

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