



Mille Lacs Band of Ojibwe Indians
Gaming Regulatory Authority
Detailed Gaming Regulations

**VENDOR BACKGROUND INVESTIGATIONS AND
LICENSING**

Document No. DGR – 7a

Effective: August 24, 2018

I. SCOPE Pursuant to 15 MLBSA § 3 (ee) and § 305 (a)(3), the following regulations apply to the licensure of all entities engaged in commerce with Mille Lacs Band Gaming Enterprises.

II. DEFINITIONS

- A. “Gaming goods, supplies, materials, equipment or services” means any products or services that are integral to the conduct of gaming or used directly in connection with, or for the purpose of gaming.
- B. “Gaming Supplier” means any supplier who provides gaming goods, supplies, materials, equipment, or services to any Gaming Enterprise.
- C. “Independent Contractor” means any person or business that is operating under a contract to perform specific services for the Gaming Enterprise for an agreed upon amount of compensation, and under which the person or business controls the means of performing such services. All Independent Contractors shall be subject to Vendor License requirements as stated in this regulation.
- D. “Management Contract” means any contract, subcontract, or collateral agreement between an Indian tribe and a contractor or between a contractor and a subcontractor if such contract or agreement provides for the management of all or part of a gaming operation.
- E. “MLCV Access” means those Mille Lacs Corporate Ventures (MLCV) and Non-Gaming Operations (NGO) associates with physical or logical access to non-public areas.
- F. “Non-Gaming Supplier” means any supplier who provides goods, supplies, materials, equipment or services which are not gaming goods, supplies, materials, equipment or services.
- G. “Vendor” means a Gaming Supplier or Non-Gaming Supplier.
- H. “Vendor License” means a required permit from the Gaming Regulatory Authority (GRA) for a Gaming Supplier to do business with the Gaming Enterprise.
- I. “Vendor Registration” means a required permit from the GRA for a Non-Gaming Supplier to do business with the Gaming Enterprise.
- J. “Substantial Owners” means each person owning ten percent (10%) or more interest in the business entity.
- K. “Publicly Held Company” means a company whose shares of common stock are held by the public and are available for purchase by investors. The shares of publicly traded firms are bought and sold on the organized exchanges or in the over-the-counter market. Such companies are regulated by the Securities and Exchange Commission (SEC) and other recognized international markets.
- L. “Key Personnel” means any person responsible for on-site supervision and management, or individuals that will have access (on-site or remote) to non-public areas within the Gaming Enterprise.
- M. “Sensitive Areas” means any area confined only to persons specified in writing which house financial, patron and gaming information and servers. These areas are typically relative to gaming operations and apply to access whether it is physical or virtual. Examples include: Accounting Department, accounting systems, Information Technology (IT) Department, IT servers, and any system storing gaming information.



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III. VENDOR LICENSE OR REGISTRATION REQUIRED

Section 1. Any Gaming Supplier doing business with a Gaming Enterprise must apply to the GRA for a Vendor License.

Section 2. Any Non-Gaming Supplier doing business with a Gaming Enterprise must apply to the GRA for a Vendor Registration Number.

Section 3. Vendors must possess a valid Vendor License or Vendor Registration Number before conducting business with a Gaming Enterprise.

Section 4. No Gaming Enterprise shall purchase goods or services from a person or entity that does not hold a Vendor License, Vendor Registration Number, or exempt number per DGR 7a IV issued by the GRA.

IV. EXEMPTION FROM LICENSING REQUIREMENT

Section 1. Exempt Vendors. The following persons or entities are exempt from the Vendor Licensing and Registration requirements, but are required to get an exempt vendor number and supply their contact information on the prescribed Vendor Information Sheet and a current IRS Form W-9.

