



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them

# Oneida Tribe of Indians of Wisconsin

Post Office Box 365

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Oneida, WI 54155



UGWA DEMOLUM YATEHE  
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the Colony of Pennsylvania, a new nation, the United States, was made possible

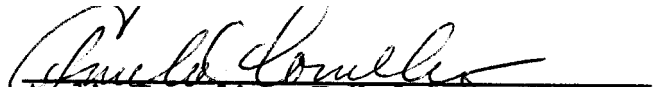
## RESOLUTION # 4-21-89-D

- WHEREAS, the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a Treaty Tribe recognized by the laws of the United States, and
- WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin, and
- WHEREAS, the Oneida Business Committee has been delegated the authority of Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council, and
- WHEREAS, it is in the best interest of the Oneida Tribe that all gaming authorized or conducted by the Oneida Tribe be regulated by one comprehensive gaming ordinance, and
- WHEREAS, over the past twelve years, various tribal authority in the form of an ordinance and resolutions have been enacted to regulate bingo, instant tickets, raffles and lotto, and
- WHEREAS, all regulation of Oneida gaming is based upon the authority of the Oneida Constitution and the Oneida General Tribal Council, and
- WHEREAS, the Oneida Business Committee has held public hearings on the comprehensive Oneida Gaming Control Ordinance as required and combined and revised all authorizing documents as necessary to carry out the purposes of this Ordinance to govern the conduct of all gaming by and for the Oneida Tribe.

NOW, THEREFORE BE IT RESOLVED: that the attached Oneida Gaming Control Ordinance is hereby the law of the Oneida Tribe enacted for the purpose of fully regulating all Oneida gaming enterprises, personnel, accounting, and all related activities for the benefit of the Oneida Tribe and its members, and that this Ordinance shall supercede all previous gaming laws of the Oneida Tribe, and that upon its enactment, that all provisions are effective immediately.

C E R T I F I C A T I O N

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members, of whom 5 members constitutes a quorum. 7 members were present at a meeting duly called, noticed and held on the 21st day of April 1989; that the foregoing resolution was duly adopted at such meeting by a vote of 6 members for; 0 members against, 0 members not voting; and that said resolution has not been rescinded or amended in any way.

  
Amelia Cornelius, Tribal Secretary  
Oneida Tribe of Indians of Wisconsin

## ONEIDA GAMING ORDINANCE

### ARTICLE I. Title

This ordinance shall be known as the Oneida Gaming Ordinance.

### ARTICLE II. General Principles

- A. The purpose of this ordinance is to regulate the conduct of all gaming operations of the Oneida Tribe of Indians of Wisconsin.
- B. This Ordinance shall supercede all previous Ordinances and Resolutions governing the conduct of Gaming by the Oneida Tribe. All provisions are effective upon enactment by the Oneida Business Committee.
- C. Commission  
There shall be a Commission established to oversee all gaming policy for gaming operations of the Oneida Tribe. The Business Committee shall appoint five (5) Commissioners who shall serve staggered terms of three (3) years. There shall be two (2) Ad hoc members of the Commission, who will not vote and who will be appointed by the Oneida Business Committee.
  1. Purpose  
The purpose of the commission is to provide the basis for regulation and operation of gaming pursuant to this ordinance as a means of promoting tribal economic development, self-sufficiency and a strong tribal government.
  2. Qualifications for Appointment
    - a. Must be an enrolled tribal member, 21 years of age or older.
    - b. Must meet one (1) of the following criteria: Experience of at least one (1) year in;
      - 1) Marketing
      - 2) Accounting
      - 3) Business management
      - 4) Previous board, or
      - 5) Formal training in any of the above areas
    - c. No individual shall be eligible for any appointment to, or to continue service on, the Commission, who:
      - 1) Has been convicted of a felony or gaming offense

- 2 Has any financial interest in, or management responsibility for any gaming activity
- 3) Has any Conflict of Interest as defined in this ordinance.

D. Appointment

1. All candidates shall submit to a thorough background investigation initiated by the Oneida Public Safety Department and completed prior to appointment.
2. Appointments shall be made by the Oneida Business Committee.
3. Installation shall be administered by oath at a regular meeting of the Oneida Business Committee.
4. The Commission shall select from among themselves each year before the annual January meeting of the Oneida General Tribal Council a Chairperson, Vice Chairperson and a Recording Secretary to serve for one (1) year.
5. Commission members may be removed for cause pursuant to the Oneida Removal Ordinance.
6. The Oneida Business Committee shall fill vacancies on the Commission as may be required.

