

**NATIONAL
INDIAN
GAMING
COMMISSION**

MAR 7 1997

Honorable Pearl Capoeman-Baller
President, Quinault Indian Nation
P.O. Box 189
Taholah, Washington 98587

Dear President Capoeman-Baller:

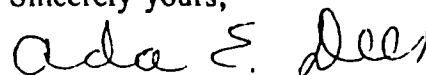
This letter responds to your request to review and approve the tribal gaming ordinance, Ordinance Title 70, adopted on January 13, 1997, by the Quinault Indian Nation (Tribe). This letter constitutes approval under the Indian Gaming Regulatory Act (IGRA) of Title 70 as amended.

Under the IGRA and the regulations of the National Indian Gaming Commission (NIGC), the Chair is directed to review ordinances with respect to the requirements of the IGRA and the implementing regulations. Thus, the scope of the Chair's review and approval is limited to the requirements of the IGRA and the NIGC regulations. Provisions other than those required under the IGRA or the NIGC regulations that may be included in a tribal ordinance are not subject to review and approval. Also, such approval does not constitute approval of specific games. It is important to note that the gaming ordinance is approved for gaming only on Indian lands as defined in the IGRA.

With the Chair's approval of the Tribe's gaming ordinances, the Tribe is now required to conduct background investigations on its key employees and primary management officials. The NIGC expects to receive a completed application for each key employee and primary management official pursuant to 25 C.F.R. § 556.5(a) and an investigative report on each background investigation before issuing a license to a key employee or primary management official pursuant to 25 C.F.R. § 556.5(b).

Thank you for submitting the ordinance of the Quinault Indian Nation for review and approval. The NIGC staff and I look forward to working with you and the Tribe in implementing the IGRA.

Sincerely yours,



Ada E. Deer
Acting Chair

**RESOLUTION NO. 97-01-74
OF THE
QUINAULT BUSINESS COMMITTEE**

RE: AMENDMENTS TO TITLE 70 - GAMING ORDINANCE

WHEREAS, the Quinault Business Committee is the governing body of the Quinault Indian Nation, and

WHEREAS, under Article V of the Constitution of the Quinault Indian Nation, the Quinault Indian Nation Business Committee is charged with the duty of protecting the health, welfare and safety of the people of the Quinault Indian Nation and for providing its members with economic opportunities; and

WHEREAS, it is the policy of the Quinault Indian Nation to provide for the welfare of its members by enacting laws that regulate gambling activity on lands under its jurisdiction; and

WHEREAS, in furtherance of that policy the Quinault Indian Nation enacted Title 70, which was designed to regulate gambling activity on lands under its jurisdiction and to promote the economic welfare of the members of the Quinault Indian Nation; and

WHEREAS, under the Indian Gaming Regulatory Act P.L. 100-447, the Indian Gaming Commission has reviewed Title 70 and has suggested minor changes to the law so that it fully complies with the Indian Gaming Regulatory Act; and

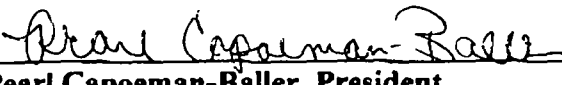
WHEREAS, those suggested changes to the law do not effect the intent or policies of the law; and

WHEREAS, public hearings were held in Queets and Taholah on November 25, 1996, on the suggested changes to Title 70 as amendments to Title 70; and

WHEREAS, after considering public comments to the amendments to Title 70; now

THEREFORE, BE IT RESOLVED, that Title 70, as amended, is hereby enacted into law and former Title 70 is hereby repealed; and

BE IT FURTHER RESOLVED, that Amended Title 70 shall be attached to this Resolution and shall be forwarded to the Indian Gaming Commission for its review.


Pearl Capoeman-Baller, President
Quinault Indian Nation

CERTIFICATION

I hereby certify that the above resolution was duly adopted at a regular meeting of the Business Committee at Queets, Washington, on the 13th day of January, 1997 at which time a quorum was present by a vote of 8 FOR, 0 AGAINST and 0 ABSTAIN.

Marjorie Valdillez

Marjorie Valdillez, Secretary
Quinault Indian Nation

TITLE 70
QUINAULT INDIAN NATION GAMING CODE

70.01.010. Purpose

The Quinault Indian Nation Business Committee (the "Business Committee"), empowered by the Quinault Constitution to enact laws for the welfare of the Quinault Indian Nation, hereby enacts this Title in order to set the terms for Class II and Class III gaming operations on Indian lands as defined in the Indian Gaming Regulatory Act Pub. L, 100-447, as amended, including reservation and trust lands within the territorial jurisdiction of the Quinault Indian Nation.

70.02.010. Definitions

(a) Bingo. "Bingo" shall mean Bingo as defined in IGRA 25 U.S.C. § 2703(7)(A).

(b) Casino. "Casino" shall mean any Class II and/or Class III gaming facility owned by the Quinault Indian Nation.

(c) Class II Gaming. "Class II Gaming" shall mean Class II Gaming as defined in IGRA, 25 U.S.C. § 2703(7)(A).

(d) Class III Gaming. "Class III Gaming" shall mean Class III Gaming as defined in IGRA (25 U.S.C. § 2703(8)) and the Compact.

(e) Compact. "Compact" shall mean the Compact between the State of Washington and the Quinault Indian Nation, as approved by the Secretary of the Interior.

(f) Distributor. "Distributor" means any person, firm or corporation that distributes through sale or lease Class II Gaming supplies, Gaming Devices, or components thereof, used or to be used in a Gaming Operation.

(g) Gaming. "Gaming" means Class II and Class III gaming.

(h) Gaming Devices. "Gaming Devices" shall mean Electronic Games of Chance as defined in the Compact and as defined in IGRA.

(i) Gaming Employee. "Gaming Employee" shall mean any person employed in the operation or management of a Gaming Operation, whether

employed by or contracted to the Nation, or by any person or entity providing on or off-site services to the Nation within or without any Gaming Facility, including without limitation, managers, assistant managers, accounting personnel, surveillance personnel, security personnel, cashiers, supervisors, shift bosses, machine mechanics, gaming consultants, management companies and their principals, and any other natural person whose employment duties require or authorize access to restricted areas of any Gaming Facility not otherwise open to the public.

(j) Gaming Facility. "Gaming Facility" shall mean the buildings, improvements and fixtures now or hereafter located therein or thereon where gaming is operated as well as the associated and adjacent real property owned by the Nation.

