

ST. CROIX CHIPPEWA INDIANS OF WISCONSIN
BINGO CONTROL ORDINANCE

It Ordained By the Tribal Council of the St. Croix Chippewa Indians of Wisconsin:

Section 1.0: INTRODUCTION.

1.1 TITLE - This Ordinance shall be known as the St. Croix Tribal Bingo Control Ordinance.

1.2 AUTHORITY - This Ordinance is enacted pursuant to Article V. Section D. of the Constitution and By Laws of the St. Croix Chippewa Indians of Wisconsin. Referendum by voters.

1.3 PURPOSE - The purpose of this ordinance is to regulate the conduct of Bingo, raffles and other games of chance conducted by members of the St. Croix Chippewa Indians of Wisconsin on the St. Croix Indian Reservation.

1.4 EFFECTIVE DATE - This Ordinance shall be effective on the date of enactment by the St. Croix Tribal Council.

1.5 ABROGATION AND GREATER RESTRICTIONS - Where this Ordinance imposes greater restrictions than those contained in other tribal ordinances, the provisions of this ordinance shall govern.

1.6 INTERPRETATION - In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the Tribe and shall not be deemed a limitation or repeal of any other tribal power or authority.

1.7 SEVERABILITY AND NON-LIABILITY - If any section, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby. The Tribe asserts there is no liability on the part of the St. Croix Chippewa Indians of Wisconsin, its agencies, or employees for damages that may occur as a result of reliance upon, and conformance with this ordinance.

1.8 All other Ordinances or parts of ordinances of the Tribe inconsistent or conflicting with this ordinance to the extent of the inconsistency only, are hereby repealed.

Section 2.0 DEFINITIONS

2.1 GENERAL DEFINITIONS - For the purpose of this Ordinance, the following definitions shall be used. - Words used in the present tense include the future; the singular includes the plural; the plural includes the singular. The word "shall" is mandatory and the word "May" is permissive.

Section 2.20 SPECIFIC WORDS AND PHRASES.

2.210 "BINGO MANAGER" means a person hired and supervised by the St. Croix Tribal Council to conduct, organize and supervise all bingo occasions sponsored by the St. Croix Tribal Council.

2.211 "Bingo" means a game of chance in which 75 numbered objects are available for random selection and in which each player participates by means of cards sold, rented or used only at the time and place of the game. Each card contains 5 rows of 5 spaces each, each space printed with a number from 1 to 75, except the center space which is marked "free". Winners are determined and prizes awarded on the basis of possessing a bingo card on which some combination of numbers are printed and conform to the numbered objects selected at random based on a predetermined winning arrangement.

2.212 "Bingo Occasion" means a single gathering or session at which a series of successive bingo games are played.

2.213 "Bingo Supplies and Equipment" means all cards, boards, sheets, markers, pads or other supplies or other equipment designed for the use in the play of Bingo.

2.214 "Total Receipts" means total receipts received from the conduct of Bingo.

2.215 "St. Croix Tribal Council" means the governing body of the St. Croix Chippewa Indians of Wisconsin elected pursuant to the St. Croix Constitution and Bylaws.

2.216 "Premise" means any tribal building, room, hall, enclosure, tent or outdoor area in which bingo is being played on tribal land.

2.217 "Profit" means the gross receipts collected from one or more bingo occasions. Less reasonable sums necessary and actually expended for conducting bingo, bingo supplies, equipment, prizes or utilities.

2.218 "Bingo Card" means a disposable or nondisposable card issued to a person upon payment of the admissions fee which afford a person the opportunity to participate in all bingo games played at a bingo occasion.

2.219 "Trust Land" means land held in trust by the United States Government for the St. Croix Chippewa Indians of Wisconsin.

2.220 "Tribal Organization" means any organization duly recognized by the St. Croix Chippewa Indians of Wisconsin.

2.221 "Removal for Cause" means terminating the employment of any person connected with any aspect of the St. Croix Bingo operations for a) behavior or conduct which may in any way affect local perceptions of the St. Croix bingo enterprise in a negative manner, causing suspicion to be raised as to the actual conduct of bingo, and which may lead to an inordinate decline in revenues actually received from the bingo operations. b) direct noncompliance with any rule or regulations pertaining to bingo control, or causing another either directly or indirectly to disregard such rules and regulation pertaining to this Bingo Ordinance.

Section 3.0 BINGO MANAGER

3.1 There is hereby established the position of St. Croix Bingo Manager.

3.2 The St. Croix Bingo Manager shall be appointed by the St. Croix Tribal Council and may be removed for cause by the St. Croix Tribal Council. The St. Croix Bingo Manager shall be supervised by the St. Croix Tribal council.

