



JAN 11 2008

Robert Smith, Chairman  
Pala Band of Mission Indians  
35008 Temecula Rd., PMB 50  
Pala, CA 92059

Re: Amended gaming ordinance, EC Resolution No. 07-28

Dear Chairman Smith:

This is in response to your December 26, 2007 submission seeking review and approval of the amendments to the Pala Band of Mission Indians' gaming ordinance enacted by EC Resolution No. 07-28. The amended ordinance makes NIGC's minimum internal control standards (MICS) applicable to the Band's Class III Pala Casino Resort and Spa and makes other, miscellaneous changes. It is consistent with the requirements of the Indian Gaming Regulatory Act (IGRA) and this agency's regulations and is therefore approved. The NIGC looks forward to once again providing assistance to the Band in its regulation of Class III gaming.

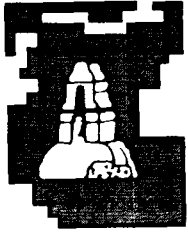
Thank you for your submission. If you have any questions or require assistance, please contact, Rebecca Chapman, Staff Attorney, at 202-632-7003.

Sincerely,

A large, stylized handwritten signature in black ink, which appears to be "Philip N. Hogen". The signature is written over the word "Sincerely," and extends downwards and to the right.

Philip N. Hogen  
Chairman

cc: Jane Zerbi, Esq.  
Penny Coleman, Acting General Counsel  
Michael Gross, Associate General Counsel, General Law



## PALA BAND OF MISSION INDIANS

35008 Pala Temecula Rd. PMB 50  
Pala, CA 92059

Ph: (760) 891-3500  
Fax: (760) 742-1411

December 21, 2007

DEC 26 2007

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Philip Hogen, Chairman  
Attention: Michael Gross, General Counsel  
National Indian Gaming Commission  
1441 L Street NW, Suite 9100  
Washington, DC 20005

Re: Amendment to Tribal Gaming Ordinance

Dear Chairman Hogan:

On behalf of the Pala Band of Mission Indians, enclosed for the review and approval of the National Indian Gaming Commission ("NIGC") under the Indian Gaming Regulatory Act at 25 U.S.C. Section 2710 is an amended tribal gaming ordinance along with the original Executive Committee resolution adopting the amended ordinance and authorizing its submission for review and approval.

The Pala Band of Mission Indians consents to the jurisdiction of the NIGC with respect to the monitoring and enforcement of minimum internal control standards adopted by the Tribe that meet or exceed the federal standards at 25 CFR Part 542 ("MICS"), and we previously communicated this to the NIGC last year. We are enclosing amendments to our gaming ordinance at Section VI which affirm once again the Pala Band's adoption of minimum internal control standards for the gaming operation that provide a level of control that equal or exceed those federal standards set forth in 25 CFR Part 542 and the monitoring and enforcement of compliance with such standards by the Pala Gaming Commission as well as by the National Indian Gaming Commission. A redline of the original ordinance approved in 1994 is also enclosed for your convenience. If you have any questions or comments regarding these amendments, please contact our tribal attorney Jane Zerbi at (916) 244-8550.

The federal MICS support strong regulatory practices at Indian casinos and strengthen the public's confidence in the integrity of Indian gaming. We look forward to continuing to work with the NIGC to promote the integrity of Indian gaming over the years to come.

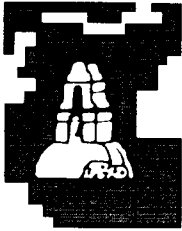
Sincerely,

Robert Smith, Tribal Chairman

cc: Jane Zerbi, Dickstein & Zerbi

DEC 26 11:47 AM '07

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ENVIRONMENTAL  
LEAD



**PALA BAND OF MISSION INDIANS**

35008 Pala Temecula Rd. PMB 50  
Pala, CA 92059

**EC Resolution 07-28**

DEC 26 2007

Ph: (760) 891-3500  
Fax: (760) 742-1411

**Executive Committee Resolution No. 07-28  
Amendment of Tribal Class II and III Gaming Ordinance**

At a regular meeting of the Executive Committee of the Pala Band of Mission Indians, duly noticed and called at approximately 8 am on **19 December 2007**, for the purpose of transacting such business as might be brought before the council members; and