(k) Gaming Operation. "Gaming Operation" shall mean each economic entity that is licensed by the Tribe, operates the games, receives the revenues, issues the prizes, and pays the expenses. A gaming operation may be operated by the Tribe directly; by a management contractor; or, under certain conditions, by another person or other entity.

(l) Gaming Service. "Gaming Service" shall mean any goods, services or concessions provided by contract to the Nation or to a Manager in connection with the operation of Gaming in an amount in excess of \$25,000.00 in any calendar year, except for professional, legal or accounting services. No contract may be broken up into parts for the purpose of avoiding this definition and any requirement of licensure or certification contained in this Title or in the Compact.

(m) Key Employee. "Key Employee" shall mean 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;
- (11) Other job titles or positions as the Commission may include in the future by rule or regulation;
- (12) If not otherwise included, any other person whose total cash compensation is in excess of \$50,000 per year; or

(13) If not otherwise included, the four most highly compensated persons in the gaming operation.

(n) IGRA. "IGRA" shall mean the Indian Gaming Regulatory Act of 1988, 25 U.S.C. 2701 et seq. as amended from time to time.

(o) Indian Lands. "Indian Lands" shall mean Indian Lands as defined in IGRA 25 U.S.C. § 2703 (4) and 25 U.S.C. § 2719.

(p) Management Contract. "Management Contract" shall mean any contract, subcontract, or collateral agreement between the Tribe and a contractor or between a contractor and a subcontractor if such contract or agreement provides for the management of all or part of a gaming operation.

(q) Management Contractor. "Management Contractor" shall mean the person or entity holding a management contract.

(r) Manager. "Manager" shall mean a person, firm or corporation that is acting as the General Manager of the Gaming Operation.

(s) Manufacturer. "Manufacturer" shall mean a person, firm or corporation that manufactures Gaming Devices used or to be used in a Gaming Operation.

(t) National Indian Gaming Commission. "National Indian Gaming Commission" shall mean the Commission established pursuant to Section 5 of IGRA.

(u) Net Revenues. "Net Revenues" shall mean gross gaming revenues of an Indian gaming operation less -- (a) Amounts paid out as, or paid for, prizes; and (b) Total gaming-related operating expenses, excluding management fees.

(v) Operator. Operator means a person which has obtained a gaming license under this Ordinance or which is otherwise permitted by this Title to perform, promote, conduct, or operate any lawful gaming activity on Indian lands at a gaming establishment.

(w) Person. Means any individual, partnership, joint venture, corporation, joint stock company, company, firm, association, trust, estate, club, business trust, municipal corporation, society, receiver, assignee, trustee in bankruptcy, political entity, and any owner, director, officer or employee of any such entity, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise, the government of the Nation, any governmental entity of the Nation, or any of the above listed forms of business entities that are wholly owned or operated by the Nation; provided, however, that the term does not include the federal government and any agency thereof. The plural of person is persons.

(x) Primary Management Official. "Primary Management Official" shall mean:

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

(y) Principal. "Principal" refers to a person having a direct or indirect financial interest in a management contract or other contract in question and shall mean:

- (1) any natural person having an interest in the contract in question;
- (2) with respect to a trust which is a party to a contract in question, any beneficiary or trustee;
- (3) with respect to a partnership which is a party to a contract in question, any partner;
- (4) with respect to a corporation which is a party to a management contract, any person who (a) is a director thereof, or (b) who holds at least 10% or is one of the 10 largest holders of the issued and outstanding stock thereof, alone or in combination with another stockholder who is such person's spouse, parent, child or sibling;
- (5) with respect to any entity other than a natural person, firm or corporation that has provided 10% of the financing of such entity;
- (6) any other person or entity which meets the definition set forth in 25 CFR § 502.17; or
- (7) any other person or entity which meets the definition set forth in the Compact, Part II.T.

(z) Standards of Operation. "Standards of Operation" shall mean any operational standard for Gaming Operations or Gaming Facility.

(aa) State. "State" shall mean the State of Washington.

(bb) State Gaming Agency. "State Gaming Agency" shall mean the Washington State Gambling Commission.

(cc) Technical Standards. "Technical Standards" shall mean operational standards for Gaming Devices.

(dd) Tribal Gaming Commission. "Tribal Gaming Commission" shall mean the body created pursuant to this Title to regulate Gaming in accordance with IGRA, the Compact and this Title.

(ee) Tribe. "Tribe" or "Nation" shall mean the Quinault Indian Nation.

70.03.010 Compliance with IGRA and the Compact

(a) This Title shall be construed in a manner that conforms to IGRA in all respects. If this Title is inconsistent with IGRA in any manner the provisions of IGRA shall govern.

(b) This Title shall be construed in a manner that conforms to the Compact. If any provision of this Title with respect to Class III gaming is found to be inconsistent with the Compact in any manner, the provisions of the Compact shall govern.

70.04.010 Ownership of Gaming

(a) The Nation shall have the sole propriety interest in, and responsibility for, the conduct of gaming operations authorized by this Title. No individually owned Class II and/or Class III gaming is permitted.

(b) No individual, partnership, corporation or entity of any kind shall own in whole or in part any Class II and/or Class III Gaming Operation subject to the terms of this Title.

(c) The Nation shall not, in any contract or agreement, grant, transfer or convey any interest in the Nation's reservation lands or lands held in trust for the Nation by the United States and subject to restriction by the United States against alienation, or in any real property of the Nation, unless specific statutory authority exists and unless clearly specified in writing in said contract or agreement.

(d) Nothing in this Title shall preclude the Nation from entering into Management Contracts, or other contractual obligations as authorized under IGRA.

70.05.010 Licensed Gaming Authorized

(a) Class II gaming, as defined in the IGRA is hereby authorized.

(b) Class III gaming as defined in IGRA and the Compact is hereby authorized.

(c) Gaming as authorized by this Title shall be conducted only by persons or entities which have obtained a valid gaming operation license issued by the Nation pursuant to this Title, and rules and regulations adopted pursuant thereto.

70.06.010 Tax

The Business Committee may adopt by regulation a tax on any revenues of any Gaming Facility operating pursuant to this Title and/or a tax on a player's gross winnings.

70.07 Tribal Gaming Commission

70.07.010 Establishment

A Tribal Gaming Commission of five members is hereby established and empowered to regulate Gaming in accordance with this Title, IGRA and the Compact.

70.07.020 Selection, Powers and Duties of Members of the Commission

(a) There shall be established a Quinault Indian Nation Gaming Commission consisting of five members appointed by the Quinault Indian Nation Business Committee in the manner hereinafter described. In the absence of a duly constituted Commission, the Commission shall be the Quinault Indian Nation Business Committee.

