

**BAY MILLS INDIAN COMMUNITY**  
**GAMING COMMISSION RULES**

**RULE 13: CHARITABLE GAMES**

(a) **Raffles.** 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) **Tribal Raffle 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) **Raffle Ticket 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.

(d) **Charitable Class II Gaming.** No Class II gaming operation is authorized on the Reservation of the Bay Mills Indian Community except for the conduct of bingo gaming by the Tribe's Elders Council at the location(s) approved by the Executive Council, and subject to the following conditions:

(1) All proceeds are for the benefit of the Elders Council;

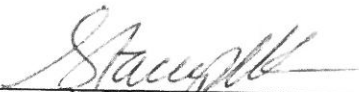
(2) The bingo operation is operated solely by employees of the Elders Council or by volunteers; and

(3) The annual gross gaming revenues of the Elders Council bingo does not exceed \$100,000.

(e) **Standards for Operation of Charitable Class II Gaming by Elders Council.** Operation of bingo occasions under this Rule shall be conducted in compliance with the attached standards, entitled "Bay Mills Charitable Elders Bingo."

#### CERTIFICATION

This is to certify that the above Gaming Commission Rule #13, as amended through revisions to sec. (d), has been reviewed and approved at a meeting of the Bay Mills Executive Council held at Bay Mills, Michigan, on the 23d day of October, 2017, with a vote of 4 for, 0 opposed, 0 absent, and 1 abstaining. The President must abstain except in the event of a tie.

  
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Stacey A. Walden, Secretary  
Bay Mills Executive Council

**BAY MILLS CHARITABLE  
ELDERS BINGO**

**Section A – Definitions**

The following terms are defined as follows for the purposes of this rule:

1. "Ball" means a ball used in the game of bingo similar to a ping pong ball with a minimum size of 1 1/4 inches in diameter. The balls are typically numbered one through 75.
2. "Bingo card" or "card" means a hard bingo card, disposable bingo card, or any other bingo card approved in writing by the Tribal Commission.
3. "Bingo receptacle" means a container, which is either hand operated or mechanically operated, such as a cage, holder, or blower and which holds the bingo balls used in bingo games.
4. "Call" means the announcement of the numbers on the ball drawn from the bingo receptacle.
5. "Chairperson" means the person or Lead Cashier in charge of bingo games on a particular gaming occasion.
6. "Disposable bingo card" means a bingo card with a serial number that is used one time and thrown away. All requirements in these rules that govern disposable bingo cards shall pertain to any quantity or form in which the cards may be sold; for example, single cards, sheets, books, packets, or pads.
7. "Hard bingo card" means a bingo card that is designed for repeated use.
8. "Last number called" means the last number drawn from the bingo receptacle, shown to not less than two players, and completely called.
9. "Master board" means a board that has holes typically numbered one through 75 and is used in playing bingo. As the bingo balls are drawn from the bingo receptacle, they are placed on, or in, the board with the number of the ball matching the number on the board.
10. "Tribal Commission" means the Gaming Commission described in Section 4 of the Bay Mills Indian Community Gaming Ordinance.

**Section B – Minimum age.**

1. Persons under 18 years of age shall not be permitted to participate in bingo as players and shall not be permitted to operate or assist in the conduct of bingo.
2. Persons under 18 years of age shall not be permitted to play with, operate, handle, collect, or distribute any kind of bingo equipment.

**Section C – Bingo equipment maintenance; authorized equipment and games.**

1. The Elders Council shall maintain bingo equipment in good repair and sound working condition.
2. All of the following bingo equipment and games are authorized:

- a. A hand-operated or blower-type bingo receptacle.
- b. A master board.
- c. Bingo cards.
- d. Bingo balls of the same type, weight, and size. The Elders Council shall own and maintain not less than two complete sets of bingo balls, which shall be used to conduct the bingo game and shall be on the premises when bingo is conducted.
- e. Other equipment as approved in writing by the Tribal Commission and used in accordance with directives of the Tribal Commission.
- f. Other games as approved in writing by the Tribal Commission.

