

Bay Mills Indian Community
Gaming Commission Rules

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BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 1: PATRON DISPUTES

(a) **Refusal to Pay Winnings.** Whenever an Operator refuses payment of alleged winnings to a patron, and the Operator and the patron are unable to resolve the dispute to the satisfaction of the patron, and the dispute involves:

(1) At least Five Hundred Dollars (\$500), the Operator shall immediately notify the Gaming Commission. The Commission shall conduct whatever investigation it deems necessary and shall determine within ten (10) days of notification whether payment should be made; or

(2) Less than Five Hundred Dollars (\$500), the Operator shall inform the patron of his/her right to request that the Gaming Commission conduct an investigation. The patron shall request an investigation within five (5) days of the payment refusal, upon receipt of such request, the Commission shall conduct whatever investigation it deems necessary and shall determine within seven (7) days whether payment should be made.

(b) **Notice to Patrons.** The Gaming Commission shall mail written notice by certified mail, return receipt requested, to the Operator and the patron of the decision resolving the dispute.

(c) **Effective Date of Decision.** The decision of the Gaming Commission is effective on the date it is received by the aggrieved party, as reflected on the return receipt.

(d) **Review of Decision.** Within 20 days after the date of receipt of the written decision, the aggrieved party may file a petition with the Gaming Commission requesting a review of the decision. The Commission may set a hearing on the matter or may make a decision based upon the prior decision and other documentation provided to it by the patron and Operator as part of the request for review. The Commission shall then issue a written decision and mail it to the parties pursuant to the procedures set forth in subsec. (b), above. The decision of the

Commission shall be final and binding upon the patron and Operator, and shall not be subject to judicial review, dispute resolution, or other legal action.

BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 2: BACKGROUND INVESTIGATIONS

(a) **Criminal History Checks.** All persons seeking employment from an Operator as a key employee, and any person who desires to serve as a primary management official shall be fingerprinted by staff of the Gaming Commission or its designee. The fingerprints shall be immediately transmitted to the National Indian Gaming Commission (NIGC) for the purpose of obtaining the person's criminal history record information (CHRI). Dissemination of information resulting from the CHRI shall be subject to the Memorandum of Understanding with NIGC and the Bay Mills Indian Community.

(b) **Personal History Prohibiting License Issuance.** No license shall be issued by the Commission for any person who:

(1) Has been convicted of or entered a plea of guilty to a gambling-related offense, fraud, or misrepresentation; or

(2) Has been convicted of or entered a plea of guilty or no contest to any other offense (not specified in subsec. (1), above) within the immediately preceding five (5) years, unless such person:

(i) has been pardoned by the Governor of the State in which the conviction occurred, or

(ii) is a member of the Bay Mills Indian Community and has been determined by the Commission to be a person who is not likely to again engage in any offensive or criminal course of conduct and that the public good does not require that the license be denied; or

(3) Has been terminated from employment with the Bay Mills Indian Community for fraud, theft, falsifying information, or embezzlement within the immediately preceding five (5) years, unless such person:

(i) was less than 18 years of age at the time of the termination, and

(ii) the Executive Council of the Bay Mills Indian Community has authorized a waiver of the

licensure prohibition for the conduct causing employment to be terminated.

(4) As used in subsec. (1), "fraud or misrepresentation" means a criminal offense committed in Michigan or any other jurisdiction which involves theft, fraud or misrepresentation, which is a felony, or would be a felony if committed in Michigan, and which was committed by an adult or prosecuted as an adult offense, and which has not been effectively removed from the person's criminal record by executive pardon, state court order, or operation of law.

(5) As used in subsec. (2), above, "offense" means 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, if committed in another jurisdiction, would be a violation of any of the above provisions of Michigan law, and which was committed by an adult or prosecuted as an adult offense, and which has not been effectively removed from the person's criminal record by executive pardon, state court order, or operation of law.

(c) **Background Investigation.** Upon receipt of an application for employment by a licensed Operator as a key employee or primary management official, the Operator shall immediately transmit the completed application to the Commission for its review. The employment application form shall be the basis for conducting the background investigation required by federal regulation and tribal law, and shall include all information specified in Sec. 6.2 of the Tribe's Gaming Ordinance. Utilization of the employment form(s) approved by the Commission is presumed to comply with this Rule and the Tribal Ordinance.

The Commission shall review the prospective employee's employment history and personal background to determine if the person is eligible for a license. In making such determination, the Commission shall:

(1) verify the accuracy and completeness of the person's employment history and personal background, through the contact by appropriate means of present and former employers, business partners, customers, and such other persons or entities as are appropriate;

(2) ascertain the existence of any adverse action by any gaming licensing authority on a license previously or currently issued to the person;

- (3) ascertain the existence of violations of the Tribe's Gaming Ordinance by the prospective employee when previously licensed by the Commission, which resulted in documented disciplinary action by the Operator;
- (4) prepare a written report concerning the results of the background investigation, which includes:
- (i) steps taken in conducting the background investigation;
 - (ii) results obtained;
 - (iii) conclusions reached; and
 - (iv) basis for those conclusions.
- (d) **Status of Person Pending Results of Background and CHRI Investigation; Temporary License.** The Commission may, but is not required, to issue a temporary license under Sec. 6 of the Tribe's Gaming Ordinance, subject to the completion of the Criminal History Record Information and the background investigations. No temporary license shall be issued for a period of more than 90 days.
- (e) **Transmittal of Investigation Report to NIGC.** Upon completion of the background investigation, the Commission shall determine whether or not the applicant is suitable for a license. The results of the investigation and the licensing eligibility determination shall be memorialized on a Notification of Results (NOR) form and transmitted to NIGC within 60 days after an employee begins work as a key employee and/or a primary management official.
- (1) If, after receipt of the NOR form, NIGC notifies the Commission that it has no objection to the issuance of a key employee or primary management official license, the Commission may proceed to issue a permanent license to the applicant.
 - (2) If, after receipt of the NOR form, NIGC provides the Commission with a statement itemizing objections to the issuance of a license to a key employee or primary management official, the Commission shall reconsider the application, taking into account the objections itemized by NIGC. The Commission shall make the final decision whether to issue a license to such applicant.
- (f) **Investigation of Persons Doing Gaming-Related Business with the Bay Mills Indian Community.** The procedures of this Rule, except subsec. (a), above, shall apply to any person, partnership, association, and stock

and non-stock corporation with whom the Tribe is, or is contemplating, engaging in:

- (1) purchasing gaming equipment or supplies;
- (2) management of gaming activities for the Tribe or an Operator licensed by the Commission; or
- (3) provision of funds to the Tribe for its conduct of gaming-related activities.

The applicant for a vendor's license is responsible for payment of any cost incurred by the Commission in carrying out the investigation required by this Rule. All such costs shall be payable, in addition to the license fee established by Game Rule 5, prior to the issuance of a vendor license.

(g) **Background Procedures and Costs for License Applicants Residing Outside the United States.** In addition to the criminal history check procedures of this Rule, any person who has resided in any foreign country within the last 10 years and seeking a gaming license shall obtain a criminal history check by law enforcement officials of each foreign jurisdiction in which the applicant has resided, as specified in this subsection. The costs of such background check will be assessed against the applicant, payable upon such terms as the Commission shall direct. For applicants who have resided in Canada, the following is required:

(1) Submission of a C-Pic form by an applicant is required for issuance by the Commission of:

- (i) A temporary license; and
- (ii) Annual renewal of a gaming license.

(2) Within 30 days of issuance of a temporary license, the Commission must receive written evidence that the applicant has submitted a C-Pic form to the Receiver General of Canada. Failure by the applicant to provide the requisite evidence of form submission shall result in termination of the temporary license.

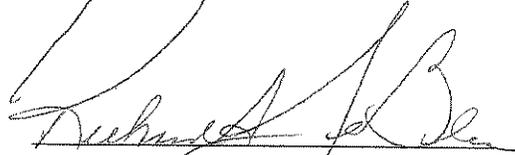
(3) The Commission may issue a gaming license to any applicant whose license submission does not include the Receiver General's finger-print based criminal history report, provided that the applicant has complied with the documentation requirement of subsec. (2), above. Any license issued to such applicant shall be terminated or revoked upon receipt of the Receiver General's report which documents any offense listed in subsec. (b) of this Rule.

(4) If the Receiver General's criminal history report is not received within 180 days of the Commission's issuance of a temporary license, the Commission may terminate or revoke any license issued to the applicant under Section 6.8(A)(1) of the Gaming Ordinance, on the basis that the absence of criminal history information constitutes withholding of pertinent information.

