

MEMORANDUM

TO: Board of Directors
FROM: Joanne Carr, Board Secretary
DATE: March 31, 2022
RE: Workshop Agenda for April 5, 2022

AGENDA

9 a.m. – Gaming Commission Meeting

Negotiations

EDC Report

Executive Reports

Gaming Authority Meeting

Working Lunch

3:30 p.m. – Agenda Review

4:00 p.m.

Membership/Board Concerns

5:00 p.m.

Regular Meeting of the Board of Directors

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN CASINO AND CONVENTION CENTER
SAULT STE. MARIE, MICHIGAN**

April 5, 2022

5:00 P.M.

- I. CALL TO ORDER
- II. INVOCATION: Prayer, Smudging, Presentation of Grandfathers
- III. ROLL CALL
- IV. PRESENTATION:
- V. MINUTES: 1-04-2022
 2-01-2022
 2-22-2022
 3-01-2022
 3-15-2022
- VI. RESOLUTIONS: Traditional Medicine
 EDC – Interim Position
 Partial Waiver – Brown
 2022 Subcontract CORA/Biological Services
 Opposition to TFC Recommendations Whitefish HL
 Settlement Opioid Litigation
 Am Ch. 48: Sports Betting
- VII. NEW BUSINESS: Committee Actions
 Key Employees
 Board Concerns
- VIII. ADJOURN TO EXECUTIVE SESSION:
- IX. RECONVENE AND REAFFIRM
- X. ADJOURN

BOARD OF DIRECTORS REGULAR MEETING
April 5, 2022

Sponsor's List

RESOLUTIONS:

Traditional Medicine – Lauri Gambardella
EDC – Interim Position – Joel Schultz
Partial Waiver – Brown – Josh Elliott
2022 Subcontract CORA/Biological Services – Brad Silet
Opposition to TFC Recommendations Whitefish HL – Darcy Morrow, Denise Chase, Jeremy Patterson
Settlement Opioid Litigation – Jeremy Patterson
Am. Ch. 48: Sports Betting – Jeremy Patterson

NEW BUSINESS:

Committee Actions – Various Committees
Key Employees – Christine McPherson
Board Concerns – Director Causley

RESOLUTION NO: _____

**TRADITIONAL MEDICINE
FY 2022 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2022 budget modification to Traditional Medicine to change the personnel sheet. No effect on Tribal Support.

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

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2022; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _____ members for, _____ members against, _____ members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**ECONOMIC DEVELOPMENT (EDC)
INTERMIN POSITION AND
FY 2022 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby appoints an Interim Director of Commercial Development position and approves a 5% increase in salary effective immediately.

BE IT FURTHER RESOLVED, edcthat the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2022 budget modification to EDC to decrease Other Revenue of \$31,963.68. No effect on Tribal Support.

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

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2022; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _____ members for, _____ members against, _____ members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**PARTIAL WAIVER OF CONVICTIONS FOR
MS. COURTNEY BROWN**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, 25 U.S.C. 467 et seq; and

WHEREAS, the Board of Directors has enacted Tribal Code Chapter 76: Partial Waiver of Conviction for Gaming License Purpose that allows for a partial waiver of conviction be issued to tribal members who have been convicted of a crime and would be denied a license for employment in a gaming operation pursuant to Chapter 42; and

WHEREAS, Ms. Courtney Brown, a tribal member who was convicted of:

1. Misdemeanor – Disturbing the Peace 5/08/2019

WHEREAS, Ms. Courtney Brown, would be denied a license for employment as a key employee or primary management official because of the criminal conviction; and

WHEREAS, the Board of Directors has determined that Ms. Courtney Brown is not likely to engage in any offensive or criminal course of conduct and the public good does not require that she be denied a license as a key employee or primary management official.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors, pursuant to Tribal Code Chapter 76 grants a partial waiver to Ms. Courtney Brown for the convictions of:

1. Misdemeanor – Disturbing the Peace 5/08/2019

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

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2022; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _____ members for, _____ members against, _____ members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**APPROVING 2022 SUBCONTRACT FOR ADMINISTRATIVE AND
BIOLOGICAL SERVICES WITH CORA**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (the "Tribe") is organized pursuant to the Constitution of the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, the Tribe enjoys a court-affirmed treaty right to fish upon the ceded waters of the Great Lakes and is fully committed to the protection and full exercise of that precious right; and

WHEREAS, the exercise of that right by the Tribe and its members is governed by a 2000 Consent Decree in the case of United States v Michigan, W.D. Mich., File No 2:73 CV 26, that allocates the rights and duties of various parties within the Great Lakes fishery including the Tribe, four sister tribes, the federal government, and the state of Michigan; and

WHEREAS, pursuant to the 2000 Consent Decree, the Tribe is a member of the five-tribe Chippewa Ottawa Resource Authority ("CORA") and is, through CORA, committed to the continuance of a joint biological program to be administered by CORA known as the Biological Services Division.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes and approves the 2022 Subcontract for Administrative and Biological Services between the Tribe and the Chippewa Ottawa Resource Authority.

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes and approves the expenditure of funds totaling \$117,112.00, to be remitted to CORA in biannual payments of \$58,556.00 in calendar year 2022, pursuant to the terms of the 2022 Subcontract for Administrative and Biological Services.

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the Tribal Chairperson, or his designee, to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions and intent of this Resolution.

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

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2022; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _____ members for, _____ members against, _____ members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**OPPOSITION TO TECHNICAL FISHERIES COMMITTEE'S 2022
RECOMMENDED WHITEFISH HARVEST LIMIT**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (the "Tribe") is organized pursuant to the Constitution of the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, the Technical Fisheries Committee ("TFC") has recommended a 2022 Whitefish Harvest Limit in the amount of 645,300, which is dramatically lower than the TFC's 2021 Harvest Limit of 1,156,500;

NOW, THEREFORE, BE IT RESOLVED, that the Tribe formally opposes the FTC's 2022 Recommended Whitefish Harvest Limit.

BE IT FURTHER RESOLVED, that the Tribe desires to carry over the 2021 Harvest Limit to 2022.

BE IT FINALLY RESOLVED, that the Board of Directors authorizes the Chairperson to carry out all actions necessary to carry out the intent of this Resolution.

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

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2022; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _____ members for, _____ members against, _____ members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**AUTHORIZATION OF TRIBAL PARTICIPATION FORMS ENTERING INTO
JANSSEN SETTLEMENT AND DISTRIBUTORS' TRIBAL SETTLEMENT AND
AMENDMENT TO OPIOID LITIGATION CONTINGENT FEE AGREEMENT**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (the "Tribe") is organized pursuant to the Constitution of the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians filed claims against several opioid manufacturers and distributors seeking damages as a result of the national opioid epidemic; and

WHEREAS, a settlement agreement has been negotiated with Johnson & Johnson and its Distributors McKesson, Cardinal, and Amerisource Bergen which will resolve the litigation.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves Exhibits C & D, Tribal Participation Forms, entering the Sault Ste. Marie Tribe of Chippewa Indians into the Janssen Settlement and Distributors' Tribal Settlement pursuant to the terms described in the respective Tribal Participation Forms.

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes and approves the Amendment to Opioid Litigation Contingent Fee Agreement, incorporated herein by reference.

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the Tribal Chairperson, or his designee, to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions and intent of this Resolution.

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

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2022; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _____ members for, _____ members against, _____ members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**AMENDING TRIBAL CODE CHAPTER 48:
SPORTS BETTING REGULATIONS**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (the “Tribe”) is organized pursuant to the Constitution of the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, pursuant to Resolution No. 2020-264, the Board of Directors adopted Tribal Code Chapter 48: Sports Betting Regulations to govern the orderly operations of retail sports betting in the Tribe’s casinos; and

WHEREAS, the Board of Directors has determined that amendments to Tribal Code Chapter 48 are necessary and appropriate to align with Kewadin Casino’s current policies and practices.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby adopts the amended Tribal Code Chapter 48: Sports Betting Regulations, attached hereto and incorporated within.