#### **Section D – House rules.**

1. The Elders Council shall establish and adhere to its house rules for the conduct of the bingo occasion. At a minimum, the house rules shall contain all of the following information:
  - a. The Elders Council's name.
  - b. The license number.
  - c. The contingency plan for inclement weather, power outages, equipment failure, and other emergencies.
  - d. Whether or not workers are going to cover the bingo cards or make a bingo known for players for an emergency break.
  - e. Whether or not a person may play another person's bingo cards or make a bingo known to a worker or caller.
  - f. The refund policy.
  - g. The effective date of the house rules.
2. The Elders Council shall post the house rules in a conspicuous place or print the house rules in sufficient number for distribution to all interested persons.
3. Any change in the house rules shall be announced at the game not less than one week in advance and published as prescribed by subsection 2 above before its effective date.
4. The house rules shall not be in conflict with the act, these rules, or directives of the Tribal Commission.

#### **Section E – Bingo game program.**

1. The Elders Council shall establish and adhere to their bingo game program for the conduct of the bingo occasion. The bingo game program shall contain at a minimum the following information:
  - a. All the games played.
  - b. The order that the games will be played
  - c. The combinations needed to win.
  - d. The prize structure.
  - e. The admission fee, if any, and the number of admission cards that will be given for the admission price, if any.
  - f. The price of each type of bingo card that is offered for sale.



- g. The effective date.
2. If the program indicates variable prize payouts based upon attendance, then the program shall clearly state which games are affected, when these circumstances shall apply, and the amount of the reduced prize or prizes.
3. The full amount of the stated and announced prizes shall be awarded, unless the game program indicates that prizes may be reduced based upon attendance.
4. The Elders Council shall post the bingo game program or print the bingo game program in sufficient number for distribution to all interested persons.
5. Any change in the bingo game program shall be announced at least one week in advance and published as provided by subsection 4 above before the effective date.

### **Section F – Card price; restrictions**

The Tribal Commission may require the Elders Council to sell all like cuts of cards, sheets, books, packets, or pads of cards of the same color and type at a uniform price.

### **Section G – Game conduct and operation**

1. Bingo games shall only be conducted between the hours of 8am and 2am.
2. The bingo license shall be on site and posted in a conspicuous place during the bingo occasion.
3. A copy of the current license application and any changes shall also be on site and available for review.
4. The Tribal Commission may establish directives regulating the conduct of specific types of bingo games.
5. The utilization of equipment and the methods of play shall be such that each player is afforded an equal opportunity to win.
6. Before the start of each bingo game, the name of the game, type or color of bingo card, winning combinations and the amount of each prize shall be clearly announced to the players. For games that are divided into multiple prizes, the winning arrangements and the amount of each prize shall be clearly announced to the players immediately before each multiple game.
7. All balls that are used during the game shall be present in the bingo receptacle before each game begins and shall be verified by two bingo players before the bingo occasion starts. The names of the persons who verify the balls shall be recorded and become part of the game records. If the balls are changed during the bingo occasion, then the balls shall be verified again by two bingo players and the names of the persons who verify the balls shall be recorded.
8. All bingo cards shall be purchased, all winners shall be determined, and all prizes shall be awarded within the same day or as directed by the Tribal Commission. The chairperson may withhold a prize payment pending the resolution of a disputed game.

9. Players shall play only the bingo cards that have been purchased from the Elders Council for that bingo occasion.
10. Free bingo cards shall not be provided, given to, or played by a player, except as prescribed by Section N.
11. A worker may, at the option of the Elders Council, cover the bingo cards for a player as provided in the house rules as prescribed by Section D.1.d.
12. A bingo card shall not be sold after the first number is drawn for the game in which the bingo card is going to be used, except bingo cards where the bingo numbers are concealed.
13. A player may, at the option of the Elders Council, exchange hard bingo cards.
14. Any bingo card that is being selected, purchased, or exchanged during a game shall not be used while that game is in progress, except bingo cards where the bingo numbers are concealed.
15. Bingo cards shall not be exchanged or transferred between players.
16. A worker shall not select or exchange bingo cards for a player.
17. Hard bingo cards that have not been purchased shall be turned in and removed from the playing area before the first hard card game.