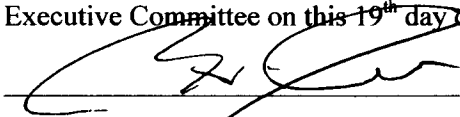
**WHEREAS:**

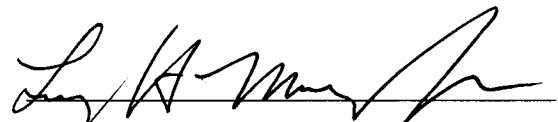
1. The Pala Band of Mission Indians is a federally recognized Indian Tribe (the "Tribe"); and
2. The Tribe is governed by a Tribal Constitution approved by the Commissioner of Indian Affairs which establishes an Executive Committee composed of officials elected by the membership; and
3. The Tribe enacted a Class II and Class III gaming ordinance, which was approved in 1994 by the National Indian Gaming Commission and provides for amendment by the Tribe's Executive Committee; and
4. The Executive Committee wishes to amend Ordinance No. 98-1 Tribal Class II and Class III Gaming Ordinance and to specifically affirm the Tribe's adoption of minimum internal control standards for the gaming operation that provide a level of control that equal or exceed those federal standards set forth in 25 CFR Part 542 and the monitoring and enforcement of compliance with such standards by the Tribe's regulatory authority as well as by the National Indian Gaming Commission; and
5. The Executive Committee has reviewed the attached Amended Tribal Class II and Class III Gaming Ordinance and finds that it will serve the best interests of the Tribe.

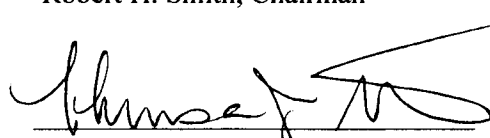
**NOW THEREFORE BE IT RESOLVED THAT:** The Pala Band of Mission Indians Executive Committee hereby adopts the attached Amended Ordinance No. 98-1, Tribal Class II and Class III Gaming Ordinance and authorizes the Tribal Chairman or his designee to submit said amended ordinance to the National Indian Gaming Commission for review and approval.

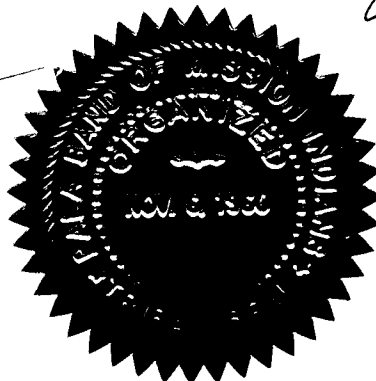
**CERTIFICATION**

We, the undersigned members of the Executive Committee, certify that the above resolution was adopted by a majority vote of the Executive Committee with 4 in favor and 0 in opposition, at a duly called regular meeting of the Executive Committee on this 19<sup>th</sup> day of December, 2007.

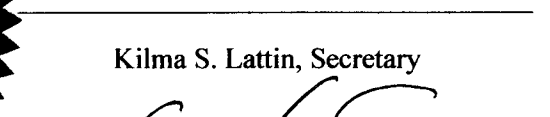
  
Robert H. Smith, Chairman

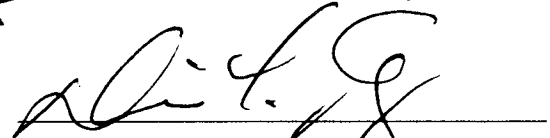
  
Leroy H. Miranda Jr., Vice-Chairman

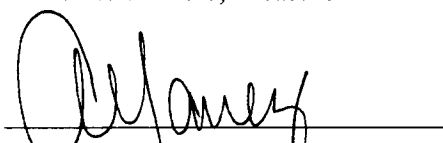
  
Theresa J. Nieto, Treasurer



**-Office of the Secretary-**

  
Kilma S. Lattin, Secretary

  
Dion Perez, Committee

  
Annalee Yanez, Committee

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**PALA BAND OF MISSION INDIANS OF THE PALA INDIAN RESERVATION**

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**AMENDED - GAMING ORDINANCE**

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**I. Purpose**

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The Pala Band of Mission Indians of the Pala Indian Reservation ("Tribe"), as the beneficial owner of the Pala Indian Reservation, and acting pursuant to its Constitution in the exercise of its inherent sovereign power to enact ordinances and otherwise safeguard and provide for the health, safety and welfare of the Pala Indian Reservation and the members of the Pala Band of Mission Indians, hereby amends this Ordinance established for the purpose of authorizing and comprehensively and preemptively regulating the terms and conditions under which Class II and Class III gaming may be conducted within the boundaries of the Pala Indian Reservation, including setting minimum standards for the Tribe's wholly owned enterprise the Pala Casino Resort & Spa ("Pala Casino").

