



NOV 12 2003

Chairman Helen M. Blue
Upper Sioux Community
P.O. Box 147
Granite Falls, MN 56241

Dear Chairman Blue:

This letter is in response to the Upper Sioux Community's submission of an amendment to the Tribe's Gaming Ordinance, received in this office on August 19, 2003, and enacted pursuant to the Upper Sioux Community Board of Trustees Resolution No. 50-2003. The Tribe seeks review and approval by the Chairman of the NIGC of its amendment. Under the Indian Gaming Regulatory Act (IGRA) and the regulations promulgated by the NIGC, the Chairman has 90 days to review a new ordinance and either approve or disapprove the ordinance. 25 C.F.R. § 522.4.

This letter constitutes such approval under IGRA. It is important to note that the gaming ordinances are approved for gaming only on Indian lands, as defined in the IGRA, over which the Tribe has jurisdiction.

Thank you for submitting the ordinances for review and approval. The NIGC staff and I look forward to working with you and the Tribe on future gaming matters.

Sincerely,

/s/

Philip N. Hogen
Chairman

AUG 19 2003



BOARD OF TRUSTEES

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Upper Sioux Community Resolution No. 50-2003

WHEREAS, the Upper Sioux Community – Pejuhutazizi Oyate is a federally recognized Indian Community bordering the county of Yellow Medicine and the state of Minnesota; and

WHEREAS, the Upper Sioux Community, hereby possessing its powers of self-government, self-determination and asserting its Sovereignty by the Constitution of the Upper Sioux Community enacts this governing resolution; and

WHEREAS, the Upper Sioux Community is governed by the Board of Trustees which is empowered by the Tribal Constitution to act on behalf of the members of the Upper Sioux Community; and

WHEREAS, the Upper Sioux Community has entered into a compact with the state of Minnesota under the Indian Gaming Regulatory Act and operates Prairie's Edge Casino Resort on the Upper Sioux Community reservation near Granite Falls, Minnesota; and


WHEREAS, on January 27, 1997, the Board of Trustees adopted non-substantive, technical amendments to its Federally approved Gaming Ordinance to reflect grammatical errors and to provide for a regulatory body to oversee its Gaming Operations, then known as the Gaming Regulations Compliance Board; and

WHEREAS, these amendments were approved by the National Indian Gaming Commission on July 22, 1997; and

4. Section 402B was amended lowering the gaming age from 19 to 18 as allowed by the Gaming Compacts between the Upper Sioux Community and the State of Minnesota.

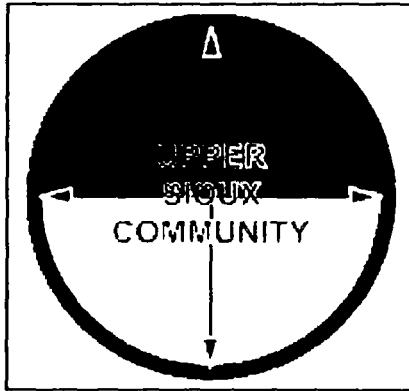
Should you have any questions or concerns regarding the revisions to the Gaming Ordinance please contact me. Thank you for your attention to this matter.

Sincerely,



Helen M. Blue, Chairman
Board of Trustees
Upper Sioux Community – Pejuhutazizi Oyate

c: Upper Sioux Community Gaming Commission
Leif E. Rasmussen



UPPER SIOUX COMMUNITY

GAMING ORDINANCE

Revised April, 2002

**Frank W. Redner / Compliance Advisors
for
Upper Sioux Community
Gaming Commission**

**Reviewed and revised LER: May 30, 2003
Reviewed and revised B JL: 29 June 2003
Reviewed and revised BOT: 31 July 2003**

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Title I: GENERAL PROVISIONS

Section 100: Short Title

This Ordinance shall be known as the Upper Sioux Community Gaming Ordinance. It is promulgated pursuant to Provision 9(H) of the Constitution of the Upper Sioux Community.

