*Mille Lacs Band of Ojibwe Indians*
*Gaming Regulatory Authority*
Office of Gaming Regulation and Compliance

November 19, 2026

# NOTICE OF INTENT TO ADOPT

Pursuant to 15 MLBSA § 305(b)(2), this serves as the official Notice of Intent to Adopt the following:

**Changes to:**
**DETAILED GAMING REGULATION – 29 Background Investigations and Licensure**
**(Formerly DGR – 7 & 7b)**

Summary of changes to DGR-29 Background Investigations and Licensure includes:

1. New numbering and easy to read format.
2. Standardized wording throughout
3. Eliminated Non-Key Class C Gaming License, changed to Non-Key for temp employment (Section 2)
4. Eliminated Key licensing requirement for employees making $50,000/yr or more
5. Added previous employer checks to background procedures (Section 2)
6. Added guidance on physical license requirements and issuing authority (Section 3)
7. Added "Duty to Report" requirements and clarified responsibilities (Section 4)
8. Eliminated requirement to appear in person for waiver hearings (Section 9)

Pursuant to 15 MLBSA § 305(b)(2)(A): Comments may be submitted on the proposed regulation no later than thirty (30) days from the date of the notice. The proposed regulation may be modified if supported by the data and views submitted. Comments may be submitted **no later than 8:00 a.m. on Monday, December 21st, 2026,** to the Executive Director of the Office of Gaming Regulation & Compliance at **Gaming Regulatory Authority, 777 Lady Luck Drive, Hinckley, MN 55037,** or emailed to **cstaples@mlbgra.com**.

Gaming Regulatory Authority Board — Date: 11/19/2026

# Mille Lacs Band of Ojibwe Indians

*Gaming Regulatory Authority*

*Detailed Gaming Regulations*

**DGR 29 - Background Investigations and Licensure**

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## 1. Initial Application, Renewal Application and Backgrounding Process

1.1. Purpose. This regulation sets forth a detailed procedure for conducting background investigations, reviewing the results of those investigations, and making Compliance Determinations for licensees as required by the Indian Gaming Regulatory Act (IGRA), National Indian Gaming Commission (NIGC) regulations, Tribal-State Compacts and Title 15 of Mille Lacs Band Statutes Annotated (15 MLBS).

1.2. Policy. The Band's Gaming Regulatory Authority (GRA) Board and Office of Gaming Regulation and Compliance (OGR&C) shall be responsible for conducting, or causing to be conducted, background investigations on all licensees of all Gaming Enterprises, the GRA and gaming management personnel. Such background investigations must be conducted in accordance with the regulations at 25 CFR § 556 and 558, the Tribal-State Compacts, 15 MLBS and applicable DGRs

1.2.1. Licensing a Privilege. Any gaming license issued by the GRA is a privilege subject to suspension, denial or revocation.

1.2.2. Burden on Licensee. The burden of proving qualification for any license hereunder is at all times on the licensee. Licensees shall submit the information required for completion of the background investigation (including renewals) by the due date stated on the initial information request. Any license issued is subject to suspension until such information is received. Failure to provide such information constitutes grounds for license denial or revocation. Licensees accept any risk of adverse public notice, embarrassment or other action, which may result from the application process and expressly waive any claim for damages as a result thereof.

1.2.3. Release of Information. All licensees shall sign a written release concerning all information necessary for the GRA to achieve its goals under 15 MLBS, and to furnish such information to the Bureau of Indian Affairs, the NIGC, or other governmental agency as required by law or the Tribal-State Compacts.

1.2.4. Applicant Claim of Privilege. A licensee may claim any privilege afforded by law in connection with a gaming license application or investigation, but a claim of privilege with respect to any testimony or evidence pertaining thereto may constitute grounds for denial, suspension or revocation of a gaming license.

1.3. Authorization of Investigations; Release of Information. The GRA may employ all reasonable means, including engaging outside services and investigators, and requesting access to any systems, files or employees. to acquire information necessary to determine whether a license should be issued, renewed, denied, suspended or revoked. Applicants for licensure shall execute a full release of all information necessary for the GRA to achieve its goals under this policy, and to meet the GRA's mandate pursuant to 15 MLBS, the Tribal-State Compacts and applicable federal law.