E. Responsibilities

1. The Commission shall meet quarterly unless otherwise required.
2. Report activities to Business Committee to coordinate corrective measures.
3. Monitor gaming activities on a continuing basis as it relates to this Gaming Ordinance.
4. Shall inspect and examine all premises where gaming is conducted.
5. Shall conduct or cause to be conducted such background investigations as may be deemed necessary.
6. May conduct such hearings, sit and act at such times and places, take such testimony and receive such evidence as the Commission deems necessary and develop necessary procedures to do so for the purpose of enforcing this ordinance.
7. Shall promulgate such regulations and guidelines as it deems appropriate to implement the provisions of this ordinance to be approved by the Business Committee.
8. Shall submit a report semi-annually to the Secretary of the General Tribal Council to include recommendations for amendments to the ordinance and any other matters deemed appropriate.
9. Shall review licenses as may be deemed necessary.

10. Shall review background investigations of all employees prior to employment and as indicated.
  11. Shall investigate the background of and issue a license to the Gaming Director.
- F. Reports to Business Committee:
1. Minutes of all meeting shall be sent to the Secretary of the Oneida General Tribal Council.
  2. Any other reports referred to in Article VII of this Ordinance.
  3. All gaming operations of the Oneida Tribe shall be conducted pursuant to this ordinance.
  4. All profits from the conduct of the aforesaid gaming operations shall be used exclusively for tribal purpose as set forth in Article IV, Section 1 (F) Powers of the General Tribal Council, of the Oneida Tribal Constitution or lessening the burdens of tribal government or voluntarily supporting, augmenting or supplementing services which the tribal government render to the people.
  5. All gaming operations shall be conducted in accordance with the detailed regulations as set forth in Article V below.

ARTICLE III. Definitions

- A "Bingo" means a game of chance in which 75 numbered objects are available for random selection and in which each player participates by means of cards sold, rented or used only the time and place of game. Each card contains five rows of five spaces each, each space printed with a number from 1 to 75, except the central space which is marked "FREE". Winners are determined and prizes awarded on the basis of possessing a bingo card on which some combination of numbers are printed and conform to the numbered objects selected at random based on a predetermined winning arrangement. Winners are determined by covering publicly announced squares, by removing a factory sealed cover from the card to reveal a prize won, or by drawing a name or number from container. This includes all bingo games conducted pursuant to this ordinance whether transmitted by cable, satellite or any other manner.
- B. "Bingo Occasion" means a single gathering or session at which a series of successive bingo games are played.

- C. "Bingo Supplies & Equipment" means all cards boards, sheets, markers, pads or other supplies, devices or equipment designed for use in the play of bingo.
- D. "Conflicts of Interest" means personal, financial, family nepotism or any other circumstance in which a person has an interest in the outcome of a decision or action.
- E. "Employee" means a person employed by the Oneida Tribe.
- F. "Extra Regular Card" means an indispensable card which affords additional opportunities to play in a regular bingo game at a bingo occasion.
- G. "Games" means all games of chance authorized and/or conducted by the Oneida Tribe.
- H. "Gaming Management" means the Gaming Director, Directors of individual games, Supervisors and all personnel involved in the processing of LOTTONEIDA tickets for sale or selection of winners.
- I. "Gaming Retail License" means the license the commission shall issue to each authorized retailer. Each retailer shall conspicuously display the certificate of authority on the premises where sales of lottery tickets are sold for the public inspection.
- J. "Gross Receipts" means total receipts received from the conduct of each gaming operation.
- K. "Instant Tickets" means factory covered tickets which are purchased and opened by customers revealing predetermined winning arrangement.
- L. "Lottery" means a game in which numbers are randomly selected from a predesignated total in combinations determined by the Oneida Tribe as winners. This shall include scratch off tickets.
- M. "Lottery Game Retailer" means a person and/or business with whom the gaming commission has contracted for the purpose of selling Lotto tickets to the public.
- N. "Machines" means all devices, mechanical or electronic, used by the Oneida gaming enterprise to facilitate gaming operations.
- O. "Mega Bingo" means a high stakes game played simultaneously via satellite in all participating Indian Bingo halls nationwide and is empowered to be played under the Indian Gaming Regulatory Act.
- P. "Oneida Business Committee" means the elected representatives of the Oneida General Tribal Council, composed of nine (9) Oneida tribal members who perform duties authorized by the Oneida General Tribal Council.
- Q. "Oneida General Tribal Council" means the