- A. Professional legal and accounting services, including licensed and certified auditors, attorneys, CPAs, payroll processing services, and inventory services;
- B. State or federally chartered financial institutions;
- C. Insurance companies;
- D. Law enforcement agencies;
- E. Utility providers (including telecommunication providers, satellite/cable television providers, electrical, water, sewer, septic, sanitation services, gas, utility inspections, locating services, utility system installation or maintenance services.);
- F. Fuel for Gaming Enterprise owned vehicles;
- G. Exhibit costs, i.e. drayage, booth space, and costs;
- H. Professional entertainers and entertainment services (whether on site or off site, including all public accommodations and related food services);
- I. Medical services and supplies;
- J. Training and educational services and materials;
- K. Travel-related services;
- L. Tribal government(s);
- M. MLCV owned businesses;
- N. Federal, State, and local government agencies;
- O. Nonprofit organizations, including chambers of commerce, civic groups, and tourism organizations;
- P. Sponsorships and professional memberships;
- Q. Off-site courier and shipping services;
- R. All magazines, periodicals, physical or online publications, newspaper providers, and subscriptions to include advertising in all; and all other advertising providers, including billboards and other public signage, radio, television, and internet broadcasts; and
- S. Gifts for Associate events.



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Section 2. Non-Gaming Suppliers. Non-Gaming Suppliers are not required to obtain a Vendor License, but are required to obtain a Vendor Registration Number with the GRA.

- A. Non-Gaming Suppliers shall complete the IRS W-9 and Registered Vendor application form promulgated by the GRA. Upon receipt of such forms, the GRA Vendor Licensing office shall perform any investigation necessary to verify the Non-Gaming status of the vendor and if the Non-Gaming Supplier may pose a threat to the Band or public interest.
- B. Non-Gaming Suppliers must have a valid trade license to perform services that typically require such a license. The Non-Gaming Supplier shall provide a copy of the license to the GRA prior to beginning work.

V. APPLICATION FEES AND TERMS

Section 1. Application Fees Payable to MLB. All vendor application fees must be submitted to: Vendor Licensing, Office of Gaming Regulation and Compliance, 777 Lady Luck Drive, Hinckley, MN 55037. Make checks payable to: Mille Lacs Band of Ojibwe.

Section 2. Fee Categories. The following fees apply to all vendors. Fees will be discounted 50% for Mille Lacs Band Member owned businesses.

- A. \$15.00 application fee (one-time fee due upon original application)
- B. Class A Vendor (gross sales in excess of \$100,000.00)
\$250.00 license fee
- C. Class B Vendor (gross sales of \$25,000.00-\$100,000.00)
\$150.00 license fee
- D. Class C Vendor (gross sales of \$0.00-\$24,999.00)
\$15.00 license fee

Section 3. Reports. MLCV shall make available or provide monthly reports for all vendors to the GRA Vendor Licensing office that include the following information:

- A. Name;
- B. Address;
- C. TIN number; and
- D. Most recent rolling 12 month total and fiscal month-end total gross sales.

Section 4. Background Investigation Costs. Application fees will be used to conduct vendor background investigations. Additional fees for vendor employee investigations may be assessed. The GRA shall invoice the vendor with such additional fees, documenting the additional expenses. The Executive Director may refuse to issue a suitability determination or Compliance Recommendation for an applicant until all such fees have been paid in full.

Section 5. Term of Vendor License. Gaming Supplier Vendor Licenses are valid for one (1) year from the date of issue. Each Gaming Supplier may renew its License annually by paying the required fee and submitting the updated information required by DGR 7a VI (4).

Section 6. Term of Non-Gaming Supplier Vendor Registration Number. Non-Gaming Supplier Vendor Registration Numbers are valid for three (3) years from the date of issue. Each Non-Gaming Supplier may renew its Registration every three (3) years by paying the required fee and submitting the updated information required by DGR 7a VI (4).



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Section 7. Term of Exempt Vendor Status. Exempt vendor status is valid for three (3) years from the date of issue. Each exempt vendor may renew its status every three (3) years by submitting an updated a Vendor Information Sheet and a current IRS Form W-9.