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the Tribal Chairperson, or his designee, to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions and intent of this Resolution.

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

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2022; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _____ members for, _____ members against, _____ members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

TRIBAL CODE

CHAPTER 48:

SPORTS BETTING REGULATIONS

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TRIBAL CODE

CHAPTER 48:

SPORTS BETTING REGULATIONS

SUBCHAPTER 1: PURPOSE; AUTHORITY

48.101 Purpose.

The purpose of this Chapter is to regulate the operation of retail sports betting on the property of licensed gaming establishments of the Sault Ste. Marie Tribe of Chippewa Indians. To ensure the integrity and security of retail sports wagering operations within the gaming enterprise, the requirements of this section apply to all retail sports betting operators and retail sports betting supplier licensees seeking to offer sports wagering to patrons. The requirements in this regulation supplement, where not in conflict with and where applicable, existing Tribal Gaming Ordinances, and Gaming Commission Regulations.

48.102 Authority.

These rules and regulations are issued under and pursuant to the authority of Article VII, Sections 1(d), (g), (h), (k) and (m) of the Tribal Constitution, the Indian Gaming Regulatory Act, 25 U.S.C. §2701; the Tribal-State Compact for the Conduct of Tribal Class III Gaming by the Tribe executed August 20, 1993 and approved by the Secretary of the Interior under 25 USC §2710(d)(8) on November 19, 1993; Gaming Ordinance, Chapter 42 of the Tribal Code, and Gaming Authority Charter, Chapter 94 of the Tribal Code.

48.103 Scope.

This regulation applies to sports betting on the property of licensed Kewadin gaming establishments. The Sections of these Regulations governing mobile gaming systems and patron accounts, with the exception of those on a ticket in ticket out cash basis, will not be enforced unless and until mobile gaming system technologies are functional and implemented.

SUBCHAPTER 2: DEFINITIONS

48.201 Athletic Event.

Athletic Event means a sports activity that involves the athletic skill of one (1) or more patrons or participants. Athletic event does not include:

- a. Horse racing if the sports betting on that race is pari-mutuel.
- b. Any sport or athletic event played by individuals that are at the high school level or below unless the majority of participants in the sport or athletic event are nineteen (19) years of age or older.
- c. Roulette, poker, blackjack, a card game, a dice game, or any other game or contest typically offered in a casino other than sports betting.
- d. A fantasy contest.

48.202 Communications Technology.

Communications technology means the methods used and the components employed to facilitate the transmission of information including, but not limited to, transmission and reception systems based on wire, cable, radio, microwave, light, optics, or computer data networks.

48.203 Director.

Director means the Director of the Gaming Commission.

48.204 Gaming Commission.

Gaming Commission means the Sault Ste. Marie Tribe of Chippewa Indians Gaming Commission created by the Chapter 42 of the Tribal Code, with the powers and authority vested therein pursuant to the Subchapter IV of Chapter 42.

48.205 Gross Sports Betting Receipts.

Gross sports betting receipts means the total of all sums, including, but not limited to, valid or invalid checks, valid or invalid credit or debit card deposits, valid or invalid ACH deposits, currency, coupons, vouchers, entry fees assessed for tournaments, or instruments of monetary value whether collected or uncollected, in each case actually wagered by patron at or with the sports betting operator on sports betting, less the following:

- a. Winnings.
- b. Amounts returned to an authorized patron because of a game, platform, or system malfunction or because the sports bet must be voided because of concerns regarding integrity of the wager or game.
- c. Uncollected markers or successfully disputed credit or debit card charges that were previously included in the computation of gross sports betting receipts.

48.206 Integrity Monitoring.

Integrity monitoring means monitoring of sports bets/wagers to identify unusual betting or suspicious sports wagering activities from a match-fixing and sporting corruption standpoint to then report such activities to required parties.

48.207 Mobile Gaming System (Application).

Mobile gaming system (application) means a system or an application that allows for the conduct of games through mobile communications devices operated solely within a public area of the licensed gaming establishment by the use of communications technology that allows a patron to bet or wager, and corresponding information related to the display of the game, gaming outcomes, or other similar information. This does not include online sports betting.

48.208 Onsite or Retail Sports Book.

Onsite or retail sports book means sports betting activities conducted via self-service kiosks or point of sale system in the sports betting area of a sport-wagering operators approved location.

48.209 Patron Deposit Account.

Patron deposit account means an account maintained on behalf of a patron, for the deposit and withdrawal of funds for the primary purpose of interacting with a gaming activity.

48.210 Personal Identifiable Information.

Personal identifiable information means any data or information that can be used, on its owner with other data or information, to identify, contact or otherwise locate a registered patron, including a registered patron's name, address, date of birth and Social Security Number.

48.211 Risk Management.

Risk management means processes and tools that sports betting operators or sports betting suppliers use to manage the risk and liabilities associated with sports wagering.

48.212 Sports Betting.

Sports betting means to operate, conduct, or offer for play wagering conducted under this Regulation on athletic events and other events approved by the Gaming Commission. Sports betting includes, but is not limited to, single-game bets, teaser bets, parlays, over-under, money line, pools, exchange betting, in-game betting, proposition bets, and straight bets. Sports betting does not include a fantasy contest.

48.213 Sports Betting Equipment.

Sports betting equipment means any mechanical, electronic, or other device, mechanism, or equipment used in the operation of sports betting that directly affects the wagering and results of sports betting offered under this regulation. Sports betting equipment does not include a personal computer, mobile phone, or other device that is owned and used by an individual to place a sports betting wager.

48.214 Sports Betting Operator or Sports Book.

Sports betting operator or sports book means a person or entity that is issued a sports betting operator license through the facility licensing process.

48.215 Sports Betting Supplier.

Sports betting supplier means a person that the Gaming Commission has identified under rules as requiring a Gaming Vendor License to provide the gaming enterprise any gaming services or concessions, gaming equipment, gaming devices, or supplies regarding the operation of retail sports betting. Sports betting supplier includes, but is not limited to, retail sports betting platform providers.

48.216 Sports Betting System.

Sports betting system means the methodology and equipment approved by the Gaming Commission for accepting and recording wagers authorized by these regulations.

48.217 Sports Betting Wager or Bet.

Sports betting wager or bet means the cash, or cash equivalent, including free play, loyalty points, and other redeemable sports betting credits, risked by an authorized participant on sports betting.

48.218 Wagering Communication.

Wagering communication means the transmission of a wager between a point of origin and a point of reception by aid of a communications technology.

SUBCHAPTER 3: LICENSING

48.301

No person or entity may operate a sports book unless that person or entity holds a License issued under Subchapter V of Chapter 42 of the Tribal Code and has received approval by the Gaming Commission specifically permitting the person or entity to do so.

48.302

A person or entity that a casino operator contracts with to assist in the offering of a sports book by providing operational, technical or other associated support shall obtain a License from the Gaming Commission.

48.303

Each licensed operator of a sports book shall submit in writing an internal control system, proposed procedures, and house rules to the Gaming Commission seven (7) days prior to commencing operations.

48.304

Each licensed operator of a sports book shall not install, use, or offer for play any new technology or new gaming platform without Gaming Commission approval a minimum of ninety (90) calendar days prior to commencing operations. However, if the new technology has been approved by Gaming Laboratories International or licensed in two other jurisdictions, operations may commence within seven (7) days.

SUBCHAPTER 4: OPERATIONS**48.401**

Notwithstanding the minimum bankroll required of licensed gaming enterprise, each sports book shall comply with the following to calculate additional minimum reserve requirements specifically for the sports book:

- a. Each sports book shall at all times maintain access to a cash reserve of not less than the greater of \$50,000.00 or the sum of the following amounts:
 1. Amounts held by the book for the account of patrons;
 2. Aggregate amounts accepted by the sports book as wagers on contingencies whose outcomes have not been determined; and
 3. Amounts owed but unpaid by the sports book on winning wagers through the period established by the book for honoring winning wagers.