(b) The appointment process for the selection of members of the initial Commission shall be determined by the Business Committee and the selection process shall be pursuant to the procedures in subsection (c) below. Thereafter within fifteen (15) days of any vacancy on the Commission the Business Committee shall publish in written form the positions available on the Commission, together with the qualifications which the individual candidates must possess to serve on the Commission. The Business Committee shall continue to receive letters of intent for fourteen (14) days after the notice of vacancy has been published. At the expiration of the fourteen day period, and within twenty (20) days following, the Business Committee shall schedule all meeting for purposes of selecting the persons to serve on the Commission.

(c) The persons to serve on the Gaming Commission shall be selected by the Business Committee. The individual applicants shall appear and state their qualifications for the position for which they were nominated. Following presentation of the applicants, there shall be an appointment for the members of the Commission. The selection process shall be as follows: The person(s) with the highest vote total shall be appointed to the Commission.

(d) The Gaming Commission shall elect officers by a majority vote of its membership for the positions of Chairman, Vice-Chairman and any other officers deemed necessary by the Gaming Commission.

(e) Gaming Commission members shall be compensated by a meeting stipend established by the Business Committee, and for any other necessary expenses

incurred as a result of acting in an official capacity under this ordinance. Any additional compensation shall be established by the Business Committee.

(f) The Quinault Indian Nation Business Committee shall establish By-Laws for the Tribal Gaming Commission, which will include but are not limited to Tribal Gaming Commission membership qualifications, terms, duties and operating procedures.

(g) The Tribal Gaming Commission's powers shall include, but are not be limited to:

(1) Issue, deny, suspend, condition or revoke any gaming license to conduct Gaming activities authorized by this Title, or by rules and regulations adopted thereto, and to adopt a schedule of fees to defray expenses of license processing and background investigations;

(2) Conduct or cause to be conducted background investigations of persons or business entities applying for gaming licenses and to review and approve all investigative work;

(3) Tribal Gaming Commission may promulgate, review and revise as necessary, regulations to govern the operation of any and all Gaming and the conduct of any hearings held under this Title, subject to ratification by the Quinault Indian Nation Business Committee;

(4) Regulate the collection of taxes, fees, community contributions or other assessments related to Gaming;

(5) Hire employees of and contractors to the Tribal Gaming Commission, and to establish personnel policies: Provided, that such personnel policies shall require that Tribal Gaming Commission members and employees shall be subject to background investigations, including criminal and financial background investigations, and to adopt such hiring and retention policies necessary to maintain standards as a qualified law enforcement agency;

(6) Arrest, prosecute, detain, issue civil citations, levy fines or other penalties, or to close any Gaming Facility for violation of applicable law, this Title or rules and regulations adopted pursuant thereto by the Tribal Gaming Commission;

(7) Enforce the Nation's powers and responsibilities pursuant to the Compact;

(8) Require Manager to submit for approval by the Tribal Gaming Commission minimum standards for internal controls and rules of play for Class II or Class III gaming. Such internal controls and rules of

play for Class III gaming shall be consistent with provisions of the Compact;

(9) Adopt an annual budget of operating expenses of the Commission, which shall be subject to Quinault Indian Nation Business Committee approval; and

(10) Other such powers subsequently authorized by the Quinault Indian Nation Business Committee.

(h) Additional Powers and Duties.

(1) The Tribal Gaming Commission shall have primary responsibility for enforcement and oversight of all Gaming in order to ensure the integrity thereof. For that purpose, the Tribal Gaming Commission shall employ Tribal Gaming Commission Agents;

(2) The Tribal Gaming Commission may on its own initiative, investigate any aspect of any Gaming Operation, or person in order to protect the public interest in the integrity of Gaming and to prevent improper or unlawful conduct. The Tribal Gaming Commission shall investigate any report of a failure of any Gaming Operation to comply with the Compact or this Title. The Tribal Gaming Commission may require any Gaming Operation to take any corrective actions deemed necessary upon such terms and conditions as the Tribal Gaming Commission shall determine appropriate;

(3) The Tribal Gaming Commission shall carry out each of the responsibilities and duties set forth for the Tribal Gaming Commission in the Compact;

(4) The Tribal Gaming Commission shall require the Manager to prepare a plan for the protection of public safety and the physical security of patrons of Gaming Facilities, setting forth the respective responsibilities of the Tribal Gaming Commission, the security department of the Gaming Operation, and any local police department, fire department, or emergency aid provider. Such plan, and any subsequent modifications thereof, shall be submitted to and reviewed by the Tribal Gaming Commission and, after such review, shall be adopted with such modifications as the Tribal Gaming Commission shall deem proper;

(5) The Tribal Gaming Commission shall establish a list of persons barred from the Gaming Facility because of their criminal history or association with career offenders or career offender organizations which pose a threat to the integrity of Gaming;

(6) The Tribal Gaming Commission shall review each Gaming Operation and Gaming Facility utilizing the Standards of Operation as a basis and prepare a written report no less than annually;

(7) The Tribal Gaming Commission shall review the Technical Standards and insure that any Gaming Operation conforms to the Technical Standards;

(8) The Tribal Gaming Commission shall enforce all Tribal health and safety standards applicable to Gaming Facilities, The Tribal Gaming Commission shall issue a certificate of compliance to each Gaming Operation upon a determination that the Gaming Facility complies with such standards;

(9) The Tribal Gaming Commission may, in the name of the Nation, bring any civil action or criminal complaint in the courts of the Nation, State, or the United States to enforce this Title, IGRA, or the Compact or to enjoin or otherwise prevent any violation of this Title, IGRA, or the Compact;

(10) The Tribal Gaming Commission may receive any complaint from any person, including any employee of any Gaming Operation, who is or who claims to be adversely affected by any act or omission of a Gaming Operation or any employee thereof and which is asserted to violate this Title, the Compact, or IGRA, and may impose such remedial action as it deems appropriate to bring the Gaming Operation into compliance with such provisions. The Tribal Gaming Commission may for this purpose, in its sole discretion, conduct a hearing and receive evidence with regard to such complaint if it deems an evidentiary proceeding useful in the resolution of such complaint;

(11) The Tribal Gaming Commission may conduct licensing hearings and compel any licensee, any person employed by a Gaming Operation and any person doing business with a Gaming Operation to appear before it and to provide such information, documents or other materials as may be in their possession to assist in any investigation conducted by the Tribal Gaming Commission;

(12) The Tribal Gaming Commission may employ such staff from time to time as it deems necessary to fulfill its responsibilities under this Title and the Compact, and may retain legal counsel, consultants and other professional services, including investigative services, to assist it with respect to any of the issues over which the Tribal Gaming Commission exercises jurisdiction;

(13) The Tribal Gaming Commission shall establish a schedule of fees and charges for the issuance of licenses, including application fees and annual renewal fees. In addition, the Tribal Gaming Commission may impose such fees on licensees as are reasonably related to conducting background investigations and the costs of enforcement of this Title and of the licenses issued hereunder; and

(14) The Tribal Gaming Commission shall require each Distributor and Manufacturer to verify under oath, on forms prescribed by the Tribal Gaming Commission that the Gaming Devices distributed or manufactured by them for use at any Gaming Facility comply with the Technical Standards and all requirements of this Title. The Tribal Gaming Commission may require the testing of any Gaming Device at the sole expense of the Distributor or Manufacturer.