VI. LICENSING AND REGISTRATION PROCESSES

Section 1. Conditions of Application. All applicants must complete and submit the application forms prescribed by the GRA.

- A. Any misrepresentation or omission made with respect to an application may be grounds for denial of the application.
- B. Pursuant to 15 MLBSA § 307 (d) and (e), all Band Licenses or Registrations are a privilege, and all applicants assume and accept the risk of adverse publicity, notoriety, embarrassment, criticism, or other action that may result in connection with the application process.
- C. All application materials must include a notice to the applicant stating that the applicant expressly waives any claim for damages that may result from the application process.

Section 2. Procedures for Vendor License. The GRA will adhere to the following process in the issuance of any Vendor License:

- A. Submission of a completed application;
- B. Background and other applicable investigation(s) regarding the applicant;
- C. Any additional licensing procedures deemed necessary by the GRA to ensure compliance with applicable laws;
- D. Compliance Recommendation by the Executive Director of the OGR&C;
- E. Compliance Determination by the GRA Board; and
- F. If applicable, issuance of a Vendor License by the GRA.

Section 3. Procedures for Vendor Registration. The GRA will adhere to the following process in the issuance of any Vendor Registration:

- A. Submission of a completed application;
- B. Background and other applicable investigation(s) regarding the applicant;
- C. Any additional licensing procedures deemed necessary by the OGR&C to ensure compliance with applicable laws;
- D. Registration Recommendation by the Executive Director of the OGR&C or designee;
- E. Upon review of all necessary investigative reports of Non-Gaming Suppliers, the Executive Director of the OGR&C or designee may recommend the denial of Registration to the Gaming Enterprise, if such reports conclude that the supplier poses a threat to the Band or public interest;
- F. Final decision of a denial recommendation from the GRA shall be the sole responsibility of Gaming Enterprise;
- G. Registration suitability by the Executive Director of the OGR&C; and
- H. If applicable, issuance of a Vendor Registration by the GRA.

Section 4. Application Requirements. The GRA shall only consider an application filed when all application forms, required documents, associated materials, and fees have been properly submitted. The GRA will not initiate a vendor background investigation until the required information, application, and fees have been received.

- A. All applicants must submit a completed copy of the application and requested materials.



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- B. The applicant's employees, as designated by the GRA, shall complete and submit forms prescribed by the GRA per DGR 7a XI (1).
 - C. All applicants have a continuing duty to disclose any changes in the information submitted to the GRA that may have a material effect on the consideration of the applicant's suitability for Licensure or Registration.

Section 5. Child Care Facilities Attached to or Located at the Gaming Enterprises.

- A. Owner(s) must fill out the required Vendor License Application per DGR 7a VI (2).
- B. Owner(s) must maintain licensure with the Mille Lacs Band of Ojibwe per 8 MLBSA § 1212.

Section 6. Records Retention. The OGR&C shall establish and comply with procedures that address retention of all vendor files.

Section 7. No Withdrawal Once Application Submitted. An applicant may not withdraw the application once it has been fully submitted to the OGR&C without permission of the GRA. The GRA may grant such permission only if it has not yet issued a Registration suitability or Final Compliance Determination regarding the application.

Section 8. Temporary Emergency Licensure or Registration. If the Executive Director of the OGR&C becomes aware of any health or safety concerns, the Executive Director may issue a Temporary Emergency License or Registration Order. A Temporary Emergency License or Registration is intended to protect the health or safety of the patrons and employees of the Gaming Enterprises. Emergency Enforcement Orders must comply with 15 MLBSA § 402 (c) and be supported by a Compliance Recommendation.

- A. Entities providing emergency goods and services. Emergency goods and services are those required to protect the health or safety of the patrons and employees of the Gaming Enterprises, or a mitigating circumstance (i.e. Gaming Enterprise purchases a business with existing contracts) for which it would be impractical to obtain a Vendor License or Registration.
- B. Prior notification to the Executive Director of the OGR&C or designee is required with the use of emergency goods and services.