(h) **Fees for Background Investigation.** All persons seeking employment as a key employee or primary management official shall remit a fee in the amount of Forty Dollars (\$40.00) as and for reimbursement to the Commission for the cost of conducting a background investigation. The fee must accompany the application for licensure; no application shall be processed unless or until the fee is paid by the applicant.

CERTIFICATION

This is to certify that the above Gaming Commission Rule No. 2, as amended by revising Sec. (e), has been passed and approved at a meeting of the Bay Mills Executive Council held at Bay Mills, Michigan on the 29th day of May, 2012, with a vote of 4 for, 0 opposed, 1 abstaining, and 0 absent. The Tribal President must abstain except in the event of a tie.



Richard A. LeBlanc, Secretary
Bay Mills Executive Council

MEMORANDUM OF UNDERSTANDING
REGARDING THE DISSEMINATION OF CRIMINAL HISTORY RECORD
INFORMATION BY THE NATIONAL INDIAN GAMING COMMISSION

In order to facilitate the undersigned tribe (Tribe) in determining the suitability of individuals who have applied for employment as key employees and primary management officials in its gaming operations, the National Indian Gaming Commission (NIGC) will be obtaining criminal history record information (CHRI) from the Federal Bureau of Investigation (FBI) on these individuals and disseminating such information to the Tribe.

This memorandum sets forth the following conditions under which the NIGC will provide CHRI to the Tribe:

1. The FBI has retained the right to approve the dissemination of CHRI and may at some future date prohibit the NIGC from disseminating CHRI. It is understood by the Tribe that the NIGC will not release any information without having received all required prior approvals from the FBI and will not release any information where prohibited from doing so by the FBI. It is further understood that the FBI may impose restrictions on the release and use of the CHRI in addition to those imposed by the NIGC and that the Tribe will be subject to all such additional restrictions.
2. The CHRI provided by the NIGC may be used by the Tribe solely for the purpose of determining a particular applicant's suitability for employment in the Tribe's gaming operation(s).
3. NIGC responses will only contain CHRI information on a particular applicant and will not contain recommendations or conclusions of the NIGC. The NIGC reserves the right to furnish to the Tribe summary memoranda containing the results of the information search of the criminal history records maintained by the FBI.
4. CHRI provided to the Tribe shall be afforded proper security. The Tribe shall ensure that access to all CHRI furnished by the NIGC, including all summary memoranda, is restricted to personnel directly involved in licensing deliberations. The Tribe shall maintain records of the identities of all persons receiving access to the CHRI and such records shall be furnished to the NIGC upon request.

5. Except in connection with proceedings related to the Tribe's licensing determinations for gaming employees, neither the CHRI nor any summary memoranda furnished by the NIGC shall be reproduced, disseminated, or introduced in a court of law or administrative hearing, without the prior written consent of the NIGC.

6. Employees, past and present, of the NIGC will not be called as witnesses to testify relative to CHRI disseminated to the Tribe before any Tribal court or in any Tribal administrative hearings, except in extraordinary circumstances to be determined by the NIGC.

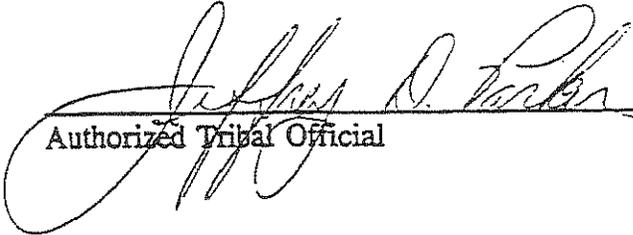
7. Any request for access to the provided CHRI by the individual who is the subject of the CHRI shall be referred to the NIGC for processing and an appropriate response pursuant to the Freedom of Information and Privacy Acts (Title 5, USC, Section 552 and 552a).

8. Tribal authorities will be promptly notified in the event that the NIGC determines that it is necessary to discontinue providing CHRI information to the Tribe (either in whole or in part) due to the Tribe's failure to comply with the conditions set forth in this memorandum.

The Tribe acknowledges and consents to the above-stated conditions on this 27th
day of August, 1993.

BAY MILLS INDIAN COMMUNITY

Tribe



Authorized Tribal Official

BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 3: TECHNICAL STANDARDS FOR ELECTRONIC MACHINES, PARTS AND SYSTEMS

(a) **Application of Technical Standards; Scope.** Any of the items listed below which is installed in a facility licensed by the Commission shall meet the hardware and software technical standards of either the State of Nevada or the State of New Jersey:

(1) Gaming machine, as defined in Section 2.23 of the Gaming Ordinance;

(2) Associated gaming equipment or parts, defined as an item which is:

(i) necessary for proper operation and essential function of a gaming machine or other game;

(ii) relate to accepting and paying out cash or cash equivalents;

(iii) relate to determining and displaying outcome, awards or prizes of the game; or

(iv) electronic or mechanical components used in the play of card games, such as electronic shuffling devices.

(3) associated computerized systems that:

(i) affect the reporting of adjusted gross proceeds;

(ii) affect the reporting of statistical data required to be generated and maintained by a Gaming Operator pursuant to regulations, including minimum internal controls; or

(iii) monitor security of gaming machines or other games.

(b) **Certification.** Each item listed in sec. (a)(1)-(3), above, or a prototype thereof, shall be tested, approved and certified by a gaming test laboratory as meeting the requirements of sec. (a), prior to its installation in a facility licensed by the Commission. The Commission shall accept such certification only from a laboratory which:

(1) Is an independent or State-operated gaming test

laboratory recognized in the gaming industry;

(2) Has demonstrated competence and qualification to conduct scientific tests and evaluations of electronic gaming devices and systems and to otherwise perform the functions required by this Rule;

(3) Is licensed, contracted with, or otherwise approved by the State of Nevada or New Jersey.

The Commission shall select one or more gaming test laboratories to perform the tests required by this section. A list of laboratories approved by the Commission shall be provided upon request.

(c) Testing of Games of Chance; Report.

(1) The Commission shall require the manufacturer or distributor of a gaming machine, associated equipment or computerized system to follow and comply with the gaming laboratory's protocols and procedures for submission and testing of any such item, including transport of not more than two (2) working models of such item to a location designated by the laboratory for testing, examination and analysis. The manufacturer or distributor shall pay for any and all costs for the transportation, testing, examination and analysis. Said testing may include the entire dismantling of the electronic game of chance and related equipment, and some tests may result in damage or destruction to one or more electronic components of the devices. If required by the laboratory, the manufacturer shall provide specialized equipment or the services of an independent technical expert to assist with the testing, examination and analysis.

(2) A report summarizing the gaming laboratory's evaluation of the gaming machine, associated equipment or computerized system shall be issued, which includes:

(i) an explanation of the manner in which the item(s) operates; and

(ii) the unique electronic signatures or other electronic identification codes for game EPROMs or other equivalent game software media.

(d) Manufacturer/ Distributor Certification of Conformity. The manufacturer or distributor of each gaming machine, associated equipment or computerized system which is proposed to be installed in a facility licensed by the Commission shall certify, in writing, that upon such installation, each such item:

(1) conforms precisely to the exact specifications of the electronic game of chance prototype testing and approved by the gaming test laboratory; and

(2) operates and plays in accordance with the technical standards adopted in sec. (a), above.

(e) **Information on Each Game to be Maintained.** Prior to installation of an electronic game of chance in a facility licensed by the Commission, the manufacturer or distributor shall report to the Commission the following information for each such game, including, but not limited to:

(1) the type of electronic game of chance;

(2) the game's serial number;

(3) the game's manufacturer;

(4) the person from whom the game was acquired, the means by which the game was transported into the State of Michigan, and the name and street address of any common carrier or other person transporting the game;

(5) the certification required under sec. (d), above;

(6) the Erasable Programmable Read Only Memory (EPROM) chip's identification number;

(7) the location in which the game will be placed; and

(8) the date of installation.

(f) **Notification of Permanent Removal from Play.** No less than five (5) days prior to the permanent removal of an electronic game of chance from use by patrons of a facility licensed by the Commission, the Operator shall report in writing to the Commission the following:

(1) the date on which the game is scheduled to be removed;

(2) the reason for removal, such as: sale, storage, transfer;

(3) the game's destination upon removal, including the address of such destination; and

(4) the name of the person to whom the equipment is to be transferred, including the person's street address, business and home telephone numbers; the

means by which the game is to be transported and the name and street address of any common carrier or other person transporting the game.