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**II. Gaming Authorized**

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A. Class II gaming as defined in the Indian Gaming Regulatory Act, P.L. 100-447, 25 U.S.C. Section 2703(7)(A) (IGRA) and by regulations lawfully promulgated by the National Indian Gaming Commission ("Commission") that now or hereafter may be in effect is hereby authorized.

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B. Class III gaming as defined in IGRA, 25 U.S.C. Section 2703(8) and by regulations promulgated by the NIGC that now or hereafter may be in effect is hereby authorized, provided such gaming is also authorized by and consistent with a Tribal-State Compact that has been approved by the Secretary of the Interior and is in effect, or otherwise has been authorized by the Secretary of the Interior or federal law.

**III. Ownership of Gaming Facilities and/or Enterprises**

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The Pala Band of Mission Indians of the Pala Indian Reservation shall have the sole proprietary interest in and responsibility for the conduct of any gaming facilities and/or enterprise(s) authorized by this ordinance.

**IV. Use of Gaming Revenue**

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A. Except as specifically authorized pursuant to Subsection B of this Section, net revenues from Class II and Class III gaming on the Pala Indian Reservation shall be used only for the following purposes:

- 1) to fund Pala Indian Reservation Tribal government operations and programs;
- 2) provide for the general welfare of the Pala Band of Mission Indians of the Pala Indian Reservation and its members;
- 3) promote Pala Indian Reservation economic development;
- 4) donate to charitable organizations; or
- 5) help fund operations of local government agencies.

B. If the Pala Band of Mission Indians Executive Committee elects to make per capita payments to Pala Band of Mission Indians members, it shall authorize such payments only in conformity with a plan submitted to and approved by the Secretary of the Interior pursuant to 25 U.S.C. 2710(b)(3).

**V. Financial Audit**

A. The Pala Band of Mission Indians Executive Committee shall cause to be conducted at least annually an independent financial audit of all gaming operations and shall submit the resulting audit reports to the National Indian Gaming Commission, and to such other agencies as may be required by the terms and conditions of any Class III compact or other document authorizing Class III gaming on the Pala Indian Reservation.

B. All gaming-related contracts that result in the purchase of supplies, services, or concessions in excess of \$25,000.00 annually, except contracts for professional legal and accounting services, shall be specifically included within the scope of the audit that is described in Subsection A above.

**VI. Minimum Internal Control Standards**

A. Applicable Standards. The Pala Band of Mission Indians Executive Committee shall comply with 25 CFR Part 542 by formally adopting and making applicable to the tribe's gaming operation(s) internal control standards that:

1. Provide a level of control that equals or exceeds those set forth in 25 CFR part 542, as published or as revised by mutual agreement between the National Indian Gaming Commission and the Pala Band of Mission Indians Executive Committee;

2. Contain standards for currency transaction reporting that comply with 31 CFR Part 103; and

3. Establish internal control standards for Class II and Class III games that are not addressed in the MICS, if any.

B. Annual CPA Testing of Compliance. In order to verify that the gaming operation is in compliance with the internal control standards adopted pursuant to paragraph A, an independent certified public accountant (CPA) shall be engaged annually to perform "Agreed-Upon Procedures" in the manner provided for in 25 CFR 542.3(f).

C. Compliance. The tribal gaming regulatory authority and the NIGC shall monitor and enforce compliance with the internal control standards adopted pursuant to paragraph A in the manner provided for in 25 CFR 542.3(g). In addition, the National Indian Gaming Commission shall, for the purpose of enforcing compliance with the internal control standards, have the power to:

1. monitor all Class II and Class III gaming on a continuing basis;

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2. inspect and examine all premises on which Class II or Class III gaming is conducted; and

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3. demand access to and inspect, examine, photocopy, and audit all papers, books, and records respecting gross revenues of all Class II and Class III gaming or any other matters necessary to ensure and enforce compliance with the MICS.