#### **Section H – Master control form.**

1. A master control form shall be prepared and maintained for each bingo occasion when hard cards are sold, an admission fee is charged, or bingo cards are discounted.
2. The master control form shall include each verification slip number, the corresponding admission fee, if charged, and the number of bingo cards.
3. The master control form shall be completed as each sale is made.

#### **Section I – Verification slips.**

1. A verification slip shall be issued by the Elders Council in consecutive number order when hard cards are sold, an admission fee is charged, or bingo cards are discounted, except as provided by subsection 7 below.
2. The verification slip shall include all of the following information:
  - a. The name of the Elders Council.
  - b. The date for which the slip was issued.
  - c. The number of bingo cards purchased.
  - d. A unique number that is preprinted on the verification slip in continuous, consecutive order. Hand numbering or hand imprinting of the number is prohibited.
3. The information that is recorded on the verification slip shall be legible and clearly printed.
4. The verification slip shall be clearly displayed by each player.
5. The Elders Council shall account for each verification slip number.
6. Any break in the consecutive numbering system shall be documented in writing and retained with the game records.
7. Any voiding or changing of verification slips shall be done in accordance

with directives of the Tribal Commission.

### **Section J – Cash registers.**

The Elders Council may use a cash register system in place of verification slips and master control form if the cash register complies with directives of the Tribal Commission.

### **Section K – Calling.**

1. Balls shall be drawn from a bingo receptacle, shown, clearly announced, and placed in the master board.
2. The caller shall be located so that two or more players can observe the drawing of the ball from the bingo receptacle.
3. The caller shall show the balls drawn for all games to the players so that two or more players can see the number on the ball before the number is called. A video monitor may be used to show the balls.
4. Only one person shall handle the ball.
5. There shall be not more than one ball in play or shown at one time.
6. Once removed, balls shall not be returned to the bingo receptacle until the conclusion of the game.
7. A worker shall not physically push a ball back down into the machine.
8. A hand or other object shall not be placed over the opening of the bingo receptacle while the game is in progress.
9. If more than one room or area is used for any one bingo occasion, then all of the following provisions apply:
  - a. If a lighted board is used in one of the rooms, then a lighted board or an equivalent method approved in writing by the Tribal Commission shall be visible or present in each of the rooms.
  - b. All called numbers shall be clearly audible to the players in all of the rooms or areas.
  - c. A worker shall be present at all times in each room or area while a game is in progress.

### **Section L – Verification.**

1. A bingo game is won by the player or players who have the winning combination and numbers required to win the game.
2. The last number that is called shall appear on the player's bingo card that is being verified.
3. The actual numbered balls in the master board shall be the only official scorer. A lighted board, if used, is not the official scorer.
4. There shall be a sufficient number of designated floor workers to provide complete coverage of the bingo playing area for purposes of identifying player bingos.
5. It shall be the responsibility of the player to make his or her bingo known to a worker or caller by saying the word "bingo" before the next number is

completely called.

6. A player who is unable to say the word "bingo" due to physical limitations shall be permitted to use an alternative method of making his or her bingo known.
7. Once a worker hears the word "bingo," the worker shall immediately notify the caller and the game shall stop for a verification of the bingo card. Any number that is called in error after this time shall not be considered the last number called. Any ball that is removed from the bingo receptacle in error shall remain available for continued play, if necessary, and shall be returned to the bingo receptacle only if the game is concluded.
8. A worker shall call the winning combination of numbers that appear on the winning player's bingo card back to the caller who shall verify that the balls are in the master board except as directed in writing by the Tribal Commission based on the best interest of the public welfare. In a coverall game, the caller may announce the numbers that are not called and the worker may verify that these numbers do not appear on the player's bingo card that is being verified.
9. On all games where the single prize paid to a player is \$100.00 or more, the bingo card or cards shall be taken to another table for witnessing of the verification process.
10. If a player is playing more bingo cards than the number of bingo cards stated on the verification slip or playing a disposable bingo card series number not sold by the Elders Council, then any bingo called by the player shall not be honored and a prize shall not be paid.
11. A player may verify all the balls drawn at the time a winner is announced.
12. A player may observe the verification of the winning bingo card.