Section 101: Findings and Intent

The Upper Sioux Community Board of Trustees finds that:

- A. The Upper Sioux Community is a sovereign entity retaining the powers of self-government and self-determination;
- B. The Upper Sioux Community desires to continue to exercise its inherent authority over its internal affairs;
- C. The Upper Sioux Community requires methods for maintaining a base from which to generate revenues for self-perpetuation and essential governmental services;
- D. A gaming facility came into existence at the Upper Sioux Community following the passage of the Indian Gaming Regulatory Act of 1988, P.L. 100-497. The Upper Sioux Community shall have proprietary interest and responsibility for the conduct of any gaming on Community lands in a manner commensurate with the best interests of the people of the Upper Sioux Community.
- E. This Ordinance addresses as required all provisions of the Indian Gaming Regulatory Act of 1988, P.L. 100-497.

Further, the Upper Sioux Community Board of Trustees has determined that the intent of this Ordinance is to:

- F. Foster a spirit of cooperation with the Federal Government through cooperation with the National Indian Gaming Commission regarding the regulation of Class II gaming;
- G. Foster a spirit of cooperation with the State of Minnesota in the regulation of Class III gaming;

H. Regulate gaming on Tribal lands and other lands within the jurisdiction of the Upper Sioux Community, in compliance with the Tribal-State Gaming Compact and other applicable law;

1. Protect gaming as a means of promoting Tribal economic development;
2. Ensure that gaming is conducted fairly and honestly by both the operators and players as a means of providing both recreation and entertainment, entirely free from organized crime and other corrupting influences;
3. Ensure that construction and maintenance of all gaming facilities, and the operation of gaming conducted at those facilities, shall at all times protect the environment, the public health and welfare, and the sovereignty of the Upper Sioux Community, and that such gaming shall comply with all applicable Tribal, Federal, and Tribal-State Compact laws;
4. Establish and enforce an adequate system of internal controls that will result in accountability for revenues generated from the gaming facilities; maintain an adequate system to implement necessary background investigations, licensing, and monitoring of employees at gaming facilities; and establish and maintain an adequate system for the investigation, enforcement, and prosecution of violations of this Ordinance and the attendant rules and regulations adopted by the Community.

Section 102: Purpose

The purpose of this Ordinance is to regulate the conduct of Class II and Class III gaming activities on the trust land of the Upper Sioux Community.

- A. All gaming activities shall be conducted exclusively on "Indian Lands" as defined by 25 U.S.C. §2703(4) and 25 C.F.R. §502.12, and limited by 25 U.S.C. §2719.
- B. All gaming activities shall be conducted under the exclusive control and responsibility of the Upper Sioux Community;

Section 103: Gaming Authorized

Class II and Class III gaming as defined in the Indian Gaming Regulatory Act, P.L. 100-447, 25 U.S.C. Section 2701 et-seq. is hereby authorized.

Section 104: Ownership of Gaming

The Tribe shall have the sole proprietary interest in and responsibility for the conduct of any gaming operation authorized by this Ordinance.

Section 105: Use of Gaming Revenue

A. 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 Tribe and its members; promote Tribal economic development; donate to charitable organizations; or help fund operations of local government agencies.

B. If the Tribe elects to make per capita payments to tribal members, it shall authorize such payments only upon approval of a plan submitted to the Secretary of the Interior under 25 U.S.C. 2710 (b) (3).

C. The USC Gaming Commission shall oversee the transfer of funds to ensure the percentages of the Upper Sioux Community Per Capita Plan are met. Once this is completed, their responsibility for overseeing the proper distribution of funds ends.

Section 106: Audit

A. The Tribe shall cause to be conducted annually an independent audit of gaming operations and shall submit the resulting reports to 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 annually, except contracts for professional legal and accounting services, shall be specifically included within the scope of the audit that is described in Subsection A above.

Section 107: Protection of the Environment

Class II and Class III gaming facilities shall be constructed, maintained and operated in a manner that adequately protects the environment and the public health and safety.

Section 108: Licenses for Key Employees and Primary Management Officials

The Tribe shall ensure that the policies and procedures set out in this section are implemented with respect to key employees and primary management officials employed at any Class II or Class III gaming enterprise operated on Tribal lands:

A. Definitions.

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

1. Key employee means:

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

- (1) Bingo caller;
- (2) Count 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;
- (10) Custodian of gaming devices including persons with access to cash and accounting records within such devices;

(b) If not otherwise included, any other person whose total cash compensation is in excess of \$50,000.00 per year; or

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

2. Primary Management Official means:

(a) The person having management responsibility for a management contract;

(b) Any person who has authority:

(1) To hire and fire employees; or

(2) To set working policy for the gaming operation.