- governing body of the Oneida Tribe of Indians of Wisconsin composed of all the qualified voters of the Oneida Tribe of Indians of Wisconsin as determined by Article III, Section 2 of the Oneida Tribal Constitution.
- R. "On-Line Lottery" means Point of Sale, the online system is a series of computer terminals which are similar in appearance to cash registers and are geographically dispersed. The terminals are linked up by dedicated phonelines to a central computer. A player picks six numbers out of a specified array of numbers, the agent enters the digits at his terminal and that play is recorded at the central site via a dedicated phone line. A player may select to have the computer randomly select the numbers.
- S. "Pari-mutuel" means a system of betting on races in which the winners divide the total amount bet after deducting management expenses in proportion to the sums they have wagered individually.
- "Premises" means any building, room, hall, enclosure, tent or outdoor area in which gaming is being conducted.
- U "Raffles" refers to games that result in random winners, whereby each person purchasing a raffle ticket is afforded an equal opportunity to win a prize whether cash or merchandise.
- V. "Regular Bingo Card" means a hard card issued to a person upon payment of the admission fee which affords a person the opportunity to participate in all regular bingo games played at a bingo occasion.
- W "Regular Bingo Game" means a bingo game in which a person, upon payment of the admission, is issued a regular bingo card and may purchase or rent extra regular cards.
- X. "Removal for Cause" means suspension or terminating the employment of any person connected with any aspect of the Oneida gaming operations for:
1. Behavior or conduct which may in any way affect local perceptions of the Oneida Gaming Enterprises in a negative manner, causing suspicion to be raised as to the actual conduct of said games, and which may lead to an inordinate decline in revenues actually received from the gaming operations.
  2. Direct noncompliance with any rule or regulation pertaining to gaming control or causing another either directly or indirectly to disregard such rules and regulations.

3. Violation of any rule or policy of the Oneida Tribe as set forth in the Oneida Personnel Policies and Procedures.
  4. All procedures under this provision shall be as provided for in the Tribe's Personnel Policies and Procedures.
- Y. "Revenues" means the gross receipts collected from one or more gaming occasions, less sums necessarily and actually expended for conducting said games, supplies, equipment, prizes or utilities.
- Z. "Special Bingo Card" means a disposable, specially marked bingo card which affords a person the opportunity to participate in a special bingo game to be played with special bingo cards for special prizes.
- "Special Bingo Game" means any bingo game which is not a regular bingo game and which is played with special bingo cards for special prizes.
- "Tribal land" means all lands within the exterior boundaries of the Oneida Indian Reservation as defined by the 1838 Treaty, or otherwise possessed by the Oneida Tribe.

ARTICLE IV. Gaming Management

- A. There is hereby established a Gaming Director and staff as set forth under Article IV, Section 1, (G) of the Oneida Tribal Constitution.
1. All gaming management and employees shall be enrolled members of the Oneida Tribe of Indians of Wisconsin 18 years of age or over.
    - a. Youth workers below 18 will not be allowed to sell tickets or cards or participate in gaming operations unless certified as provided below.
    - b. Youth workers who have demonstrated maturity, competence and trustworthiness may be certified by the Gaming Director.
    - c. Penalties for violation of this Ordinance shall apply to all youth workers.
  2. Gaming management must be licensed as provided for in this ordinance.
  3. Any gaming management member or employee may be removed for cause as provided for in the Tribe's Personnel Policies and Procedures or this Ordinance.
  4. The Tribe will secure a surety bond which will cover all management and employees in an amount established by the Tribal treasurer.



5. Background checks will be made on all applicants prior to employment and on employees as necessary.
  6. Conflicts of interest are to be avoided, but in any case require full disclosure.
- B. Powers of Gaming Management
1. The Gaming Director shall promulgate regulations and rules governing the issuance, revocation or suspension of licenses, and the conducting of background investigations of prospective personnel or employees. Such regulations and rules are to be reviewed by the Commission, and subject to approval of the Oneida Business Committee.
  2. Conduct gaming operations by personal supervision as set forth in Article V, below.
    - a. Personnel policies shall conform to Tribal Personnel Policies and Procedures unless otherwise required. All such policies shall be approved by the Business Committee and reviewed by the Gaming Commission.
  3. Interpret their discretionary duties in fashion consistent with the intent of policies and regulations set forth in this article.
  4. The Gaming Director shall supervise the receipt and deposit monies realized as revenues from gaming operations in the Oneida Gaming account at a bank designated by the Oneida Business Committee.
  5. The Gaming Director and Management shall report all shortages or other potential unlawful acts to the Gaming Commission and Audit Committee immediately upon discovery. Failure to report is a basis for disciplinary action.

ARTICLE V. Conduct of Gaming

- A. General
1. Who Conducts: Only a gaming supervisor authorized under Article IV shall conduct or supervise all games authorized by this ordinance.
  2. Where Played: Gaming shall be conducted only on premises, authorized by the Oneida Business Committee.
  3. Prohibited Places: Gaming may not be conducted by any Indian or Oneida Tribal member, not employed by the Oneida Tribe of Indians of Wisconsin to specifically conduct gaming on the Oneida Indian Reservation, unless otherwise authorized.

4. Who May Play:
  - a. No member of the Oneida Business Committee or Commission may play.
  - b. Except as provided elsewhere in this ordinance, any person 18 years of age or over may participate as a player in games conducted by the Oneida Tribe.
5. No manager or employee of the Oneida Tribe or for one (1) year following employment may participate in any personal business venture or other endeavor which competes with any enterprise governed by this Ordinance or undermines said enterprise, or utilizes expertise gained by virtue of their employment by the Oneida Tribe, except by prior disclosure and approved by the Oneida Business Committee.

