

THE MINNESOTA CHIPPEWA TRIBE

ORDINANCE NO. 10

WHEREAS, Article V, Section 1 (g) of the Revised Constitution and By-Laws of The Minnesota Chippewa Tribe sets forth among the powers of the Tribal Executive Committee the power".....by Ordinance, subject to review of the Secretary of the Interior, levy licenses or fees on non-members or non-Tribal organizations doing business on two or more Reservations." and

WHEREAS, The Tribal Executive Committee recognizes the need to license, control and regulate bingo by non-members and non-Tribal organizations that are seeking to engage in bingo on more than one Reservation of The Minnesota Chippewa Tribe.

NOW THEREFORE BE IT RESOLVED, that the following Ordinance to license, regulate and control organized bingo activities on more than one Reservation of The Minnesota Chippewa Tribe by non-members or non-Tribal organizations is hereby enacted:

Section 1.01 Declaration of Policy

The purpose of this Ordinance is to closely regulate and control the game of bingo and certain other enumerated gambling devices on non-members or non-Tribal organizations doing business on two or more Reservations, pursuant to the power of The Tribal Executive Committee as contained in Article V, Section 1 (g) of the Revised Constitution and By-Laws of The Minnesota Chippewa Tribe.

Section 1.02 Bingo Defined

For the purpose of Section 1.03 and Section 1.04 below, "bingo is gaffe where each player has a card or board containing five (5) horizontal rows all but the central one containing the "Free" marked in the center thereof. Any pre-announced combination of spaces, when completed by a player, constitutes "bingo". In the absence of a pre-announcement of a combination of spaces, any combination of five in a row, whether horizontal or vertical, when completed by a player constitutes "bingo," and the central row, either horizontal or vertical, when completed by a player constitutes "bingo," and the central row, either horizontal, vertical or diagonal, constitutes "bingo" when its four numbers are announced and covered. A wheel or other mechanical device may be used by any person conducting the game of "bingo" and any such person may award either money or merchandise to any player or players first completing any combination constituting "bingo."

Section 1.03 "Bingo Shall Not Be Construed as Gambling or a Lottery Provided That:

- a. Such game is conducted by a person, association, corporation or organization that has a permit to operate such game of "bingo" from The Minnesota Chippewa Tribe and such game is conducted by an organization exempt from tax under Paragraph (3) of Subsection (c) of Section 501 of the Internal Revenue Code of 1954, as amended, if no part of the gross receipts derived from such activity inures to the benefit of any private share holder, member, or employee of such organization except as compensation for actual expenses incurred by him in the conduct of such activity.
- b. That the proceeds of said game of "bingo" do not inure to the benefit of any individual. The proceeds of said games be used for social, charitable, religious or public purposes.

Section 1.04 Violation of Ordinance

Any person, association, organization or corporation that violates this Ordinance shall be guilty of a violation and shall lose their permit and shall not be eligible to apply for a new permit for a period of one year from the date of the violation. In addition, such a violation shall be deemed a civil violation and the offender shall be subject to a civil penalty of up to \$500.00 which may be assessed by The Minnesota Chippewa Tribe Courts if said offender objects to the findings of The Minnesota Chippewa Tribe Courts and/or said fine and loss of the right to a permit.

Section 1.05 "Bingo Occasion" Defined

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

Section 1.06 Reservation Business Committee Defined

Reservation Business Committee means the Reservation governing body of the Bois Forte Reservation, the Grand Portage Reservation, the White Earth Reservation, the Leech Lake Reservation, the Fond du Lac Reservation and the Mille Lacs Reservation.

Section 1.07 Reservation Powers

Nothing in Section 1.01 to 1.06 shall be construed to prohibit a Reservation Business Committee from adopting ordinances, rules and regulations covering the conduct of bingo on its respective Reservation, including an ordinance to ban bingo.

A Reservation Business Committee that permits bingo shall establish a system for licensing organizations to conduct bingo occasions. A Reservation Business Committee may elect to limit the number of bingo licenses it will issue and may prohibit all bingo occasions except those which are operated by the Reservation Business Committee.

Section 1.08 Reservation and Tribe Licensing

A person or organization may conduct bingo occasions if it has a license from the Reservation Business Committee on whose reservation it will conduct bingo occasions, as well as from Tribal Executive Committee if it is operating bingo on more than one Reservation of The Minnesota Chippewa Tribe.

Section 1.09 Forms and Regulations

A license application form for applicants for a Tribal Bingo license as well as regulations for the operation of licensed bingo occasions shall be drafted and adopted by the Legislative Subcommittee of the Tribe.

Section 1.10 Licensee Criminal Record

No license application shall be approved if the non-member applicant has a prior felony conviction in any Federal or State Court. No license application shall be approved for a non-Tribal organization if any of its officers or directors or majority stockholders have a prior felony conviction in a Federal or State Court.

Adopted this third day of November, 1983, at a Regular Meeting of The Minnesota Chippewa Tribal Executive Committee, a quorum being present, by a vote of 8 For, 0 Against, 0 Silent, held at the Grand Portage Lodge & Conference Center, Grand Portage, Minnesota.

Darrell Wadena, President
THE MINNESOTA CHIPPEWA TRIBE

ATTEST: Daniel Morrison, Sr., Secretary
THE MINNESOTA CHIPPEWA TRIBE