

NATIONAL  
INDIAN  
GAMING  
COMMISSION

OCT 24 1995

Stanley Jones, Chairman  
Tulalip Tribes of Washington  
6700 Totem Beach Road  
Marysville, Washington 98721

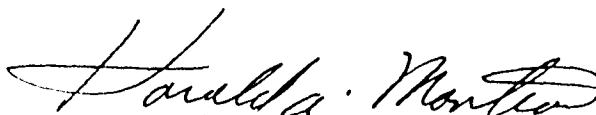
Dear Chairman Jones:

This letter responds to your request for review and approval of the amendment to Ordinance No. 55A of the Tulalip Tribes of Washington (Tribe). The amendment to the ordinance was adopted by the Tribe by Ordinance No. 55A-1 on July 15, 1995.

Under the IGRA and the regulations of the National Indian Gaming Commission (NIGC), the Chairman is directed to review amendments to ordinances with respect to the requirements of the IGRA and the implementing regulations. Thus, the scope of the Chairman's review and approval is limited to the requirements of the IGRA and the NIGC regulations. I have determined that the amendment does not fall within this scope and, therefore, is not subject to my review and approval.

Thank you for submitting the amendment to Ordinance No. 55A of the Tulalip Tribes of Washington. The NIGC staff and I continue to look forward to working with you and the Tribe in implementing the IGRA.

Sincerely yours,



Harold A. Monteau  
Chairman

cc: Douglas L. Bell, Esq.  
Tom Gobin

ORDINANCE NO. 55A-1

SEP 5 1995

AN AMENDMENT TO TRIBAL ORDINANCE 55A PROMULGATED BY THE BOARD OF DIRECTORS OF THE TULALIP TRIBES OF WASHINGTON (the "Board") enacting a technical correction and minor modification to Ordinance 55A and adopting minor amendments and technical corrections to Tulalip Tribal Gaming Commission Regulations 1 through 25.

WHEREAS, on May 16, 1995, the Board adopted Tribal Ordinance 55A;

WHEREAS, the Board has determined that Section 6 of Ordinance 55A contained a numbering error;

WHEREAS, to address such error, the Board must make a technical correction to Ordinance 55A;

WHEREAS, Tribal Ordinance 55A specifically adopted Tulalip Tribal Gaming Commission Regulations 1 through 25;

WHEREAS, the Tulalip Tribal Gaming Commission (the "Commission") adopted Regulations 1 through 25 by Commission Resolution No. 2 as of June 12, 1995;

WHEREAS, the Commission has determined that certain Commission Regulations require some minor modifications and corrections to accurately reflect the intent of the Commission and the Board; and

WHEREAS, to address such issues, the Commission has adopted Commission Resolution No. 3 approving, subject to this Board's adoption, various amendments to the above-referenced Commission Regulations;

NOW THEREFORE, BE IT ENACTED BY THE BOARD that:

A. Section 3(f) of Ordinance 55A is hereby amended to read in its entirety:

(f) Before entering the duties of office, each Commissioner shall: (i) enter into a surety bond or provide employee dishonesty insurance and/or public official error and omission insurance, paid for the Commission and executed by a surety or insurance company authorized to do business in the State of Washington and acceptable to the Board, such bond or insurance to be payable to the Tribe in an amount not less than One Hundred Thousand Dollars (\$100,000) and conditioned upon such Commissioner's

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Commission Employee, the Director, or an Agency Employee.

(f) The Regulations proposed by the Commission shall define the powers of the Commission delegated to the Director, and may authorize the Director to further delegate such powers to Agency Inspectors and other Agency Employees.

(g) The regulations attached hereto as Commission Regulations 1-25, are adopted as part of this Tribal Ordinance No. 55A and are incorporated herein by reference. The Commission and the Director shall have the authority provided for therein in addition to any other authority conferred by tribal ordinance.