70.07.030. Procedures of the Tribal Gaming Commission

(a) The Tribal Gaming Commission shall conduct its operations in accordance with this Title and the Tribal Gaming Commission By-Laws. Such procedures shall include the following:

(1) Regular meetings of the Tribal Gaming Commission may be held at such time and place as shall from time to time be fixed by the Tribal Gaming Commission;

(2) Special meetings of the Tribal Gaming Commission may be called upon such notice as the Tribal Gaming Commission shall provide. The Chairman or the Vice-Chairman shall call all special meetings. Neither the business to be transacted nor the purpose of the special meeting need be given in the notice;

(3) At any meeting of the Tribal Gaming Commission, a majority of the members then duly appointed shall constitute a quorum for the transaction of business. The meeting shall be presided over by either the Chairman or the Vice-Chairman. The vote of a majority of the members present at a meeting at which a quorum is present shall be the act of the Tribal Gaming Commission. The Chairman, or the Vice-Chairman in the Chairman's absence, shall register a vote on all acts of the Tribal Gaming Commission;

(4) Any action required or permitted to be taken at a meeting of the Tribal Gaming Commission may be taken without a meeting if all of the members of the Tribal Gaming Commission sign written consents to such meeting and action taken. Such consents shall be the same as a unanimous vote of the Tribal Gaming Commission;

(5) Members of the Tribal Gaming Commission may participate in a meeting of the Tribal Gaming Commission by means of conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other. Participation in a meeting in such a manner by any member who does not object at the beginning of such meeting to the holding thereof in such manner shall constitute presence in person at such meeting; and

(6) Any hearing conducted by the Tribal Gaming Commission under this Title may not be conducted by less than three members of the Tribal Gaming Commission designated by the Tribal Gaming Commission for that purpose. Notwithstanding the foregoing with respect to a license suspension or revocation hearing, if less than the full Tribal Gaming Commission shall hold the hearing, then the members of the Tribal Gaming Commission who are not present shall not vote.

(b) The Tribal Gaming Commission may adopt such additional procedures, regulations and rules as it deems necessary or convenient to govern its affairs and which are consistent with this Title and the By-Laws and the Compact.

70.07.040 Prohibition

No member or employee of the Tribal Gaming Commission shall participate as a player in any Gaming activity conducted under this Title.

70.07.050 Tribal Gaming Commission Agents

The Tribal Gaming Commission shall employ non-uniformed agents who shall report directly to and be under the sole supervision of the Tribal Gaming Commission and not under the supervision of any Manager or any Gaming Operation. Tribal Gaming Commission agents shall have unfettered access to all facilities of all Gaming Operations at all times, including all Gaming Facilities and all other locations where any equipment, goods, supplies, books records or other material relating to Gaming is kept or stored; for such purposes. Personnel employed by any Gaming Operation shall provide Tribal Gaming Commission agents access to locked and secure areas of the Gaming Facilities or such other locations without restraint. Tribal Gaming Commission agents shall report to the Tribal Gaming Commission regarding any failure by a Gaming Operation to comply with any of the provisions of the Compact or this Title or any other applicable Tribal laws and Title. Tribal Gaming Commission agents may also receive customer complaints with respect to any Gaming Operation and shall assist in seeking voluntary resolution of such complaints. Tribal Gaming Commission agents shall be subject to background investigation and licensing.

70.08.010 Use of Gaming Revenue

Net revenues from Class II and Class III gaming shall be used only for the following purposes: to fund Tribal government operations and programs; provide for the general welfare of the Nation and its members; promote Tribal economic development; donate to charitable organizations; or help fund operations of local government agencies; or for any other purposes permitted under IGRA.

70.09.010 Audit

(a) The Tribal Gaming Commission shall cause to be conducted annually an independent audit of gaming operations and shall submit the resulting audit reports to the Quinault Indian Nation Business Committee and the National Indian Gaming Commission.

(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 or accounting services, shall be specifically included within the scope of the audit described in clause A of this Section: Provided, that the Tribal Gaming Commission or the Tribal Council may require that such contracts of less than \$25,000 be included in the scope of the audit if inclusion is deemed necessary to protect the public interest in the integrity of Indian gaming.

70.10.010 Protection of the Environment and Public Health and Safety; Compliance With Laws

Gaming facilities shall be constructed, maintained and operated in a manner that adequately protects the environment and the public health and safety. Gaming facility construction, maintenance and operation shall comply with the Quinault Tribal Ordinance of Laws as amended, and all Quinault Indian Nation regulations adopted pursuant thereto.

70.11 Gaming License

70.11.010 Licensing

The Nation and the Tribal Gaming Commission, consistent with IGRA and the Compact shall ensure that the policies and procedures set out in this section are implemented with respect to the following individuals and entities, who shall be required to fill out an application form for a license:

- (a) each Gaming Employee;
- (b) each Key Employee;
- (c) each Primary Management Official;
- (d) each Gaming Operation;
- (e) each Management Contractor and each Principal thereof;
- (e) each Distributor and Manufacturer;
- (f) each provider of a Gaming Service;

- (g) each person, firm or corporation providing financing for any Gaming Operation, Gaming Facility or any part thereof (other than an agency of the United States, a member institution of the Federal Deposit Insurance Corporation, or an institution regulated by the Comptroller of the Currency); and
- (h) each Gaming Facility.

70.11.020 Application Forms - Notices

(a) Privacy Act Notice. The following notice shall be placed on the application form for 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 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.

The Tribal Gaming Commission shall notify in writing existing key employees and primary management officials that they shall either: (1) Complete a new application form that contains a Privacy Act notice; or (2) Sign a statement that contains the Privacy Act notice and consent to the routine uses described in that notice.