(c) The chief financial officer or other person who has financial management responsibility.

B. Application Forms.

1. The following notice shall be placed on the application form for a key employee or a primary management official.

"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 the National Indian Gaming Commission members' division staff who have need for 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 the Upper Sioux Board of Trustees/Gaming Commission or the National Indian Gaming Commission in connection with the hiring or firing of an employee, the issuance or revocation of a gambling license, or investigations of activities while associated with a tribe or a gaming operation. Failure to submit to the disclosures indicated in this notice will result in the Upper Sioux Community dba Firefly Creek Casino or Prairie's Edge Casino Resort being unable to hire you in a primary management official or key employee position. A false statement on any part of your application may be grounds for not hiring you, or termination after you begin work, also, you may be punished by fine or imprisonment (US Code, title 18, section 1001). The disclosure of your Social Security Number (SSN) is voluntary. However, failure to supply a SSN may result in errors in processing your application."

2. Existing key employees and primary management officials shall be notified in writing that they shall either:

(a) Complete a new application form that contains a Privacy Act Notice; or

(b) Sign a statement that contains the Privacy Act Notice and consent to the routine described in that notice.

C. Background Investigations.

1. The Tribe shall request from each primary management official and from each employee all of the following information:

(a) Full name, other names used (oral or written), social security number(s), birth date, place of birth, citizenship, gender, all languages (spoken or written);

(b) Current and for the previous five (5) years: business and employment positions held, ownership interested on those businesses, business and residence addresses, and drivers license numbers;

(c) The names and current addresses of at least three personal references, including one personal reference who was acquainted with the applicant during each period of residence listed under paragraph (1)(b) of this section;

(d) Current business and residence telephone numbers;

(e) A description of any existing and previous business relationships with Indian Tribes, including ownership interests in those businesses;

(f) A description of any existing and previous business relationships with the gaming industry generally, including ownership interests in those businesses;

(g) The name and address of any licensing or regulatory agency with which the person has filed an application for a license or permit was granted;

(h) For each felony for which there is an ongoing prosecution or a conviction, the charge, the names and address of the court involved, and the date and disposition;

(i) For each criminal charge (excluding minor traffic charges), whether or not there is a conviction, if such criminal charge is within ten (10) years of the date of the application and is not otherwise listed pursuant to paragraph (1)(h) or 1(i) of this section, the criminal charge, the name and addresses of the court involved and the date and disposition;

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

(k) A current photograph;

(l) Any other information the Tribe deems relevant; and

(m) Fingerprints consistent with procedures adopted by the Tribe according to 25 CFR 522.2 (h).

2. The Tribe shall conduct an investigation sufficient to make a determination under subsection D below. In conducting a background investigation, the Tribe or its agent shall promise to keep confidential the identity of each person interviewed in the course of the investigation.

D. Eligibility Requirements.

The Tribe shall review a person's prior activities, criminal record, if any, and reputation, habits and association to make a finding concerning the eligibility of a key employee or primary management official for employment in a gaming operation. If the Tribe determines that employment of the person poses a threat to the public interest or to the effective regulations of gaming, or creates or enhances dangers of unsuitable, unfair, or illegal practices and methods and activities in the conduct of gaming, a tribal gaming operation shall not employ that person in a key employee or primary management official position.

E. Procedures for forwarding applications and reports for Key Employees and Primary Management Officials to the National Indian Gaming Commission.

1. When a key employee or primary management official begins work at a gaming operation authorized by this ordinance, the Tribe 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 subsection D of this section.

2. The Tribe shall forward the report referred to in subsection F of this section to the National Indian Gaming Commission within 60 days after an employee begins work or within 60 days of the approval of this ordinance by the Chairman of the National Indian Gaming Commission.

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

F. Report to the National Indian Gaming Commission.

1. Pursuant to the procedures set out in subsection E of this section, the Tribe 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:

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

2. The Tribe shall submit with the report a copy of the eligibility determination made under subsection D of this section.