SUBCHAPTER 5: HOUSE RULE – TERMS AND CONDITIONS**48.501**

Each sports book shall adopt and adhere to written, comprehensive house rules governing wagering transactions with patrons. Such house rules must be immediately available to patrons at a sports book's licensed premises. Without limiting the generality of the foregoing, the rules must specify the types of wagers accepted, how winning wagers will be paid, the effect of schedule changes, the redemption period for winning tickets, and the method of noticing odds or line changes

to patrons. House rules must state that wagers may be accepted at other than the currently posted terms, if applicable.

48.502

A licensed gaming establishment where a sports book is located, may award patron loyalty program points based on wagers placed by a patron, however, such points may only be redeemed in accordance with the rules of the program.

48.503

The Gaming Commission requires that the contracted sports betting supplier inform the Gaming Commission of changes to maximum payout gaming limits or house rules at the end of each day any changes are made, and will document and report to the Gaming Commission wagering limits and changes to maximum payout limits. Approval from the Gaming Commission is not required to move forward with changes, however the Gaming Commission reserves the right to modify or reject changes. The Gaming Commission shall notify the sports book supplier, in writing, of its decision to deny any requested changes to the gaming limits or house rules and such decision shall be considered a reviewable administrative decision, in accordance with the process and limitations of Section 13-1 (g) of this regulation.

48.504

A sports book shall not offer a specialized wagering proposition, or set or move its wagering odds, lines or limits, in an attempt to provide a benefit to a patron.

48.505

A sports book shall not set lines or odds, or offer wagering propositions, designed for the purposes of ensuring that a patron will win a wager or series of wagers.

48.506

Nothing in this section shall be interpreted to prohibit retail sports book from accepting anonymous sports wagers at self-service kiosks or point of sale terminals.

48.507

Readily available information at the sports betting operator's onsite sportsbook that contains the following:

- a. Information explaining how disputes are resolved.
- b. Problem gaming information that is designed to offer information pertaining to responsible gaming.
- c. Gaming Commission contact information.
- d. Information that allows a patron to choose to be excluded from engaging in sports wagering.

- e. Comprehensive house rules governing wagering transactions with patrons. Such house rules must be immediately available to patrons at a licensed facility's retail sports book. The rules must include, but not be limited to:
 - 1. The types of wagers accepted.
 - 2. How winning wagers will be paid.
 - 3. The effect of schedule changes.
 - 4. The redemption period for winning tickets.
 - 5. The method of noticing odds or line changes to patrons.

SUBCHAPTER 6: ISSUANCE AND CONTROL OF BETTING TICKETS

48.601

Immediately upon accepting a wager, other than a wager made through an electronic wagering account, the book shall create a betting ticket on which the terms of the wager are written. For all wagers, the sports book must have the capability to make a print, electronic or other approved record of the entire transaction. The sports book's record of a patron's confirmation of all wagers shall be deemed to be the transaction of record and such records shall be made available upon request.

48.602

Betting tickets must bear the name and address of the sports book and instructions on ticket redemption in person or by mail or other approved method.

SUBCHAPTER 7: ACCEPTANCE OF WAGERS

48.701

Sports books may not accept wagers unless made with cash, or other representatives of value approved by the Gaming Commission, or against credits made to a wagering account as approved by the Gaming Commission or on credit extended in accordance with the internal controls and the regulations of the Gaming Commission. A wagering account must be established by a patron with the licensee, and an initial verification of the account must be done in-person by a patron at the licensee's premises before the acceptance of any wager that will utilize a wagering account.

48.702

A sports book operating in accordance with this Regulation shall accept wagers only on its licensed premises, and only at betting stations or kiosks/terminals approved by the Gaming

Commission or through an on-site computerized wagering system that has been approved by the Gaming Commission.

- a. The surveillance system shall monitor and record a general overview of activities occurring at each betting station or kiosk/terminal with sufficient clarity to identify the activity and individual(s) performing it, including maintenance, drops, fills, and wagering activity.

48.703

A sports book shall not knowingly accept money or its equivalent ostensibly as a wager upon an event whose outcome has already been determined. A licensed sports book shall not accept a wager on an event unless the date and time at which the outcome of the event is determined can be confirmed from reliable sources satisfactory to the Gaming Commission or from records created and maintained by the sports book in such manner as the Gaming Commission may approve.

48.704

As part of its internal controls submission, a sports book shall provide the Gaming Commission with a catalog of the type of events that it intends to accept wagers on. The Gaming Commission reserves the right to prohibit the acceptance of wagers, and may order the cancellation of wagers and require refunds on any event for which wagering would be contrary to the policies of the Tribe.

48.705

No sports book, agent, or employee of a book may accept a wager from a person who the book, agent, or employee knows or reasonably should know is placing the wager for the benefit of another for compensation, or is placing the wager in violation of the Tribal-State Compact or federal law.

48.706

No sports book may hold a patron's money or its equivalent on the understanding that the book will accept the money as a wager only upon the occurrence of a specified, future contingency, unless a betting ticket documenting the wager and contingency is issued immediately when the sports book receives the money or its equivalent.

48.707

A sports book may not accept wagers on athletic events unless the wagering proposition is posted. Propositions may be posted by electronic or manual means, including printed media.

48.708

A sports book may not unilaterally rescind any wager without the prior written approval of the Gaming Commission.

SUBCHAPTER 8: WAGERS AND PAYOUTS EXCEEDING \$10,000.00

48.801

Prior to accepting any wager in excess of \$10,000.00 or making a payout in excess of \$10,000.00 on a winning wager the sports book shall:

- a. Obtain the patron's name;
- b. Obtain or reasonably attempt to obtain the patron's permanent address and Social Security Number;
- c. Obtain one of the following identification credentials from the patron;
 1. Driver's License;
 2. Passport;
 3. Non-resident alien identification card;
 4. Other reliable government issued identification credentials; or
- d. Other picture identification credential normally acceptable as a means of identification when cashing checks; and
- e. Examine the identification credential obtained to verify the patron's name, and to the extent possible, to verify the accuracy of the information obtained pursuant to Section 8-1 (b).

48.802

Subsequent to accepting a wager in excess of \$10,000.00 or making a payout in excess of \$10,000.00 on a winning wager the sports book shall record or maintain records that include:

- a. The patron's name;
- b. The patron's address;
- c. The patron's date of birth;
- c. The patron's Social Security Number;
- d. A description including any document number of the identification credential examined (or credential information on file for known patrons);
- e. The amounts of the wager and payout on the wager;

- f. Window numbers or other identification of the locations where the wager and payout on the wager occurred;
- g. The times and dates of the wager and payout on the wager;
- h. The names and signatures of the sports book employees accepting or approving the wager and payout on the wager; and
- i. Any other information as required by the Gaming Commission.

48.803

A sports book shall not implement alternative procedures to comply with this subsection without the written approval of the Gaming Commission.

48.804

Each sports book shall report the wagers and payments on winning wagers required to be recorded pursuant to this section, excluding any wagers and payments on winning wagers accepted from listed patrons, on a “Book Wagering Report,” a form published or approved by the Gaming Commission that includes, but is not limited to:

- a. The patron’s name;
- b. The patron’s identity credential information;
- c. The patron’s Social Security Number;
- d. Wager and payout amounts; and
- e. Date of transactions.

48.805

Reports shall be submitted to the Gaming Commission no later than fifteen (15) calendar days after the end of the month of the occurrence of the transaction and in such manner as the Gaming Commission may approve or require. Each sports book shall file an amended report if it obtains information to correct or complete a previously submitted report, and the amended report shall reference to the previously submitted report. Each sports book shall retain a copy of each report filed for at least three (3) years.

SUBCHAPTER 9: MULTIPLE WAGERS

48.901

A sports book and its employees and agents shall not knowingly allow, and each sports book shall take reasonable steps to prevent, the circumvention of Section 8 by multiple wagers within its

designated twenty-four (24) hour period with a patron or by the use of a series of wagers that are designed to accomplish indirectly, that which could not be accomplished directly. As part of a sports book's efforts to prevent such circumventions relative to Section 8 a sports book shall establish and implement wagering multiple transaction logs.