(g) **Games Removed from Play; Actions.** The Operator shall ensure that any game removed from the playing floor shall be placed in a secure storage facility. Prior to removal from the playing floor, the Gaming Commission shall verify the serial numbers of each game, and take custody of each computer programming chip until or unless the game is sold or otherwise transferred to another party.

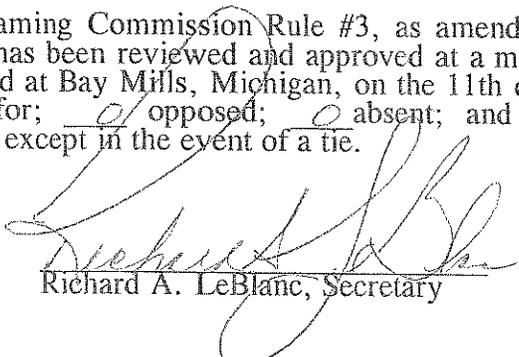
(h) **Sale of Gaming Device.** The Operator shall not sell, or otherwise obtain value for a gaming device, unless the Operator complies with the requirements of sec. (f), above, and:

(1) Complies with the provisions of the Johnson Act in carrying out the sale; and

(2) Provides to the Gaming Commission a duplicate copy of the sales contract, which specifies for each gaming device: its manufacturer; the serial number and program chip number; and the sale price.

CERTIFICATION

This is to certify that the above Gaming Commission Rule #3, as amended by revising sections (a), (b), (c) and (d), has been reviewed and approved at a meeting of the Bay Mills Executive Council held at Bay Mills, Michigan, on the 11th day of June, 2007, with a vote of 4 for; 0 opposed; 0 absent; and 1 abstaining. The President must abstain except in the event of a tie.


Richard A. LeBlanc, Secretary

BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 4: ELECTRONIC GAME OF CHANCE MINIMUM PAY OUTS

Software Requirements for Percentage Payout. Each electronic game of chance must meet the following minimum theoretical percentage pay out during the expected life time of the game:

(a) Games not affected by player skill. Electronic games of chance with game outcomes not affected by player skill shall pay out a minimum of 80 per cent of the amount wagered, including replays. The theoretical payout percentage shall be determined using standard methods of probability theory. For the video game of keno, the theoretical payout percentage requirements apply to each number of spots marked, but in no instance less than 75 per cent for each wager.

(b) Games affected by player skill. Electronic games of chance that are affected by player skill, such as draw poker and blackjack, shall pay out a minimum of 83 per cent of the amount wagered, including replays. This standard is met when using a method of play which will provide the greatest return to the player over a period of continuous play.

CERTIFICATION

This is to certify that the above Gaming Commission Rule #4, as amended has been reviewed and approved at a meeting of the Bay Mills Executive Council held at Bay Mills, Michigan, on the 10th day of December, 2001, with a vote of 4 in favor, 0 opposed, 0 absent, and 1 abstaining. The President must abstain except in the event of a tie.


Terry E. Carrick, Secretary

BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 5: LICENSES FOR CLASS III GAMING VENDORS

(a) **License Required.** Any person that supplies any equipment, devices, supplies or services unique to the Tribe's Class III gaming operation, and any person determined by the Commission to be engaged in other gaming-related activities, must first obtain a vendor's license. Provided, however, that the vendor's license requirement shall not apply to a federally recognized Indian Tribe who engages in gaming activities pursuant to a Class III Compact with the State of Michigan.

(b) **License Application Fee.** The Gaming Commission may issue a vendor's license to such persons, firms or corporations which apply for such upon the payment of a non-refundable application fee. The amount of such fee shall be the sum of \$750 for the business entity, and an additional \$250 for each business entity principal, partner and any other person who holds ten per cent (10%) or more ownership interest in the entity. Renewal fees are governed by Section (h).

(c) **Contents of Application.** Any applicant for a vendor's license shall furnish to the Commission:

(1) a list of all equipment, devices, supplies and services offered for sale or lease in connection with Class III gaming;

(2) a completed description of the person's business, contained in the "Vendor Disclosure Form" obtained from the Commission; and

(3) written certification, in compliance with Gaming Commission Rule 3, that the supplies, devices and equipment conform to Commission standards.

(d) **Compliance with Background Investigation Requirements.** No vendor's license shall be issued prior to the completion of the background investigation required under the provisions of Game Rule 2, including payment for investigation costs incurred by the Commission.

(e) **Grounds for Refusal to Issue License.** A person, firm or corporation is ineligible to receive a vendor's license if any of the following exist:

(1) the person has been convicted of a felony under

the laws of Michigan, any other State, or the United States within the 5 years preceding the application for license;

(2) the person has been convicted of or entered a plea of guilty or no contest to a gambling-related offense, or to fraud or misrepresentation;

(3) the person is a member of the Gaming Commission;

(4) the firm or corporation is one in which an officer, director or managerial employee is ineligible for a license under subsec. (1) through (3), above;

(5) the firm or corporation employs a person who participates in the management or operations of the Tribe's Class III gaming;

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

(7) the person, firm or corporation is associated with organized crime.

(f) **Effect of License.**

(1) The holder of a vendor's license is authorized to sell or lease, and to contract to sell or lease, gaming equipment and supplies unique to gaming to the Tribe's Class III gaming facilities for a period of one (1) year from the date of issuance.

(2) Employees of a licensed vendor shall be issued access permits while engaged in servicing, installing, removing, or like activities related to their employer-provided equipment or services which are located in a facility licensed by the Gaming Commission. Such permit requires compliance with all applicable federal, state and tribal laws, and with regulations of the Commission.

(g) **Equipment Used in Unauthorized Facility.** Any supplier's equipment, devices or supplies which are used by any person in a gaming operation not authorized by the Tribe and the Commission shall be confiscated by the Commission.

(h) **Provisional License.** The Commission may, at its discretion, issue a provisional license to any applicant who provides written documentation that it holds a current gaming vendor's license from any State, and who submits an application fee of \$1,000. For those vendors seeking a

vendor's license prior to October 1st of any calendar year, this amount will be credited to the license fee payment due under Section (b) of this Rule. For those vendors seeking a license after October 1st, the provisional license shall be in effect until March 31 of the subsequent calendar year, and no further license fee shall be due.

(i) **License Renewal.** A vendor who has received a license under this Rule may obtain a renewal license upon written application for such renewal license, which shall clearly state any change in ownership, location, employees, or any other subject listed in the application from that of the previous year. A license renewal fee shall accompany the application, which shall be:

(1) For vendors with no significant change indicated in the renewal application, a fee of \$250 for the business entity and an additional \$100 for each business entity principal, partner or stockholder who is listed on the previous year's application;

(2) For vendors with a significant change indicated in the renewal application, a fee of \$750 for the business entity and in addition, a fee of \$250 will be assessed for each new principal, partner and stockholder not previously listed in the vendor's application.

(j) **Waiver or Reduction of Fees.** The Gaming Commission may waive or reduce the amount of the renewal fee upon written request of the applicant for renewal, provided that such request is made prior to the submission of the renewal application. The applicant must demonstrate:

(1) that payment of the established fee amount causes, or will cause, financial hardship to the applicant; or

(2) that the renewal fee is an amount equal to at least fifty per cent (50%) of the total annual gross revenue which the applicant derives from doing business with the operator(s) licensed by the Gaming Commission.

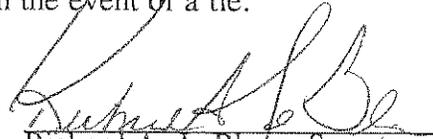
The decision to issue a waiver, or to reduce the established fee by any amount, is a matter solely within the discretion of the Gaming Commission.

(k) **Vendor License Term from and after 2009.** For calendar year 2009, the expiration date of vendor's licenses shall be March 31, 2010. Thereafter, all vendor licenses shall be issued for a term ending on March 31. The fees for a

vendor license shall continue to be determined pursuant to Sections (b) and (i), and shall also include the payment of any costs incurred by the Commission in carrying out the investigatory functions described in Game Rule 2(f).

CERTIFICATION

This is to certify that the above Gaming Commission Rule #5, as amended by revising Secs. (d), (j), and (k), has been reviewed and approved at a meeting of the Bay Mills Executive Council held at Bay Mills, Michigan, on the 23d day of January, 2012, with a vote of 4 in favor, 0 opposed, 0 absent, and 1 abstaining. The President must abstain except in the event of a tie.