B. BINGO

1. Sufficient Space to Play: Purchase of a regular bingo card shall entitle each player to a place with sufficient room in which to play.
2. Limitation on Players: Will be limited to the capacity of the premises/facility as defined by applicable safety standards.
3. Only Cash Payments:
  - a. The Oneida Bingo Enterprise staff shall accept only cash payment for any bingo card, unless otherwise provided for by this ordinance.
  - b. Approved credit cards, money orders and traveler's checks may be accepted.
4. Equipment and Supplies: The Bingo Management staff shall be responsible for the purchase of bingo supplies and equipment specifically designed or adapted for use in the conduct of bingo from a bingo manufacturer or supplier. Such bingo supplies and equipment must be sold or purchased on the Oneida Reservation, and only on the premises at which bingo is being conducted.
  - a. Any bingo equipment and supplies used in the conduct of bingo shall be owned exclusively by the Oneida Tribe, unless otherwise provided for by this Ordinance. Purchases of bingo equipment which exceed \$20,000 shall require prior written approval by the Oneida Business Committee.
  - b. The bingo equipment and supplies used in the conduct of bingo shall be maintained in good repair and sound condition.
  - c. All objects used as markers on a regular bingo card or on an extra

- regular card can be metallic or non-metallic.
- d. Only authorized persons may be permitted to use equipment and supplies which are owned by the Tribe.
  - e. Persons responsible for purchasing equipment, supplies, merchandise prizes and or services is prohibited from receiving any form of personal benefit, such as special discounts or kickbacks, from the vendor based on any Oneida gaming enterprise purchases.
5. Revenues for Lawful Tribal Purposes: The revenues from any bingo shall exclusively be devoted for lawful tribal purposes as set forth in Article IV, Section (F) of the Oneida Tribal Constitution or lessening burdens borne by the tribal government or voluntarily supporting, augmenting or supplementing services which the tribal government would normally render to the people.
  6. Limitation on Value of Prizes: No prize in any one regular bingo game shall exceed \$1,000,000.00. The aggregate value of prizes at any one bingo occasion may not exceed \$10,000,000.00.
  7. Prohibited Prizes: There shall be no prize consisting of alcoholic or fermented malt beverage or an interest in real estate or securities.
  8. Merchandise Prizes: If any merchandised prize is awarded in a bingo game, its value shall be its current retail price. No merchandise prize shall be redeemable or convertible into cash either directly or indirectly by the Oneida Tribe. Purchase of merchandise prizes by the Oneida Gaming enterprise for the purpose of sale to other tribal members is prohibited.
  9. Management and Operations of Bingo: Only a member of the Oneida Tribe of Indians of Wisconsin specifically employed for the Bingo Enterprise shall participate in the management or operation of any bingo occasion, unless otherwise authorized.
  10. Age Limitations:
    - a. No person under the age of 18 shall play any bingo game conducted by the bingo management staff.
    - b. No person under the age of 18 shall be present on or in tribal premises where bingo is conducted, unless otherwise authorized.

Only Certain Expenses Permitted: No expense may be incurred or amounts paid in connection with the conduct of bingo by the Bingo Enterprise, except those reasonable and necessarily expended for conducting bingo, bingo supplies, equipment, prizes and utilities.

12. Alcohol and Drugs: No alcoholic beverages and/or illegal drugs shall be allowed on tribal premises where bingo is conducted. Anyone caught possessing and/or using alcoholic beverages or illegal drugs shall be removed from the premises and barred from playing bingo on tribal premises. Violators may be subject to criminal prosecution.

Regular Bingo Game Entry Fee: A fee of not more than \$20.00 may be charged for admission to premises at which a regular bingo game is conducted. The fee entitles the person to participate without additional charge in all regular bingo games played at such bingo occasion, except that a fee of not more than \$20.00 may be charged for extra regular cards.

Winners and Prizes:

- a. Each bingo winner shall be determined and every prize shall be awarded and delivered on the same day on which the bingo occasion is conducted. Winner of Jackpots paid by annuity shall be paid as provided by the annuity.

15. How Bingo may be Advertised: The bingo occasion shall be advertised as permitted by this ordinance.

16. Contents of Advertisement: The bingo advertisement shall be limited to stating the location of the bingo occasion and the time it is to be conducted. Such advertising shall be consistent with the Ordinance and the provisions of the Indian Gaming Regulatory Act.

17. Sale of Supplies and Refreshments:

- a. No person shall sell any merchandise on the premises where bingo is being conducted unless authorized by the bingo management. This does not include the sale of food or refreshments.
- b. Customers are prohibited from bringing food and refreshments onto the premises where bingo is conducted other than what is purchased on the premises.