1.4. Confidentiality of Interviewed Persons in an Investigation. The GRA Board, the Executive Director of the OGR&C or designee, and all employees of the OGR&C shall keep confidential the identity of each person interviewed in the course of the routine background investigation. However, nothing in these policies prevent the Executive Director of the OGR&C or designee or counsel for the GRA from releasing to the licensee the name(s) of

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any person(s) whose testimony may be relied upon, or who may be called as a witness at a Determination Hearing or before the Court of Central Jurisdiction.

1.5. Scope of Investigations and Related Activities. Any investigations or related activities conducted by the GRA pursuant to 15 MLBS must be strictly limited to official GRA duties under the law. Any investigations and related activities outside the routine of a normal background investigation may be undertaken only after review by the GRA Board to verify that the scope and subject of any additional investigation complies with 15 MLBS and other applicable law. Individuals who perform investigations and related activities outside the scope of 15 MLBS and other applicable law are subject to immediate dismissal and reasonable fines.

1.5.1 Individuals who perform investigations may compel witness testimony relative to an investigation pertaining to license eligibility. Failure to provide requested information to the GRA can result in suspension or revocation of license and/or fines.

1.6. Licensing and Investigation Fees. All fees and costs shall be invoiced to the Gaming Enterprise on a monthly basis. Licensees may be responsible for any extraordinary costs of any applicable background investigation.

1.7. Initial Application Process. Offers of employment are contingent upon all applicants for licensure completing a Gaming License Application and reading, signing and dating the Eligibility Requirements for Licensure. OGR&C licensing personnel shall review the application to ensure all applicable sections of the Gaming License Application are completed. During the exit interview process, the licensee will be asked a series of questions to clarify information disclosed or disclose information otherwise omitted from the application.

1.7.1. Primary Management Official (PMO) Licenses. PMO Licenses are required for the following positions and those positions with equivalent authority or responsibilities:

a. Gaming Enterprises: General Manager, Assistant General Manager, Vice President, Director.

b. Mille Lacs Corporate Ventures (MLCV): Corporate Board of Directors, Corporate Commissioner, Executive Administrative Assistant, Attorney, C-suite, Vice President, Director.

c. GRA: GRA Board, GRA Board Secretary, Executive Director, Assistant Executive Director, Executive Administrative Assistant, Director of Surveillance, Director of Compliance and Internal Audit, Director of Licensing Investigations and the Office of the Solicitor General counsel regularly representing the GRA.

1.7.2. Class A Key Licenses. Class A Key Licenses are required for any licensee considered to be part of the departments or holding the titles listed below:

a. Gaming Enterprises: Slots, Finance, Information Technology, Managers, Marketing, Security, Executive Administrative Assistant

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b. MLCV: Manager, Accounting, Finance, Loss Prevention, Marketing, Information Technology

c. GRA: All other GRA personnel

1.7.3. Class B Key Licenses. A minimum of a Class B Key License is required for any licensee considered to be part of the departments or holding the titles listed below:

a. Table Games, Card Games, Bingo, Pull Tabs, and Learning & Development.

b. Human Resources and all Administrative Assistants not required to have a Class A License.

c. Hotel, Food and Beverage, and Golf Departments handling cash, credit cards, coupons, or comps.

d.

1.7.4. Non Key Licenses. A Non Key License is required for any licensee, employed by a Gaming Enterprise, , , except persons employed at non-gaming MLCV small businesses or subsidiaries, who is not otherwise required to have a PMO, Class A, or Class B License , who meet any of the following

1.7.5.

a. Applicants under eighteen (18) years of age.

b. Temporary Program participants employed for less than ninety (90) days.

c. On-site employees of contracted companies performing duties substantially similar to current employee positions.

1.7.6. Notices and Requests for Information. The Gaming License Application must contain the following notices and require the following information:

a. Privacy Act Notice: In compliance with the Privacy Act of 1974, the following information is provided: Solicitation of the information on this form is authorized by 25 U.S.C. 2701 et seq. The purpose of the requested information is to determine the eligibility of the individuals to be granted a gaming license. The information will be used by the GRA and the NIGC members and staff who have need for information in the performance of their official duties. The information may be disclosed to appropriate Federal, Tribal, State, local, or foreign law enforcement and regulatory agencies when relevant to civil, criminal or regulatory investigations or prosecutions or when pursuant to a requirement by a tribe or the NIGC in connection with the issuance, denial, or revocation of a gaming license, or investigations of activities while associated with a tribe or a gaming operation. Failure to consent to the disclosures indicated in this notice will result in a tribe being unable to issue a gaming license. The disclosure of your Social Security Number (SSN) is voluntary. However, failure to supply an SSN may result in a tribe being unable to issue a gaming license.