48.902

Each sports book shall record in a wagering multiple transaction log all wagers in excess of \$3,000.00, or in smaller amounts that aggregate in excess of \$3,000.00 when any single officer, employee, or agent of the sports book has actual knowledge of the wagers or would in the ordinary course of business have reason to know of the wagers between the sports book and a patron or a person who the sports book knows or has reason to know is the patron's confederate or agent. This record shall be made for wagers occurring during a designated twenty-four (24) hour period, within a monitoring area.

48.903

Each log entry in a wagering multiple transaction log shall be made by the employee accepting or approving the wager, immediately after accepting the wager, and shall include at a minimum:

- a. Description of the patron (or suspected agent), which may include such identifiers as age, sex, race, eye color, hair, weight, height and attire, if the person is present when the wager is accepted;
- b. Patron's name (or suspected agent's name), if known;
- c. Patron's date of birth;
- c. Window number or other identification of the location where the wager occurred;
- d. Time and date of the wager;
- e. Dollar amount of the wager; and
- f. Signature or electronic signature of person accepting or approving the wager.

48.904

One (1) log shall be maintained for each monitoring area, for each designated twenty-four (24) hour period. A log is completed for each twenty-four (24) hour period regardless of whether any wagers occurred. At the conclusion of each designated twenty-four (24) hour period, the last entry on the log shall be an indication that the end of the designated twenty-four (24) hour period has occurred. A sports book shall not implement alternative procedures or records to comply with this subsection without the written approval of the Gaming Commission.

48.905

Each sports book shall aggregate all wagers in excess of \$3,000.00 or smaller amounts when any single officer, employee, or agent of the sports book has actual knowledge of the wagers or would in the ordinary course of business have reason to know of the wagers between the sports book and a patron or a person who the sports book knows or has reason to know is the patron's confederate or agent during a designated twenty-four (24) hour period within a monitoring area.

48.906

Before completing a wager that, when aggregated with other wagers pursuant to Section 9-5, will aggregate to an amount that will exceed \$10,000.00, the sports book shall complete the identification and recordkeeping requirements described in Section 8-1. When aggregated wagers exceed \$10,000.00, the sports book shall complete the recording and reporting requirements of Section 8.

48.907

If a patron places a wager that pursuant to Section 9-5 is to be aggregated with previous wagers for which a record has been completed pursuant to this section or Section 8, the sports book shall complete the identification, recordation and reporting procedures described in Section 8 for any additional wager regardless of amount occurring during a designated twenty-four (24) hour period.

48.908

As used in this section:

- a. "Designated twenty-four (24) hour period" means the twenty-four (24) hour period ending at midnight each day unless otherwise approved by the Gaming Commission.
- b. "Monitoring area" means all sports book writing locations unless otherwise approved by the Gaming Commission.

SUBCHAPTER 10: STRUCTURED WAGERS

48.1001

As used in this section, "structure wagers" or "structuring wagers" means to willfully conduct or attempt to conduct a series of wagers in any amount, at one or more sports books, on one (1) or more days in any manner as to willfully evade or circumvent the recording and reporting requirements of Section 8. The wager or wagers need not exceed the dollar thresholds in Section 8 at any single book in any single day in order to constitute structuring within the meaning of this definition.

48.1002

A sports book, its officers, employees or agents shall not encourage or instruct the patron to structure or attempt to structure wagers. This subsection does not prohibit a sports book from informing a patron of the regulatory requirements imposed upon the book, including the definition of structured wagers.

48.1003

A sports book, its officers, employees or agents shall not knowingly assist a patron in structuring or attempting to structure wagers.

48.1004

In the event of a suspected structured wager, employees or agents shall file a suspicious activity report pursuant to Section 14 of these regulations.

SUBCHAPTER 11: PAYMENT OF WINNING WAGERS**48.1101**

Except as otherwise provided in this subsection, sports books shall make payment on a winning wager to the person who presents the patron's copy of the betting ticket representing the wager. A sports book need not make payment to a person who the sports book or an agent or employee of the sports book knows is not the person to whom the patron's copy was issued. A sports book shall not make payment on a winning wager to a person who the sports book or its agent or employee knows or reasonably should know is collecting the payment on behalf of another for monetary consideration or in violation of Tribal, state, or federal law. A sports book may withhold payment of a winning wager if the patron refuses to supply identification or any other documentation required by state or federal law.

48.1102

Sports books shall honor winning betting tickets for thirty (30) calendar days after the conclusion of the event wagered upon unless a longer period is established by the sports book. The sports book shall state the redemption period on each betting ticket, in-house rules, and on notices conspicuously placed about the licensed premises. Payment by mail shall be made only after presentment of the betting ticket and all identification information and documentation, including tax documentation, required in accordance with this regulation and Tribal law, and must be made not later than ten (10) calendar days after presentment.

SUBCHAPTER 12: COMPUTERIZED SPORTS BETTING EQUIPMENT AND SYSTEM REQUIREMENTS**48.1201**

Prior to operating onsite retail sports book, all sports betting equipment and systems used in conjunction with such operations must be tested, approved, and certified by an approved recognized testing laboratory in accordance with Gaming Commission Regulations. Sports betting equipment and systems must meet or exceed the technical standard of the state of Nevada or New Jersey. All certification or approval letters must identify that the testing standards meet or exceed the state of Nevada or New Jersey.

48.1202

The Gaming Commission shall give final approval to any sports betting equipment and system, prior to utilization.

48.1203

The accounting server(s) and data server(s) may be located off Tribal lands only if they are maintained at a facility which approved by the Gaming Commission and that:

- a. Has a regulator portal that allows the Tribe to verify the software installed on the serve, and
- b. Has a monitoring portal that allows the Tribe to view all betting activity.

48.1204

The Gaming Commission reserves the right to audit, inspect, access or confiscate any sports betting equipment (including servers housed off-site) and component of the sports betting system. Audits, inspections or access may be unannounced at the Gaming Commission discretion.

SUBCHAPTER 13: PROHIBITED WAGERS

48.1301

No wagers may be accepted or paid by any sports book on:

- a. Any amateur sport or athletic event other than;
 1. Olympic sporting or athletic events sanctioned by the International Olympic Committee, subject to limitation by the Gaming Commission; and
 2. Collegiate sporting or athletic events;
- b. Any sport or athletic event which the licensee knows or reasonably should know, is being placed by, or on behalf of a coach or participant in that event. Each licensee shall take reasonable steps to prevent the circumvention of this regulation;
- c. The outcome of any election for any public office; and
- d. Any event that the Gaming Commission deems to be contrary to the policies of the Tribe, a request for approval to accept wagers on such an event other than a horse race, greyhound race, or an athletic sports event shall be made by a book on such forms approved by the Gaming Commission, and shall include:
 1. A full description of the event and the manner in which wagers would be placed and winning wagers would be determined.

2. A full description of any technology which would be utilized to offer the event.
- e. Such other information or documentation which demonstrates that:
1. The event could be effectively supervised;
 2. The outcome of the event would be verifiable;
 3. The outcome of the event would be generated by a reliable and independent process;
 4. The outcome of the event would be unlikely to be affected by any wager placed;
 5. The event could be conducted in compliance with any applicable laws; and
 6. The granting of the request for approval would be consistent with the policy of the Tribe.
- f. Such additional or supplemental information as the Gaming Commission may require. The decision whether to grant approval to accept wagers on an event other than a horse race, greyhound race, or an athletic sports event shall be based on all relevant information including, but not limited to, the factors in Section 13-1 (e). The Gaming Commission may subject any technology that would be utilized to offer the event to such testing, investigation, and approval process as he/she deems appropriate.
- g. Decisions on requests for additional wagering events are reviewable by the Gaming Commission through the following process:
1. Upon the request of the licensee, the Director will refer the pending wagering event to the Gaming Commission for consideration at their regularly scheduled meeting provided there shall be at least ten (10) calendar days before the issue is presented in order to provide ample time to gather requested documents.
 2. The licensee shall have the opportunity to present the wagering event and any additional information requested by the Gaming Commission in order to make the determination.
 3. The Gaming Commission, after considering the recommendation and information presented, may grant, deny, limit, restrict or condition the application for any cause it deems reasonable and the decision of the Gaming

Commission shall be in the form of an Order. The Gaming Commission's decision shall be final and shall not be subject to any further administrative or judicial review.