3. If a license is not issued to an applicant, the Tribe:

- (a) Shall notify the National Indian Gaming Commission;
- and

(b) May forward copies of its eligibility determination and investigative report (if any) to the National Indian Gaming Commission for inclusion in the Indian Gaming Individuals Records systems.

4. With respect to key employees and primary management officials, the Tribe 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 not less than three (3) years from the date of termination of employment.

G. Gaming License Issuance.

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

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

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

H. License Suspension.

1. If, after the issuance of a gaming license, the Tribe receives from the National Indian Gaming Commission reliable information indicating that a key employee or a primary management official is not

eligible for employment under subsection D above, the Tribe shall suspend such license and shall notify in writing the licensee of the suspension and the proposed revocation.

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

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

Section 109: License Locations

The Tribe shall issue a separate license to each place, facility, or location on Indian lands where gaming is conducted under this ordinance.

Section 110: Definitions

The definitions stated in 25 CFR part 502 are incorporated herein by reference.

The following words and phrases when used in this Ordinance shall have the meaning respectively ascribed to them in this section:

A. **“Board of Trustees”** shall mean the governing body of the Community, duly elected in accordance with the terms of the Constitution of the Upper Sioux Community, adopted January 9, 1996.

B. **“Community” or “Tribe”** shall mean the Upper Sioux Community, a federally recognized Indian tribe located on the Upper Sioux Reservation and governed by its duly elected Board of Trustees.

C. **“Tribal/State Compacts”** shall mean the Tribal/State Compact for Control of Class III Video Games of Chance on the Upper Sioux Community Reservation entered into with the State of Minnesota in 1989 and the Tribal/State Compact for Control of Class III Blackjack on the Upper Sioux Community Reservation entered into with the State of Minnesota in May of 1991.

D. **“Gaming Enterprise”** shall mean any commercial business owned by the Community and operated, in part or in whole, for the conduct of Class II and Class III gaming as authorized by the Tribe, the Indian Gaming Regulatory Act, and the Tribal/State Compacts.

E. **"Gaming Test Laboratory"** shall mean, as contemplated by Section 6.1 of the Tribal-State Compact regarding Video Games of Chance, a laboratory agreed to and designated in writing by the Minnesota State Commissioner of Public Safety and the Community as competent and qualified to conduct scientific tests and evaluations of video games of chance and related equipment; a laboratory operated by or under contract with the states of Minnesota, or Nevada, or New Jersey, or South Dakota, constitutes a designated gaming test laboratory.

F. **"Indian Gaming Regulatory Act of 1988"** shall mean the Act of the United States Congress adopted on October 17, 1988, as Public Law 100-497, 102 Stat. 2467, codified at 25 U.S.C. 2701 et seq.

Section 111: Severability

If a Court finds that any provision of this Gaming Ordinance is invalid or unenforceable, the Court may sever that provision, and the remaining provisions of this Gaming Ordinance shall remain in full force and effect.

TITLE II: REGULATION AND ENFORCEMENT

Section 200: Upper Sioux Community Gaming Commission

There is hereby established an Upper Sioux Community Gaming Commission ("Gaming Commission") for the exclusive purpose of regulating and monitoring gaming on behalf of the tribe. The Board of Trustees shall appoint three (3) Upper Sioux Community members or other persons with gaming experience to the Gaming Commission to serve in accordance with this title and the Gaming Commission's operating regulations. The Gaming Commission shall appoint inspectors or agents for the purpose of conducting observations or inspections in the gaming facility.

Section 201: Regulations

The Gaming Commission shall develop procedural regulations to enforce this Ordinance, subject to review and approval by the Board of Trustees.

Section 202: Hiring and Training

Due to the high unemployment of the Upper Sioux Community members, preference in hiring will be given to Indian Community members and then to other American Indian persons as permitted by federal law. This rule shall be enforced in hiring, training and promotion.

Section 203: Hearing Officer

The Gaming Commission may appoint a hearing officer to hear a dispute that may come before the Gaming Commission concerning this Ordinance and regulations and enforcement. The hearing officer will make recommended findings and reasons for the Gaming Commission.

Section 204: Hearings

The Gaming Commission shall provide a hearing prior to final action concerning suspending or revoking a license, if requested; and as allowed or set by regulation or law.