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b. 18 USC § 1001 Notice: A false statement on any part of your license application may be grounds for denying a license or the suspension or revocation of a license. Also, you may be punished by fine or imprisonment.

c. 25 CFR Background Information: At a minimum, all information as required in 25 CFR § 556.4 (a)(1 – 14).

d. 15 MLBS § 308 (g): GRA – Authority to Release Information: Applicants for licensure shall execute a full release of all information necessary for the GRA to achieve its goals under this Title, and to furnish such information to the Bureau of Indian Affairs, the NIGC, or such other governmental agency as may be required by law or the Compact.

1.7.7. Renewal Process. The renewal process must be substantially similar to the initial application.

1.7.8. Creating and Changing Positions. The Gaming Enterprise and MLCV shall provide the OGR&C notification of reassignments, transfers, creation of new positions, or proposed employment solutions, such as promotions, demotions or job transfers/job shares . This notification will give the OGR&C an opportunity to review the current gaming license classification for positions or programs to determine if further background procedures must be conducted prior to implementation. Notice must be received by the OGR&C at least ten (10) business days prior to implementation.

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## 2. Background Procedures

2.1. OGR&C Background Procedures. In addition to assisting an licensee with completion of the Gaming License Application, authorized GRA employees may also perform, but not be limited to, the following, as applicable:

2.1.1. PMO, Class A, B, & Non-KeyLicenses:

a. Contact county criminal history agency based on residence history, credit report and motor vehicle report.

b. Submit relevant information and fingerprints to the NIGC for receipt of FBI Report.

c. Conduct reference checks on personal/character references and previous gaming licenses.

d. Review internal investigations.

e. Consult tribal courts.

f. Query Office of Foreign Asset Control (OFAC) sanctions list.

g. Search social media.

h. Conduct previous employer reference checks

2.1.2.

2.2. Eligibility Determination. The Executive Director of the OGR&C or designee shall review the results of all background investigative reports above to determine:

2.2.1. If the information in the reports conflict with the information provided on the Gaming License Application;

2.2.2. If the information in the reports violate the standards contained in applicable DGRs or the Tribal-State Compacts;

2.2.3. If employment of a person 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; and

2.2.4. If the information in the reports creates or enhances the danger of internal theft or fraud. The Executive Director of the OGR&C or designee shall consider the nature of the position applied for to determine the nature of any potential threat to Band assets.

2.3. Waiver of Eligibility Requirements. If an licensee fails to meet the minimum requirements for a gaming license set forth in Section 7[A117.1] – 12 below, the licensee may request a waiver of such requirements.

2.3.1. In addition to the standard Gaming License Application requirements, waiver requests must include:

a. Any documents pertaining to court ordered treatment or programs;

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b. Any documents regarding release from a State or Federal penitentiary; and

c. At least three (3) personal affidavits attesting to the character and rehabilitation of the licensee. The affidavits must:

i. Be from a person unrelated to the licensee

ii. State how long the person has known the licensee (minimum of three (3) years)

iii. Contain a verifiable physical or mailing address

iv. Be notarized

2.3.2. Upon receipt of the required information, the Executive Director of the OGR&C or designee will assess the information, issue a Compliance Recommendation and place the recommendation on the agenda for the next GRA Board meeting. The licensee will be notified by certified mail of the time, date and location of the determination hearing.

2.3.3. The waiver request licensee may also include a personal statement or other supporting documentation attesting to his or her rehabilitation.

2.3.4. Nothing in this section requires the GRA Board to grant a waiver request.

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## 3. Granting of Gaming Licenses

3.1. Granting of a Temporary License. Once an licensee has submitted a fully completed Gaming License Application, OGR&C licensing personnel shall review the application to determine if it contains any information that would prohibit the licensee from obtaining a Band gaming license. Absent such a prohibition, the Executive Director of the OGR&C or designee shall issue a temporary license to the licensee. Licensee are permitted to obtain employment with such a temporary license, subject to a final Compliance Determination made in accordance with these regulations. Pursuant to 15 MLBS § 308 (c)(4)(vii)(E)and 25 C.F.R. § 558.3 (b), no Band Gaming Enterprise shall employ a Key Employee or PMO who does not have a license after ninety (90) days.