- h. A sports governing body must provide advance notification to the Gaming Commission that it desires to restrict, limit, or exclude wagering on its sporting events.

SUBCHAPTER 14: REPORTS OF SUSPICIOUS WAGERS

48.1401

As used in this section, "suspicious wager" means a wager which a sports book licensee knows or in the judgment of it or its directors, officers, employees and agents has reason to suspect is being attempted or was placed:

- a. In violation of or as part of a plan to violate or evade any Tribal, federal, or state or regulation prohibiting wagering on any amateur non-collegiate or collegiate sport or athletic event;
- b. In violation of or as part of a plan to violate or evade any Tribal, federal, or state law or regulation prohibiting wagering by, or on behalf of, a coach or participant in a sport or athletic event;
- c. The suspicious activity report shall include the record of:
 - 1. The patron's name;
 - 2. The patron's address;
 - 3. The patron's date of birth;
 - 4. The patron's Social Security Number;
 - 5. A description including any document number of the identification credential examined (or credential information on file for known patrons);
 - 6. The amounts of the wager and payout on the wager;
 - 7. Window numbers or other identification of the locations where the wager and payout on the wager occurred;
 - 8. The times and dates of the wager and payout on the wager;
 - 9. The names and signatures of the sports book employees accepting or approving the wager and payout of the wager; and

10. Any other information as required by the Gaming Commission.
- d. Has no business or apparent lawful purpose or is not the sort of wager which the particular patron would normally be expected to place, and the sports book licensee knows of no reasonable explanation for the wager after examining the available facts, including the background of the wager; or
- e. With knowledge or intent to violate the integrity of the sport in which it was placed. Wagers that indicate cheating, manipulation, or interference with the regular conduct of sport shall also trigger the reporting requirements of Section 25.

48.1402

A sports book licensee:

- a. Shall file with the Gaming Commission, by using a form developed by the Gaming Commission, a report of any suspicious wager, if it involves or aggregates to more than \$5,000.00 in funds or other assets; and
- b. May file a report of any suspicious wager, regardless of the amount if the licensee believes it is relevant to the possible violation of any law or regulation.
- c. The report referenced in Section 14-2 (b) shall be filed no later than five (5) calendar days after the initial detection by the licensee of facts that may constitute a basis for filing such a report. If no suspect was identified on the date of the detection of the incident requiring the filing, a licensee may delay filing a report for an additional five (5) calendar days to identify a suspect. In no case shall reporting be delayed more than ten (10) calendar days after the date of initial detection of a reportable transaction. In situations involving violations that require immediate attention, the licensee shall immediately notify, by telephone, appropriate staff of the Gaming Commission in addition to timely filing a report.
- d. A licensee shall maintain a copy of any report filed and the original or business record equivalent of any supporting documentation for a period of no less than five (5) years from the date of filing the report. Supporting documentation shall be identified, and maintained by the licensee as such, and shall be deemed to have been filed with the report. A licensee shall make all supporting documentation available to the Gaming Commission and any appropriate law enforcement agencies upon request.
- e. A licensee and its directors, officers, employees, or agents who file a report pursuant to this regulation shall not notify any person involved in the transaction that the transaction has been reported. Any report filed with the Gaming Commission is confidential and may be disclosed only by the Gaming Commission in the necessary administration of its duties and responsibilities under the Gaming Ordinance. Any

report, whether written or oral, is absolutely privileged under the Gaming Ordinance and does not impose liability for defamation or constitute a ground for recovery in any civil action.

SUBCHAPTER 15: COMMUNICATIONS TECHNOLOGY

48.1501

Before installing or permitting the installation of any communications technology on the premises of a sports book, the sports book shall notify the Gaming Commission in writing of the location and number or other identifier of each communications technology and shall obtain the written approval of the Gaming Commission for each communications technology. The Gaming Commission may condition the approval in any manner they deem appropriate.

48.1502

Before a sports book accepts any wagering communications, the sports book must obtain the written approval of the Gaming Commission to accept such wagering communications and wagering instructions, and thereafter use only the communications technology approved for that purpose. The sports book must obtain written permission from the Gaming Commission by July 1st of each calendar year to continue using the communications technology.

48.1503

As a condition to the granting of the privilege of having communications technology upon the licensed premises, the sports book shall be deemed to have consented to the authority of the Gaming Commission to require the immediate removal of any communications technology from the licensed premises at any time without prior notice of hearing. After any such removal, the sports book may request a hearing as to whether or not circumstances may warrant the permanent revocation of the privilege of having communications technology upon the premises.

48.1504

Upon the request of the Gaming Commission, a sports book shall provide a written consent for the Gaming Commission to examine and copy the records of any telephone, telegraph, or other communications company or utility that pertain to the operation of the sports book.

SUBCHAPTER 16: SPORTS BETTING BY ELECTRONIC MEANS

48.1601

Notwithstanding any other provision of these regulations to the contrary, the Gaming Commission may authorize electronic wagering to be conducted within an approved gaming facility on mobile devices as approved by the Gaming Commission.

48.1602

Approved mobile gaming requires, at a minimum, the following:

- a. The patron shall establish a patron deposit account through the property where mobile gaming will be conducted, and an initial verification of the account must be done in person by a patron at the licensee's premises before the acceptance of any wager that will utilize mobile wagering;
- b. Mobile wagers shall only be placed by a patron who is physically located within the gaming facility; and
- c. The Gaming Commission authorizes the device application for mobile gaming; provided that the Gaming Commission may establish any additional or more stringent licensing and other regulatory requirements necessary for the proper implementation and conduct of mobile gaming as authorized herein.

48.1603

For the purposes of this provision, the approved facility shall include any area located within the property boundaries of the gaming facility that the Gaming Commission determines is legal for gaming. This shall not include parking garages or parking areas of the gaming facility.

48.1604

The Director shall ascertain and ensure, pursuant to rules and regulations issued by the Gaming Commission to implement mobile gaming pursuant to this provision, that mobile gaming shall not extend outside of the property boundaries of the gaming facility authorized under the Facility License issued by the Gaming Commission.

SUBCHAPTER 17: ACCOUNTING

48.1701

Each licensee shall prepare and maintain in a manner suitable to the Gaming Commission, complete and accurate accounting records which includes the amount wagered at each sports book, the gross revenue generated from wagers, and required taxes paid.

48.1702

The gross gaming revenue "win" shall mean the net win from gaming activities conducted by a gaming enterprise, which is the difference between gaming wins and losses before deducting costs and expenses, determined in accordance with GAAP.

SUBCHAPTER 18: GLOBAL RISK MANAGEMENT

48.1801

A sports book engaging in global risk management may provide direction, management, consultation, and/or instruction to the operator of a wagering sports book located in a permissible jurisdiction concerning:

- a. The management of risks associated with a wagering sports book for a race or sporting event or any other event for which the wagering sports book is permitted to accept wagers;
- b. The determination of where lines, point spreads, odds, or other activity relating to betting or wagering are initially set and the determination of whether to change such lines, point spreads, odds, or other activity relating to betting or wagering;
- c. Whether or not to accept or reject bets or wagers, to book bets or wagers, or to lay off bets or wagers;
- d. The use, transmittal, and accumulation of information and data for the purpose of providing global risk management; and
- e. Any other activity associated with a wagering sports book if approved in writing by the Gaming Commission prior to a book commencing direction, management, consultation, and/or instruction concerning the activity.

48.1802

A sports book which intends to provide global risk management shall:

- a. Enter into a written agreement to provide global risk management with any operator of a wagering sports book to which the book proposes to provide global risk management. A copy of such executed agreement with an operator of a wagering sports book located outside of Michigan shall be provided to the Gaming Commission no later than the date on which the sports book commences global risk management for the operator of the wagering sports book;
- b. Provide details to the Gaming Commission regarding any permissible jurisdiction other than Michigan where the sports book intends to provide global risk management no later than the date on which the sports book commences global risk management in such permissible jurisdiction;
- c. No later than the date on which a sports book commences global risk management, submit the sports book's systems of accounting and internal control utilized for global risk management to the Gaming Commission. Such systems must include provisions for complying with all federal laws and regulations; and
- d. Provide such other information as the Gaming Commission may require concerning global risk management.