Section 205: Sanctions

Violations of this Ordinance will subject a person to sanctions that may include fine and suspension as appropriate. Unlawful trespass will prompt immediate response and appropriate sanction. The Gaming Commission, subject to review and approval by the Board of Trustees, shall set up a schedule of fines and sanctions as deemed necessary.

TITLE III. LICENSING OF DISTRIBUTORS, EMPLOYEES, FEES.

Section 300: License Required

Any person, organization or entity (including management officials and key employees), on behalf of the Community, conducting a public gaming enterprise pursuant to the provisions of this Ordinance or any person, organization or entity selling, leasing or otherwise distributing gambling equipment or video games of chance to the Community, shall be required to have a license. Community public gaming operations being conducted within the jurisdiction of the Community without the lawful written approval of the Gaming Commission is prohibited.

Section 301: Application for License

Any person, organization or entity (including management officials and key employees), on behalf of the Community, wishing to conduct a public gaming enterprise pursuant to the provisions of this Ordinance or any person, organization or entity selling, leasing or otherwise distributing gambling equipment or video games of chance to the Community, the application shall contain the following information:

- A. The name(s) and mailing address of the person or entity making the application;
- B. The name(s) and addresses of all interested parties (including those with direct or indirect financial interest and their interest and connection to the applicant);
- C. The nature of the license applied for; the type of activity to be engaged in under the license;
- D. Explicit and detailed disclosure of any criminal record, including any delinquent taxes owned to the State of Minnesota, of the applicant, any person involved in the organization, and any party of interest whose name appears on the application;
- E. Any additional information necessary to allow the Community or the State of Minnesota to investigate the applicant or any person included on the application;
- F. Whether the applicant, if a distributor of gambling equipment, has been properly licensed by the State of Minnesota pursuant to Minnesota Statute section 349.151; and proof of being the holder of a current and valid distributor or manufacturer license from the State of Minnesota; or properly licensed and holding a current and valid license from either the State of New Jersey, Nevada or South Dakota;
- G. Whether the applicant, if a distributor of gambling equipment, has ever had a distributor or manufacturer license revoked or suspended by the state that issued the license and, if so, the circumstances surrounding the state's action;
- H. A statement of waiver allowing the Community and the State of Minnesota to conduct a background investigation of the applicant and any person whose name is required to appear on the application;
- I. Whether the applicant or any person whose name is required to appear on the application maintains any involvement in the business of wholesale distribution of alcoholic beverages.

Section 302: Machine Leases

In addition to a distributor license provided for in Section 301, the person or entity with whom the Community enters into a lease or sales agreement

regarding video games of chance must obtain from the Gaming Commission an annual non-transferable license for each video game of chance to be placed in a gaming enterprise operating under the provision of this Ordinance.

A. An application for a license for a video game of chance shall contain the following information:

1. The name and address of the applicant with proof of a current and valid distributors or manufacturer license issued by a state and the Community.

2. Identification numbers or codes for each video game of chance placed in a Community gaming enterprise, including the manufacturer, the serial number and the model number.

3. Proof of approval and certification of the machine by an approved gaming test laboratory or proof that the video game of chance conforms precisely to the exact specifications of the video game of chance prototype tested and approved by the gaming test laboratory.

4. All other information as required by the Tribal/State Compacts;

5. Proof of a current and valid video game of chance license issued by the State of Minnesota pursuant to Minnesota Statute section 349.52.

B. Upon issuance, the Gaming Commission shall have attached to each video game of chance licensed under the provisions of this Ordinance, an unremovable identification plate on the exterior cabinet which contains the information as required by the Tribal/State Compacts.

Section 303: Classes of Licenses

Upon proper application and approval, the following classes of licenses may be issued by the Gaming Commission:

A. Class A license for a gaming enterprise in which a gaming operator wishes to conduct Class II gaming at a Community gaming enterprise; the license shall be site-specific;

B. Class B license for a gaming enterprise in which a gaming operator wishes to conduct Class III gaming at a Community gaming enterprise; the license shall be site-specific;

C. Class C license to any management official or key employee of either a gaming operator or the Community; the license shall be valid for a period of one year and a Class C-1 license to any other employee, not licensed as a management official or key employee, of a gaming operator or the Community employed in a gaming enterprise licensed under the provisions of this Ordinance; the license shall be valid for a period of one year.