3.2. Granting of a Gaming License. Once all of the reports required in Part II have been received from the appropriate agencies, The Executive Director of the OGR&C or designee shall review the reports to determine:

3.2.1. Whether the licensee provided the required information.

3.2.2. Whether the information provided by the licensee conflicts with that contained in the reports.

3.2.3. Whether the nature of any nondisclosure, conflicting information, or information revealed in the reports makes the licensee ineligible for licensure pursuant to 15 MLBS and other applicable laws.

a. Recommendation to Executive Director. For all licensee, authorized GRA employees shall complete an Investigative Report and notify the Executive Director of the OGR&C or designee of its results.

b. Compliance Recommendation. The Executive Director of the OGR&C or designee shall assess the results of the Investigative Report and issue a Compliance Recommendation as to licensure as defined in 15 MBLSA § 402 (b). The Executive Director of the OGR&C or designee shall make all Compliance Recommendations to either the GRA Board, or a Hearing Examiner. For any recommendation against licensure, the Executive Director of the OGR&C or designee shall notify the appropriate persons of the time, date and location that the GRA Board or a Hearing Examiner will hear such recommendation in a Compliance Determination hearing.

c. Compliance Determination. If the GRA Board or Hearing Examiner issues a Compliance Determination in favor of granting a license to an licensee, the OGR&C shall issue such license, subject to the following provisions:

i. Notification to NIGC. Pursuant to 15 MLBS § 308 and 25 CFR §§ 556 and 558, the OGR&C shall forward the results of all background investigations for Key Employees and PMOs, including the eligibility determination made pursuant to 25 CFR § 558.2, to the NIGC.

ii. NIGC Consideration. If, within the 30-day period described in 15 MLBS § 308and 25 CFR § 558.3, the NIGC notifies the GRA that it has no objection to the issuance of a license for a Key Employee or PMO, the GRA may go forward and issue a license to such an

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licensee. If however, during the same period, the NIGC provides the GRA with a statement itemizing objections to the issuance of a license for a Key Employee or PMO, the GRA Board shall reconsider the application in light of these objections. The GRA Board shall make the final decision whether to issue a license to such an licensee.

d. Physical Gaming License.

i. Upon licensure each licensee must be issued a photographic identification card or badge. Such identification card or badge must display the license number, department, job title, and expiration date. The licensee's legal first name must be printed on the front of each photographic identification badge. Each licensee shall wear the photographic identification card or badge described above during all times when they are working (including employee only areas of the Gaming Enterprise). Such identification card or badge must be reissued at least annually. the casino security department at each location may be designated by the GRA to issue physical gaming licenses. The GRA can rescind the designation at any time for any reason. The physical license shall not be altered in appearance in any way, except by the issuing authority, and can only display approved/required information.

ii. Expired badges: Expired badges must be turned in at the time of obtaining a new badge. No new issue shall be distributed until the expired badge has been turned in. All expired badges must be immediately destroyed.

iii. Duplicate badges: Procedures must be established regarding management of duplicate badges. GRA must be notified within 72 hours of a duplicate badge being issued. Procedures for managing duplicate badges is subject to audit by the GRA.

iv. The Gaming Enterprise may still require non-licensed employees to be badged, but are not subject to the requirements in paragraph i. Department-specific policies or SICS may require certain information on a non-licensed employee badge outside of these requirements.

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## 4. Suspension, Denial and Revocation of Gaming License

4.1. Adverse Compliance Recommendations. If, at any time during the course of a routine background investigation, or, a report is made to the GRA regarding conduct of a licensee that may make them ineligible to hold a gaming license, the OGR&C becomes aware of any information material to a Compliance Recommendation, they shall immediately notify the Executive Director of the OGR&C or designee.

4.1.1. The Executive Director of the OGR&C or designee will conduct a formal investigation into any credible allegations received and issue a Compliance Recommendation. The GRA Board (or a Hearing Examiner appointed by the Board) will hear all Compliance Recommendations. Licensees who wish to appeal a negative Compliance Recommendation may do so at the time, place and location for the Compliance Determination Hearing listed on the Compliance Recommendation.

