

**SEP 8 2000**

Michael L. Roy, Esquire  
Hobbs, Straus, Dean & Walker, LLP  
2120 L Street, N.W., Suite 700  
Washington, D.C. 20037

Dear Mr. Roy:

This letter responds to your request to the National Indian Gaming Commission (NIGC) for the review and approval of the amendments to the Menominee Indian Tribe of Wisconsin's (Tribe) Gaming Code Ordinance 93-30 submitted on June 30, 2000. In your request, you submit five amendments. Those amendments are numbered Two through Six and dated November 16, 1995, July 8, 1996, February 5, 1998, March 26, 1998, and March 4, 1999, respectively. This letter constitutes approval of the amendments under the Indian Gaming Regulatory Act (IGRA).

Thank you for submitting the amendments to the Tribal Gaming Code of the Menominee Indian Tribe of Wisconsin for review and approval. Please inform the Tribe of this action. If you have questions or require further assistance, please contact Ms. Frances Fragua at 202/632-7003.

Sincerely yours,



Montie R. Deer  
Chairman

*MENOMINEE NATION*

*MENOMINEE TRIBAL LEGISLATURE*

*AMENDMENT TO ORDINANCE NO. 93-30*

*GAMING CODE*

JUN 30 2006

FINAL APPROVAL

BE IT ORDAINED BY THE LEGISLATURE OF THE MENOMINEE INDIAN TRIBE OF WISCONSIN:

ORDINANCE NO. 93-30 IS AMENDED AS FOLLOWS:

§1.32 Add: For persons employed in Observation positions, including the Supervisor and the Auditor, working days shall have the same meaning as that which is used for gaming employees.

§2.09 Monthly Report. Insert the words "or cause to be made" after the word "make" and before the word "monthly" in the first sentence.

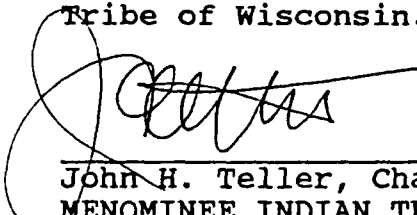
§2.10 Add at the end of this paragraph: "The Commission shall employ such Observation personnel as is necessary to properly monitor the Gaming Operation."

§2.11 Add this sentence at the end of the paragraph: "The Commission shall set forth or cause to be set forth procedures for purposes stated herein."

CERTIFICATION

The undersigned Officers of the Menominee Tribal Legislature do hereby certify that the above Amendment to Ordinance No. 93-30 entitled "Gaming Code" was duly adopted at a regular meeting of the Menominee Tribal Legislature on November 16, 1995, by a vote of 7 for, 0 opposed, 0 abstentions and 1 absent.

The undersigned also certify that the above has been posted in accordance with the Constitution and Bylaws of the Menominee Indian Tribe of Wisconsin.

  
\_\_\_\_\_  
John H. Teller, Chairman  
MENOMINEE INDIAN TRIBE OF WI

  
\_\_\_\_\_  
Leslie Penass, Secretary  
MENOMINEE INDIAN TRIBE OF WI

Date: November 16, 1995

MENOMINEE NATION  
MENOMINEE TRIBAL LEGISLATION  
AMENDMENT TO  
ORDINANCE NO. 93-30  
GAMING CODE

*July 1996*

**FINAL APPROVAL:**

**BE IT ORDAINED BY THE LEGISLATURE OF THE MENOMINEE INDIAN TRIBE OF WISCONSIN:**

**ORDINANCE NO. 93.30 IS AMENDED AS FOLLOWS:**


Section 1.32. Strike the word "gaming"; substitute the words "tribal government".

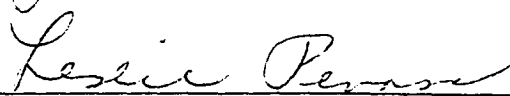
The amended section will read: For persons employed in observation positions, including the Supervisor and the Auditor, working days shall have the same meaning as that which is used for tribal government employees.

**CERTIFICATION**

The undersigned officers of the Menominee Tribal Legislature do hereby certify that the foregoing Ordinance 93-30 entitled "Gaming Code" was adopted at a regular meeting of the Menominee Tribal Legislature held on July 8, 1996, at which a quorum was present, by a vote of 8 for, 0 opposed, 0 abstentions, and 1 absent.

The undersigned also certify that the foregoing Ordinance has been posted in accordance with the Constitution and ByLaws of the Menominee Indian Tribe of Wisconsin.

  
\_\_\_\_\_  
John H. Teller, Chairman  
Menominee Indian Tribe of Wisconsin

  
\_\_\_\_\_  
Leslie Penass, Secretary  
Menominee Indian Tribe of Wisconsin

DATE: July 8, 1996

MENOMINEE NATION  
MENOMINEE TRIBAL LEGISLATURE  
AMENDMENT TO ORDINANCE NO. 93-30  
GAMING CODE

JUN 30 1998

**FINAL APPROVAL:**

**BE IT ORDAINED BY THE LEGISLATURE OF THE MENOMINEE INDIAN TRIBE OF WISCONSIN:**

Amendment to Tribal Ordinance 93-30, Gaming Code is amended as follows:

Amendment #1. Section 2.18. Strike the present language, substitute the following:  
(See page 8)

"Director's Employment. The Director shall be hired by majority vote of the Tribal Legislature, pursuant to tribal Ordinance No. 83-06, and the Director shall be a tribal employee subject to the provisions of this ordinance in addition to Tribal Ordinance No. 83-06. Compensation for the Director shall not be based, in whole or in part, on the profitability of the gaming operation."