VII. VENDOR CRITERIA FOR LICENSE OR REGISTRATION

Section 1. General Criteria. The GRA shall review each applicant's prior activities, criminal record, reputation, habits, and associations to make a finding concerning the eligibility for a Vendor License or Registration. No License or Registration shall be issued to an entity that poses a threat to the public interest or to the effective regulation of gaming, or creates or enhances the dangers of unsuitable, unfair, or illegal practices and methods and activities in the conduct of gaming.

Section 2. Skill Level Required. The applicant must demonstrate a level of skill, experience, knowledge, and ability necessary to supply the goods or services the applicant intends to supply.

Section 3. Background Investigations.

- A. Review Required. Each applicant required to hold a Vendor License or Registration will be subject to a comprehensive background review prior to Licensing or Registration. Such review will be conducted by the Executive Director of the OGR&C or a designee and will include an examination of the applicant's prior activities, criminal record, reputation, habits, and associations so as to permit the Executive Director (or designee) to determine the applicant's eligibility for Licensure or Registration.



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- B. Violations of Gaming Laws. The applicant must not have been in violation of any gaming law in any jurisdiction.
 - C. Felony Convictions. The GRA shall not License or recommend for Registration any applicant who has been convicted of a felony within ten (10) years from the date of final disposition preceding application for the following crimes:
 - 1. Embezzlement;
 - 2. Fraud;
 - 3. Bribery;
 - 4. Tax evasion;
 - 5. Theft or larceny;
 - 6. Insider trading;
 - 7. Computer crime;
 - 8. Public corruption;
 - 9. Identity theft;
 - 10. Environmental crime;
 - 11. Pension fund crime;
 - 12. Office of Foreign Assets Control (OFAC) sanctions;
 - 13. Racketeer Influenced and Corrupt Organizations (RICO) crimes; or
 - 14. Any criminal conviction that the GRA feels poses a threat to the public interest or creates or enhances the dangers of unsuitable, unfair, or illegal practices and methods and activities in the effective regulation or conduct of gaming.
 - D. Suitability or Eligibility Recommendation. The Executive Director or designee shall review the results of all background investigative reports on an applicant to determine:
 - 1. If the information in the reports conflict in any way with the information provided on the vendor's application;
 - 2. If the information in the reports violate the standards contained in this regulation;
 - 3. If reliable information indicates that Licensing or Registering a vendor poses a threat to the public interest or creates or enhances the dangers of unsuitable, unfair, or illegal practices and methods and activities in the effective regulation or conduct of gaming; and
 - 4. If the information in the reports indicates an increased danger of internal theft or fraud.
 - 5. For the purposes of this subsection, the Executive Director shall consider the nature of the license applied for to determine the nature of any potential threat to Band assets.

Section 4. Suspension/Revocation of License.

- A. The Executive Director may suspend or revoke any Vendor License if the Executive Director determines that the background investigation revealed reliable information that the licensee is unsuitable for licensure. If the Executive Director suspends or revokes a Vendor License, the Executive Director shall send written notice to both the licensee and the Gaming Enterprise that signed the statement of intent/contract.
- B. The Executive Director shall immediately forward a Compliance Recommendation to the GRA Board for any Gaming Vendor whose license has been suspended or revoked.
- C. The GRA Board may, at its discretion, place restrictions or conditions on a Vendor License. Such restrictions may include, but are not limited to:



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1. The Gaming Vendor beginning to supply a Gaming Enterprise within a reasonable period of time;
 2. The Gaming Vendor demonstrating to the GRA Board's satisfaction that the goods or services the licensee intends to provide to a Gaming Enterprise are in compliance with Title 15 and any regulations promulgated pursuant thereto, the Compacts and applicable federal laws; and
 3. The Licensee carrying adequate insurance, in accordance with DGR 7a X.
- D. Any Gaming Vendor that has a license suspended or revoked shall not provide goods or services to any Gaming Enterprise pending the final outcome of a Determination Hearing before the GRA Board or Final Order from the Court of Central Jurisdiction.