(b) False Statements Notice. The following notice shall be placed on the application form for a key employee or a primary official 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 (U.S. Code, title 18, section 1001).

The Tribal Gaming Commission shall notify in writing existing key employees and primary management officials that they shall either: (1) Complete a new application form that contains a notice regarding false statements; or (2) Sign a statement that contains the notice regarding false statements.

70.11.030 Burden of Proof

It is the determination of the Nation that the public interest in the integrity of gaming is such that the burden of proof to establish fitness or eligibility to obtain or renew a license under this Title shall be upon the applicant or licensee.

70.11.040 Background Investigations

(a) The Tribal Gaming Commission shall require from each primary management official and from each key employee, and may require from all others required to be licensed under this Title, all of the following information:

- (1) Full name, other names used (oral or written), social security number(s), birth date, place of birth, citizenship, gender, and all languages (spoken or written);
- (2) Currently and for the previous 5 years: business and employment positions held, ownership interests in those businesses, business and residence addresses, and drivers license numbers;
- (3) 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 subsection (a)(2) of this section;
- (4) Current business and residence telephone numbers;
- (5) A description of any existing and previous business relationships with Indian tribes the gaming industry generally, including ownership interests in those businesses;
- (6) A description of any existing and previous business relationships with the gaming industry generally, including ownership interests in those businesses;

(7) The name and address of any 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;

(8) For each felony for which there is ongoing prosecution or a conviction, the charge, the name and address of the court involved, and the date and disposition if any;

(9) For each misdemeanor conviction or ongoing misdemeanor prosecution (excluding minor traffic violations), within 10 years of the date of the application, the name and address of the court involved and the date and disposition;

(10) For each criminal charge (excluding minor traffic charges), whether or not there is a conviction, if such criminal charge was within 10 years of the date of the application and is not otherwise listed pursuant to subsection (a)(8) or (a)(9) of this section, the criminal charge, the name and address of the court involved, and the date and disposition;

(11) The name and address of any licensing or regulatory agency with which the person has filed an application for a business or occupational license or permit, whether or not such license or permit was granted;

(12) Two (2) current photographs;

(13) Any other information the Nation deems relevant;

(14) Fingerprints consistent with procedures adopted by the Nation according to 25 C.F.R. § 522.2 (h);

(15) For any person or entity subject to provisions of the Compact, any other information required to obtain a state certification pursuant to the Compact; and

(16) Any other information required by Tribal Gaming Commission rule or regulation or federal law or regulation.

(b) The Tribal Gaming Commission shall conduct, or cause to be conducted under the Compact an investigation sufficient to make a determination under subsection (c) below. In conducting a background investigation, the Nation, the Tribal Gaming Commission or its agent shall promise to keep confidential the identity of each person interviewed in the course of the investigation. The Tribal Gaming Commission may rely on the background investigation conducted by the State of Washington for state certification pursuant to Part V.B. of the Compact only

to the extent it meet the requirements of this Title and applicable federal law and regulation.

(c) Eligibility Determination The Tribal Gaming Commission shall review a person's or entity's prior activities, criminal record, if any, reputation, habits, and associations to make a finding concerning the eligibility of a key employee or primary management official or other individual or entity listed above for employment in or association with a Gaming Operation. If the Tribal Gaming Commission determines that employment of or contract with the person or entity poses a threat to the public interest or to the effective regulation of Gaming, or creates or enhances the danger of unsuitable, unfair, or illegal practices and methods and activities in the conduct of Gaming, the management contractor or the Gaming Operation shall not employ or contract with that person or entity in a key employee or primary management official position, nor as an employee, Management Contractor or supplier of Gaming Services.

70.11.045 Background Investigation Procedures

(a) Within 14 calendar days after receipt of a complete application and such supplemental information as the Tribal Gaming Commission may require, the Tribal Gaming Commission shall begin its investigation of the applicant's background to determine if the applicant meets the Tribe's minimum license or work permit standards. The Tribal Gaming Commission shall be deemed to have begun its investigation when, as required by the Compact, it has forwarded the completed application and related materials to the State Gaming Agency for its background investigation. The Tribal Gaming Commission shall investigate the criminal history of each applicant for a license and the personal background and character of each applicant for a license. At its own discretion the Tribal Gaming Commission may also investigate the criminal history, personal background and character of any applicant for a work permit. The Tribal Gaming Commission shall perform, at a minimum, unless already performed by the State Gaming Agency to the Tribal Gaming Commission's satisfaction, the following investigations before taking preliminary or final action on any application:

- (1) Each background investigation should begin with an initial verification of the information contained in the application;
- (2) Applicants shall be required to provide as much documentation as possible to verify the information contained in their application;
- (3) For access to information that is not generally available though the public record, the Tribal Gaming Commission shall use a Release Form signed by an applicant;
- (4) The following specific information in an application shall be verified before a license determination is made:

- (i) Verify the applicant's name, place of birth, date of birth, and citizenship by requiring the applicant to provide items such as a birth certificate, social security card, or passport;
- (ii) Confirm the applicant's business and employment positions held and ownership interests in those businesses currently and for the past 5 years (ten years for management contractors) by attempting to contact through written letter, telephone calls or personal visits to past employers listed in the application and through ownership documentation such as copies of partnership agreements, stock certificates, or IRS tax returns;
- (iii) Obtain the applicant's driving record by using the applicant's driver's license number to contact the Department of Motor Vehicle in the state where the license is issued;
- (iv) Ascertain character information about the applicant by contacting the personal references identified in the application;
- (v) Inquire into any existing or previous business relationships the applicant has had with Indian Tribes, including the scope of those relationships, by contacting those Tribes identified in the application. Also, the investigator should contact other state and federal entities that have contact with Indian Tribes to obtain other information available;
- (vi) Gather information about any existing or previous business relationships the applicant has had in the gaming industry, including the scope of those relationships, by contacting those entities identified in the application. Also, when appropriate, the investigator should contact other state gaming agencies or the NIGC to obtain other information available;
- (vii) Verify the applicant's history and status with any licensing agency identified by the applicant with which the applicant has applied for an occupational license by contacting those agencies;
- (viii) Obtain information regarding any past felonies, misdemeanor convictions, or criminal charges within the last 10 years by contacting state, city, county and Tribal courts, and state, local, and Tribal police departments in the applicant's areas of residence; and
- (ix) Obtain and verify any other information the Tribe deems relevant to complete a thorough background investigation. This may include the use of a credit reporting agency.