### **Section M – Bingo game closing.**

1. Each bingo game shall be closed in accordance with the following procedure:
  - a. The game shall only be closed after the winning combination has been verified.
  - b. The caller shall announce three times, in a manner audible to all players, "Are there any other bingos?"
  - c. After the third announcement and a pause sufficient to permit additional winners to identify themselves, the caller shall then announce audibly, "This game is closed." In multiple-part games the announcement shall be, "This part of the game is closed."
2. If there is not a valid bingo, then the caller shall state, "There is no valid bingo." The game shall resume with the caller repeating the last number called before calling any more numbers.
3. After all calls of bingo have been verified and the game closed, the caller shall announce the number of winners in each category, the amount of money or prize each winner has won, and the total amount of money or prizes awarded for that game.

4. After closing a game in accordance with the procedure in this rule, the Elders Council has no obligation to pay a prize to a winner who claims a bingo after the game is closed.

#### **Section N – Disputed games.**

1. If it is discovered that there are problems with the bingo balls, bingo equipment, or the operation of the bingo equipment, then all of the following provisions shall apply:
  - a. If it is discovered while the game is in progress, then that game is void and shall be played over during the same occasion at no cost to the players.
  - b. If it is discovered before the start of the next game, then the just completed game is void and shall be replayed during the same occasion at no cost to players.
  - c. If it is discovered after a bingo occasion is completed, then no games shall be replayed.
  - d. If the number of bingo cards each player was playing during the affected game can be determined, then each player shall receive that same number of bingo cards for the replay of the game. If the number of bingo cards played cannot be determined for all players, then an equal number of bingo cards shall be given to each player.
2. If it is discovered that a ball was incorrectly called or improperly placed or entered into the master board, then either of the following provisions shall apply:
  - a. If it is immediately discovered, then the game shall be stopped. The error shall be corrected by clearly restating the incorrect call or indicating the improper placement and indicating what the correct call or placement should have been and continue the game.
  - b. If it is discovered after additional balls have been called, then the game shall be stopped. The chairperson shall determine whether the game can be reconstructed by recalling the game from the point of error and continuing. If the game cannot be reconstructed, then the game shall be declared void and replayed during the same occasion. Only those portions of the game and prize affected by the error and all subsequent portions of the game shall be replayed. If disposable bingo cards were being used, then the Elders Council shall issue replacement disposable bingo cards of equivalent value at no cost to the players to play the makeup games. If the number of bingo cards played cannot be determined for all players, then an equal number of bingo cards shall be given to each player.
3. If it is discovered that a winner does not have the right to claim a prize, the game shall be replayed as provided by subsection 1.b.c and d of this section.
4. In the case of a disputed game, if a prize has been paid to a player before the discovery of the error, then the prize shall remain the property of the player.



5. In the investigation of disputed prizes, the Tribal Commission may instruct the Elders Council to pay a disputed prize if the preponderance of the evidence is in favor of the player.

### **Section O – Prizes.**

1. If a merchandise prize is to be awarded, then there shall be an explanation in the game program and an announcement at the start of the merchandise game as to how the prize will be awarded if there are multiple winners of the game. A merchandise prize may be offered with a cash equivalent option.
2. At all bingo occasions where prize payouts are based upon attendance, the attendance shall be announced at the start of the first game that is affected by attendance.
3. All winners of bingo prizes shall be determined by the bingo method. Prizes shall not be awarded or split by any other method or means.

### **Section P – Workers.**

1. A worker shall not play in games of bingo in which he or she is working or assisting. A worker who wishes to work until the first ball is drawn for that bingo occasion and then play bingo may do so if he or she purchases his or her bingo cards in the same manner as other players.
2. A Elders Council, worker, location owner or his or her agent, hall employee, lessor, or concession worker shall not pay for, provide in any manner, or have any interest of any kind, in a player's bingo cards and shall not, in any manner, share in a prize awarded to a player.
3. A paid concession worker at a location that is not a licensed hall shall not participate as a worker in the bingo occasion in any manner.
4. A person under 18 years of age shall not participate in bingo as a worker and shall not operate or assist in the conduct of bingo.
5. A worker shall not accept tips from players.