Section 5. Denial/Suspension/Revocation of Registration.

- A. If the Executive Director determines that the background investigation revealed reliable information that the applicant/Non-Gaming Vendor is unsuitable for Registration or continued Registration, the Executive Director shall immediately send written notice to MLCV executive management regarding findings.
- B. MLCV executive management will determine whether or not to Register or keep the Non-Gaming Vendor Registered.
- C. MLCV executive management will assume all communications with the Non-Gaming Vendor and will keep the Executive Director of the OGR&C informed of the final decision.
- D. Any Non-Gaming Vendor that has a Registration denied, suspended or revoked shall not provide goods or services to any Gaming Enterprise pending the final decision of MLCV executive management and appealable only to MLCV.
- E. The Gaming Enterprise assumes any risk related to Registering a Non-Gaming Vendor who is considered unsuitable by the Executive Director of the OGR&C.

Section 6. Emergency Enforcement Orders. If the Executive Director finds the Vendor poses an immediate threat to Band assets, or that probable cause exists to believe that a crime has been, or is about to be committed, that significant negative financial impact is imminent, or poses a threat to the public interest or reputation of the Band, the Executive Director may, by Emergency Order, immediately impose any legitimate regulatory enforcement and/or corrective action within the scope of the GRA's authority which is proportional to the harm such Emergency Enforcement Order seeks to remedy. Pursuant to this standard, the Executive Director may require the immediate removal (and restriction against re-entry) of a Vendor from a Gaming Enterprise, pending the outcome of a Compliance Determination Hearing or Final Order from the Court of Central Jurisdiction. All Emergency Enforcement Orders must comply with 15 MLBSA § 402 (c) and be supported by a Compliance Recommendation.

Section 7. Other Applicable Licenses. Any applicant that intends to supply a Gaming Enterprise with alcoholic beverages or other goods or services requiring an additional permit or certificate from any tribal (i.e. MCT liquor license), state or federal agency shall be responsible for securing such permit or certificate in a timely manner.

Section 8. Compliance with Tax Laws. The applicant must be in compliance with all tribal, state, and federal tax laws.

Section 9. Additional Standards. An applicant must meet any other standards deemed necessary by the GRA Board to ensure compliance with 15 MLBSA and any regulations promulgated pursuant



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thereto, and to ensure the honesty and integrity of any gaming conducted within the jurisdiction of the Mille Lacs Band of Ojibwe.

VIII. PROCEDURES FOR ISSUANCE OF LICENSE

Section 1. Compliance Determination. If the GRA Board makes a Compliance Determination that the applicant is suitable for a Vendor License, it will instruct the Director to issue said License.

Section 2. Negative Compliance Determination. If the GRA Board makes a Compliance Determination that the applicant is unsuitable to receive a Vendor License, it will instruct the Director to notify the applicant by certified mail.

Section 3. Reapplication for a Denied License. An entity whose application for a Vendor License has been denied may not reapply for one (1) year from the date of last Compliance Determination. The GRA Board may, at its discretion, permit reapplication prior to the expiration of one (1) year if the applicant can demonstrate to the GRA Board's satisfaction that the reason the original application was denied no longer exists.

IX. CONTINUING LICENSE OR REGISTRATION REQUIREMENTS

Section 1. Information Provided. All Vendor Licenses or Registrations shall be on forms prescribed by the GRA.

Section 2. Renewal Requirements. Each Vendor License or Registration must be renewed, subject to the fees described DGR 7a V (2). No renewal application, as described in DGR 7a VI (4), will be processed without payment of applicable fees.

- A. Each applicant for renewal must complete the License or Registration renewal application prescribed by the GRA and any additional information or documents the OGR&C determines necessary to ensure the applicant meets the criteria for Licensure or Registration.
- B. The GRA may perform an additional background investigation for any Vendor License or Registration renewal and assess reasonable costs for such investigation to the applicant. The GRA shall provide to the Vendor at least sixty (60) days' notice before the expiration of its license.