(h) The Director may propose, and the Commission may review, revise, and preliminarily approve, additional rules and regulations on all subjects addressed in the attached Regulations 1-25, for submission to, and review, revision as appropriate and final adoption by, the Board. In conjunction with such approval and adoption, the Commission shall prepare revised Regulations marked with the month and year of such revisions which shall, upon adoption by the Board, be substituted for the Regulations initially attached to Tribal Ordinance 55A and attached thereafter in accordance with this Section 6(h).

(i) The Commission shall not repeal or modify any Regulation adopted by the Board; provided that the Commission may suspend or modify internal control provisions of Regulations 13-25, where necessary to assure the operational integrity of the TGO. The Commission shall immediately provide written notice to the Board of any such suspension or modification, and may, on its own motion, sustain, modify or reverse such action.

C. The following amendments to the following Commission Regulations, previously approved by the Commission pursuant to Commission Resolution No. 3, are hereby adopted by the Board:

1. Commission Regulation 1.060 is amended to read in its entirety:

"These Regulations, and any amendments, additions or modifications thereto, shall be effective upon the date of their adoption by the Board of Directors of the Tribe. These Regulations shall apply retroactively to all Tribal

than Five Thousand Dollars (\$5,000.00) from any such account without a counter-signature from a Commissioner; and (ii) any designee of the Director may not draw more than Two Thousand Five Hundred Dollars (\$2,500.00) from any such account without a counter-signature from the Director or a Commissioner. The Commission may, in its discretion, require further or more restrictive safeguards for the protection of Commission and Agency assets. Any Agency Employee (including the Director) authorized to conduct any transactions relating to any bank account(s) established pursuant to this Regulation 4.050 shall be either bonded by a surety bond or covered by an employee dishonesty insurance policy, executed by a surety or insurance company acceptable to the Board and authorized to do business in the State of Washington, which bond or insurance policy shall be payable to the Tribe in an amount not less than One Hundred Thousand Dollars (\$100,000)."

5. Commission Regulation 5.010 is amended to read in its entirety:

"An Agency Inspector shall be present in the TGO Establishment during all hours in which gaming activity occurs, or is expected to occur, and shall have immediate access to any and all areas of all gaming operations for the purposes of investigating and enforcing compliance with the provisions of the Compact, tribal Ordinance Nos. 55 and 55A, these Regulations, and other laws and regulations applicable to such gaming operations. In order to ensure that the Agency has such immediate access, the Director may, in his discretion, require the TGO to provide the Agency with a master key to all doors within or upon the TGO Establishment."

6. Commission Regulation 6.020 is amended to read in its entirety:

"At any time during the conduct of an investigation authorized by these Regulations, the Commission, the Director, and Agency Inspectors specifically authorized to do so by the Director, shall have the

any gaming devices, equipment or supplies for the purposes of examination and inspection;

- (9) Seize from the premises of the TGO or other tribally-licensed gaming operation, remove, and/or impound, any unauthorized or illegal gaming devices, equipment or supplies, including without limitation Cheating Devices;
- (10) Remove to another location or locations for further inspection and investigation, any and all records, and any and all gaming equipment and devices, and/or parts thereof, located upon the premises of the TGO or other tribally-licensed gaming operation;
- (11) Require the TGO or any other tribally-licensed gaming operation to provide to the Agency, within twenty-four (24) hours, all records concerning:
  - (a) Sanctions levied by the TGO against any TGO Employee or levied by any other tribally-licensed gaming operation against any licensed employee;
  - (b) Performance evaluations by the TGO of any TGO Employee, or any other tribally-license gaming operation of any licensed employee;
  - (c) Written or oral disciplinary actions by the TGO against any TGO Employee or any other tribally-licensed gaming operation against any licensed employee.
- (12) Require the TGO with respect to any TGO Employee, or any other tribally-licensed

- (b) Renewal TGO Application - \$10,000.00
- (c) Initial Entity Application/headquarters in Washington State -- \$1,500.00
- (d) Renewal Entity Application/headquarters in Washington State -- \$500.00
- (e) Initial Entity Application/headquarters not in Washington State -- \$2,500.00
- (f) Renewal Entity Application/headquarters not in Washington State -- \$750.00
- (g) Initial Employee Application for Class II gaming activity/residing in Washington State -- \$225.00.
- (h) Initial Employee Application for Class III gaming activity/residing in Washington State -- \$25.00 plus the then-current Washington State Gambling Commission fee for state certification
- (i) Renewal Employee Application for Class II or Class III gaming activity/residing in Washington State -- \$25.00
- (j) Initial Employee Application for Class II gaming