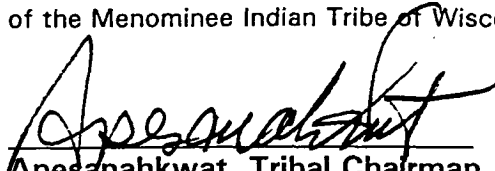
Amendment #2. Section 2.19, subsection (c): Strike the words "and/or for violation of his contract." (See page 9)

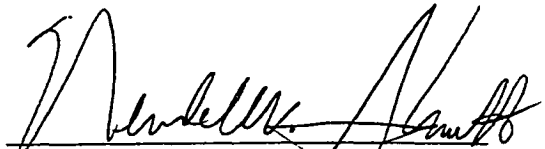
End of Amendment.

**CERTIFICATION**

The undersigned Officers of the Menominee Tribal Legislature do hereby certify that the foregoing Amendments to Ordinance 93-30, entitled "Gaming Code" was duly adopted at a regular meeting of the Menominee Tribal Legislature held on February 5, 1998, at which a quorum was present, by a vote of 4 for, 0 opposed, 0 abstentions, and 3 absent.

The undersigned also certify that the above amended Ordinance has been posted in accordance with the Constitution and Bylaws of the Menominee Indian Tribe of Wisconsin.

  
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Apesanahkwat, Tribal Chairman  
MENOMINEE TRIBAL LEGISLATURE

  
\_\_\_\_\_  
Wendell N. Askenette, Secretary  
MENOMINEE TRIBAL LEGISLATURE

DATE: February 1998

**MENOMINEE NATION  
MENOMINEE TRIBAL LEGISLATURE  
AMENDMENT TO TRIBAL ORDINANCE NO. 93-30  
GAMING CODE**

Amendment No. 1. Delete Section 2.03. Substitute the following:

Section 2.03. The Tribal Gaming Commission established in Tribal Ordinance 93-30, January 20, 1994, amended in March 26, 1998, to increase the number of Commissioners to five (5, is hereby amended further as follows:

Commission members: Lloyd Waukau, term expires August 15, 1999; Kris Goodwill, term expires August 15, 2000; Jonathan Wilber, term expires August 15, 2000; Royal Warrington, term expires August 15, 2001; and David Waupoose, term expires August 15, 2001.

The Tribal Legislature shall make appropriate appointments to the Commission for three (3) year terms prior to August 15, beginning in year 1999.

**Eligibility Requirements for Commissioners:**

- (1) Enrolled Menominee member, at least 21 years of age;
- (2) Submit to a background investigation;
- (3) Not have been convicted of any type felony during the past ten years unless waived by resolution of the Tribal Legislature;
- (4) Not have been convicted of any gambling-related offense, fraud or misrepresentation in any connection, any state or tribal law regarding gaming, unless waived by resolution of the Tribal Legislature;
- (5) Not any prior activities concerning reputation, habits, and associations that pose a threat to the public interest and effective regulation of gaming;
- (6) Submit to monthly random drug tests; and
- (7) Not a member of the Tribal Legislature.

Background investigations shall be conducted by an outside agency, shall be reviewed by the Tribal Legislature for any appropriate action, and shall thereafter be sealed in a confidential file at the Human Resource Department of the Menominee Tribe.

**Removal.** The Tribal Legislature may remove a Gaming Commissioner by majority vote for good cause as determined by the Legislature or by amendment to this ordinance that changes the number of Commissioners.

Vacancies on the Commission shall be filled by majority vote of the Legislature.

**Annual Meeting.** In addition to any other meetings authorized by this ordinance, the Tribal Gaming Commission shall meet annually in August as soon as possible following appointment of commission members by the Tribal Legislature for the purposes of electing a chairman and a vice-chairman from its membership.

The Commission shall direct the Executive Director of the Tribal Gaming Commission to require all Commission Staff to be licensed by the Commission pursuant to procedures in effect for such licensing.

Amendment No. 2. Delete Sections 1.061, 1.19, 1.20, 1.231, 1.232, 1.24 and 2.03.

End of Amendments

**MENOMINEE NATION  
MENOMINEE TRIBAL LEGISLATURE  
AMENDMENT TO TRIBAL ORDINANCE NO. 93-30  
GAMING CODE**

JUN 30 1999

**FINAL APPROVAL:**

**BE IT ORDAINED BY THE LEGISLATURE OF THE MENOMINEE INDIAN TRIBE  
OF WISCONSIN:**

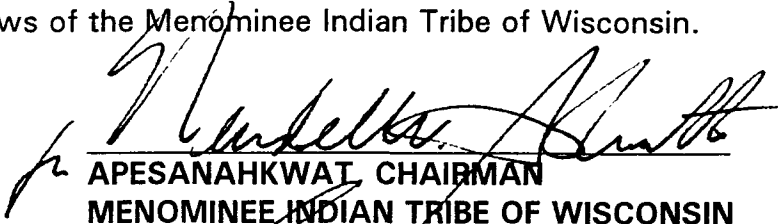
Tribal Ordinance No. 93-30 is amended by the amendments attached hereto and incorporated herein.

Effective Date: Immediately upon final approval.

**CERTIFICATION**

We, the undersigned Officers of the Menominee Tribal Legislature do hereby certify that the foregoing Ordinance No. 93-30, entitled "Gaming code", was adopted at a regular meeting of the Tribal Legislature held on **March 4, 1999**, at which a quorum was present, by a vote of 4 for, 1 opposed, 0 abstentions and 3 absent.

We further certify that this ordinance has been posted in accordance with the Constitution and ByLaws of the Menominee Indian Tribe of Wisconsin.

  
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**APESANAHKWAT, CHAIRMAN  
MENOMINEE INDIAN TRIBE OF WISCONSIN**

  
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**LISA WAUKAU, SECRETARY  
MENOMINEE INDIAN TRIBE OF WISCONSIN**

DATE: March 4, 1999