Section 3. Additional Duties/Prohibitions.

- A. All Vendors have a continuing duty to maintain suitability for licensure. The GRA may suspend, revoke, or refuse to renew a Vendor License or Registration any time the GRA finds that the licensee no longer meets criteria.
- B. If management at any Gaming Enterprise becomes aware that a Vendor is, or may be, in violation of 15 MLBSA, or the regulations promulgated pursuant thereto, management at the affected Gaming Enterprise shall notify the GRA immediately.
- C. All Vendor licensees have a continuing duty to notify the GRA of any changes to the information the licensee submitted as part of the application process. Failure to do so may constitute grounds for license suspension or revocation.
- D. A Gaming Vendor shall not distribute gaming supplies that do not conform to the standards for gaming supplies set forth in these regulations and other applicable law.
- E. Vendor Licenses and Registrations are nontransferable.

X. VENDOR INSURANCE REQUIREMENTS



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Section 1. Minimum Amount. Based on its analysis of the applicant’s corporate or business size and amount of potential risk, the GRA may require the applicant to provide proof of a minimum amount of any type of insurance necessary to protect the Gaming Enterprises.

Section 2. Failure to Provide Insurance Information. If the applicant fails to provide proof of sufficient insurance coverage, the GRA may revoke the applicant’s Vendor License or Registration or deny the issuance of a Vendor License or Registration.

Section 3. Duty to Maintain Level of Insurance Coverage. Any Vendor mandated to carry insurance coverage has a continuing duty to maintain the minimum amount of coverage determined by the GRA.

XI. KEY PERSONNEL AND SUBSTANTIAL OWNERS OR OFFICERS REQUIREMENTS

Section 1. Background Form Requirements.

- A. Gaming Supplier Substantial Owners and Officers, and other employees as designated by the GRA, shall complete and submit a personal disclosure form and authority to release forms prescribed by the GRA. Substantial Owners and Officers do not have to submit a personal disclosure if the vendor is a publicly held company.
- B. All Vendor Key Personnel requiring onsite or remote access to non-public areas of the Gaming Enterprises must submit a personal disclosure form, authority to release forms, and a copy of photo identification.
- C. All Child Care Facility employees and owners must fill out and submit the approved Department of Human Services (DHS) Consent for Background Study and DHS Background Study Privacy Notice, and a copy of photo identification.
- D. All Child Care Facility owners and employees must meet the guidelines set forth in 8 MLBSA § 1212 Disqualification factors which state, A staff person with direct contact with or access to children in care must disclose the arrest, conviction and applicant background information if that staff person:
 1. Has a conviction of, has admitted to, has been charged and is awaiting trial, for or there is substantial evidence indicating that the person has committed an act of physical abuse or sexual abuse;
 2. Has a conviction of, has admitted to, has an adjudication of delinquency for, has been charged and is awaiting trial for, or a preponderance of the evidence indicates the person has committed;
 - (a) neglect;
 - (b) a felony;
 - (c) the same or similar crimes as those in this subsection listed in the laws of another state or of the United States or of another country;
 3. Has a mental illness as defined in Minnesota Statutes, Chapter 245.462 (20), and the behavior has or may have a negative effect on the ability of the person to provide child care or is apparent during the hours children are in care; or
 4. Abuses prescription drugs or uses controlled substances, as named in Minnesota Statutes, Chapter 152, or alcohol to the extent that the use or abuse impairs or may impair the person’s ability to provide child care or is apparent during the hours children are in care.

Section 2. Eligibility Requirements.