Richard A. LeBlanc, Secretary
Bay Mills Executive Council

BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 6: WAIVER BY TRIBE OF EMPLOYMENT REQUIREMENT

(a) **Authority of Executive Council.** The Executive Council of the Bay Mills Indian Community shall have the sole authority to determine, upon request by a member of the Bay Mills Indian Community, that:

(1) the existence of a criminal record within five (5) years of application for employment by said member for an offense subject to section 4(D)(3) of the Compact with the State of Michigan should not preclude employment; and

(2) said member is not likely again to engage in any offensive or criminal course of conduct; and

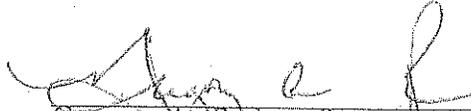
(3) the public good does not require that the applicant member be denied employment as a "primary management official", "key employee", or staff of the Gaming Commission.

(b) **Notification of Waiver.** The Executive Council shall advise the Gaming Commission in writing of its determination that a member applicant has, or has not, received waiver of the specific, known criminal offense, required for employment. Such notice shall be placed in the applicant's license file.

(c) **Effect of Waiver.** No member applicant for a gaming license as a "primary management official" or "key employee" shall be refused consideration for a license by the Gaming Commission, nor shall a member applicant for employment as staff of the Gaming Commission be refused consideration for such employment, due to a criminal record for an offense listed in section 4(D)(3) of the Compact with the State of Michigan if a waiver has been issued by the Executive Council and is filed with the Gaming Commission for licenses and the Personnel Department for Commission staff positions.

CERTIFICATION

This is to certify that the above Gaming Commission Rule No. 6, as amended in subsec. (c), has been passed and approved at a meeting of the Bay Mills Executive Council held at Bay Mills, Michigan on the 11th day of July, 2005, with a vote of 3 for, 0 opposed, 1 abstaining, and 1 absent. The Tribal President must abstain except in the event of a tie.



Gregory W. Parker, Secretary
Bay Mills Executive Council

BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 7: EMPLOYEES CLASSIFIED AS "KEY EMPLOYEE"

(a) **Positions Classified as "Key Employee"**. In addition to those positions determined to have "key employee" status by Section 2.30 of the Gaming Ordinance, the Gaming Commission finds the following additional positions require a license and background check:

- (1) Surveillance.
- (2) Shipping and receiving.
- (3) Revenue auditor.
- (4) Slot machine accounting and/or player tracking system analyst and technician.
- (5) An employee whose position description requires regular performance of duties in sensitive areas, as such are defined in Rule 19, as that may from time to time be amended.

CERTIFICATION

This is to certify that the above Gaming Commission Rule #7, as amended through the addition of (a)(5), has been reviewed and approved at a meeting of the Bay Mills Executive Council held at Bay Mills, Michigan, on the 11th day of December, 2006, with a vote of 4 for, 0 opposed, and 1 abstaining. The President must abstain except in the event of a tie.


Richard A. LeBlanc
Secretary
Executive Council

BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 8: GAMING BY COMMISSION MEMBERS AND STAFF

(a) **Proscribed Activity.** No member or employee of the Bay Mills Indian Community Gaming Commission shall engage in any gaming activity at any facility licensed by the Commission.

(b) **Penalty for Violation.** Any person subject to this Rule shall be subject to the following penalties for engaging in unauthorized gaming:

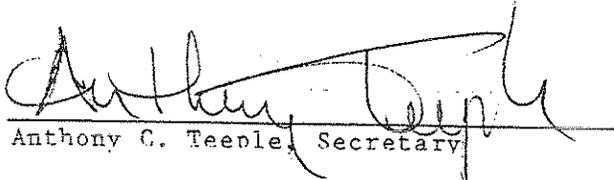
(1) An employee of the Commission shall be terminated from employment.

(2) A member of the Commission shall be subject to removal under sec. 4.16(A) of the Gaming Ordinance of the Bay Mills Indian Community.

(3) Any person found to have violated this Rule shall be banned from any gaming facility licensed by the Gaming Commission for a period of one (1) year from the date of termination or removal from office.

CERTIFICATION

This is to certify that the above Gaming Commission Rule #8 has been passed and approved at a meeting of the Bay Mills Executive Council held at Bay Mills, Michigan on the 13th day of November, 1995 with a vote of 4 for 0 opposed 0 absent and 1 abstaining. The Tribal Chairman must abstain except in the event of a tie.



Anthony C. Teenle, Secretary

BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 9: RESTRICTIONS ON LICENSE TRANSFERS

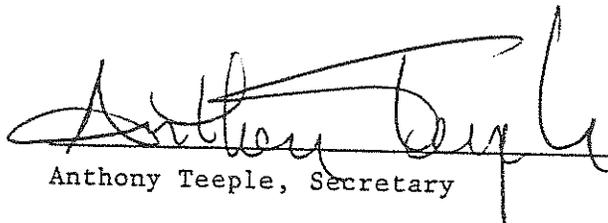
(a) **Transfer of License.** A person licensed by the Gaming Commission for a particular position as a "key employee" or "primary management official" may transfer to another position with the written approval of the Gaming Commission, with the exception of surveillance [see, subsec. (b) herein].

(b) **Transfer Prohibited.** No person who is licensed as "surveillance" may transfer to any other position in that gaming facility location for which a gaming license is required by the Gaming Commission, unless or until the Gaming Manager attests in writing to the Commission that the surveillance camera array has been modified from that used during said person's employment as surveillance.

(c) **Effective Date.** This Rule shall take effect on March 1, 1996.

CERTIFICATION

This is to certify that the above Gaming Commission Rule #9 has been passed and approved at a meeting of the Bay Mills Executive Council held at Bay Mills, Michigan on the 5th day of February, 1996 with a vote of 2 for 1 opposed 1 abstaining and 1 absent. The Tribal Chairman must abstain except in the event of a tie.


Anthony Teeple, Secretary

BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 10: LICENSE ISSUANCE AFTER LAPSE IN EMPLOYMENT

(a) **New License Required.** A person who has previously been licensed by the Gaming Commission for any position and has subsequently terminated employment for any reason during the license period must apply for and obtain a new license under Section 6 of the Bay Mills Indian Community Gaming Ordinance.

(b) **Fee for Background Check.** Any person applying for a new license within one (1) year of the issuance by the Gaming Commission of a gaming license to said person shall reimburse the Commission for the costs of conducting a criminal history background check in the amount of Forty Dollars (\$40.00). Said fee shall accompany the person's application.

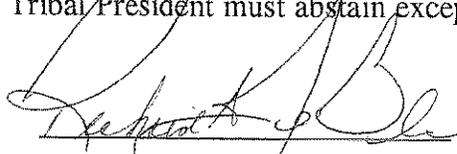
(c) **Persons Ineligible for License.** Any previously licensed employee who was terminated from employment for fraud, theft, falsifying information or cheating:

(1) shall not be eligible for a gaming license for a period of five (5) years after termination of employment; and

(2) shall be eligible for a gaming license, if the termination occurred more than five (5) years previous to the license application, but only upon the Commission's explicit finding that the applicant has provided clear and convincing evidence that the applicant is unlikely to engage in any similar course of conduct, based on the results of the background investigation performed as provided in Rule 2 of the Gaming Commission.

CERTIFICATION

This is to certify that the above Gaming Commission Rule No. 10, as amended in subsec.(b), has been passed and approved at a meeting of the Bay Mills Executive Council on the 10th day of May, 2010, with a vote of 4 in favor, 0 opposed, 1 abstaining, and 0 absent. The Tribal President must abstain except in the event of a tie.



Richard A. LeBlanc, Secretary
Bay Mills Executive Council

BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 11: SUSPENSION OF LICENSE FOR CRIMINAL CONVICTION

(a) **Conviction Leading to Suspension.** The Gaming Commission shall suspend any gaming license issued to any person who is convicted of a crime, as such is defined in Sections 4(D)(2) and 4(D)(3) of the Compact with the State of Michigan.

(b) **Effective Date of Suspension.** The Commission shall suspend the gaming license as follows:

(1) For those offenses listed in Section 4(D)(2) of the Compact, the Commission shall suspend its license immediately and notify the licensee's supervisor of the action. Such notification shall be made immediately upon receipt by the Commission of information that the licensee has been convicted of an offense subject to Section 4(D)(2). Notification to the licensee shall advise that the license will be terminated for the commission of such offense, under the provisions of Sec. 6.8 of the Gaming Ordinance.