SUBCHAPTER 19: RETAIL SPORTS BETTING INTERNAL CONTROLS

48.1901

Provide for reliable accounting controls, including the standardization of forms and definition of terms to be utilized in the sports wagering operations.

48.1902

Procedures, forms and, where appropriate, formulas to govern the following:

- a. Calculation of hold percentages.
- b. Revenue drops.
- c. Expense and overhead schedules.
- d. Complimentary services.
- e. Cash-equivalent transactions.

48.1903

Job descriptions and the system of personnel and chain of command, establishing a diversity of responsibility among employees engaged in sports wagering operations, including employees of a sports book and identifying primary and secondary management and supervisory positions for areas of responsibility.

48.1904

Procedures for the registration of patrons and establishment of patron wagering accounts, including a procedure for authenticating the age, identity and physical address of an applicant for a patron wagering account and whether the applicant is a person prohibited from establishing or maintaining an account under applicable laws or regulations.

48.1905

Procedures for terminating a registered patron's wagering account and the return of any funds remaining in the patron wagering account to the registered patron.

48.1906

Procedures for suspending or terminating a dormant patron wagering account and the return of any funds remaining in the dormant sports wagering account to the registered patron.

48.1907

Procedures for the logging in and authentication of a registered patron in order to enable the patron to commence sports wagering and the logging off of the registered patron when the patron has completed play, including a procedure to automatically log a registered patron out of the patron's sports wagering account after a specified period of inactivity.

48.1908

Procedures for the crediting and debiting of a registered patron's wagering account.

48.1909

Procedures for cashing checks, receiving electronic negotiable instruments and for redeeming cash equivalents.

48.1910

Procedures for withdrawing funds from a patron deposit account by the registered patron.

48.1911

Procedures for the protection of registered patrons' funds, including the segregation of a registered patron's funds from operating funds of the sports betting operator.

48.1912

Procedures for recording transactions pertaining to sports wagering.

48.1913

Procedures for the security and sharing of personal identifiable information of a registered patron, funds in a sports wagering account and other information as required by the Gaming Commission. The procedures shall include the means by which a sports book will provide notice to a registered patron related to the sharing of personal identifiable information.

48.1914

Procedures and security for the calculation and recordation of revenue.

48.1915

Procedures for the security of sports wagering devices and associated equipment.

48.1916

Procedures for the utilization and security of mobile application(s).

48.1917

Procedures and security standards as to receipt, handling and storage of sports wagering devices and associated equipment.

48.1918

Procedures and security standards to protect and respond to suspected or actual hacking or tampering by any person with the sports betting operator's mobile application, sports wagering devices and associated equipment.

48.1919

Procedures to verify each registered patron's physical location each time a registered patron logs into his/her sports wagering account and at appropriate intervals thereafter as determined by the Gaming Commission.

48.1920

Procedures and appropriate measures implemented to deter, detect and, to the extent possible, to prevent cheating, including collusion, and use of cheating devices, including the use of software programs that make wagers according to algorithms.

48.1921

Procedures to govern emergencies, including suspected or actual cyber-attacks, hacking or tampering with the sports wagering website, sports wagering devices, and associated equipment. The procedures shall include the process for the reconciliation or repayment of a registered patron's sports wagering account.

48.1922

The submission required under Section 19-1 and Section 19-2 shall include a detailed description of the sports betting operator administrative and accounting procedures related to sports wagering, including its written system of internal controls. Each written system of internal controls shall include:

- a. An organizational chart depicting appropriate functions and responsibilities of employees involved in sports wagering.
- b. A description of the duties and responsibilities of each position shown on the organizational chart.
- c. The record retention policy of the sports betting operator.
- d. The procedure to be utilized to ensure that money generated from the conduct of sports wagering is safeguarded and accounted for.
- e. Procedures to ensure that recorded accountability for assets is compared with actual assets at intervals required by the Gaming Commission and appropriate action is taken with respect to discrepancies.
- f. Procedures to be utilized by an employee of a sports betting operator in the event of a malfunction of sports wagering devices and associated equipment used in the conduct of sports wagering.
- g. Procedures to be utilized by the sports betting operator to prevent persons under the age of eighteen (18), self-excluded or involuntary excluded individuals, and patrons outside the gaming facility from engaging in sports betting.

- h. Other items the Gaming Commission may request in writing to be included in the internal controls.

48.1923

Prior to authorizing a sports betting operator to commence the conduct of sport wagering, the Gaming Commission shall review and approve the system of internal controls, security protocols and audit protocols submitted under this chapter to determine whether they conform to the requirements of this chapter and whether they provide adequate and effective controls for the conduct of sports wagering.

48.1924

If a sports betting operator intends to make a change or amendment to its system of internal controls, it shall submit the change or amendment electronically to the Gaming Commission, in a manner prescribed by the Gaming Commission. The sports betting operator may implement the change or amendment upon receipt of written notice approving the change or amendment in accordance with this chapter or written notice from the Gaming Commission rejecting the change or amendment.

48.1925

If the Gaming Commission preliminarily determines that a procedure in a submission contains an insufficiency likely to negatively affect the integrity of sports wagering or the control of revenue generated from sports wagering, the Gaming Commission, by written notice to the sports betting operator, will:

- a. Specify the nature of the insufficiency and, when possible, an acceptable alternative procedure.
- b. Direct that any internal controls at issue not be implemented until approved under this chapter.
- c. Examples of submissions that may contain an insufficiency likely to negatively affect the integrity of sports wagering may include, but are not limited to, the following:
 - 1. Submissions that fail to provide information sufficient to permit the review of sports wagering activities by the Gaming Commission.
 - 2. Submissions that fail to provide for the segregation of incompatible functions so that no employee is in a position to both commit an error or perpetrate a fraud and to conceal the error or fraud in the normal course of the employee's duties.

3. Submissions that do not include forms or other materials referenced in the submission or required under the regulation.
4. Submissions that would implement operations or accounting procedures not authorized by this Regulation.

48.1926

Whenever a change or amendment has been approved under this regulation, the sports betting operator may submit a revised change or amendment within thirty (30) calendar days of receipt of the written notice from the Gaming Commission. The sports betting operator may implement the revised change or amendment upon receipt of written notice of approval from the Gaming Commission.

48.1927

A sports betting operator shall submit to the Gaming Commission a catalog of the type of events that it intends to accept wagers on as well as the type of wagers it intends to accept. A sports betting operator shall notify the Gaming Commission of any changes to the catalogue at least five (5) calendar days in advance of implementation of such changes. A sports betting operator must maintain a catalogue of all prior and current events and the types of wagers it offered on such events.

SUBCHAPTER 20: TERMS AND CONDITIONS REQUIREMENTS

48.2001

Nothing in this section shall be interpreted to prohibit retail sports book from accepting anonymous sports wagers at self-service kiosks or point of sale terminals.

48.2002

A sports betting operator shall develop terms and conditions for sports wagering which shall be included in the internal controls. The terms and conditions and any changes thereto must be acknowledged by the patron and the acknowledgment must be date and time-stamped by the sports wagering system.

48.2003

The terms and conditions must address all aspects of the sports wagering operation, including but not limited to, the following:

- a. Name of the party or parties with whom the patron is entering into a contractual relationship, including any sports betting operator.
- b. Patrons' consent to have the sports betting operator confirm the patron's age and identity.