### **Section Q – Worker compensation.**

1. The amount that may be paid to a worker is as follows:
  - a. The chairperson or record keeper shall be paid not more than \$20.00 as of the effective date of these rules and the amount may be adjusted by the service compensation schedule not to exceed \$50.00 for his or her services for each bingo occasion worked.
  - b. The person who completes the quarterly financial statement shall be paid not more than \$20.00 as of the effective date of these rules and the amount may be adjusted by the service compensation schedule not to exceed \$50.00 for each quarterly financial statement submitted.
  - c. All other workers shall be paid not more than \$15.00 as of the effective date of these rules and the amount may be adjusted by the service compensation schedule not to exceed \$30.00 for their services for each bingo occasion worked.

2. Only one person may be paid as chairperson and only one person may be paid as record keeper for each bingo occasion.
3. An individual may only be compensated for being one of the following at each bingo occasion:
  - a. Chairperson.
  - b. Record keeper.
  - c. Worker.
4. A worker shall not be compensated for any other services related to that bingo occasion, for example, custodial services, set up, tear down, except as provided by this rule.
5. Compensation to workers includes, but is not limited to, any of the following:
  - a. Cash or check.
  - b. Anything of value.
  - c. Credit towards dues, tuition, or any other items of value. Any credit given shall not exceed the limit per bingo occasion as prescribed by this subsection.
6. In addition to the compensation as provided by subsection 5 above, workers may also receive food and beverages consumed while working that do not exceed \$10.00 in retail value.
7. All worker compensation, other than credits, shall be paid on the day of the bingo occasion. This subsection does not apply to a person who completes the quarterly financial statement.
8. The names of the workers and amounts paid, including any credits as provided by subsection 5.c. above, shall be recorded on the workers service record for each bingo occasion or as directed in writing by the Tribal Commission.
9. Any and all forms of worker compensation shall only be paid from the proceeds of the licensed gaming event or the financial account as prescribed by Section T.
10. All compensation shall be reported on the quarterly financial statement.

#### **Section R – Game records;retention.**

1. Game records pertaining to the licensed gaming event shall be completed and maintained in a current and accurate manner in accordance with this rule and directives of the Tribal Commission. The Elders Council may be required to complete game records on forms prescribed by the Tribal Commission.
2. A copy of the current license application and rental agreement and any changes shall be on site and available for review.
3. Game records and all documents supporting entries made in the records shall be available and on site at all occasions and at other times to authorized representatives of the Tribal Commission for review.
4. Game records and all document records shall be kept for at least the current calendar year plus three years or as directed in writing by the Tribal



Commission.

5. Game records and all documents supporting entries made in the records may be removed from the bingo location by authorized representatives of the Tribal Commission for review.
6. Upon completion of an inspection of the bingo game by the Tribal Commission, the authorized representative of the Tribal Commission may designate certain records that may be moved to an off-site storage area. The records shall be maintained by the Elders Council at this site in accordance with the retention requirements provided in subsection 5 above.
7. Game records may be maintained using a computer if they are maintained in accordance with directives of the Tribal Commission.

### **Section S – Inventory.**

1. The Elders Council shall be accountable for all bingo cards and shall maintain an accurate and complete inventory of all disposable bingo cards on forms prescribed by, or submitted to and approved in writing by, the Tribal Commission.
2. Off-site inventory locations shall be a building or office opens to the public and not a private residence unless directed otherwise in writing by the Tribal Commission.
3. The Elders Council shall not exchange, sell, share, or mix disposable bingo cards with cards belonging to another organization.
4. If disposable bingo cards are sold by the Elders Council in a form other than that in which they were purchased from the licensed supplier, then the Elders Council shall accurately record the corresponding transfers on the inventory record as provided by subsection 1 above to account for all bingo cards originally purchased.
5. Each bingo card or sheet of bingo cards offered for sale by the Elders Council shall have printed on its face the individualized serial number assigned by the manufacturer.
6. The Elders Council shall only purchase disposable bingo cards from a state licensed supplier if the invoice and case label have been clearly and legibly identified with the color, type (for example, 3-on horizontal), and total number of sheets or total number of packets for each color invoiced or contained in the case.