5.304 The announcement of all numbers drawn shall be clearly audible to the players present.

5.305 Once removed, no object shall be returned to the receptacle until after the conclusion of the game.

5.306 The receptacle and caller shall be visible to the majority of players at all times.

5.32 VERIFICATION OF WINNER:

5.321 The numbers appearing on the winning card at the time a winner is determined shall be verified in the immediate presence of at least one disinterested player.

5.322 At the time a winner is determined, any player may call for a verification of all numbers and of the objects remaining in the receptacle and not yet drawn. This verification shall be made in the presence of the Bingo Manager and at least one disinterested player.

5.33 MORE THAN ONE WINNER: When more than one player is found to be the winner on the call of the same number in the same bingo game, a cash prize shall be divided equally among the winners to a minimum cash prize of \$5.00. When equal division of a merchandise prize is not possible, identical substitute prizes, whose aggregate retail value is approximately equal to that of the designated prize, shall be awarded.

5.34 PROHIBITED FROM PLAYING: No person employed by the tribe to conduct or assist in conducting bingo on a bingo occasion shall be permitted to participate as player on the occasion.

5.35 BINGO CALLER: Only the Bingo Manager or a person designated by the Bingo Manager may not as a caller in the conduct of Bingo.

Section 6.0 REPORTS AND PROCEDURES FOR RECEIPT AND HOLDING MONEY.

6.1 MONTHLY FINANCIAL REPORT: A monthly financial report shall be submitted to the St. Croix Tribal council. The report shall include:

- A. The name of the Bingo Manager
- B. The names of all people employed to assist in the conduct of bingo on the St. Croix Reservation.
- C. The numbers and dates of all bingo occasions.
- D. An itemized statement of the gross receipts from cash bingo occasions.
- E. An itemized list of all expenditures.
- F. Statement showing the balance in the Bingo Account.
- G. The report shall be signed by the Bingo Manager.

6.2 BINGO ACCOUNT: The Tribal Accounting Office shall create a special account into which all bingo receipts shall be deposited within 3 days of the Bingo Occasion. Gross receipts derived from the conduct of bingo shall not be co-mingled with any other tribal funds. Checks drawn on bingo account shall be for one or more of the following purposes:

- A. The payment of necessary and reasonable expenses, incurred in connection with the conduct of bingo, including prizes, bingo supplies equipment, and utilities.
- B. The disbursement of profits derived from the conduct of bingo for a tribal purpose through regular accounting office procedure, as allowed in Section 7 below.

5.19 MERCHANDISE PRIZES: If any merchandixe prize is awarded in a bingo game its value shall be its current retail price. No merchandise shall be redeemable or convertible into cash either directly or indirectly by the St. Croix Band of Chippewa Indians.

5.20 MANAGEMENT AND OPERATION OF BINGO: Only the tribal Bingo Manager or his representative shall participate in the management or operation of any bingo occasions.

5.21 AGE LIMITATIONS: No person under the age 12-16 shall play any bingo game conducted by the tribe unless accompanied by that person's parent or legal guardian. No person under the age of 12 shall be allowed on or in tribal premises where bingo is conducted.

5.22 APPROVED EXPENSES: No expenses may be incurred or amounts payed in connection with the conduct of bingo by the Bingo Manager, except those reasonably and necessarily expended for conducting bingo, bingo supplies, equipment, prizes and utilities.

5.23 ALCOHOL AND DRUGS: No alcoholic beverages and/or illegal drugs shall be allowed on tribal premises where bingo is conducted. Anyone caught possessing and/or using alcoholic beverages or illegal drugs shall be removed from the premises and barred from playing bingo on tribal premises.

5.24 WINNERS AHD PRIZES: Each bingo winner shall be determined and every prize shall be awarded and delivered on the same day on which the bingo occasion is conducted.

5.25 BINGO ADVERTISEMENT: The Bingo Occasion shall be advertised by whatever means necessary.

5.26 CONTENTS OF ADVERTISEMENTS: The bingo advertisement shall be limited to stating the location of the bingo occasion and the time it is to be conducted. Prizes offered may also be use in the advertisement.

5.27 SALES OF SUPPLIES AND REFRESHMENTS: No person shall sell any merchandise on the premises where bingo is being conducted unless authorized by the Tribal Council. This does not include the sale of food or refreshments.

5.28 BINGO CARD: Cards shall be sold or rented only on the premises at which bingo is being conducted.

5.29 SEPARATE COUNT OF BINGO CARDS: The Bingo Manager shall keep an accurate count of the number of bingo card which are sold, rented or used.

5.30 METHOD OF PLAY

5.301 The method of play in any bingo game and utilization of bingo equipment and supplies shall be such that each player is afforded an equal opportunity to win.

5.302 The objects to be drawn shall essentially be the same size, shape, weight balance and all other characteristics so that at all times during the conduct of the bingo each object possesses the capacity for equal agitation with any other object within the receptacle.

5.303 All 75 objects shall be present in the receptacle at the beginning of each bingo game.

3.3 No person may assume the position of St. Croix Bingo Manager until that person gives evidence of surety bond in the amount of \$5,000.00.