- c. Rules and obligations applicable to the patron other than rules of sports wagering including, but not limited to:
1. Prohibition from allowing any other person to access or use his/her sports wagering account.
 2. Prohibition from engaging in sports wagering activity, unless the patron is physically located within the gaming facility.
 3. Consent to the monitoring and recording by the sports betting operator and/or the Gaming Commission of any wagering communications and geographic location information.
 4. Consent to the jurisdiction of the Sault Ste. Marie Tribe of Chippewa Indians to resolve any disputes arising out of sports wagering.
 5. Prohibition against utilizing automated computerized software or other equivalent mechanism to engage in sports wagering.
 6. Full explanation of all fees and charges imposed upon a patron related to sports wagering transactions.
 7. Availability of account statements detailing patron account activity.
 8. Privacy policies, including information access and use of customer data.
 9. Legal age policy, including a statement that it is a criminal offense to allow a person who is under the age of eighteen (18) to participate in sports wagering and a patron who does so shall be prohibited from participating in sports wagering.
 10. Notification that if the patron's sports wagering account remains dormant for a period of one (1) year any funds remaining on deposit and any pending wagers may be forfeited pursuant to applicable Tribal, federal, and state laws.
 11. Patron's right to set responsible gaming limits and self-exclude.
 12. Patron's right to suspend his/her sports wagering account for a period of no less than seventy-two (72) hours.
 13. Actions that will be taken in the event a patron becomes disconnected from the sports wagering system during active betting.

14. Notice that a malfunction voids all transactions.
15. Estimated time-period for withdrawal of funds from the patron deposit account.
16. Detailed information regarding compulsive and problem gaming and self-exclusion to be displayed on a patron protection page.
17. Method for changing or retrieving a password or other approved access security feature and the ability to choose “strong authentication” log in protection.
18. Method for filing a complaint with the sports betting operator and method for filing with the Gaming Commission an unresolved complaint after all reasonable means to resolve the complaint with the sports betting operator have been exhausted in accordance to Chapter 42 of the Tribal Code.
19. Method for obtaining a copy of the terms and conditions agreed to when establishing a patron deposit account.
20. Method for the patron to obtain account and wagering history from the sports betting operator.
21. Notification of Federal prohibitions and restrictions regarding sports wagering activity, specifically, any limitations upon sports wagering activity as set forth in 18 U.S.C. §§ 1084 et seq. (The Wire Act) and 31 U.S.C. §§ 3163 through 3167 (UIEGA). The notice shall explicitly state that it is a federal offense for persons physically located outside of the gaming facility to engage in sports wagering activity through a sports betting operator, unless explicitly authorized by state or federal law.
22. Any other information as required by the Gaming Commission.

SUBCHAPTER 21: INFORMATION TO BE DISPLAYED/PROVIDED

48.2101

A sports betting operator shall provide for the prominent display of the following information at the sports wagering onsite sports book:

- a. The full name of the sports betting operator and, as applicable, the sports betting operator and address from which it carries on business.

- b. The Facility License issued by the Gaming Commission.
- c. A statement that persons under the age of eighteen (18) are not permitted to engage in sports wagering.

SUBCHAPTER 22: SEGREGATION OF BANK ACCOUNTS

48.2201

A sports betting operator shall maintain an account, owned by the operator, and as designated by the operator from time to time for its use, for patron's funds separate from all other operating accounts to ensure the security of funds held in the patron deposit accounts.

48.2202

The balance maintained in this account shall be greater than or equal to the sum of the daily ending cashable balance of all patron deposit accounts and unpaid wagers.

48.2203

A sports betting operator shall have unfettered access to all patron sports wagering account and transaction data to ensure the amount of funds held in its independent account is sufficient. A sports betting operator's Director of Finance shall file a monthly attestation with the Gaming Commission, unless otherwise directed by the Gaming Commission, that the funds have been safeguarded pursuant to this section.

SUBCHAPTER 23: SPORTS BETTING OPERATOR'S ORGANIZATION

48.2301

A sports betting operator's systems of internal controls must include organization charts depicting segregation of functions and responsibilities and descriptions of the duties and responsibilities for each position shown on each organization chart. The sports betting operator shall be permitted, except as otherwise provided in this section, to tailor organizational structures to meet the needs or policies of a particular management philosophy. A sports betting operator's organization charts must provide for:

- a. A system of personnel and chain of command which permits management and supervisory personnel to be held accountable for actions or omissions within their areas of responsibility.
- b. The segregation of incompatible functions, duties and responsibilities so that no employee is in a position to both commit an error or perpetrate a fraud and to conceal the error or fraud in the normal course of the employee's duties.
- c. The performance of all functions, duties and responsibilities in accordance with sound financial practices by qualified personnel.

- d. The areas of responsibility which are not so extensive as to be impractical for an individual to monitor.

48.2302

Each sports book shall employ or engage the services of a sports wagering manager, or similar employee, with experience and expertise in the operations of a sports book.

48.2303

In addition to other positions required as part of a sports betting operator's internal controls, a sports betting operator must maintain an Information Technology Department supervised by an individual and licensed as a Primary Management Official who functions, for regulatory purposes, as the Information Technology Director. In addition, sports betting operators must employ an Information Technology Security Officer and, if the operator offers sports through a mobile application, an Interactive Gaming Manager.

48.2304

The Information Technology Director of the sports betting supplier shall be responsible for compliance with the requirements of Tribal Gaming Laws, Ordinances, and as well as the integrity of all data, the quality, reliability, and accuracy of all computer systems and software used by the sports betting operator in the conduct of sports betting activities, whether such data and software are located within or outside operator's facility, including, without limitation, specification of appropriate computer software, hardware, and procedures for security, physical integrity, audit, and maintenance of:

- a. Access codes and other computer security controls used to insure appropriately limited access to computer software and data.
- b. Monitoring logs of user access, security incidents and unusual transactions.
- c. Logs used to document and maintain the details of any hardware and software modifications.
- d. Computer tapes, disks, or other electronic storage media containing data relevant to sports wagering operations.
- e. Computer hardware, communications equipment and software used in the conduct of sports wagering.

48.2305

The Information Technology Security Officer of the sports betting supplier shall report to the Information Technology Director of the sports betting supplier and be responsible for the following:

- a. Maintaining access codes and other computer security controls used to insure appropriately limited access to computer software and data.
- b. Reviewing logs of user access, security incidents, and unusual transactions.
- c. Coordinating the development of the sports betting operator's information security policies, standards, and procedures.
- d. Coordinating the development of an education and training program on information security and privacy matters for employees and other authorized users.
- e. Ensuring compliance with all Tribal and federal information security policies and rules.
- f. Preparing and maintaining security-related reports and data.
- g. Working with internal and external audit personnel to ensure all findings are addressed in a timely and effective manner.
- h. Developing and implementing an Incident Reporting and Response System to address security breaches, policy violations, and complaints from external parties.
- i. Serving as the official contact for information security and data privacy issues, including reporting to law enforcement.
- j. Developing and implementing an ongoing risk assessment program that targets information security and privacy matters by identifying methods for vulnerability detection and remediation and overseeing the testing of those methods.
- k. Remaining current with the latest information technology security and privacy legislation, rules, advisories, alerts, and vulnerabilities to ensure the sports betting operator's security program and security software is effective.

48.2306

As requested by the Gaming Commission, the contracted sports betting supplier shall provide proof of compliance with tribal laws and all IT and security protocols to the Gaming Commission.

SUBCHAPTER 24: RISK MANAGEMENT

48.2401

A sports betting operator shall implement risk management procedures. Such procedures may be provided in-house or by an independent third party.

48.2402

A sports betting operator's internal controls must contain a description of its risk management framework, including but not limited to:

- a. Automated and manual risk management procedures.
- b. User access controls for all sports book personnel.
- c. Information regarding segregation of duties.
- d. Information regarding fraud detection.
- e. Controls ensuring regulatory compliance.
- f. Description of anti-money laundering compliance standards, that are compliant with Tribal Gaming Ordinances and the System of Internal Controls of the Tribal Gaming Establishments and Kewadin Casinos.
- g. Description of all software applications that comprise the sports wagering system.
- h. Description of all types of wagers available to be offered by the sports wagering system.
- i. Description of all integrated third-party systems.
- j. Any other information required by the Gaming Commission.

