

TRIBAL GAMING SERVICES VENDORS LICENSES

1 Licensing of Gaming Service Providers

1.1 Requirement for license

No person or entity may provide gaming services, gaming apparatus or gaming equipment to any gaming facility or gaming operator unless such person or entity is the holder of a valid and current gaming services vendors' license issued by the Tribal Gaming Commission; provided, however, that such vendor will automatically be granted said license if:

1.1.1 the person or entity has a current valid license to provide the same type of services, apparatus or equipment from the State of Michigan; or

1.1.2 the person or entity has a current valid license to provide the same type of gaming services equipment from the gaming regulatory agency of the State of New Jersey or the State of Nevada and provides its consent for the disclosure to the Tribe of all information regarding such person or entity held by the appropriate State gaming regulatory agency and the Tribal Gaming Commission is able to secure disclosure of such information.

1.1.3 any license granted under either subsection 1.1.1 or 1.1.2 may be revoked or suspended by the Tribal Gaming Commission in the same manner and for the same reasons as provided in subsection 1.7 below.

1.2 Procedure for licensing

Each applicant for a gaming services vendors' license shall submit a completed application to the Tribal Gaming Commission on forms provided by the Commission. The gaming application shall contain such information, documentation and assurances as may be required by the Commission and shall identify all of the applicant's principals and the applicant's and each such principal's personal and family history, personal and business references, criminal conviction record, business activities, financial affairs, prior gaming industry experience and general education background. Each application shall be accompanied by a fingerprint card(s) and photograph(s) of the applicant and of each principal of the applicant in such form as required by the Commission upon receipt of a completed application, the Tribal Gaming Commission shall forward a copy thereof to the National Indian Gaming Regulatory Commission for a Federal Bureau of Investigation criminal information check through the Federal Bureau of Investigation National Criminal Information Center.

1.3 Fee for license

Any person or entity filing an application for a gaming services vendors license pursuant to this section shall pay to the Commission a fee, set by the Commission, sufficient to compensate the Commission for the cost of review of the license applications.

1.4 Background Investigation of Applicants

Upon receipt of an application for a gaming service vendors' license the Tribal Gaming Commission shall conduct an investigation of the applicant and each of its principals and shall verify the information contained in the application. Such investigation shall include a criminal records check on the applicant and on each of the applicant's principals. The Commission shall conduct such other investigation of applicant and its principals as may be deemed appropriate by the Commission.

1.5 Action by Tribal Gaming Commission

Except as provided in subsection 1.1.1 and 1.1.2, the Commission shall, as soon as practicable after completion of the background investigation under subsection 1.4, either grant or deny the license. The Commission may deny license to any applicant upon a determination that the applicant, or any principal identified with such applicant:

1.5.1 is a person or entity whose prior activities, criminal reputation, habits and associations pose a threat to the effective regulation of gaming or create or enhance the changes of unfair or illegal practices, methods, and activities in the conduct of the gaming activities permitted hereunder; or

1.5.2 has failed to provide information reasonably required to investigate the applicant's suitability for a license or has failed to reveal any fact material to such application or has furnished any information which is untrue or misleading in connection with such application.

1.6 Duration of license and renewal

Any gaming services vendors' license issued by the Tribal Gaming Commission shall be effective for not more than one year and shall expire on the thirtieth day of September of each year; provided, that a license that has applied for renewal prior to expiration may continue to provide services under the expired license until final action is taken on the renewal application by the Commission. Previously licensed applicants or applicants for renewal shall provide currently updated application material but will not be required to resubmit historical data already available to the Commission. No additional background investigation of an applicant for license renewal shall be required unless new information concerning the renewal applicant's continuing suitability or eligibility for a license has been presented to the Commission.

1.7 Revocation or suspension of license

The Commission may investigate any licensed person or entity or any principal of any entity at any time and the Commission may suspend or revoke any license issued under this section if new information concerning any facts not available to the Commission at the time a license was issued or any renewal thereof, is presented to the Commission and such information would justify denial of an original license or any renewal thereof pursuant to this section. No license shall be revoked or suspended except after notice and hearing under the procedures described below. A licensed person or entity shall be entitled to any payment due for services provided or goods delivered prior to the effective date of suspension or revocation of its license.

Whenever the Tribal Gaming Commission has reasonable cause to believe that a person or entity holding a valid gaming services vendors' license did not qualify for said license or that the person or entity or any principal of the entity has engaged in activities which could justify denial of the renewal of said license the Tribal Commission or its designee shall issue a notice of suspension of such person or entity's license, which shall be served upon the licensee at its principal place of business. The notice shall state the grounds upon which such temporary suspension is ordered and provide that the person or entity shall have an opportunity to present testimony and to cross-examine opposing witnesses, and to present any other evidence as to why a permanent suspension should not be issued. Such hearing shall be governed in all respects by tribal law and Tribal Commission regulations.

Whenever the Commission suspends a license under this subsection, the licenses shall immediately cease and desist all gaming services to tribally licensed gaming operators and facilities. Decisions of the Commission pursuant to this section, following any administrative review or appeal allowed under this section or otherwise permitted by the Commission, constitutes final Commission action for purposes of judicial review under tribal law.

1.8 Regulation of non-gaming persons and entities

Any person or entity that provides goods or services to a tribally licensed gaming operation or facility, other than gaming services or gaming equipment, in an amount in excess of \$50,000.00 in any twelve month period, and any labor organization seeking to represent employees of a tribally licensed gaming operation or facility, shall agree to cooperate with the Commission and Tribal and federal law enforcement in any investigation deemed necessary by either the Commission or the federal government relative to the fitness of such enterprise or labor organization to engage in business with a gaming operation or facility, or relative to the conduct of a gaming operation or facility, or labor organization in connection with such activity. The Commission may bar such person or entity from providing goods or services to a tribally licensed gaming operation or facility, or such labor organization from receiving dues from licensed employees of any gaming operation or facility, or may bar such labor organization from representing gaming employees, upon a determination that such person, entity or labor organization or principal thereof is a person or entity whose prior activities, criminal record, if any, or reputation, habits and associations pose a threat to the effective regulation of gaming or create or enhance the dangers of unfair or illegal practices, methods and activities in the conduct

of gaming. Any person, entity or labor organization affected by a bar under this subsection shall have a right to notice and hearing as provided for licensee under subsection 1.7.