3.4 In the absence of a full-time Bingo Manager, all bingo activities shall be conducted under the direction of his/her designated representative with approval by the Tribal Council.

Section 4.0 POWERS OF THE ST. CROIX BINGO MANAGER

4.1 Conduct Bingo operations by personal supervision as set forth in Article V below.

4.2 Interpret in consistent fashion the regulations set forth in Article v below.

4.3 Receive and deposit monies realized as profit from bingo occasions with the St. Croix Accounting Office.

4.4 Supervise all personnel necessary to conduct St. Croix Bingo Operations according to the requirements of this Ordinance.

Section 5.0 CONDUCT OF BINGO

5.10 WHO CONDUCTS: Only the Bingo Manager or a person authorized by the Bingo Manager shall conduct tribal Bingo.

5.11 WHERE PLAYED: Bingo shall be played only on tribal premises.

5.12 LIMIT ON NUMBER OCCASIONS: Not more than 208 bingo occasions may be played within any calendar year. Additional and/or special BINGO occasions must receive St. Croix Tribal Council approval prior to the scheduled occasion. Request should be made 30 days prior to the date of the occasion.

5.13 PROHIBITED BINGO: Bingo may not be conducted by any Indian or St. Croix Tribal member on the St. Croix Indian Reservation without advance written approval by the St. Croix Tribal Council, and supervision by the St. Croix Bingo Manager or his official representative.

5.14 SUFFICIENT PLACE TO PLAY: Purchase of bingo card shall entitle each player to place with sufficient room in which to play.

5.15 ONLY CASH PAYMENTS: The Bingo Manager shall accept only cash payments for any bingo card.

5.16 EQUIPMENT AND SUPPLIES: The Bingo Manager shall be responsible for the purchase of bingo supplies and equipment specifically designed or adapted for use in the conduct of bingo from bingo manufacturer or supplier.

5.161 Any Bingo equipment and supplies used in the conduct of bingo shall be owned absolutely by the St. Croix Band of Lake Superior Chippewa Indians.

5.162 The Bingo equipment and supplies used in the conduct of bingo shall be maintained in good repair and sound condition.

5.17 PROFITS FOR LAWFUL TRIBAL PURPOSES: The profits from any bingo shall be exclusively devoted for lawful tribal purposes as set forth in the St. Croix constitution and Bylaws or for lessening burdens borne by the Tribal Government or voluntarily supporting, augmenting or supplementing services which the tribal government would normally render to the people.

5.18 PROHIBITED PRIZES: There shall be no prize consisting of alcohol or fermented malt beverages or an interest in real estate or securities.

Section 7.0 ALLOCATION OF BINGO FUNDS

7.1 Any bona fide tribal organization or members shall be eligible to receive a grant or loan from revenues derived from bingo occasions.

7.2 Applications from bona fide tribal organizations or members for bingo accounts funds must conform to the following requirements:

- A. All applications must be in writing to the St. Croix Tribal Council.
- B. All applications must state the nature of the applicant organization.
- C. All applications must state the purpose for which the money is to be used.
- D. All applications must be signed by the person responsible for the proper utilization of the money for the organization.

7.3 Any application shall be approved by the St. Croix Tribal Council for use by the organization or tribal members, for purposes set out under the St. Croix Constitution and Bylaws.

7.4 Nothing herein shall prevent the St. Croix Tribal Council from directly appropriating bingo revenues for purposes set out in Article V, Sections, (a), (b), (c), (d), (e), of the St. Croix Tribal Constitution and Bylaws.

7.5 The St. Croix Tribal Council shall provide a written approval to bona fide tribal organizations to conduct bingo only when the requesting organization meets criteria listed in Section 7 and the requesting organization allows its bingo records to be open for inspection to verify that all requirements of this ordinance have been met.

Section 8.0 PROHIBITED ACTIVITIES

8.1 Any tribal member or tribal organization who conducts bingo or other games of chance within the exterior boundaries of the St. Croix Reservation without written permission of the St. Croix Tribal Council shall be in violation of the St. Croix Bingo Control Ordinance.

8.2 Nothing in this ordinance shall prohibit the St. Croix Tribal Council from selling "Vegas Tickets" or conducting other games of chance provided the receipts and expenditures derived from them are in accordance with the terms of this Ordinance.

Section 9.0 PENALTIES

9.1 CIVIL REMEDIAL FORFEITURES: All persons found to be in violation of this Ordinance may be subject to civil remedial forfeiture of up to \$500.00.

9.2 SEIZURE OF PROPERTY: All persons found to be in violation of this ordinance may be subject to a seizure of all property utilized in the violation of this ordinance.

Section 10.00 AMENDMENTS

10.01 This Ordinance may be amended at any time. Amendments must be through action taken by the St. Croix Tribal Council at a duly called meeting.