

THE MINNESOTA CHIPPEWA TRIBE

ORDINANCE NO. 12

WHEREAS, Article V, Section 1 (g) of the Revised Constitution and By-Laws of The Minnesota Chippewa Tribe sets forth among the powers of the Tribal Executive Committee the power: ".....by Ordinance, subject to the review of the Secretary of the Interior, levy licenses or fees on non-members or non-Tribal organizations doing business on two or more reservations." and

WHEREAS, the State of Minnesota currently regulates and allows for local units of government to license and operate gambling devices as set forth in Minnesota Statutes 349.26, and

WHEREAS, the Minnesota Chippewa Tribal Executive Committee believes it is desirable and necessary to license and regulate non-members and non-Tribal organizations selling and distributing bingo cards and gambling devices on two or more reservations of The Minnesota Chippewa Tribe,

NOW, THEREFORE, the following Ordinance is enacted to be effective that date of its enactment:

Section 1.01 Definitions

Subdivision 1. Bingo cards means a card, paper or board containing five (5) horizontal rows and used for the purpose of playing the game of bingo, also known as "beano".

Subdivision 2. Gambling devices means those gambling devices known as paddlewheels, tipboards, pull-tabs, ticket jars, or apparatus used in conducting raffles, including raffle tickets.

Section 2.01 Licenses: Prohibitions; Requirements

No non-Tribal member or non-Tribal organization may sell or distribute bingo cards or gambling devices on two or more of the reservations of The Minnesota Chippewa Tribe without first obtaining a license to do so from The Minnesota Chippewa Tribe authorizing such sales or distribution. The fee for such a license shall be \$ per year. Licenses issued pursuant to this Section shall be valid for one year only and may be suspended or revoked for any violation of this Ordinance. Any application for a license shall be on a form supplied by The Minnesota Chippewa Tribe and shall be acted upon within 180 days from its receipt by the Tribe. Nothing in this Ordinance shall be construed to prevent a Reservation Business Committee from adopting rules, regulations, or a Reservation ordinance for the licensing of businesses selling bingo cards or gambling devices on their respective reservations if such rules, regulations or ordinance have the same requirements as this Ordinance or are more restrictive.

Section 3.01 Licenses: Further Requirements

Licenses may be issued to applicants who complete the application form provided by The Minnesota Chippewa Tribe and pay the license fee set forth in Section 2.01 of this Ordinance and all applicants shall pay an additional non-refundable fee to be used to pay for a background check on said applicant. In addition, no applicant for a license shall receive a license if:

- a. The individual applicant has a felony record in any State or Federal Court.
- b. Any partner, associate, officer, director, or shareholder in the non-Indian organization has a felony record in any State or Federal Court.
- c. The applicant has had a prior license from the Tribe revoked for cause.

- d. No license shall be issued until the applicant can satisfy The Minnesota Chippewa Tribe that his/hers/ its bingo cards or gambling devices meet the standards set by the Tribe to assure that said cards or gambling devices are honest, accurate and produce honest, fair games of chance or skill as the case may be, and the applicant has successfully passed a background check by The Minnesota Chippewa Tribe.

Section 4.01 Revocation

Any license issued pursuant to this Ordinance shall be suspended or revoked for the following reasons:

- a. Selling gambling devices or bingo cards on any Minnesota Chippewa Tribe reservation to any person or organization not licensed by either The Minnesota Chippewa Tribe or the appropriate Reservation Business Committee or both when appropriate under this Ordinance and a reservation ordinance.
- b. That the bingo cards or gambling devices are inaccurate or dishonest and do not conform to the requirements and standards set by The Minnesota Chippewa Tribe and, when appropriate, by the reservation where such bingo cards or gambling devices are sold, delivered, or distributed.
- c. Conviction of a felony by the license holder in a State or Federal Court.
- d. False representations in the application.

Section 5.01 Hearings

The Minnesota Chippewa Tribe may revoke or suspend the license of any license holder for any of the reasons set forth in Section 4.01. Notice of the revocation or suspension shall be sent to the license holder who may request a hearing by sending written notice to the Tribe's Executive Director in Cass Lake, Minnesota within ten (10) days of the mailing of the notice of revocation or suspension to the license holder. A hearing may be scheduled to allow the license holder to object to said revocation or suspension and to show cause why said suspension or revocation should not be carried out. The Tribal Executive Committee shall designate such Tribal court or quasi-judicial or administrative proceeding as it deems appropriate to conduct such a hearing. Its decision shall be final.

Section 6.01 Bond

All license applicants shall post a fidelity bond or cash bond in the sum of One Thousand Dollars (\$1,000) in favor of The Minnesota Chippewa Tribe conditioned on their observance of this Ordinance and to be forfeited if they violate the Ordinance and have their license revoked by The Minnesota Chippewa Tribe.

Section 7.01 Lists of Customers

All license applicants shall post a fidelity bond or cash bond in the sum of One Thousand Dollars (\$1,000) in favor of the Minnesota Chippewa Tribe conditioned on their observance of this Ordinance and to be forfeited if they violate the Ordinance and have their license revoked by the Minnesota Chippewa Tribe.

Section 7.01 Lists of Customers

All license holders must supply to the Tribal Executive Committee a list of all of their customers for bingo cards and gambling devices on any of the Reservations of The Minnesota Chippewa Tribe. Such list shall be supplied within ten (10) days of the sale of any bingo cards or gambling devices to any customer on said reservation. Failure to supply such list shall be grounds to suspend the licensee's license until such list is supplied and to refuse to renew said license.

Section 8.01 Violation

Any violation of this Ordinance is subject to a civil penalty of One Thousand Dollars (\$1,000) and suspension or revocation of the licensee's license.

Adopted this 25th day of January, 1984, at a Regular Meeting of The Minnesota Chippewa Tribal Executive Committee, a quorum present, at St. Paul, Minnesota, by a vote of **10 For, 0 Against, 0 Silent.**

Darrell Wadena, President
THE MINNESOTA CHIPPEWA TRIBE

ATTEST: Daniel Morrison, Sr., Secretary
THE MINNESOTA CHIPPEWA TRIBE