SUBCHAPTER 25: INTEGRITY MONITORING

48.2501

A sports betting operator must implement integrity monitoring procedures. Such procedures may be provided in-house or by an independent third party.

48.2502

A sports betting operator shall file as soon as reasonably possible, but in no case more than twelve (12) hours, an integrity alert report detailing the suspicious activity with:

- a. Other sports wagering suppliers or sports betting operators.
- b. The Gaming Commission.

- c. Applicable sports governing bodies/leagues.

48.2503

A sports betting operator must submit a quarterly report to the Gaming Commission detailing its integrity monitoring services and summarizing any unusual betting activity or other suspicious activity notifications issued during that time period.

48.2504

A sports betting operator receiving a report of unusual betting activity or suspicious activity is permitted to suspend wagering on events related to the report and may only cancel related wagers pursuant to procedures previously approved by the Gaming Commission.

48.2505

A sports betting operator must provide the Gaming Commission with access to its integrity monitoring system which shall provide at a minimum:

- a. All reports of unusual betting activity.
- b. If the activity was determined to be suspicious.
- c. The actions taken by the sports betting operator.

48.2506

Licensees shall adopt approved internal controls to identify wagers which may indicate cheating, manipulation, interference with the regular conduct of sport, or violations of the integrity of any sport on which wagers were made.

48.2507

If a licensee receives notice of suspicious activity at another property, they must respond within twelve (12) hours to confirm or deny similar betting trends and activity.

48.2508

In the event of generating or receiving an alert, the licensees affected shall maintain all relevant information regarding the bet and the bettor.

48.2509

Information contained in alerts may be shared with law enforcement, sports governing bodies, or other entities as deemed necessary by the Director to maintain the integrity of wagering at the Kewadin Casinos. A licensee and its directors, officers, employees, or agents shall maintain the confidentiality of information provided the licensee, unless disclosure is required by the Gaming Commission or court order.

48.2510

The Gaming Commission may impose any additional conditions reasonably necessary on a licensee to address risks to the integrity of sport and sports betting.

SUBCHAPTER 26: RECORDS/DATA RETENTION REQUIREMENTS**48.2601**

Sports books shall create and maintain the records and reports required by this regulation in such manner and using such forms as the Gaming Commission may require or approve. The Gaming Commission may require sports books to create and maintain such other records and reports as are necessary or convenient for strict regulation of sports books. Except as otherwise provided in this regulation, sports books shall preserve the records required by this regulation for no less than five (5) years after they are made.

SUBCHAPTER 27: REQUIRED REPORTS**48.2701**

Nothing in this section shall be interpreted to prohibit onsite sports book from accepting anonymous sports wagers at self-service kiosks or point of sale terminals. Such wagers should be included in the required reports detailed in this section and identified as “anonymous patron” or a similar identifier.

48.2702

A sports betting operator must generate reports specific to its sports wagering operations as specified by the Gaming Commission that shall include, at a minimum:

- a. The report title.
- b. The date or time period of activity, or description “as of” a point in time.
- c. The date and time the report was generated.
- d. Page numbering, indicating the current page and total number of pages.
- e. Subtotals and grand totals as required by the Gaming Commission.
- f. A description of any filters applied to the data presented in the document.
- g. Column and row titles, if applicable.
- h. The name of the sports betting operator.

48.2703

All required reports shall be generated by the sports betting operator, even if the period specified contains no data to be presented. The report generated shall indicate all required information and contain an indication of “No Activity” or similar message if no data appears for the period specified.

48.2704

The sports betting operator shall provide a mechanism to export the data generated for any report to a format approved by the Gaming Commission and as often as required by the Gaming Commission.

48.2705

A sports wagering system shall generate, at a minimum, the following reports:

- a. A “Patron Deposit Account Transaction Report” which shall include:
 1. Date of activity.
 2. Patron’s name and account number.
 3. Date and time patron’s session started.
 4. Unique transaction number.
 5. Type of event (e.g., Super Bowl 2020).
 6. Date and time of each transaction.
 7. Amount of each transaction.
 8. Type of each transaction (e.g., deposit, withdrawal, adjustment, etc.).
 9. Method of deposit/withdrawal (e.g., cash, debit instrument, prepaid access instrument or credit card, personal check, cashier’s check, wire transfer, money order and transfer to/from account).
 10. User ID and employee name handling the transaction, if assisting patron.
 11. Amount of outstanding account balance before and after each transaction.
 12. Date and time patron session ended.
 13. Subtotals by transaction type.

14. Ending account balance at the end of the patron's session.
- b. A "Patron Deposit Account Balance Summary Report" which shall include:
1. Date of activity.
 2. Patron's name and account number.
 3. Status of account (e.g., active, inactive, closed, suspended, etc.).
 4. Date account was opened.
 5. Date registration information provided by patron.
 6. Date registration information verified by sports wager certificate holder or sports betting operator licensee.
 7. Date of last activity.
 8. Amount of beginning account balance.
 - A. Total amount of deposit transactions.
 - B. Total amount of withdrawal transactions.
 - C. Total amount of account adjustment transactions.
 - D. Amount of ending account balance.
- c. A "Daily Sports Wagering Patron's Funds Transaction Report" which shall include:
1. Patron's name and account number.
 2. Amount of beginning account balance.
 3. Unique transaction number.
 4. Date and time of deposit/withdrawal or account balance adjustment.
 5. Amount of deposit/withdrawal or account balance adjustment.
 6. Nature of deposit/withdrawal (e.g., cash, debit instrument, prepaid access instrument or credit card, personal check, cashier's check, wire transfer, money order and transfer to/from casino account).

7. Reason/description of adjustment to account balance, if applicable.
 8. User ID and name of employee handling the deposit, withdrawal or account balance adjustment transaction, if assisting authorized patron.
 9. User ID and name of supervisor authorizing an adjustment to account balance, if applicable.
 - A. Totals for each type of transaction.
 - B. Amount of ending balance.
- d. A “Daily Sports Wagering Account Adjustment Report” which shall include:
1. Patron’s name and account number.
 2. Date and time of account balance adjustment.
 3. Unique transaction number.
 4. User ID and name of employee handling the account balance adjustment transaction, if applicable.
 5. User ID and name of supervisor authorizing an adjustment to account balance.
 - A. Amount of account balance adjustment.
 - B. Type of account adjustment.
 - C. Reason/description of adjustment to account balance.
- e. A “Sports Wagering Game Play Report” which shall include:
1. Date of activity.
 2. Sport event name.
 3. Date and time session started for gaming day.
 4. Date and time for each session transaction.

5. Type of session transaction.
 6. Amount of session transaction.
 7. Compensation amount collected by sports wager certificate holder or sports betting operator licensee.
 8. Amount of jackpot win, if applicable.
 9. Other amounts collected by sports wagering certificate holder or sports wagering operator licensee.
 10. Description of other amounts collected.
 11. Amounts refunded.
 12. Description of amounts refunded.
 13. Date and time session ended for gaming day.
 14. Total amount by transaction type.
- f. A “Sports Wagering Revenue Report” which shall include:
1. Date.
 2. Type of event.
 3. Total wagered.
 4. Other amounts collected by sports wagering certificate holder or sports wagering operator licensee.
 - A. Description of other amounts collected.
 - B. Amounts refunded.
 - C. Description of amounts refunded.
- g. A “Sports Wagering Revenue Deposit Report” which shall include:
1. Month/year of activity.

2. Bank account number.
3. Date of deposit.
4. Amount of gaming day revenue collected by the sports wagering certificate holder or sports betting operator licensee.

SUBCHAPTER 28: PATRON DEPOSIT ACCOUNTS

48.2801

A sports betting operator's sports wagering system must comply with the patron deposit account requirements in the Tribal Code or as Designated by the Gaming Commission.

SUBCHAPTER 29: PROMOTIONS AND TOURNAMENTS

48.2901

A sports betting operator must comply with the promotions and tournament provisions of Gaming Commission Regulations regarding its onsite and mobile application sports books, including but not limited to, those provisions that require licensees to submit all promotions and tournament information to the Gaming Commission fifteen (15) calendar days in advance.