18. Price of Extra Bingo Sheets/Cards: Extra regular cards and special extra bingo sheets/cards shall each be assigned a

specific price and the price shall remain the same during a bingo occasion. At any time during a bingo occasion, a card may be changed at no additional cost. Cards shall be sold or rented only on the premises at which bingo is being conducted.

19. Separate Count of Bingo Cards: The Bingo Session Supervisor shall keep an accurate, separate count of the number of regular bingo cards, sold, rented or used. Such information shall be available for inspection at the close of the bingo occasion. The Bingo Session Supervisor shall conduct random checks to insure that receipts match the number of cards purchased and take appropriate action as may be indicated.
20. Method of Play:
  - a) The method of play in any bingo game and utilization of bingo equipment and supplies shall be such that each player is afforded an equal opportunity to win.
  - b) The objects to be drawn shall be essentially the same in size, shape, weight, balance and all other characteristics so that at all times during the conduct of bingo each object possesses the capacity for equal agitation with any other object within the receptacle.
    - 1) Verification of the balls for each occasion shall be conducted by an independent laboratory to certify these specifications on a weekly basis.
  - c) All 75 objects shall be present in the receptacle at the beginning of each bingo game.
  - d) The announcement of all numbers drawn shall be clearly audible to the players present.
  - e) When more than one room is used for any one bingo game, the receptacle and the caller and all numbers shall be announced in a manner clearly audible to the players present.
  - f) Once removed, no object shall be returned to the receptacle until after the conclusion of the game.
  - g) The receptacle and the caller shall be visible to the majority of players at all times.
  - h) Satellite bingo shall conform to all provisions of this Ordinance, except

- for the payment of Jackpot winners who will be paid by annuities.
21. Number Arrangement and Prizes Announced: The particular arrangement of numbers required to be covered in order to win and the amount of the prize for the game shall be clearly described and audibly announced to the players immediately before each game.
22. Verification of Winner:
- a) The numbers appearing on the winning card at the time a winner is determined shall be verified in the immediate presence of at least one disinterested person.
  - b) At the time a winner is determined, any player may call for a verification of all numbers and of the objects remaining in the receptacle and not yet drawn. This verification shall be made in the immediate presence of the supervising person and at least one disinterested player.
- Limit on Number of Bingo Games: The management staff shall conduct no more than 75 regular bingo games on a single bingo occasion.
24. Limit on Hours of Bingo Games:
- a) No bingo occasion shall be commenced before 6:00 a.m.
  - b) No bingo occasion shall last longer than 24 hours.
- More than One Winner: When more than one player is found to be the winner of the same number in the same bingo game, a cash prize shall be divided equally among the winners to a minimum cash prize of \$10.00. When equal division of a merchandise prize is not possible, identical substitute prizes whose aggregate retail value is approximately equal to that of the designated prize shall be awarded.
- Prohibited from Playing: No bingo management personnel or employee who is conducting or assisting in the conduct on a bingo occasion shall be permitted to participate as a player on that occasion.
27. Bingo Caller: Only bingo management or designated employee members may act as a caller in the conduct of bingo, or a person authorized to act as a caller by the bingo management and who satisfies the bonding requirements of Article IV, (F).
28. Special Bingo Games: In addition to provisions in this section relating to regular bingo games, the following

provisions shall apply to special bingo games:

- a) All special bingo cards shall be in a form approved by bingo management.
- b) Each special bingo card shall be used for one special bingo game only, and shall be indelibly marked by the player while in use so as to render it void and unusable hereafter.
- c) A fee of not more than \$20.00 may be charged for each special paper bingo card.
- d) Not more than 200 bingo games shall be played at each special bingo occasion.

9. Bus Regulations: Shall be promulgated by Bingo management and approved by the Gaming Director to insure the following:
  - a) Application for permits
  - b) Orderly procedures for bus patrons, parking
  - c) Consistency with the laws and policies of the Oneida Tribe and this Ordinance
0. Television Bingo Regulations and Rules shall be promulgated by the Gaming Director, reviewed by the Oneida Gaming Commission and approved by the Oneida Business Committee.

C. LOTTERY

1. Marketing and Advertising:

- a. All sales and advertising for Oneida lottery games shall be in accordance with this ordinance and other laws of the Oneida Tribe.
- b. No sales shall occur off the Oneida Indian Reservation unless specifically authorized by the Oneida Business Committee.
  - 1) Applications for a license to sell LOTTONEIDA Tickets must be made to the Gaming Director.
  - 2) License fee of \$15.00 will be accepted by the Gaming Director.
  - 3) Licenses will be issued and administered by the Gaming Director.
- c. The following persons may not purchase or be winners of Oneida lottery games:
  - 1) Any minor person under the age of eighteen (18).
  - 2) Business Committee members.
  - 3) Data Processing Personnel processing Lotto tickets.
  - 4) Supervisors of sellers, administrative personnel supervising the sale of Lotto tickets and drawing winning balls of numbers.