### **Section T – Accountability; lawful use of proceeds; reasonable expenditures; deposit of proceeds.**

1. The Elders Council shall be accountable for all cash, bingo cards, and prizes.
2. The entire net proceeds of a licensed gaming event shall be devoted exclusively to the lawful purposes of the Elders Council.
3. To ensure that all proceeds are used for the lawful purposes, all financial accounts into which proceeds from the licensed gaming event are deposited or transferred shall be open for review by authorized representatives of the

Tribal Commission.

4. The payment of expenses incurred in connection with the conduct of the licensed gaming event shall be necessary and reasonable.
5. Each check written from financial accounts into which proceeds from the licensed gaming event are deposited or transferred shall meet all of the following requirements:
  - a. Each check shall be preprinted with the name of the Elders Council.
  - b. The check shall be signed by an authorized person or persons.
  - c. The check shall be made payable to a specific person, business, partnership, corporation, or account.
  - d. A check shall not be made payable to cash or bearer and shall not be drawn in blank.
  - e. The check shall contain a brief description of the expense on the memo line.
6. Electronic transfers of funds derived from the conduct of the licensed gaming event shall be done in accordance with directives of the Tribal Commission.
7. Cancelled checks written from financial accounts into which proceeds from the licensed gaming event are deposited or transferred shall be returned on a monthly basis to the account holder. Copies of the checks are acceptable, if legible, and if originals can be made available upon request by the Tribal Commission.
8. All monies derived from the conduct of the licensed gaming event shall be deposited into the Elders Council financial account within two business days of the bingo occasion or as directed in writing by the Tribal Commission.
9. Checks shall not be cashed out of the bingo start cash or gross revenue.
10. Prize payments and worker compensation are the only allowable cash expenditures from proceeds of the licensed gaming event. All other expenses of the licensed gaming event shall be paid by check as prescribed by this rule.

#### **Section U – Bingo financial records; retention.**

All of the following financial records shall be available to authorized representatives of the Tribal Commission for review and shall be kept for at least the current calendar year plus three years or as directed in writing by the Tribal Commission:

1. Bank validated deposit slips for all proceeds from the licensed gaming event.
2. Bank statements from all financial accounts where proceeds from the licensed gaming event were deposited or transferred.
3. Cancelled checks or copies of checks, as prescribed by Section T from all financial accounts where proceeds from the licensed gaming event were deposited or transferred.
4. Invoices or receipts with the date, vendor's name, and a description of the item or service for all expenditures made from financial accounts where proceeds from the licensed gaming event were deposited or transferred.

5. Loans or donations of funds from individuals shall only be permitted if documented in a written, witnessed document. A copy of the document and repayment schedule and any later changes to these documents shall be maintained with these financial records.

**Section V – Senior citizen recreational bingo; exemption.**

1. A licensed senior citizen organization may apply to the Tribal Commission on a form provided by the Tribal Commission for an exemption from these rules if all of the following conditions are met:
  - a. The bingo is conducted primarily for the amusement and recreation of the members and guests of the senior citizen organization and not as a fundraiser.
  - b. Only members of the senior citizen organization, the staff, and volunteers may assist in the operation of the bingo.
  - c. Players are charged not more than 25 cents or equivalent value for each bingo card.
  - d. The total retail value of all merchandise and cash prizes offered or awarded at a bingo occasion shall not be more than \$300.00. The value of donated prizes shall be their total retail value.
  - e. A record shall be maintained for each bingo occasion that indicates the revenues, expenses, and prizes paid.
  - f. All revenue from the bingo is used for prizes or reasonable expenses incurred in operating the bingo or the senior citizens organization.
  - g. A person shall not be compensated for participating in the conduct of the bingo.
2. The Tribal Commission may terminate the Elders Council exemption if any portion of subsection 1 above is violated.