(2) For those offenses listed in Section 4(D)(3) of the Compact, the Commission shall suspend its license 15 days after notification to the licensee's supervisor of the action. Such notice shall be made immediately upon receipt by the Commission of information that the licensee has been convicted of an offense subject to Section 4(D)(3). Notice to the licensee shall advise that the license will be terminated for the commission of such offense in 15 days, unless the licensee receives a waiver of the employment barrier or a pardon for said offense prior to that time, and so advises the Gaming Commission.

CERTIFICATION

This is to certify that the above Gaming Commission Rule #11 has been passed and approved at a meeting of the Bay Mills Executive Council held at Bay Mills, Michigan on the 21st day of July, 1997, with a vote of 4 for, 0 opposed, 1 abstaining and 0 absent. The President must abstain except in the event of a tie.



Andrew A. LeBlanc, Sr.
Secretary

BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 12: RESTRICTIONS ON GAMING ACTIVITY BY EMPLOYEES

(a) **All Gaming Prohibited.** A person holding one of the following positions, or their equivalent, is prohibited from any type of gaming within the licensed facilities:

- (1) General Manager
- (2) Assistant General Manager
- (3) Director of Surveillance
- (4) Director of Slots

(b) **Restricted Gaming.** The following employees are prohibited from gaming at their primary work facility. For purposes of this regulation, "primary work facility" is defined as the casino in which the employee physically works the majority of the time.

- (1) Table Games Director
- (2) Hotel Operations Director
- (3) Security Director
- (4) Cage Director
- (5) Marketing Director
- (6) Shift Manager
- (7) Head Shift Manager

(c) **Table Game Play Prohibited.** No Table Game Department or Surveillance Department employee may play table games at any facility licensed by the Tribe. Table game is defined as provided in Section IV at page 9 of the Bay Mills Indian Community Minimum Tribal Internal Control Standards (Game Rule 14).

(d) **Slot Machine Play Prohibited.** The following employees are prohibited from playing a slot machine:

- (1) Employees of the Slot Department
- (2) All employees of the IT Department
- (3) Casino Database Manager/Analyst

(e) **Keno Play Prohibited.** No employee of the Keno Department may play Keno.

(f) **Time and Clothing Prohibitions on Play.** No employee may engage in any gaming play during his/her scheduled work hours, or while attired in work uniform clothing.

(g) **Management Authorized to Prohibit Gaming Activity.** The General Manager is authorized to prohibit gaming activity by employees who are not prohibited from doing so by this Rule. The exercise of this authority shall be in writing and documentation shall be provided to the Gaming Commission.

(h) **Penalty for Violation.** Any person prohibited from engaging in a gaming activity by this Rule shall, if found to be in violation, be subject to license suspension or termination by the Gaming Commission under sec. 6.8(A)(8) of the Gaming Ordinance.

CERTIFICATION

This is to certify that the above Gaming Commission Rule #12, as amended, by revising subsection (a) and (d), has been reviewed and approved at a meeting of the Bay Mills Executive Council held at Bay Mills, Michigan, on the 24th day of May, 2013, with a vote of ___ for, ___ opposed, ___ absent, and ___ abstaining. The President must abstain except in the event of a tie.



Richard A. LeBlanc, Secretary
Bay Mills Executive Council

BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 13: CLASS I GAMES

(a) **Definition.** Raffles are considered Class I games only if all the following conditions are met:

(1) The activity is sponsored by an agency of the Bay Mills Indian Community, or by a committee of members established by formal action of the Executive Council or of the General Tribal Council; and

(2) The activity is a raffle, and

(i) no prize is awarded in excess of \$500 in value; or

(ii) the total value of prizes awarded during the raffle event do not exceed \$1,000; and

(3) All revenues derived from the gaming activity are used to support tribal programs.

(b) **Permit Required.** No raffle tickets may be sold on the Reservation of the Bay Mills Indian Community without the permission of the Executive Council of the Bay Mills Indian Community. Such permission may be documented by the minutes of the Executive Council.

(c) **Sale Location.** The sale of raffle tickets is limited to locations at which gaming is not conducted or in which gaming administrative activities do not occur.

CERTIFICATION

This is to certify that the above Gaming Commission Rule #13 has been reviewed and approved at a meeting of the Bay Mills Executive Council held at Bay Mills, Michigan, on the 13th day of August, 2001, with a vote of 3 for, 0 opposed, 1 absent, and 1 abstaining. The President must abstain except in the event of a tie.


Terry E. Carrick, Secretary

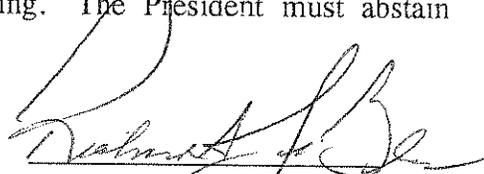
BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 14: TRIBAL INTERNAL CONTROLS STANDARDS

The attached amendments to the standards for the conduct of Class III gaming by persons subject to the jurisdiction of the Bay Mills Indian Gaming Commission are determined to comply with applicable regulations of the National Indian Gaming Commission. The amended standards are hereby enacted as a regulation/rule of the Commission.

CERTIFICATION

This is to certify that the above Gaming Commission Rule #14, as amended through deletion of sec. II, and revisions to sec. V.E. and F., sec. VII.H. and I., sec. IX.A. and D., sec. X.A., sec. XIV., and sec. XV. E. and G., has been reviewed and approved at a meeting of the Bay Mills Executive Council held at Bay Mills, Michigan, on the 14th day of February, 2011, with a vote of 3 in favor, 0 opposed, 1 absent, and 1 abstaining. The President must abstain except in the event of a tie.



Richard A. LeBlanc, Secretary
Bay Mills Executive Council

Section II CPA Testing

~~A. An independent certified public accountant (CPA) shall be engaged to perform procedures to verify, on a test basis, that the gaming operation is in material compliance with the tribal internal control standards or a tribally approved variance that has received National Indian Gaming Commission (NIGC) concurrence. The procedures may be performed in conjunction with the annual audit. The CPA shall report its findings to the Tribe, the Tribal Gaming Commission and management. The Tribe shall submit a copy of the report to the NIGC within 120 days of the gaming operation's fiscal year end.~~

Section V. Card Games

E. Standards for supervision.

6. Access to the pit podium/stand shall be secured as to prevent unauthorized access if it is utilized for the storage of sensitive supplies/equipment such as playing cards, playing chips, fill slips, etc. A listing of positions authorized access the pit podium/stand shall be maintained and a copy provided to surveillance and made available to the Tribal Gaming Commission.

F. Standards for playing cards. for keys.

1. The gaming operation shall establish procedures that prevent the unauthorized access to sensitive keys utilized in the card room. Such procedures shall include
 - a. Security of keys
 - b. Maintenance of keys
 - c. Signing in/out
2. A listing of sensitive keys shall be maintained and a copy provided to surveillance and made available to the Tribal Gaming Commission.
3. A listing of positions authorized to sign out/in keys shall be maintained and a copy provided to surveillance and made available to the Tribal Gaming Commission upon request.

(remaining sections will have to be renumbered)

G. Standards for playing cards. (etc)

Section VII. Table Games

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

1. Pit supervisory personnel (with authority equal to or greater than those being supervised) shall provide supervision of all table games.
2. Access to the pit area shall be secured as to prevent unauthorized access. A listing of positions authorized access the pit podium/stand shall be maintained

and a copy provided to surveillance and made available to the Tribal Gaming Commission.

I. Standards for Keys

1. The gaming operation shall establish procedures that prevent the unauthorized access to sensitive keys utilized in the card room. Such procedures shall include
 - a. Security of keys
 - b. Maintenance of keys
 - c. Signing in/out
2. A listing of sensitive keys shall be maintained and a copy provided to surveillance and made available to the Tribal Gaming Commission.
3. A listing of positions authorized to sign out/in keys shall be maintained and a copy provided to surveillance and made available to the Tribal Gaming Commission upon request.

(remaining sections will have to be renumbered)

Section. IX Cage

A. Cash and Foreign Currency

1. The gaming operation shall establish procedures to ensure the authenticity of large bills accepted in the cage.
2. The gaming operation shall establish procedures for the acceptance and/or the exchange of foreign currency.