(b) Applicant for any gaming license The criminal background of an applicant for any gaming license shall be further investigated by submitting the applicant's vital information, including but not limited to: full name; any other names used, date and place of birth; citizenship, drivers license numbers; social security number; and physical description to the State or County law enforcement agency and a federal law enforcement or federal gaming regulatory agency and requesting a criminal history report.

(c) Applicant for any gaming license - additional requirements In addition to other investigations, the Tribal Gaming Commission shall submit the fingerprints of each license applicant to the State Gaming Agency when required by the Compact or to a responsible agency of the federal government and request a Federal Bureau of Investigation report of the applicant's criminal history. If the applicant lived outside the United States for more than six months during the preceding ten years, the Tribal Gaming Commission shall also submit the applicant's vital information to INTERPOL and request an international criminal history report for the applicant. The Tribal Gaming Commission shall also interview at least three previous employers, associates, or other persons familiar with the applicant to determine if the applicant's reputation, character, habits, and activities meet the standards for issuance of a license. The Gaming Commission shall also obtain a credit bureau report on the applicant.

(d) Applicant for a management contractor's license In addition to other investigations, the Tribal Gaming Commission shall contact banks, other financial institutions, and other information sources as needed to verify the accuracy of financial information provided by each person named in an application for a management contractor's license.

(e) The Tribal Gaming Commission is not limited to the above investigations and shall make additional investigations and inquiries as required by federal law or regulation or as needed to determine with reasonable certainty that an applicant either does or does not meet the minimum standards for issuance of a gaming license or work permit.

(f) Upon approval of the Quinault Indian Nation Business Committee, the Tribal Gaming Commission may contract with private, state, and/or federal investigation agencies to perform the required background and/or criminal history investigations.

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

(a) When a key employee or primary management official begins work at a gaming operation authorized by this Title, the Tribal Gaming Commission shall forward to the National Indian Gaming Commission a completed application for

employment and conduct the background investigation and make the determination referred to in 70.11.040 of this Title.

(b) The Tribal Gaming Commission shall forward the report referred to in 70.11.060 of this Title to the National Indian Gaming Commission within 60 days after an employee begins work or within 60 days of the approval of this Title by the Chairman of the National Indian Gaming Commission.

(c) The gaming operation shall not employ as a key employee or primary management official a person who does not have a license after 90 days.

70.11.060 Report to the National Indian Gaming Commission

(a) Pursuant to the procedures set out in 70.11.050 of this Title, the Tribal 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:

- (1) Steps taken in conducting a background investigation;
- (2) Results obtained;
- (3) Conclusions reached; and
- (4) The bases for those conclusions.

(b) The Tribal Gaming Commission shall submit, with the investigative report, a copy of the eligibility determination made under 70.11.040 of this Title.

(c) If a license is not issued to an applicant, the Tribal Gaming Commission:

- (1) Shall notify the National Indian Gaming Commission; and
- (2) 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.

(d) With respect to key employees and primary management officials, the Tribal Gaming Commission shall retain applications for employment 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 of employment.

70.11.070 Applicability of Compact Licensing Procedures

For those license applicants to whom the Compact applies, and to the extent that the Compact procedures for background investigations and eligibility determinations are more stringent, then those procedures shall apply.

70.11.080 Granting a Gaming License

(a) If, within a thirty (30) day period after the National Indian Gaming Commission receives a report, the National Indian Gaming Commission notifies the Tribal 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 Tribal Gaming Commission has provided an application and investigative report to the National Indian Gaming Commission, the Tribal Gaming Commission may issue a license to such applicant.

(b) The Tribal 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 (a) of this section until the Chairman of the National Indian Gaming Commission receives the additional information.

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

(d) The Tribal Gaming Commission may issue a license, subject to the provisions of the Compact and IGRA to all other eligible individuals and entities without submission to the National Indian Gaming Commission.

(e) If, after the issuance of a license, the National Indian Gaming Commission receives reliable information indicating that a key employee or a primary management official is not eligible for employment under 25 CFR § 558.2, and the National Indian Gaming Commission so notifies the Tribal Gaming Commission, the Tribal Gaming Commission shall (1) suspend such license in accordance with this Title, (2) notify in writing the licensee of the suspension and the proposed revocation, and (3) commence license revocation procedures. The Tribal Gaming Commission shall notify the National Indian Gaming Commission of the Nation's decision whether to revoke or reinstate the license.

(f) If, after the issuance of a license, an event occurs that would have made the licensee ineligible for a license if such event had occurred prior to the issuance of the license, the Tribal Gaming Commission shall (1) suspend the license in accordance with this Title, (2) notify in writing the licensee of the suspension and the proposed revocation, and (3) commence license revocation procedures.

70.11.090 Licensure of Gaming Employees, Key Employees and Primary Management Officials

No person shall be employed as a Gaming Employee, Key Employee or Primary Management Official unless such person has a current license issued by the Tribal Gaming Commission.

70.11.100 Licensure of Management Contractors

No person, firm or corporation shall act as a Management Contractor unless such Management Contractor has a current license issued by the Tribal Gaming Commission.

70.11.110 Licensure of Distributors

No person, firm or corporation shall distribute Gaming Devices, or components thereof, used or to be used in a Gaming Operation unless such Distributor has a current license issued by the Tribal Gaming Commission.

70.11.120 Licensure of Manufacturers

No person, firm or corporation shall use any Gaming Devices or component part thereof, in a Gaming Operation unless the Manufacturer of such Gaming Device, or component part has a current license issued by the Tribal Gaming Commission.

70.11.130 Licensure of Providers of Gaming Services

No person, firm or corporation shall purchase any Gaming Service, or enter into a contract for the purchase of any Gaming Service, unless the provider of such Gaming Service has a current license issued by the Tribal Gaming Commission.

70.11.140 Licensure of Financiers

No person, firm or corporation shall accept financing with respect to any Gaming Operation or Gaming Facility (other than from an agency of the United States or a member institution of the Federal Deposit Insurance Corporation or an institution regulated by the Comptroller of the Currency) unless such person, firm or corporation has a current license issued by the Tribal Gaming Commission.

70.11.150 Non-Gaming Employees

All persons who are not Gaming Employees but work at any Gaming Facility, must obtain a nongaming work permit from the Tribal Gaming Commission before commencing employment. Such work permits may be issued upon a determination by the Tribal Gaming Commission that the employee is not a threat

to the effective regulation of Gaming and creates no risk or enhances no danger of unfair or illegal practices, methods or activities in the conduct of Gaming. All applicants for work permits shall provide such information as the Tribal Gaming Commission shall require.