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D. Enforcement. Any failure to adopt internal control standards pursuant to paragraph A, to perform Agreed-Upon Procedures pursuant to paragraph B, to prevent or obstruct the exercise of any of the Commission's powers under paragraph C, or to comply with the internal control standards once adopted is a violation of this ordinance. The Chairman of the National Indian Gaming Commission shall have the authority to remedy violations of this ordinance under 25 U.S.C. 2713 and its implementing regulations, and the Tribe shall have all rights and remedies available thereunder.

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## **VII. Protection of the Environment and Public Health and Safety**

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Class II and Class III gaming facilities on the Pala Indian Reservation shall be constructed, maintained and operated in a manner that adequately protects the environment and the public health and safety, with the Pala Band of Mission Indians Executive Committee having primary responsibility for assessing the environmental impact of all construction and gaming operations, and taking such measures as it determines may be reasonably necessary to mitigate any adverse environmental impacts as it may identify.

## **VIII. Licenses for Key Employees and Primary Management Officials**

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The Pala Band of Mission Indians gaming regulatory agency ("Pala Gaming Commission") shall ensure that the policies and procedures set out in this section are implemented with respect to key employees and primary management officials employed at the Pala Casino and any Class II and/or Class III gaming enterprise operated on Indian lands within the boundaries of the Pala Indian Reservation:

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### A. Definitions

For the purposes of this section, the following definitions apply:

#### 1. Key employee means

(a) A person who performs one or more of the following functions:

- (1) Bingo Caller;
- (2) Counting Room Supervisor
- (3) Chief of Security
- (4) Custodian of gaming supplies or cash;
- (5) Floor Manager

- (6) Pit Boss
- (7) Dealer
- (8) Croupier
- (9) Approver of Credit; or
- (10) Custodian of gambling devices including persons with access to cash and accounting records within such devices;

- (b) If not otherwise included, any other person whose total cash compensation is in excess of \$50,000 per year; or
- (c) If not otherwise included, the four most highly compensated persons in the gaming operation; or
- (d) ~~If not otherwise included, any other person designated by the Tribal-State Compact or the Pala Band of Mission Indians Executive Committee as an individual that must be licensed.~~

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2. Primary management official means

- (a) The person having management responsibility for a management contract;
- (b) Any person who has authority:
  - (1) To hire and fire employees; or
  - (2) To set up working policy for the gaming operation; or
- (c) The chief financial officer or other person who has financial management responsibility.

B. Application Forms

1. The following notice shall be placed on the application form of a key employee or a primary management official before that form is filled out by an applicant:

In compliance with the Privacy Act of 1974, the following information is provided: Solicitation of the information on this form is authorized by 25 U.S.C. '2701 et seq. The purpose of the requested information is to determine the eligibility of individuals to be employed in a gaming operation. The information will be used by National Indian Gaming Commission members and staff who have need for the information in the performance of their official duties. The information may be disclosed to appropriate Federal, Tribal, State, local, or foreign law enforcement and regulatory agencies when relevant to civil, criminal or regulatory investigations or prosecutions, or when pursuant to a requirement by a tribe or the National Indian Gaming Commission in connection with the hiring or firing of an employee, the issuance or revocation of a gaming license, or investigations of activities while associated with a tribe or a gaming operation. Failure to

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consent to the disclosures indicated in this notice will result in a tribe=s being unable to hire you in a primary management official or key employee position.

The disclosure of your Social Security Number (SSN) is voluntary. However, failure to supply a SSN may result in errors in processing your application.

2. The following notice shall be placed on the application form for all key employees and primary management officials before that form is filled out by an applicant:

A false statement on any part of your application may be grounds for not hiring you, or for firing you after you begin work. Also, you may be punished by fine or imprisonment. (18 U.S.C. ' 1001).