(rest of sections will have to be renumbered)

C.D. 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 (including coin room) 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 the activity took place and shall include sufficient information that identifies the individual employee and the station.
 - a. Documents generated by D. 1. and D.2., shall be reviewed and verified by a department independent of the cage.
3. All discrepancies shall be documented and investigated, and reviewed by a department independent of the transactions being reviewed. Discrepancies over an amount determined by the gaming operation, as approved by the

Tribal Gaming Commission, shall be investigated. Results of investigations shall be provided facility management and copy to the Gaming Commission upon request.

Section X. Information Technology

A. General Controls for gaming hardware and software

6. The computer systems, including application software, shall be secured through the use of passwords or other approved means where applicable. The gaming operation shall establish procedures by which management personnel or persons independent of the department being controlled shall assign and control access to system functions. A listing of positions and authorized system function access shall be maintained and made available to the Tribe Gaming Commission upon request.

Section XIV. Title 31

B. Reports of Currency Transactions

2. Transactions in currency involving cash out include, but are not limited to:
 - f. Payments made for jackpots won on gaming machines need not be reported.

D. Compliance and/or Anti-Money Laundering Programs

2. At a minimum, each compliance program shall provide for:
 - d. An individual or individuals, who is not the person(s) responsible for completing paperwork, to assure day-to-day compliance, accuracy of paperwork, submission requirements, etc.

Section XV. Drop and Count

E. Gaming machine bill acceptor drop standards

6. The drop team shall wear uniforms which at a minimum are: one piece, short sleeved and void of pockets or pouches. Variances to uniforms shall be approved by the Tribal Gaming Commission.

G. Gaming machine coin drop standards

9. The drop team shall wear uniforms which at a minimum are: one piece, short sleeved and void of pockets or pouches. Variances to uniforms shall be approved by the Tribal Gaming Commission.

BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 15: SHIPMENT OF CLASS III MACHINES AND DEVICES

(a) **Shipment Notification by Vendor.** Any vendor licensed by the Gaming Commission to sell Class III gaming material to the Tribe shall, prior to shipment of any Class III gaming machine, device, EPROM or other gaming machine software, notify the Commission in writing not less than three (3) business days in advance of said shipment. Such notice shall include:

- (1) the number and type of devices, machines, and/or EPROMs or other gaming machine software in the shipment;
- (2) the identity of the shipping entity;
- (3) the identification number of the metal shipping seal, and
- (4) the expected date of shipment arrival.

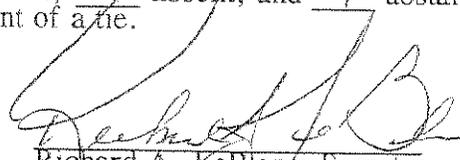
(b) **Seal of Shipment Required.** The rear door of the vehicle used for shipment of gaming machines must be sealed with a cable and metal seal bearing a distinct number affixed at the time shipment is originated. Such seal shall not be opened, damaged, or removed until the shipment is received by a Bay Mills casino. Delivery of any shipment with a opened, damaged or removed seal shall be rejected.

(c) **Acceptance of Shipment; Conditions.** Any shipment of Class III gaming machines shall be opened and inspected only by the Tribe's Director of Slots or the on-duty Shift Manager of a Bay Mills-operated casino in the presence of Gaming Commission staff. Acceptance of the shipment may only be made if the seal on the rear door of the vehicle is identical to the seal listed on the shipping invoice, and the seal is intact.

(d) **Separate Shipment of EPROMs or Other Gaming Machine Software.** All EPROMs or other gaming machine software shall be shipped separately to the offices of the Gaming Commission in a manner which shall prevent access to the contents of the shipment, and shall include documentation of delivery. Only Gaming Commission members or staff shall sign for and accept delivery of EPROMs or other gaming machine software.

CERTIFICATION

This is to certify that the above Gaming Commission Rule #15, as amended by revising Sec. (a), has been reviewed and approved at a meeting of the Bay Mills Executive Council held at Bay Mills, Michigan, on the 28th day of February, 2011, with a vote of 3 in favor, 0 opposed, 1 absent, and 1 abstaining. The President must abstain except in the event of a tie.


Richard A. LeBlanc, Secretary
Bay Mills Executive Council

BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 16: PROCEDURE FOR GAMING CHIP REVOCATION

(a) **Revocation Notice to Commission.** Upon receipt of notice from a gaming testing laboratory or licensed Class III gaming device vendor that a gaming chip has been revoked, the Gaming Commission shall immediately transmit a copy of such notice to the General Manager and Director of Slots for the Bay Mills casinos.

(b) **Disposal of Revoked Chip.** Within 90 days of receipt of a revocation notice from the Commission, the General Manager shall either:

(1) Upgrade the gaming chip for use in a gaming device; or

(2) Remove the gaming device from play.

(c) **Request to Manufacturer for Upgrade.** If continued utilization of the gaming device is desired, the Slot Manager or General Manager shall contact the manufacturer of the revoked gaming chip as soon as practicable and make a written request an upgraded chip. A copy of such request shall be provided to the Gaming Commission. No device containing a revoked gaming chip shall remain in play more than 90 days from receipt of the revocation notice from the Commission.

(d) **Removal from Play Required.** If the revocation notice contains any information that continued play of a device containing a revoked chip may cause fraudulent wins by a player, or similar information is obtained from any other source, the Slot Manager shall immediately remove such a gaming device from play. The device shall not be returned to play until it contains an upgraded chip and the requirements of subsec. (e), below, are satisfied.

(e) **Testing and Certification of Upgraded Gaming Chips.** In order for a gaming device containing an upgraded chip to be available for play, the following must be certified by the Gaming Commission:

(1) The gaming chip is certified by a gaming device laboratory to meet the standards for such chips under the laws and regulations of either the State of Nevada or the State of New Jersey;

- (2) The gaming chip must be listed on the Michigan Approved Slot List;
- (3) The chip must be Kobetron-tested by the Gaming Commission; and
- (4) The chip must be sealed by the Gaming Commission.

CERTIFICATION

This is to certify that the above Gaming Commission Rule # 16 has been reviewed and approved at a meeting of the Bay Mills Executive Council held at Bay Mills, Michigan, on the 10th day of February, 2003, with a vote of 3 in favor, 0 opposed, 1 absent, and 1 abstaining. The President must abstain except in the event of a tie.



Terry E. Carrick, Secretary
Bay Mills Executive Council

BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 17: UTILIZATION OF COUPONS BY GAMING FACILITIES

(a) **Coupon Defined.** As used in this regulation, "coupon" is an original document which entitles the bearer to exchange for cash, chips, tokens, and/or another coupon, and which is issued by and redeemed at any gaming facility operated on the Reservation of the Bay Mills Indian Community.

(b) **Coupon Issuance.** Coupons may only be issued by a department of a gaming facility whose employees are licensed by the Gaming Commission.

(c) **Manufacture and Storage of Coupons.** All coupons shall be shipped directly to the Shipping and Receiving Department of the Bay Mills Resort and Casino. All coupons shall be inventoried upon receipt in the presence of security staff and thereafter escorted by security staff for storage in a secure, locked location.

(d) **Content of Coupon.** Any coupon issued and redeemed by any gaming facility shall contain at minimum the following information on its face:

- (1) The date on which the coupon expires and thereafter is not redeemable;
- (2) The maximum number, if any, of coupons of that type which can be redeemed by a particular customer;
- (3) A serial number which is unique to each coupon of that type;
- (4) Identification by title of the particular promotion for which the coupon is issued; and
- (5) Notice that the gaming facility reserves the right to revoke or terminate the validity of the coupon for any reason.

(e) **Coupon Form.** A coupon may be in any size, color, or design, provided that its format is not easily forged or counterfeited. No coupon is valid if it is a photocopy.

(f) **Approval by Gaming Commission Required.** No coupon program may be initiated, and no coupon may be redeemed, until the program has been submitted to the Gaming Commission and has been approved in writing for use by any gaming facility operated on the Reservation of the Bay

Mills Indian Community. The Commission may issue approval for a category of coupon promotion, which shall apply to all subsequent promotions of that type.

(g) **Submission to Gaming Commission.**

(1) Not less than 30 days in advance of the beginning date for a coupon promotion, a summary of the promotion shall be submitted to the Gaming Commission, which shall include the following information:

- (i) Title of coupon program or promotion;
- (ii) Sample coupon;
- (iii) Number of coupons printed;
- (iv) Identification of each department which will redeem the coupons;
- (v) Written procedure for coupon redemption, signed by the director of the department(s) which will redeem the coupons, which conforms with subsec. (h) (5) of this Rule.