70.11.160 Scope of Licensing

(a) Any employee gaming licenses issued pursuant to this section shall be effective for only the location, job and employer contained in the application.

(b) Any licensed employee shall apply to have his license transferred to a new location by requesting that transfer in writing to the Tribal Gaming Commission in a manner which details the new job and location and the operator for whom the licensed employee proposes to work.

70.11.170 Licensing Period

Any permanent gaming license issued pursuant to this section shall be effective for a period of one year from the date of issuance and shall contain the licensee's photograph and shall state on its face the name of the licensee, the location at which the licensee is licensed to work, the name of the entity that employs the licensee, the date the license became effective and the date that it expires.

70.11.180 Drug Tests

Any person employed in a Commission-licensed gaming enterprise may be randomly selected for testing for the presence of any controlled or illegal substance. Random drug testing of employees is a mandatory operating procedure for all Operators.

70.11.190 Renewals

A holder of any license issued by the Tribal Gaming Commission may petition to have the license renewed, by applying to the Tribal Gaming Commission for a renewal prior to the expiration of the existing license and updating all information contained in the original license application.

70.11.200 License Visibility Requirements

Any person receiving a license pursuant to this Title must have the license clearly visible at all time when the licensee is inside a licensed Gaming Facility and produce that license upon the request of the Tribal Gaming Commission.

70.11.210 License Suspension/Revocation

(a) No Right Created by License Issuance. Any license issued by the Tribal Gaming Commission under this Title shall constitute a privilege to conduct the licensed activity and shall not create a right in the licensee to conduct such activity. In accordance with this Title, if, after the issuance of a gaming license, the Tribal Gaming Commission receives reliable information indicating that any licensed individual, firm, entity or corporation is not or may not be eligible for employment or licensing, the Tribal Gaming Commission may suspend such license and shall notify, in writing, the licensee of the suspension and/or the proposed revocation of the license.

(b) Notice or Proposed License Revocation. The Tribal Gaming Commission shall notify the licensee of a time and a place for a hearing on the proposed revocation of a license.

(c) Suspension/Revocation of Licenses. In accordance with this Title, any license issued by the Tribal Gaming Commission may be suspended or revoked by the Tribal Gaming Commission for breach of any of the provisions of this Title, the Compact, IGRA, the license, or rules and regulations adopted by the Tribal Gaming Commission, upon a hearing before the Tribal Gaming Commission after not less than ten (10) days written notice to the licensee. The licensee, his or its attorney, and any person affected by the license shall have the right to be present at any hearing conducted in accordance with this subsection and to offer sworn oral or documentary evidence relevant to the breach charged. A license may be suspended during such rehearing period by the vote of a majority of the members of the Tribal Gaming Commission then in office where such extraordinary action is essential to protect the public safety or the integrity of Gaming; a license shall be suspended during such period as required under IGRA if the revocation hearing arises as a result of notice from the National Indian Gaming Commission.

(d) Hearing upon Adverse Action. Any person or entity who is denied a license by the Tribal Gaming Commission may request a hearing before the Tribal Gaming Commission by written request submitted within ten (10) days following notice of the action by the Tribal Gaming Commission. Thereupon, the Tribal Gaming Commission shall afford such person or entity an opportunity to appear and be heard before the Tribal Gaming Commission, either in person or through a representative or legal counsel, and to submit such evidence as such person or entity deems relevant in the matter. The Tribal Gaming Commission may also receive evidence from the Nation, Tribal Gaming Commission or any person or entity that the Tribal Gaming Commission deems relevant to the matter. Thereafter, the Tribal Gaming Commission shall either affirm or reconsider its decision.

(e) Appeal to the Tribal Court. A decision of the Tribal Gaming Commission on appeal to affirm or reverse the denial, suspension or revocation of any license pursuant to this Title may be appealed to the Quinault Tribal Court by the aggrieved person or entity within ten (10) days from the date of the decision of

the Tribal Gaming Commission. In all appeals before the Tribal Court, there shall be deference given by the Tribal Court to the determination of the Tribal Gaming Commission as the agency chartered with responsibility for interpreting its own regulations. Conclusions of law made by the Tribal Gaming Commission may be reviewed de novo by the Tribal Courts. The decision of the Tribal Court shall be final.

(f) Stay Pending Review. The Tribal Gaming Commission's decision to suspend or revoke an existing license under this Title may be stayed by the Quinault Tribal Court during any period of appeal or review.

(g) After a revocation hearing, the Tribal Gaming Commission shall decide to revoke or to reinstate a gaming license. If the decision is to revoke the license and, after appeal, that decision is upheld, the Tribal Gaming Commission shall notify the National Indian Gaming Commission, and where applicable, the State Gaming Agency, of its decision.

(h) Notice of Concern. Notwithstanding the foregoing, in the event that the Tribal Gaming Commission obtains reliable information that a licensee may have breached any provision of this Title, the Compact, IGRA, or its license, the Tribal Gaming Commission may issue a Notice of Concern to the licensee prior to any action of suspension or the giving of notice of a revocation hearing with respect to the license(s). The Notice of Concern shall describe the alleged breach, shall describe the steps necessary to effect a cure and shall provide the licensee with an opportunity to meet with the Tribal Gaming Commission to discuss the matter. The discontinuance or correction of the alleged breach shall constitute a cure thereof, except where such alleged breach constitutes a criminal violation by the licensee. If the alleged breach is not corrected or discontinued as required herein, then the Tribal Gaming Commission shall institute the notice and hearing procedure set forth above.

70.11.220 Licensed Locations

(a) The Tribal Gaming Commission shall issue a license to each place, facility, or location on Indian lands where Gaming is conducted under this Title.

(b) No license shall be issued to any Gaming Facility unless the floor plans and surveillance systems for such Gaming Facility have been reviewed and approved by the Tribal Gaming Commission: Provided, any floor plans and surveillance system for Class III Gaming Facilities, or Facilities used in common by Class III and Class II Gaming Operations, shall be approved pursuant to the Compact.

70.13 Enforcement

70.13.010 Prohibited Acts

It shall be a violation of this Title for any person or entity to:

(a) Conduct or participate in any Class II or Class III gaming on Quinault Tribal lands or the Quinault Indian Reservation other than in a licensed Gaming Facility.

(b) Receive, distribute, apply or divert any property, funds proceeds or other assets of a gaming operation to the benefit of any individual or any other person except as authorized by this Title, IGRA or the Compact.