C. Background Investigations

1. The Pala Gaming Commission shall request from each primary management official and from each key employee all of the following information:

- a. Full name, other names used (oral or written), Social Security number(s), birth date, place of birth, citizenship, gender, all languages spoken or written;
- b. Currently and for the previous five years: all business and employment positions held, ownership interest in those businesses, business and residence addresses, and drivers license numbers;
- c. The names and current addresses of at least three personal references, including one personal reference who was acquainted with the applicant during each period of residence listed under paragraph (1)(b) of this Subsection;
- d. Current business and residence telephone numbers;
- e. A description of any existing and previous business relationships with the Pala Band of Mission Indians or any other Indian Tribe, including ownership interests in those businesses;
- f. A description of any existing and previous business relationships with the gaming industry generally, including ownership interests in those businesses;
- g. The name and address of every licensing or regulatory agency with which the person has filed an application for a license or permit related to gaming, whether or not such license or permit was granted;

**Deleted:** 2. Existing key employees and primary management officials shall be notified in writing that they shall either:  
¶  
a. Complete a new application form that contains a Privacy Act notice; or  
¶  
b. Sign a statement that contains the Privacy Act notice and consent to the routine uses described in that notice.  
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**Deleted:** 4. The Pala Indian Reservation Executive Committee or its designated gaming regulatory agency shall notify in writing existing key employees and primary management officials that they shall either:  
¶  
a. Complete a new application form that contains a notice regarding false statements; or  
¶  
b. Sign a statement that contains the notice regarding false statements.  
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- h. For each felony for which there is an ongoing prosecution or a conviction, the charge, the name and address of the court involved, and the date and disposition if any;
- i. For each misdemeanor conviction or ongoing misdemeanor prosecution (excluding minor traffic violations) within ten years of the date of the application, the name and address of the court involved and the date and disposition;
- j. For each criminal charge (excluding minor traffic charges), whether or not there is a conviction, if such criminal charge is within ten years of the date of the application and is not otherwise listed pursuant to paragraph (1)(h) or (1)(i) of this Subsection, the criminal charge, the name and address of the court involved and the date and disposition;
- k. The name and address of each licensing or regulatory agency with which the person has filed an application for an occupational license or permit, whether or not such license or permit was granted;
- l. A current photograph;
- m. Any other information the Pala Gaming Commission may deem relevant under the circumstances; and
- n. Fingerprints consistent with procedures adopted by the Pala Band of Mission Indians Executive Committee or its designated gaming regulatory agency in accordance with 25 C.F.R. ' 522.2(h).

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2. The Pala Gaming Commission shall conduct an investigation sufficient to make a determination under Subsection D. below. In conducting a background investigation, the Pala Gaming Commission shall promise to keep confidential the identity of each person interviewed in the course of the investigation.

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D. Eligibility Determination

The Pala Gaming Commission shall review a applicant's prior activities, criminal record, if any, and reputation, habits and associations to make a finding concerning the eligibility of a key employee or primary management official for employment in a gaming operation.

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If the Pala Gaming Commission determines that employment of the person poses a threat to the public interest or to the effective regulation of gaming, or creates or enhances dangers of unsuitable, unfair, or illegal practices and methods and activities in the conduct of gaming, such person is not suitable for a tribal gaming license, and the Pala Casino shall not employ that person in a key employee or primary management official position.

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E. Procedures for Forwarding Applications and Reports for Key Employees and Primary Management Officials to the National Indian Gaming Commission

1. Unless otherwise provided by the Commission, on or before the date when a key employee or primary management official begins work at a gaming operation authorized by this Ordinance, the Pala Gaming Commission shall forward to the National Indian Gaming Commission a completed application and conduct the background investigation and make the determination referred to in Subsection D of this Section.

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2. The Pala Gaming Commission shall forward the report referred to in Subsection F of this Section to the National Indian Gaming Commission within 60 days after an employee begins work or within 60 days of the approval of this Ordinance by the Chairman of the National Indian Gaming Commission.

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3. The Pala Casino shall not employ a key employee or primary management official a person who does not have a license after 90 days.

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#### F. Report to the National Indian Gaming Commission

1. Pursuant to the procedures set out in Subsection E of this Section, the Pala Gaming Commission shall prepare and forward to the National Indian Gaming Commission an investigative report on each background investigation. An investigative report shall include all of the following:

**Deleted:** Band Executive Committee or its designated gaming regulatory agency

- a. Steps taken in conducting the background investigation;
- b. Results obtained;
- c. Conclusions reached; and
- d. The bases for those conclusions.