(2) Within three (3) working days of submission, Commission staff shall review the material. If the promotion is of a type previously approved by the Commission, its staff shall issue the Commission's approval in writing. If the promotion is of a type, or contains elements, which has not been previously approved by the Commission, the submission shall be reviewed by the Gaming Commission. The Commission shall issue its decision not more than 20 days after the submission date.

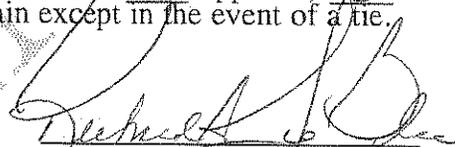
(h) **Retention of Coupon Records by Department.** A record shall be maintained by the department(s) which redeem coupons under any promotion or program, which contain the following information:

- (1) title of coupon program or promotion;
- (2) number of coupons printed;
- (3) number of coupons issued;
- (4) number of coupons redeemed during each day of the program or promotion; and
- (5) listing by serial number of each coupon redeemed and the name of the customer presenting the coupon.

(i) **Coupon Redemption.** A coupon must be redeemed by a department of the gaming facility in which all employees are licensed by the Gaming Commission.

CERTIFICATION

This is to certify that rescission of the above Gaming Commission Rule #17, as endorsed by the Commission on June 21, 2011, has been reviewed and approved at a meeting of the Bay Mills Executive Council held at Bay Mills, Michigan, on the 27th day of June, 2011, with a vote of 4 in favor, 0 opposed, 0 absent, and 1 abstaining. The President must abstain except in the event of a tie.



Richard A. LeBlanc, Secretary
Executive Council

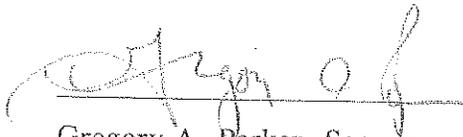
BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 18: CODE OF ETHICS

The attached Code of Ethics is hereby enacted as a regulation of the Bay Mills Indian Community Gaming Commission.

CERTIFICATION

This is to certify that the above Gaming Commission Rule #18 has been reviewed and approved at a meeting of the Bay Mills Executive Council held at Bay Mills, Michigan, on the 11th day of April, 2005, with a vote of 3 in favor, 0 opposed, 1 absent, and 1 abstaining. The President must abstain except in the event of a tie.



Gregory A. Parker, Secretary
Bay Mills Executive Council

**BAY MILLS GAMING COMMISSION
CODE OF ETHICS**

I. Statement Of Policy

In the discharge of its powers, duties and responsibilities, the Bay Mills Gaming Commission conducts its business consistent with high ethical standards. Commissioners and employees are expected to perform their duties with undivided loyalty and in such a manner as to promote and preserve public trust and confidence. Commissioners and employees shall avoid all situations where opportunity for personal or financial gain could influence their decisions in giving favored treatment to any organization or person. They shall also avoid circumstances and conduct which might appear questionable to the general public, even if such circumstances or conduct do not constitute actual wrongdoing or present an actual conflict of interest.

In order to promote public confidence in the integrity and impartiality of the Commission, Commissioners and employees shall respect and comply with the law and establish, maintain and enforce high standards of conduct.

This Code of Ethics shall apply to members of the commission and to all employees of the commission except as herein specifically provided.

II. Applicable Standards Of Conduct

Commissioners and employees are governed by ethical standards set forth in the Bay Mills Indian Community Gaming Ordinance, Commission rules and this Code of Ethics. As employees of the Bay Mills Indian Community, Commission employees are also governed by ethical standards set forth in the Bay Mills Indian Community Personnel Policies and the rules of the Executive Council. It is the responsibility of each Commissioner and employee to comply with all applicable statutory and regulatory provisions and any amendments thereto, whether or not such provisions and amendments are included in this Code of Ethics.

It is the continuing duty of each Commissioner and employee to review and assess his or her conduct in light of this Code of Ethics.

III. Restrictions Applicable to Commissioners and Employees

A. Outside Employment

1. No Commissioner shall be employed, retained or receive any remuneration for services rendered to a casino licensee or applicant or to a Commission-licensed vendor or applicant. A Commissioner may be employed, retained or engaged by a non-licensed vendor of goods and services provided that the Commissioner complies with all other tribal laws and policies and that such employment does not present a real or apparent conflict of interest.
2. No Commission employee shall be employed, retained or receive any remuneration for services rendered to a casino licensee or applicant. A Commission employee may be employed, retained or engaged by a non-licensed vendor, provided that the employee complies with all other requirements outlined in the Gaming Ordinance, Commission

Rules, and the Bay Mills Personnel Policies and Procedures. The employee shall, in advance of accepting any outside employment or business responsibilities, receive approval from the Commission of the prospective activity.

- B. Representation. A Commissioner or employee shall not represent, appear for or negotiate on behalf of any licensee, registrant or applicant.
- C. Outside Activities
 - 1. A Commissioner or employee shall not permit the use of his or her official title for the purpose of fundraising for a private organization.
 - 2. A Commissioner or employee may speak, write, lecture or participate in other activities concerning the casino industry, if in so doing the Commissioner or employee does not cast doubt on his or her ability to decide impartially any matter which may come before the Commission, and provided that the Commissioner or employee does not accept compensation or honoraria for any such activity.
 - 3. A Commissioner or employee shall not accept compensation for published works created as part of his or her official duties on tribal time using tribal resources.
 - 4. A Commissioner or employee may participate in any civic or charitable activities that do not interfere with his or her independence of judgment in carrying out official duties.
- D. Gaming Prohibited. No Commissioner or employee shall be permitted to gamble in any establishment licensed by the Commission except in the course of his or her duties and with the prior written approval of the Commission.

IV. Prohibited Conduct

Commissioners or employee shall not:

- A. Knowingly act in any way that might reasonably be expected to create an impression among the public that he or she may be engaged in conduct that violates his or her trust as a Commissioner or employee;
- B. Use or attempt to use his or her official position to obtain unwarranted privileges or advantages for himself or herself or others;
- C. Act in his or her official capacity in any matter in which the member or employee or any spouse, parent, step-parent, child, step-child, sibling or other immediate family (as defined by Bay Mills Gaming Ordinance) has a direct or indirect financial interest that might reasonably be expected to impair his or her objectivity or independence of judgment;
- D. Act in his or her official capacity in any matter concerning a licensee or applicant who is the spouse, parent, step-parent, child, step-child, sibling or other immediate family (as defined by Bay Mills Gaming Ordinance) when the fact of the employment might reasonably be expected to impair his or her objectivity and independence of judgment;
- E. Willfully disclose, directly or indirectly, without the prior authorization of the Commission, any confidential information concerning the affairs of the Commission not generally known or legally available to the public;
- F. Use or permit the use of any confidential information, which he or she receives or to which he or she has access by virtue of his or her official duties;
- G. Directly or indirectly accept any gift, favor, service, employment, offer of employment or other thing of value under circumstances from which it might be reasonably inferred that

- such gift, service or other thing of value was given or offered for the purpose of influencing the member or employee in the discharge of his or her official duties;
- H. Solicit or accept, directly or indirectly, any complimentary service or discount from any casino licensee or applicant which he or she knows or has reason to know is other than a service or discount that is offered to the general public in like circumstances;
 - I. Testify as a character witness before the Commission; and
 - J. Lend the prestige of their office to advance the private interests of others, nor convey or permit others to convey the impression that they are in a special position of influence.

V. General Duties and Obligations of Commissioners and Employees

It is the duty of each Commissioner and employee:

- A. To refrain at all times from any criminal conduct, and to cooperate with law enforcement officers in the proper performance of their official duties;
- B. To appear and testify upon matters directly related to the conduct of his or her office, position or employment before any tribal state or federal court. Any Commissioner or employee who fails or refuses to appear and testify, after having been informed of his or her duty to appear and testify shall be subject to removal from his or her office, position or employment.
- C. To uphold the integrity and independence of the Commission; to perform the duties of their office impartially and diligently; and to be patient, dignified and courteous to those individuals with whom they deal in their official capacity.
- D. To require Commission staff to comply with this Code of Ethics;
- E. To exercise the power of appointment only on the basis of merit, and to allow only such compensation as is fair value for the services rendered.