- 5) All sellers, while on duty.
2. Procedures:
  - a. Inventory Controls
    - 1) One designated person will be in charge of receiving tickets, distributing tickets to locations, keeping undistributed tickets under lock and key.
    - 2) All tickets will be given to individual locations in a locked dispenser. Tickets will be controlled by the person in charge of safeguarding of the tickets.
    - 3) All tickets will be signed for, the original receiving slip will be sent to data processing for inputting purposes.
    - 4) Daily inventory reports will be required of all locations selling tickets. These reports will include date on ticket, ticket color, beginning and ending inventory book/ticket numbers, number of tickets sold, a cash register tape for verification, book/ticket numbers of additional tickets received, and book/ ticket numbers of returned tickets. This information will be computerized daily.
    - 5) Weekly reports implemented for strong internal controls will consist of but not limited to:
      - a) Ticket Reconstruction Report
      - b) Ticket Verification Report
      - c) Prize Donation Report
      - d) Ticket Inventory Report - last report shall be dated, with time of report from computer and given to the Gaming Director before drawing.
    - 6) All pertinent information will be stored on computerized backup and retained for audit.
    - 7) Any responsible employee who fails to strictly adhere to these controls shall be subject to the disciplinary actions pursuant to the Oneida Tribal Policies and Procedures and/or criminal prosecutions
    - 8) Non-Tribal businesses will receive tickets as needed pursuant to the stated schedule set forth in the contract. Reports and cash receipts will be submitted weekly. Sellers will be rebated for all sales.



- 9) Necessary corrective action will be at the discretion of the Gaming Director, and may include termination of permission to sell LOTTONEIDA tickets, forfeiture and other legal remedies as indicated.

b. Sales

- 1) Only authorized persons may sell lottery tickets.
- 2) All sales are final - NO Refunds.
- 3) All sales are to be strictly accounted for and subject to random audit by the Oneida Tribe at anytime and reported to the Oneida Business Committee on a weekly basis or as requested.
- 4) Tickets shall be printed, color coded and dated on a weekly basis.
- 5) Unsold imprinted tickets shall be accounted for, recorded and destroyed before witnesses within forty-eight (48) hours after the weekly drawing. Such records shall be kept for at least one (1) year.
- 6) Sales for the weekly drawing shall be stopped promptly at 1:00 P.M. at all outlets on each Wednesday.

c. Payouts

- 1) Payouts shall be made the day after the drawing to any person who presents a valid winning ticket.
- 2) Winners shall be subject to the provisions of the I.R.S. Code.
- 3) Winners must properly identify themselves with two (2) forms of identification i.e. social security number and drivers license preference. Special procedures for identification of Jackpot winners will be followed.
- 4) Winners must sign and date their winning ticket upon redemption and a receipt will be provided upon request.
- 5) Jackpot Winners shall be paid only by check.
- 6) Jackpot winners shall be paid in structured payments as follows:
  - a) \$25,000 - One (1) payment as defined in 1) above,
  - b) Equal annual payments by annuity purchased by the Tribe for Jackpot Winners.

- 7) Tickets shall be invalid if they have been: stolen, unissued, unreadable, mutilated, altered, counterfeit in whole or part, miscut, misregistered, multiple-printed, produced in error, typographical or mechanical errors, partially blank, obtained illegitimately, or have any portion changed.
  - 8) Winning tickets must be presented within one hundred eighty (180) days of the drawing date shown on ticket.
  - 9) Winners over \$1,200 may be photographed, said photos may be used at the discretion of the Oneida Tribe, and are the property of the Oneida Tribe.
- d. Drawing
- 1) Shall be held each Wednesday at the Irene Moore Activity Center by a duly authorized employee of the Oneida Tribe.
  - 2) The drawing will be video taped, and a copy of which shall be secured by the Oneida Public Safety Department and retained for 180 days.
  - 3) Verified results shall be published immediately at all ticket outlets with notification to all media.
3. Tickets:
- a. All tickets must clearly set forth:
    - 1) Date of drawing they are purchased for.
    - 2) The name LottOneida.
    - 3) That the game is regulated by the laws of the Oneida Tribe.
    - 4) All rules pertaining to sale and payouts.
    - 5) Verification numbers.
  - b. Unsold tickets must be accounted for before the drawing. Unsold imprinted tickets must be destroyed within forty-eight (48) hours after the drawing. The Ticket Inventory Report must be given to the Gaming Director before the drawing.
  - c. A winning ticket is entitled to one prize per ticket.
4. LOTTONEIDA Balls Procedure:
- a. General Procedure:
    - 1) Latex gloves to be worn at all times while handling the 36 LOTTONEIDA balls.