2. The Pala Gaming Commission shall submit, with the report, a copy of the eligibility determination made under Subsection D of this Section.

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3. If a license is not issued to an applicant, the Pala Gaming Commission:

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- a. Shall notify the National Indian Gaming Commission; and
- b. May forward copies of its eligibility determination and investigative report (if any) to the National Indian Gaming Commission for inclusion in the Indian Gaming Individuals Records System.

4. With respect to key employees and primary management officials, the Pala Gaming Commission shall retain applications and reports (if any) of background investigations for inspection by the Chairman of the National Indian Gaming Commission or his or her designee for no less than three (3) years from the date of termination or denial of employment.

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#### G. Granting a Gaming License

1. If, within a thirty (30) day period after the National Indian Gaming Commission receives a report, the National Indian Gaming Commission notifies the Pala Gaming Commission that it has no objection to the issuance of a license pursuant to a license application filed by a key employee or a primary management official for whom the Pala Gaming Commission has provided an application and investigative report to the National Indian Gaming Commission, the Pala Gaming Commission may issue a license to such applicant.

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2. The Pala Gaming Commission shall respond to a request for additional information from the Chairman of the National Indian Gaming Commission concerning a key employee or a primary management official who is the subject of a report. Such a request shall suspend the 30-day period under Subsection G.1. of this Section until the Chairman of the National Indian Gaming Commission receives the additional information.

3. If, within the thirty (30) day period described above, the National Indian Gaming Commission provides the Pala Gaming Commission with a statement itemizing its objection(s) to the issuance of a license to a key employee or to a primary management official for whom the Pala Gaming Commission has provided an application and investigative report to the National Indian Gaming Commission, the Pala Gaming Commission shall reconsider the application, taking into account the objection(s) itemized by the National Indian Gaming Commission. The Pala Gaming Commission shall make the final decision whether to issue a license to such applicant.

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H. License Suspension

1. If, after the issuance of a gaming license, the Pala Gaming Commission receives from the National Indian Gaming Commission reliable information indicating that a key employee or a primary management official is not eligible for employment under Subsection D above, the Pala Gaming Commission shall suspend such license and shall notify in writing the licensee of the suspension and the proposed revocation.

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2. The Pala Gaming Commission shall notify the licensee of a time and a place for a hearing on the proposed revocation of a license.

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3. After a revocation hearing, the Pala Gaming Commission shall decide whether to revoke or to reinstate a gaming license. The Pala Gaming Commission shall notify the National Indian Gaming Commission of its decision.

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**IX. Licensing of Gaming Places, Facilities and Locations**

A separate license shall be required for each place, facility, or location on Indian lands where Class II and/or Class III gaming is to be conducted on the Pala Indian Reservation.

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**X. Creation of Pala Band of Mission Indians Gaming Commission**

A. There is hereby created the Pala Gaming Commission, which shall consist of three persons who would themselves qualify for licensing under this Ordinance.

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B. The members of the Pala Gaming Commission shall be appointed by the Pala Band of Mission Indians Executive Committee, and said appointees shall not be removed during their terms of office except for misconduct, neglect of duties or other acts that would render such persons unqualified for licensure hereunder. An affirmative vote of at least four members of the Pala Band Executive Committee, taken in an open meeting after a duly-noticed hearing at which the member charged with misconduct shall have the right to hear and present evidence concerning his/her removal, shall be required to remove a member of the Commission. At the request of the member whose removal is at issue, the hearing may be held in executive session. The Pala Band Executive Committee also may elect to receive in executive session any evidence public disclosure of which might compromise any ongoing law-enforcement investigation, or which might jeopardize any privilege or immunity possessed by the Pala Band Executive Committee.

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C. There shall be a Chairperson of the Pala Gaming Commission, who shall be appointed for a term of two years. The remaining members of the Commission shall be appointed for terms of one year. The Executive Committee shall determine and authorize the compensation to be paid to members of the Pala Gaming Commission based upon the Executive Committee's determination of the time required to be expended upon Commission duties and the qualifications of the appointed Commissioners.