(c) Tamper with any equipment used in the conduct of Gaming with the intent to cause any person to win or lose any wager other than in accordance with the publicly announced rules of the Gaming Operation.

(d) Do any other act in connection with the conduct of Gaming with the intent to affect the outcome of any game or any wager other than in accordance with the publicly announced rules of the Gaming Operation.

(e) Alter or misrepresent the outcome or other event on which wagers have been made after the outcome is made sure but before it is revealed to the players.

(f) Place, increase or decrease a wager or determine the course of play meter acquiring knowledge, not available to all players, of the outcome of the game or any event that affects the outcome of the game or which is the subject of the bet, or aid anyone in acquiring such knowledge for the purpose of placing, increasing or decreasing a wager or determining the course of play contingent upon that event or outcome.

(g) Claim, collect or take, or attempt to claim, collect or take, money or anything of value in or from any authorized game, with intent to defraud, without having made a wager thereon, or to claim, collect or take an amount greater than the amount won.

(h) Place or increase a wager after acquiring knowledge of the outcome of the game or other event which is the subject of the wager, including past-posting and pressing wagers.

(i) Reduce the amount wagered or cancel the wager after acquiring knowledge of the outcome of the game or other event, which is the subject of the wager, including pinching bets.

(j) Manipulate, with the intent to cheat, any component of any authorized game in a manner contrary to the designed and normal operational purpose for the component, including, but not limited to manipulating the game, with the

knowledge that manipulation affects the outcome of the game or with knowledge of any event that affects the outcome of the games.

(k) Use tokens or chips for wagers other than those approved by the Tribal Gaming Commission or coin or other than lawful, legal tender of the United States of America, or coin or other lawful, legal tender approved by Tribal Gaming Commission rule or regulation, or if a coin not of the same denomination as the coin intended to be used in the game.

(l) Possess, with the intent to use, any device to assist in projecting the outcome of any game, in keeping track of the cards played, in analyzing the probability of the occurrence of an event relating to any game, or in analyzing the strategy for playing or betting to be used in any game.

(m) Use any device or means to cheat or defraud, or possess any such device at a Gaming Facility.

(n) Entice or induce another to use any device or means to cheat or defraud, or entice or induce another to possess any such device at a Gaming Facility.

(o) Entice or induce another to go to any place on the Reservation where Gaming is being conducted or operated in violation of the provisions of this Title, the Compact, or rules and regulations adopted pursuant thereto, with the intent that the other person play or participate in the Gaming.

(p) Possess or discharge any firearm or dangerous weapon in any Gaming Facility: Provided, that duly authorized officers of the Tribal Police, State Gaming Agents, or if so authorized by the Quinault Indian Nation Business Committee, Tribal Gaming Commission agents, shall be permitted to possess or discharge firearms in the exercise of their official duties.

(q) Act or conspire with another to give, or offer to give, any money, thing of value, gift, chattel of consideration to any elected official or employee of the Nation, or member or employee of the Tribal Gaming Commission, for the purpose of influencing any actions decision, contract, or consideration, or the promise of any action, decision, contract or consideration.

(r) Act or conspire with another to give, or offer to give, any money, thing of value, gift, chattel of consideration to any employee of a Gaming Operation, for the purpose of influencing any decision, contract, purchase or consideration, or the promise of any decision, contract, purchase or consideration.

70.13.020 Penalties

(a) Any individual who violates any provision of this Title, including provisions of the Compact incorporated herein, shall be subject to civil penalties

including exclusion from employment in any Gaming Operation, denial or revocation of any license, exclusion from attendance at any Gaming Facility, exclusion from the Quinault Reservation if a non-member of the Nation, or with respect to any person subject to the jurisdiction of the Nation, a fine of not more than \$5,000.00 for each such violation. Each calendar day that a violation occurs shall be deemed a separate violation. The Tribal Gaming Commission shall have the jurisdiction to impose such penalties on any person or entity within the jurisdiction of the Nation.

(b) An action by the Tribal Gaming Commission to impose a penalty or sanction pursuant to subsection (a) may be appealed to the Quinault Tribal Court pursuant to 70.11.210(e). Notwithstanding any other provisions of this Title, if the Tribal Gaming Commission deems it necessary to protect the public interest in the integrity of Gaming or the Nation, the Tribal Gaming Commission may impose a penalty or sanction and direct that it take immediate effect, and shall thereupon provide notice and an opportunity to be heard to the affected person or entity as soon as is reasonably practicable following such action.

70.13.030 Time Limitations

(a) An action by the Tribal Gaming Commission to impose a penalty shall commence within three (3) years from the date of the event or occurrence giving rise to such action.

70.13.040 Resolution of Disputes between Gaming Public and the Management Contractor or Nation

(a) Either the employee manager or management contractor of the Gaming Operation or an alternate designated by either shall be present at all times to resolve complaints by customers who claim to be adversely affected by any act or omission of a Gaming Operation or any employee thereof and which is asserted to violate this Title, the Compact, IGRA or any other applicable law or regulation, and may impose such remedial action as it deems appropriate to bring the Gaming Operation into compliance with such provisions.

(b) If the employee manager or management contractor or their alternates are unable to resolve any dispute as provided in subsection (a), upon request by the customer, the dispute may be referred to the Tribal Gaming Commission for resolution. Action by the Tribal Gaming Commission may be initiated by making a written request to the Chairman of the Tribal Gaming Commission. The Tribal Gaming Commission may, in its sole discretion, conduct a hearing and receive evidence with regard to such complaint if it deems an evidentiary proceeding useful in the resolution of such complaint.

(c) Appeal to the Tribal Court. A decision of the Tribal Gaming Commission concerning a customer complaint pursuant to this Title may be

appealed to the Quinault Tribal Court by the aggrieved person or entity within ten (10) days from the date of the decision of the Tribal Gaming Commission. In all appeals before the Tribal Court, there shall be deference given by the Tribal Court to the determination of the Tribal Gaming Commission as the agency chartered with responsibility for interpreting its own regulations. Findings of fact and conclusions of law made by the Tribal Gaming Commission may be reviewed de novo by the Tribal Courts. The decision of the Tribal Court shall be final.

70.14.010 Service

For purposes of service under this Title, service shall be made on the Secretary of the Quinault Indian Nation Business Committee by registered mail.

70.15.010. Repeal and Severability

(a) To the extent that they are inconsistent with this Title, all prior gaming Titles are hereby repealed.

(b) If any provision of this Title or its application to any person or circumstance is held invalid, the remainder of this Title or the application of the provision to other persons or circumstances is not affected.