VI. Duties Concerning Pending Proceedings

- A. A Commissioner or employee shall disqualify himself or herself in a proceeding or investigation in which his or her impartiality may reasonably be questioned, including but not limited to instances where he or she has a personal bias or prejudice concerning a party or personal knowledge of disputed evidentiary facts concerning the proceeding, or in other circumstances requiring disqualification. Such circumstances shall include involvement of a spouse, parent, step-parent, child, step-child, sibling or other immediate family (as defined by the Bay Mills Gaming Ordinance).
- B. A Commissioner or employee shall abstain from public comment about a pending proceeding, except in the course of his or her official duties or in explaining for public information the procedures of the Commission.
- C. A Commissioner or employee shall neither initiate nor consider *ex parte* or other communications regarding a pending proceeding, except for consulting with their staff whose function it is to aid the Commission in carrying out its responsibilities.
- D. A Commissioner or employee shall not discuss issues involving any pending or proposed application or any matter whatsoever which may reasonably be expected to come before the Commission with any person, except for other Commissioners, employees or other tribal staff designated by the Commission.

VII. Required Disclosures of Information by Commissioners and Employees

- A. Each Commissioner and employee shall disclose, in writing, the following information to the Commission upon commencement of membership or employment, within five (5) days of the date when he or she becomes aware of any required information not previously reported and annually no later than January 31 of each year during the course of appointment or employment:
1. Any spouse, parent, step-parent, child, step-child, sibling or other immediate family (as defined by Bay Mills Gaming Ordinance) who holds or has filed an application for any license issued by the Commission;
 2. Any spouse, parent, step-parent, child, step-child, sibling or other immediate family (as defined by Bay Mills Gaming Ordinance) who is employed by a casino licensee or applicant
 3. Any spouse, parent, step-parent, child, sibling or other immediate family (as defined by Bay Mills Gaming Ordinance) who holds a financial interest in a casino licensee or applicant;
 4. Employment, retainers, contracts and all other business engagements
 5. Filing of any criminal charges against the Commissioner or employee.
- B. The failure to file the above-required disclosures, or the filing of a willfully false disclosure, is grounds for termination of employment or removal.

VIII. Post-employment Restrictions

Commission employees having access to the surveillance room of a licensed facility are prohibited from employment within that licensed facility, for a period of one year following termination of employment with the Commission, unless approval is granted by the Commission for the proposed employment with a gaming facility.

IX. Relationship of Commissioners and Employees with Relatives Engaged in Activities Subject to Commission Oversight

- A. The following restrictions apply to Commissioners;
1. No spouse, parent, step-parent, child, step-child, sibling or other immediate family (as defined by Bay Mills Gaming Ordinance) of a Commissioner shall be licensed as a key employee for employment by a casino licensee or applicant unless such member requests a waiver of this prohibition from the Executive Council prior to licensing. Such written request shall contain the following information:
 - a) The relationship between the member and the prospective licensee; and
 - b) The prospective employer, employment location and job title.
 2. The Executive Council may grant, with or without special conditions, or deny the application after considering the following, without limitation:
 - a) The impact of the applicant on the effective discharge of the member's duties; and
 - b) The impact of the applicant on the reasonable public expectation of the Commissioner's independence and objectivity.

B. The following restriction applies to Commission employees;

1. No spouse, parent, step-parent, child, step-child, sibling or other immediate family (as defined by Bay Mills Gaming Ordinance) of a Commission employee shall be licensed as a key employee for employment by a casino licensee or applicant unless such employee requests a waiver of this prohibition from the Gaming Commission prior to licensing. Such written request shall contain the following information:
 - a) The relationship between the employee and the prospective licensee; and
 - b) The prospective employer, employment location and job title.
2. The Gaming Commission may grant, with or without special conditions, or deny the application after considering the following, without limitation:
 - a) The impact of the applicant on the effective discharge of the employee's duties; and
 - b) The impact of the applicant on the reasonable public expectation of the Commission employee's independence and objectivity.

C. The Commission or employee shall not act in his or her professional capacity in any matter, including investigations, concerning a licensee or applicant for whom he or she has requested a waiver.

X. Violations of Code of Ethics

- A. Violation of any provision of Sections II, IV, and IX of this Code of Ethics by any Commissioner or employee shall result in removal or termination.
- B. Violation of any provision of Sections V, VI, and VII of this Code of Ethics any Commissioner or employee shall constitute grounds for removal, termination or disciplinary action.
- C. Violation of Section VIII shall result in immediate termination of the former employee's gaming license.

BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 19: SENSITIVE AREA ACCESS CONTROLS

(a) **Sensitive Area Defined.**

(1) Locations. The following locations in a gaming establishment constitute a sensitive area subject to this Rule:

- (i) Surveillance Department;
- (ii) Cage;
- (iii) Vault;
- (iv) Employee window areas adjoining the cage;
- (v) Slot Technician room;
- (vi) Hard and soft count rooms;
- (vii) Computer equipment room;
- (viii) Slot machine storage room; and
- (ix) Shipping and Receiving Department.

(2) Equipment. The following types of equipment in a gaming establishment constitute a sensitive area subject to this Rule:

- (i) Slot machine;
- (ii) Gaming equipment and supplies; and
- (iii) Online slot/ accounting systems.

(b) **Restrictions on Sensitive Area Access.** Unless specifically authorized by the Gaming Commission, access to all sensitive areas is restricted to those persons who are primary management officials or who are key employees licensed for such access. Each gaming establishment shall maintain a list of all sensitive areas contained within it and those persons for whom access is authorized by the gaming license issued to them by the Gaming Commission.

(c) **Authorization by Gaming Commission for Access to Sensitive Areas.** Sensitive area access may be authorized by the Gaming Commission for specific purposes by issuance

of an access pass, of the following types:

(1) Employee Pass. An employee of the Bay Mills Indian Community may be authorized access to a specific sensitive area for the purpose of carrying out employment-related duties, inspections or maintenance. Such authorization shall be requested by the employee's supervisor, and documented by issuance of an Employee Pass by the Gaming Commission, which is valid solely for the date of issuance. The form and content of the Employee Pass shall be determined by the Gaming Commission, provided that the Pass clearly identifies the sensitive area for which access is granted.

(2) Vendor Pass. An employee of a vendor who provides goods or services to the gaming establishment may be authorized access to a sensitive area, which shall be documented by the issuance of a Vendor Pass by the Gaming Commission, under the following conditions:

(i) No Vendor Pass may be issued to any person without initiation of a background investigation.

(ii) A Vendor Pass shall not be provided to any vendor employee whose background investigation demonstrates that:

(a) Within the immediately preceding five (5) years, the person has been convicted of or entered a plea of guilty or no contest to a crime which constitutes a felony under the laws of the United States or of the State of Michigan; or

(b) The person has been convicted of or entered a plea of guilty or no contest to a gambling-related offense, or to an offense involving fraud or misrepresentation, as such term is defined in Gaming Rule 2(b)(4).

(iii) A Vendor Pass is valid for a period of one (1) year from the date of issuance.

(3) Visitor Pass. Any person at least 18 years of age may be authorized access to a specific sensitive area upon request of a primary management official or member of the Gaming Commission. Such authorization shall be documented by issuance of a Visitor Pass by the Gaming Commission, which is valid solely for the date of issuance.

(d) **Restrictions on Utilization of Pass.**

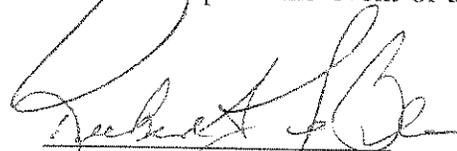
(1) Sensitive Area Escort. Any person to whom an Employee or Vendor Pass has been issued shall be accompanied by a key employee of the Department which maintains the sensitive area for which access is authorized. A person to whom a Visitor Pass is issued must be escorted by a primary management official, a member of the Gaming Commission, or Commission staff.

(2) Security Department Escort Required. Access by any person issued an Employee, Vendor or Visitor Pass shall not be provided to the cage, vault, count rooms and employee window areas unless the person is escorted by an employee of the Security Department in addition to the escort requirements of subsec. (1), above.

(e) **Display of Pass.** A Pass shall be in a format and size determined by the Gaming Commission, and may contain a photograph of the individual on its face. A Pass shall be designed to be worn on the upper torso of the holder, with all relevant information displayed on its face.

CERTIFICATION

This is to certify that the above Gaming Commission Rule #19, as amended by revising Secs. (c) and (d) and adding Sec. (e), has been reviewed and approved at a meeting of the Bay Mills Executive Council held at Bay Mills, Michigan, on the 28th day of February, 2011, with a vote of 3 in favor, 0 opposed, 1 absent, and 1 abstaining. The President must abstain except in the event of a tie.



Richard A. LeBlanc, Secretary
Bay Mills Executive Council