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D. The Pala Gaming Commission shall be authorized and hereby is directed to promulgate, subject to review and approval by the Executive Committee, detailed and comprehensive regulations for the implementation and enforcement of this Ordinance. Said

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regulations shall describe and establish the rules for each specific Class II and Class III gaming activity to be authorized to be conducted on the Pala Indian Reservation, and no form of such gaming may be conducted on the Pala Indian Reservation without prior approval by the Pala Gaming Commission. Pending approval of the Pala Band of Mission Indians Gaming Commission=s regulations by the Pala Band Executive Committee, any interim regulations that the Pala Band Executive Committee may adopt shall govern gaming on the Pala Indian Reservation.

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E. The Pala Gaming Commission, independent of the Executive Committee, shall have full authority to license all key employees and primary management officials and monitor compliance with this Ordinance and its Regulations, and to investigate and act to prevent any violation(s) thereof.

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F. Subject to the approval of the Executive Committee and the appropriation of funds therefor, the Pala Gaming Commission shall be authorized to employ such staff as reasonably may be required to fulfill its responsibilities under this Ordinance. Compensation of Commission employees shall be limited to that which is comparable to compensation paid to persons performing similar duties in other governmental gaming regulatory agencies.

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G. Subject to the approval of the Executive Committee, the Pala Gaming Commission hereby is authorized to establish and impose upon gaming facilities, permittees, applicants and licensees such application, permit and license fees as may be necessary to fully reimburse the Pala Band for its actual costs of operating the Pala Gaming Commission, enforcing this Ordinance and Pala Gaming Commission regulations, processing of licensing and permit applications, and otherwise fulfilling its regulatory responsibilities under IGRA. All such fees shall be collected by the Pala Gaming Commission and hereby are continuously appropriated solely for the purposes enumerated in this Subsection.

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H. Failure to timely pay any gaming-related fee imposed by the Pala Gaming Commission, or to comply with any Pala Gaming Commission regulation or order, or any other violation of this Ordinance or the terms of any Class III gaming compact authorizing and regulating gaming on the Pala Indian Reservation, shall be grounds for suspension or revocation of any license or permit issued pursuant to this Ordinance, exclusion of any non-member of the Pala Band of Mission Indians from the Pala Indian Reservation, and imposition of such other sanctions as the Pala Gaming Commission may deem appropriate.

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I. Except for any matter pertaining to licensing of key employees or primary management officials, any person or entity subject to any sanction or penalty by the Pala Gaming Commission may have the right to appeal such sanction or penalty to the Executive Committee in accordance with such rules and regulations as may be promulgated by the Executive Committee for that purpose. The decision of the Executive Committee on any appeal shall be final and not otherwise reviewable.

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**XI. Amendments,**

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The Pala Band Executive Committee is hereby delegated the authority to amend this Ordinance in any manner deemed appropriate to protect what the Pala Band Executive Committee determines to be the best interests of the Pala Band of Mission Indians; provided, that the Pala Band Executive Committee shall have no authority to enact any amendment to this Ordinance that is less

restrictive than the original terms of this Ordinance, or that would constitute a violation of federal law or would be inconsistent with the terms of an approved Tribal-State Class III compact that is in effect.

**XII. Repeal**

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To the extent that they are inconsistent with this ordinance, all gaming ordinances previously enacted or amended by the Pala Band of Mission Indians General Council or Executive Committee hereby are repealed.

CERTIFICATION

The foregoing resolution was adopted by a vote of \_\_\_\_\_ for, and \_\_\_\_\_ against and \_\_\_\_\_ abstentions, at a duly called meeting of the Executive Committee, at which a quorum was present, on this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

**Deleted:** This is to certify that the foregoing Ordinance was adopted on April 13, 1994, at a duly-called meeting of the Pala Band of Mission Indians General Council at which a quorum was present, by a vote of 2 in favor, 0 opposed and 3 abstaining.

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\_\_\_\_\_  
Secretary

Robert H. Smith, Chairman  
Leroy H. Miranda Jr., Vice-Chairman

Theresa J. Nieto, Treasurer  
Kilma S. Lattin, Secretary

Annalee H. Yanez, Committee Member  
Dion Perez, Committee Member

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