- 2) Insure that blower is functioning at 100% prior to draw.
  - 3) Felt liner to line the bottom of blower unit to eliminate any residue.
  - 4) Load LOTTONEIDA VCR tape prior to 6 of 36 draw and replace with regular bingo tape after draw.
- b. Oneida Public Safety is to pick up a sealed/locked container from a designated laboratory. A back-up set of balls shall always be available.
  - c. The sealed/locked container is delivered to the Irene Moore Activity Center and kept in a secure area for the following Wednesday's draw.
  - d. Prior to the Wednesday draw, Oneida Public Safety will deliver the sealed/locked container to the Bingo Session Supervisor for the placement into the bingo blower.
  - e. The Oneida Public Safety officer will remain in the vicinity and will break the seal, unlock the container and witness the Bingo Session Supervisor place into the bingo board for further verification of the 36 balls. (THE CALLER MUST HAVE LATEX GLOVES ON AT ALL TIMES WHILE HANDLING THE BALLS.)
  - f. After the six balls of thirty-six are drawn, the Oneida Public Safety officer will witness placement of all thirty-six balls to the container, lock and seal the container with tamper proof tape.
  - g. Oneida Public Safety will remove the balls from the draw area to a secure location.
  - h. The Thursday following the draw, the Oneida Public Safety officer will transport the balls back to the designated laboratory where an exchange will take place for a newly tested set of balls and the circle will be complete.
  - i. IN THE EVENT OF A JACKPOT WINNER, THE BALLS USED ON THAT DRAW WILL BE SECURED FOR IMMEDIATE RETESTING BY THE LAB THE FOLLOWING DAY.
- D. INSTANT TICKETS/RAFFLES
1. General Operational Provisions:
    - a. Only a person authorized by the Oneida Business Committee or it's designee shall conduct or authorize a raffle. Rules for conduct of raffles shall be promulgated by the authorizing person and consistent with this Ordinance.

- b. Raffles shall be conducted only on designated tribal premises.
  - c. The authorized person shall accept only a cash payment or authorized credit cards, money orders and traveler's checks for a raffle.
  - d. The authorized person shall purchase such supplies and equipment as is necessary for the operation of raffles and consistent with the budget approved by the Oneida Business Committee. All equipment and supplies used for raffles shall be owned by the Oneida Tribe.
  - e. The authorized person may hold a raffle, upon such terms and conditions as the Oneida Business Committee may deem appropriate.
  - f. No other person, firm, corporation, consultant or similar entity shall participate in the management of any raffle inconsistent with this ordinance.
  - g. Raffles shall be advertised by whatever lawful methods the Oneida Business Committee deems suitable and appropriate.
  - h. No person employed in the operation of a raffle shall be permitted to purchase a ticket for such raffle.
2. Prizes:
- a. The amount and nature of prizes offered for raffles shall be approved for each raffle by the authorized person.
  - b. Either cash prizes or merchandise prizes shall be allowed. If a merchandise prize is offered, its stated value shall be the current retail price. No merchandise prize shall be redeemable or convertible into cash, either directly or indirectly.
  - c. Prizes of alcohol or fermented malt beverages, securities or interests in real property are prohibited.
  - d. All prizes shall be awarded.
3. Methods of Play:
- a. Two types of raffles are allowed to be conducted on designated tribal premises:
    - 1) A raffle shall be one in which a fixed number of tickets, some of which indicate the winners, are sold to and drawn by the purchaser.

- a) Raffle tickets used in this type of raffle shall be purchased in lots, with a fixed number of tickets and winning tickets in each lot, shall be of similar outward appearance and shall have concealed within each ticket indicia of winning, which may be revealed by manipulation of the ticket after purchase.
  - b) This type of raffle ticket may be dispensed manually or by machine.
  - c) The odds per lot of raffle tickets shall be available to purchasers of this type of tickets.
  - d) This raffle ticket may be purchased at any time during any authorized occasion or place. Winners will be paid upon presentation of a winning ticket.
- 2) Tickets are sold to individuals, placed in a container, and drawn to determine the winner.
- a) Tickets shall be identical in form and contain the name of the Tribe or sponsoring organization and a number that sustains accountability and a place for the purchaser's name and address. Notification of the raffle shall contain the price of the ticket, the date, time and place of the drawing and the name of the sponsor.
  - b) The raffles are limited to only local Oneida Reservation programs, local Oneida community groups, and/or Oneida Tribal organizations.
  - c) The designated representative of the above mentioned organizations must be an enrolled member of the Oneida Tribe of Indians of WI.
  - d) The raffles shall be subject to internal rules of the premises upon which the raffle is being conducted. Said rules must be consistent with this ordinance.
  - e) The winners of this type of raffle need not be present to win.

f) Prizes shall be awarded within one week of the drawing.