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- A. Key Personnel requiring onsite or remote access to non-public areas will be subject to a comprehensive background review prior to being granted Access Authorization. Such review will be conducted by the Executive Director of the OGR&C or a designee, and will include an examination of the individual's prior activities, criminal record, reputation, habits, and associations so as to permit the Director or designee to determine the individual's eligibility for Access Authorization.
 - 1. Key Personnel shall be held to the Class C Eligibility Requirements as stated in DGR 7b.
 - 2. Key Personnel must not have been in violation of any gaming law or regulation in any jurisdiction. Nor may any such persons appear on the exclusion list in any jurisdiction for a gaming law or regulation violation.
 - B. Substantial Owners and Officers of Gaming Suppliers will be held to the same standards and requirements as Key Personnel, as well as felony convictions as listed in DGR 7a VII (3)(C).

Section 3. Renewal Requirements. Key Personnel and Substantial Owners or Officers must update and renew their authorizations and are subject to the background fees described in DGR 7a V (4). The GRA shall invoice the Vendor with such additional fees documenting the additional expenses.

- A. Access Authorizations for Key Personnel are valid for three (3) years from issuance or until the Vendor expires.
- B. Substantial Owners or Officers of Gaming Suppliers must renew annually, and are due on the same date as the Vendor License Renewal.
- C. All Child Care Facility employee backgrounds must be renewed annually.

Section 4. Denial/Suspension/Revocation of Authorization.

- A. If the Executive Director or designee determines the background investigation revealed reliable information that a Substantial Owner or Officer or Key Personnel is unsuitable for authorization or continued authorization, the Executive Director or designee shall immediately send notice to the Gaming Enterprise and Vendor regarding findings.
- B. Any Key Personnel denied, suspended, or revoked of an Access Authorization shall not provide services to any Gaming Enterprise.
- C. Authorization of Substantial Owners or Officers is a condition of Licensure for Gaming Suppliers.
- D. Persons subject to denial, suspension, or revocation of their authorized access may submit a written petition for reapplication to the GRA no more than once per year. Nothing in this section prevents the GRA from allowing reapplication earlier.

Section 5. Additional Duties/Prohibitions.

- A. All Key Personnel and Substantial Owners or Officers have a continuing duty to maintain suitability for authorization. The GRA may suspend, revoke, or refuse to renew an authorization any time the GRA finds that the individual no longer meets criteria.
- B. If management at any Gaming Enterprise becomes aware a Key Personnel or Substantial Owner or Officer is, or may be, in violation of 15 MLBSA, or the regulations promulgated pursuant thereto, the affected Gaming Enterprise shall notify the GRA immediately.
- C. All Key Personnel and Substantial Owners or Officers have a continuing duty to notify the GRA of any changes to the information they submitted as part of the authorization process. Failure to do so may constitute grounds for authorization suspension or revocation.



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XII. KEY PERSONNEL AT GAMING ENTERPRISES

Section 1. SICS. The Gaming Enterprise shall establish and implement a System of Internal Control Standards (SICS), as approved by the Gaming Regulatory Authority (GRA) Board.

- A. Subsequent revisions to the SICS must be provided to the GRA 30 days prior to implementation.
- B. The GRA reserves the right to require changes to any internal control or procedure to ensure adequate safety measures and access restrictions are established for Key Personnel while they are either on property or accessing remotely.
- C. Each Gaming Enterprise shall establish and implement procedures ensuring the safety and security of associates, guests, and assets while Key Personnel are on property. Such procedures require GRA Board approval and must address at a minimum:
 1. MLCV access;
 2. Check-in upon arrival;
 3. Issuing a visitor's badge(s);
 4. Issuing swipe access badge(s);
 5. Supervision in non-public areas; and
 6. Check out upon completion of work.

Section 2. Key Personnel Access to Non-Public and Sensitive Areas. Key Personnel that will have access (on-site or remotely) to non-public areas are subject to additional verification by the GRA and rules by the Gaming Enterprise.