D. Class D license to any distributor or manufacturer of gambling equipment and/or video games of chance to be used in a Community gaming enterprise; the license shall be valid for a period of one year.

E. Class E license for each video game of chance to be used in a Community gaming enterprise; the license shall be valid for a period of one year.

Section 304: Renewal

All licenses granted pursuant to this Title III must be renewed on an annual basis in accordance with the procedure set forth in Section 301.

Section 305: License Fees

Annual license fees shall be set by the Gaming Commission for gaming distributors, management officials and employees.

TITLE IV: RULES AND GENERAL APPLICABILITY

Section 400: Rules of Gaming Operations

Each licensee operating a gaming enterprise under a license issued pursuant the provision of this Ordinance shall prominently display in writing all rules and regulations pertaining to all gaming activity, including but not limited to traditional bingo, other games of chance and video games of chance, near the specific locations where such gaming activity is conducted; or shall make a written copy of all such rules and regulations available to any person making a request for such.

Section 401: Dispute Resolution

Any person who disagrees with a final decision made by the Gaming Commission including, without limitation, those decisions regarding licensing, suitability determination, compliance with applicable law and other regulatory matters, must, within (30) days of receipt of a written decision, send a written request to the Gaming Commission and the Upper Sioux Community Tribal Court requesting a hearing before the Tribal Court.

The matter will be scheduled for a hearing before the Tribal Court within thirty (30) days of the receipt of the written request for a hearing. The Tribal Court shall review the Gaming Commission's findings and may hear testimony and accept evidence before making a final decision. The Tribal Court shall use an arbitrary and capricious standard of review when rendering its decision.

The decision of the Tribal Court shall be final.

Section 402: Restriction for Gaming Enterprise

The Upper Sioux gaming enterprise must at all times observe the following restrictions on gaming activities:

A. No credit extended: All gaming shall be conducted on a cash basis. Except as herein provided, no person shall be extended credit for gaming by any gaming enterprise. This restriction shall not apply to credits won by players who activate plays on video games of chance after inserting coins or currency into the game, and shall not restrict the right of a gaming enterprise to offer check cashing or to install or accept bank card or credit card transactions in the same manner as would normally be permitted at any retail business within the State of Minnesota.

B. Minimum age for players: No person below the age of eighteen (18) shall be permitted to participate in the gaming in any gaming enterprise licensed under the provisions of this Ordinance. If any persons below the age of eighteen (18) years plays and otherwise qualifies to win any prize, the prize shall not be paid. The estimated amount wagered during the course of the game may be returned to the player at the discretion of the casino.

C. Regulation of alcohol: no gaming enterprise shall allow to be sold or otherwise make available any beverage containing alcohol except in strict compliance with the Upper Sioux Community Liquor Control Ordinance.

D. Prohibition on firearms: no firearms or air guns which are capable of discharging dangerous projectiles or gases including, but not limited to, "bb's" or CO2 guns, rifles, shotguns, pistols or revolvers", shall be allowed in the premises except as permitted for security by an employed security force or other city, state, or federal law enforcement officers in the course of their official duties.

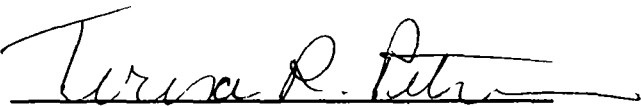
E. Other rules of conduct and regulations will be developed by the Gaming Commission as needs arise.

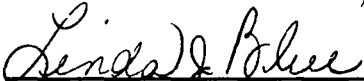
TITLE V: RESERVED FOR FUTURE USE

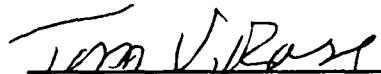
CERTIFICATION

We, the undersigned members of the Upper Sioux Community Board of Trustees, do hereby certify that the foregoing Ordinance was duly adopted and approved on **July 31, 2003**, by a vote of **Five (5) For, Zero (0) Against**, and with **Zero (0) Abstentions**.


Helen M. Blue, Chairman
Board of Trustees


Teresa R. Peterson, Vice Chairman
Board of Trustees


Linda J. Blue, Treasurer
Board of Trustees


Tom V. Ross, Member at Large
Board of Trustees

Attest:


Brad J. Lerschen, Tribal Secretary
Board of Trustees