4.1.2. All Compliance Determination Hearings will be held in accordance with DGR 2. The GRA Board shall notify the licensee in writing of its Compliance Determination.

4.1.3. The OGR&C shall submit the Notification of Results to the NIGC.

4.1.4. At the conclusion of the Determination Hearing, the Executive Director of the OGR&C or designee shall immediately notify the Gaming Enterprise of the status of the licensees' license.

4.1.5. Licensees subject to denial or revocation Compliance Determinations may submit a written petition for license reapplication to the GRA Board no more than once per year. Nothing in this section prevents the GRA Board from allowing reapplication earlier.

4.2. Duty to Report. Human Resources personnel, supervisors, managers, directors, executive leadership, security personnel, and any other individual acting in an official capacity on behalf of the Gaming Enterprise or MLCV who become aware of information that may materially affect an individual's eligibility for gaming licensure shall report such information to the OGR&C within seventy-two (72) hours of becoming aware of the information.

4.2.1. Reportable information includes, but is not limited to, the following;

a. Criminal charges

b. Arrests involving felony or gross misdemeanor offenses,

c. Employee theft, suspected theft under investigation,

d. Substantiated policy violations involving dishonesty, gaming-related misconduct, license revocations or suspensions in another jurisdiction, and

e. Separations from employment resulting from conduct that may affect ongoing suitability for licensure.

4.2.2. Nothing in this section requires the reporting of unsubstantiated rumors. The duty to report applies to information obtained through official job duties, investigations,

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personnel actions, criminal justice notifications, employee disclosures, or other reasonably reliable sources.

4.3. License Revocations. Licensees who have their gaming license revoke, upon issuance of a Final Determination by the GRA Board, is ineligible for employment at any gaming enterprise.

4.3.1. Notification to NIGC. A Notice of Gaming License Action Taken, listing the licensee name, action taken and justification for taking the action, must be sent to NIGC immediately upon a Final Determination being made by the GRA Board.

4.3.2. Lift of Revocation. Any licensee wishing to reapply for employment at a Gaming Enterprise who has a currently revoked gaming license, must first request a hearing before the GRA Board to have the revocation lifted and allow for re-application of a license. A person is not eligible for employment or any other license while they have a current revoked gaming license on file.

4.4. License Denials. For a new licensee, if the Executive Director of the OGR&C or designee issues a Compliance Recommendation recommending denial of a license and the individual is currently employed by a Gaming Enterprise, the OGR&C shall notify management of the denial and the applicant's temporary gaming license suspended pending a final Compliance Determination by the GRA Board or final order from the Mille Lacs Band Court of Central Jurisdiction.

4.5. Temporary License Suspension. If the OGR&C requests information from a licensee, the following procedure will apply:

4.5.1. The licensee, department head, and Human Resources will be notified.

4.5.2. The licensee will have five (5) business days to comply with the OGR&C's information request.

4.5.3. If the five (5) business days lapse and the licensee has not complied with the request, the OGR&C has the authority to temporarily suspend the licensees' license until the licensee complies with the information requested.

4.6. Emergency Enforcement Orders. Consistent with MLB Statutes Title 15, Chapter 1, SubChapter 4, Section 313 (d) Immediate removal of disorderly persons: if the Executive Director of the OGR&C or designee finds that any person is an immediate threat to Band assets, casino or Band personnel, or other guests, or probable cause exists to believe that a crime has been, or is about to be committed, that the individual has or is reasonably believed likely to engage in disruptive or unruly behavior, or any other behavior which presents a danger to the health, welfare, morals, or the public peace, on or within any gaming enterprise licensed or regulated by the OGR&C, the Executive Director of the OGR&C or designee may, by Emergency Order, immediately impose any legitimate regulatory enforcement and 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 of the OGR&C or designee may require the immediate removal (and restriction against reentry) of a licensee, non-licensed employee, vendor or guest from a Gaming Enterprise, pending the outcome of a Compliance Determination hearing or final order from the Court of Central Jurisdiction. All

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Emergency Enforcement Orders must comply with the requirements found in 15 MLBS § 402 (c) and be supported by a Compliance Recommendation.