- A. Key Personnel with access to non-public areas must:
 1. Check in/out with Security at the designated vendor entrance and wear a distinguishable vendor badge at all times while on property if the Key Personnel is considered to be an infrequent visitor. Infrequent is defined as two or fewer days a month.
 2. Check in/out with Security at the designated vendor entrance and wear a distinguishable vendor badge with their photo at all times while on property if the Key Personnel is considered to be a frequent visitor. Frequent is defined as more than two days a month.
- B. While Key Personnel with access to Sensitive Areas must:
 1. Be escorted at all times;
 2. Check in/out with Security at the designated vendor entrance and wear a distinguishable vendor badge at all times while on property if the Key Personnel is considered to be an infrequent visitor. Infrequent is defined two or fewer days a month.
 3. Check in/out with Security at the designated vendor entrance and wear a distinguishable vendor badge with their photo at all times while on property if the Key Personnel is considered to be a frequent visitor. Frequent is defined as more than two days a month.

Section 3. Key Personnel Gaming. Key Personnel may game at the Gaming Enterprise so long as they are not in uniform or on duty.

XIII. WAIVER OF REQUIREMENTS OF REGULATION

Section 1. Standard. Upon written request and good cause shown, the GRA Board may waive one or more of the requirements of this regulation.



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Section 2. Application for a Waiver. The Gaming Enterprises may apply with the OGR&C Vendor Licensing office on behalf of a Vendor or Key Personnel for a waiver of one or more of the requirements of this regulation. Applications for waiver must show good cause and be submitted on the GRA prescribed form.

Section 3. Compliance Recommendation. Within 10 days of receiving an application, the Executive Director of the OGR&C shall issue a Compliance Recommendation granting or denying the waiver. The Executive Director's recommendation will take effect immediately, but will be subject to review and ultimate approval by the GRA Board.

Section 4. GRA Board Approval. The GRA Board shall consider the Executive Director's Compliance Recommendation relating to a waiver at its next regularly scheduled meeting. The GRA Board's decision to accept or deny the waiver will be effective the date it issues a Final Compliance Determination. Waivers granted by the GRA Board will apply through the full term of a Vendor License, Non-Gaming Supplier Vendor Registration, or Key Personnel Access Authorization. The Gaming Enterprises assume any risk related to the granting of a waiver.

XIV. RIGHT TO APPEAL

Section 1. Who May Appeal. Pursuant to 15 MLBSA § 501, a Gaming Vendor who is subject to adverse Compliance Determination or denied other relief requested from the GRA Board, may appeal such Compliance Determination to the Court of Central Jurisdiction.

Section 2. Appeal Directly to Tribal Court. A Gaming Vendor who has received a Compliance Recommendation that recommends a Vendor License denial, suspension or revocation may appeal directly to the Court of Central Jurisdiction pursuant to 15 MLBSA § 501.

Section 3. Limitations on Actions. Pursuant to 15 MLBSA § 311 (d), all Gaming Vendor claims involving denial, suspension or revocation of a Vendor License are limited to an award of specific performance granting or reinstating such License. No monetary award can be awarded.

XV. AUDITING STANDARDS

Section 1. Information Access. Each Gaming Enterprise shall provide the GRA access to statistical and financial data and all contracts for goods or services for the purposes of assessing existence of vendor gamesmanship, risks, and compliance to this regulation.

Section 2. Auditing Procedures. The GRA shall establish and implement procedures to audit Accounts Payable to ensure accurate, complete, legible and permanent records of transactions pertaining to Vendors and Independent Contractors. Procedures shall contain, but not be limited to:

- A. Ensure segregate functions, duties and responsibilities;
- B. Review transactions are handled in accordance with appropriate authorization, as provided by management;
- C. Ensure all financial records and relevant supporting documentation is maintained and preserved;
- D. Review contracts to ensure management contract language is not incorporated into the document(s); and
- E. Verify that the proper licensing requirements have been met.



Mille Lacs Band of Ojibwe Indians
Gaming Regulatory Authority
Detailed Gaming Regulations

**VENDOR BACKGROUND INVESTIGATIONS AND
LICENSING**

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