution, when requested by the NIGC, or when ordered to release such records when ordered by the Gun Lake Tribal Court or by summons or subpoena of a federal governmental agency.”

7.2 Purpose: The Proprietary Information and Access Regulation supports the Commission’s mission to ensure adequate protection of public health and safety, and to foster the stability and success of gaming.

7.3 Applicability



7.3.1 The Addendum applies to all requests of proprietary information by regulatory or federal governmental agencies or third-party audit companies, their employees, agents, subcontractors and contractors. This propriety information includes (but is not limited to) patron data, revenue information, gaming information, gaming device setup information and surveillance streams. Criminal History Report Information (CHRI) is specifically excluded from such requests as it is the policy of the Commission to share CHRI information with no other entities.

7.3.2 These agencies or companies must be approved by the Commission or by Tribal Council Resolution prior to granting access to gaming devices or those programs and devices that support gaming and the release of any proprietary information.

7.4 Tribal Laws: In performing obligations, these agencies or companies shall comply and cause individuals to comply with rules and regulations promulgated by the Gun Lake Gaming Commission, the Gun Lake Gaming Ordinance and all other applicable Tribal laws.

7.5 Federal Laws: In performing obligations, these agencies or companies shall comply and cause individuals to comply with applicable federal laws, including, but not limited to gambling laws, anti-corruption, anti-money laundering, privacy, data security and financial laws.

7.6 Duties. Agencies/Companies shall:

7.6.1 Provide written requests of access to gaming devices and programs to the Commission;

7.6.2 Written and detailed list of requested proprietary information to the Commission;

7.6.3 Maintain, and have readily available for review, all requests and records required by the Commission for a minimum of three (3) years;

7.6.4 Provide data protection such that proprietary data is reasonably safe from data breaches;

7.6.5 Have systems in place to ensure that data protection is up-to-date and meets industry best practices;

7.6.6 Have systems in place to ensure that proprietary data is only available to approved agencies and companies;

7.6.7 Maintain all required systems to ensure compliance with all applicable laws.

7.6.8 Submission and notification, prior to implementation, to the Commission to any changes to systems, data protection and location changes of the above required systems.

7.6.9 The Commission shall be notified immediately of any items or events of non-compliance, including data breaches and violations of law.

7.7 Prohibited Acts. Vendor and Vendor Individuals shall not:



- 7.7.1 Disclose or distribute, any proprietary information, including surveillance security streams or other confidential information without the prior written approval of the Commission.
- 7.7.2 To solicit, directly or indirectly, or use inside information on the nature or status of any gaming for the benefit of an individual.
- 7.7.3 Fail to provide notification to the Commission in writing of any good or service gifted to or received from any KEY or PMO casino licensee or their families in excess of one-hundred dollars (\$100).
- 7.7.4 Fail to comply with applicable laws or regulations.
- 7.8 Enforcement: Failure to comply with this Regulation, the Gun Lake Gaming Ordinance or any applicable laws may result in regulatory action by the Commission, including but not limited to fines, civil infractions or incarceration consistent with the enforcement guidelines provided in 16.03-16.07 of the Ordinance.