- (5) Employee (Class II or Class III) -- \$25.00
- (6) In-state Entity -- \$250.00
- (7) Out-of-state Entity: \$500.00

Provided, however, that if a Tribal Gaming License or license renewal is denied, then the Agency shall promptly refund any amount actually received for such annual license fee."

- 10. The Subsections of Commission Regulation 7.120 are renumbered to reflect that there are Subsections (1) through (7).
- 11. Commission Regulation 9.010 is amended to read in its entirety:
  - "The licensing provisions in this Regulation 9 shall apply in the case of tribal licensing of any manufacturers and suppliers of gaming services, in addition to the licensing provisions of Regulation 7 and, if applicable, Regulation 8."
- 12. Commission Regulation 9.040 is renumbered to Commission Regulation 9.030, such that there is no longer a Commission Regulation 9.040.
- 13. Commission Regulation 11.010(2)(cc) is amended to read in its entirety:
  - (cc) The Licensee, or Person In Control of an Entity Licensee, has failed to immediately notify the Agency of any criminal charge filed against the Licensee, or Person In Control of an Entity Licensee, and of any criminal conviction, whether such charge or conviction arise under Federal, State or Tribal law.
- 14. Commission Regulation 14.010 is amended to add a new Subsection (3) as follows:
  - (3) The TGO shall have a Chief Operating Officer to whom all TGO operational divisions shall ultimately report.
- 15. Commission Regulation 15.040(1) is amended to read in its entirety:

shall be different from each other and from the keys to locks securing the contents of the Drop Boxes (of the two keys to the Soft Count Room, one (1) key (to the door knob lock) shall be maintained and controlled by Security Operations, and the second key (to the dead bolt lock) shall be maintained and controlled the Agency).

19. Commission Regulations 22.050(2) and 22.050(3), regarding shift changes, are amended such that the duties assigned therein to a "Shift Manager" may be conducted by a "Pit Manager (or Game Employee of greater authority)." For the purposes of implementing such amendment, each and every reference to "Pit Manager" in Commission Regulations 22.0050(2) and 22.050(3) shall refer to "Floor Supervisor (or Game Employee of greater authority)."
20. Commission Regulation 22.090, regarding the preparation of Fills, is amended such that duties assigned therein to a "Pit Manager" may be conducted by a "Floor Supervisor (or Game Employee with greater authority)." For the purposes of implementing such amendment, each and every reference to "Pit Manager" in Commission Regulation 22.090 shall refer to "Floor Supervisor (or Game Employee of greater authority)."
21. Commission Regulation 22.100, regarding the preparation of Credits, is amended to clarify that duties assigned therein to a "Floor Supervisor" may be conducted by a "Floor Supervisor (or Game Employee with greater authority)." For the purposes of implementing such amendment to Regulation, each and every reference to "Floor Supervisor" in Commission Regulation 22.100 shall refer to "Floor Supervisor (or Game Employee of greater authority)."
22. Commission Regulation 23.020(1) should be amended to read in its entirety:
  - (1) Each Drop Box removed from a Gaming Station shall be transported directly to the Soft Count Room door by, at a minimum:
    - (a) one (1) Security Officer; and
    - (b) one (1) Floor Supervisor (or Game Employee of greater



Marie M. Zackuse, Secretary

Superintendent's approval pursuant  
to authorities to 209 DM 8,  
Secretary's Order No. 3177,  
Secretary's Order No. 3150, 10 BIA  
Bulletins 10, 14, 15 and Amendments  
thereto, and Portland Area Office  
BIAM Bulletin No. 9402 dated May  
1994.

Signature

*Bill A. Blair*

Date

*8/10/95*