4. Operation of Raffles:

- a. An authorized person shall approve the type of raffle and the price of prizes for each raffle, which shall be clearly described and available to raffle ticket purchasers at the time of purchase.
- b. Each raffle shall be conducted in such a manner that the results are random and each person purchasing a ticket is afforded an equal opportunity to win, and all equipment and supplies used in the conduct of each raffle shall be designed and used in such a manner as to secure such a result.
- c. Winners shall be determined pursuant to this ordinance.
  - 1) All raffle drawings shall be held in public.

5. Violations

Violations shall be dealt with as provided for in this Ordinance.

E. MACHINES

1. Instant ticket dispensers shall be regularly maintained to insure proper function.
2. Rules for the supplying and collection from Instant Ticket Machines shall be promulgated by the Instant Tickets Director and approved by the Gaming Director.
3. Video gaming machines shall be maintained on tribal premises as directed by the Gaming Director.
4. Maintenance, collection and access shall be limited pursuant to rules promulgated by the Instant Tickets Director and/or Retail Manager.
5. Failure to adhere to these rules or any provision in this Ordinance or other laws of the Oneida Tribe may be grounds for disciplinary action or prosecution.

ARTICLE VI.

A. Penalties

1. No Indian shall conduct gaming operations within the borders of the Oneida Indian Reservation except as prescribed above.
2. Violations/Prosecutions:
  - a. Violators of these rules may be subject to disciplinary action "if employees of the Oneida Tribe" and/or criminal prosecutions where circumstances so indicate.

- b. These rules shall apply to individual sellers who contract to sell tickets.
- c. Conflicts of Interest as defined on this Ordinance.
- d. Any person violating any provision of this ordinance shall:
  - 1) Forfeit not more than \$2,000.00 per each violation to the Oneida Tribe.
  - 2) Make restitution for all losses as may be indicated.
  - 3) The Oneida General Council or other authorized body shall conduct a hearing to enforce this provision consistent with due process and equal protection of tribal law.
- e. The Oneida Business Committee shall direct and authorize commencement of an action in any court of competent jurisdiction to recover losses, restitution and forfeitures previously adjudged by the Oneida Business Committee or appropriate tribal forum, and invoke other appropriate tribal remedies.

ARTICLE VII.    A.    Reports and Procedure for Receipt and Holding of Money

- 1. Annual audits shall be conducted pursuant to the financial policies of the Oneida Tribe.
  - a. Special audits including surprise cash counts and other unannounced verification procedures may authorized at any time by:
    - 1) Oneida General Tribal Council, or
    - 2) Oneida Business Committee, or
    - 3) Oneida Gaming Commission.
- 2. A monthly financial report shall be submitted to the Oneida Business Committee from the Oneida Accounting Office. The Gaming Director's office shall retain a copy of the report for its permanent records. The report shall include:
  - a. The numbers and dates of the gaming operation.
  - b. An itemized statement of the gross receipts from each gaming occasion.
  - c. An itemized list of all expenditures.
  - d. Statement showing the balance in the bingo account and the gaming savings account.
  - e. A balance sheet and income statement prepared in accordance with generally accepted accounting principles.

3. Gaming Account: There shall be one account designated as the gaming account which will be used as a regular checking account. All receipts derived from the gaming occasion shall be deposited into the gaming account following the gaming occasion. All accounts shall be maintained in a financial institution located in this state. Gross receipts derived from the conduct of gaming shall not be commingled with any other tribal funds, and all games are to be accounted for separately. Checks drawn on the gaming account shall be for one or more of the following purposes:
  - a. The payment of necessary and reasonable expenses incurred in connection with the conduct of gaming, including prizes, gaming supplies, equipment and utilities.
  - b. The disbursement of profits derived from the conduct of gaming for a tribal purpose through regular Accounting Office procedures.
  - c. The Gaming Manager shall adhere to all federal regulations providing for disclosure of winners.

ARTICLE VIII.     A. Allocation of Gaming Funds:  
The Oneida Business Committee may directly appropriate gaming revenues for the purposes set out in Article IV, Section 1 (F) of the Oneida Tribal Constitution.

ARTICLE IX.       Agreements  
Pursuant to this Ordinance, the Oneida Tribe may enter into agreements or compacts to further its gaming interests with any of the following:

1. Other tribes, this shall mean cooperative gaming with other tribes on their reservations or trust lands.
2. State and local governments, this shall mean Tribal-State Compacts pursuant to the Indian Gaming Regulatory Act, (P.L. 100-497).
3. Other private or corporate entities, this shall mean any private company, business or group and such agreements may be subject to provisions of the Indian Gaming Regulatory Act.

ARTICLE X.       Amendments  
This Ordinance may be revised only by the Oneida Business Committee or General Tribal Council pursuant to procedures duly enacted for the purpose of creating, revising, amendment or revocation of the laws of the Oneida Tribe.