4.7. GRA Board Consideration of Emergency Orders. Pursuant to 15 MLBS § 402 (c), the Executive Director of the OGR&C or designee shall immediately forward any such order, along with a supporting Compliance Recommendation, to the GRA Board and the Corporate Commissioner in the manner provided by 15 MLBS § 312 (d). The GRA Board shall convene a Compliance Determination hearing to consider the Executive Director's Emergency Enforcement Order and supporting Compliance Recommendation within three (3) days of receipt of the Order from the Executive Director of the OGR&C or designee. In all such cases, the GRA Board's Compliance Determination or a final order from the Court of Central Jurisdiction supersedes the Executive Director's Emergency Enforcement Order. For any license suspended or revoked, the OGR&C staff shall submit the Notification of Results to the NIGC, and immediately notify Gaming Enterprise management of the status of the licensee.

## 5. Background Information and Retention

5.1. Licensing files containing the Gaming License Application, Employment Application, Personnel/Payroll Action Notice (PPAN) and all investigation results must be securely maintained in digital format using an approved file management platform.

5.2. Access to such files is limited to the OGR&C licensing staff, the Executive Director and members of the GRA Board. NIGC Agents and State Gambling Enforcement Agents may also access files for purposes of an audit.

5.3 Licensing files shall be retained in accordance with NIGC, applicable federal law, MLB Statutes and GRA record retention policies

5.4. Licensing files subject to adverse Compliance Determination must be retained for at least five (5) years after the determination date.

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## 6. Gaming Standards for Licensees

6.1. Licensees Prohibited from Gaming. Licensees in the following positions are prohibited from gaming at any Gaming Enterprise licensed by the GRA:

6.1.1. GRA Board Members

6.1.2. GRA Employees

6.1.3. PMOs

6.2. Conditions of Licensee Gaming. Licensees other than those listed above may game at a Gaming Enterprise licensed by the GRA with the following conditions:

6.2.1. Licensees shall not game while on duty.

6.2.2. Licensees shall not game while in uniform.

6.2.3. Employees of the Revenue Accounting Department shall not play slots.

6.2.4. Employees of the Slots Department shall not play slots at the Gaming Enterprise where they are employed.

6.2.5. Employees of the Information Technology Department with access to gaming systems shall not play slots.

6.2.6. Employees who work in Blackjack shall not play Blackjack at the Gaming Enterprise where they are employed.

6.2.7. Employees who sell Pull Tabs shall not play Pull Tabs at the Gaming Enterprise where they are employed.

6.2.8. Employees who control Bingo paper inventory shall not play Bingo at the Gaming Enterprise where they are employed.

6.2.9. Employees are prohibited from participating in marketing promotions that involve a guest drawing.

6.2.10. Employees are prohibited from participating in marketing promotions insured by a third party.

6.2.11. Employees who work in the Marketing Department (except for coat check and the call center) are prohibited from participating in any marketing promotion.

6.3 Eligible Licensees choosing to game, must register for an employee player's account prior to beginning any gaming. The employee player's account card must be in use during any gaming activity.

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## 7. Background Investigations

7.1. Review Required. Each licensee required to hold a gaming license pursuant to Title 15 and any regulations promulgated thereunder shall be subject to a comprehensive background investigation prior to employment. Such review will be conducted by the Executive Director of the OGR&C or a designee, and will include an examination of such licensee's prior activities, criminal record and reputation, habits and associations so as to permit the Executive Director of the OGR&C or designee to determine the licensee's eligibility for licensing.

7.2. Employment Prohibited. If it is determined that a licensee 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, a Gaming Enterprise shall not employ such licensee in a position that requires a gaming license.

7.3. False, Misleading or Omitted Information. No Gaming Enterprise shall employ a licensee as a Key Employee, Primary Management Official, or Non-key Employee who has supplied materially false or misleading information or who has omitted material information required by Title 15, the Tribal-State Compacts, the Detailed Gaming Regulations or 25 CFR § 556.4(a).

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## 8. Gaming Regulatory Authority Board Members Background Investigation Procedures

8.1. GRA Board members shall be subject to Background Investigation pursuant to 15 MLBS§ 302(c)(5).

8.2. Band Assembly has the authority to review a Board Member's prior activities, criminal record, reputation, habits and associations to make a final determination concerning the eligibility of licensing for a potential Board Member.

8.3. If after the completion of the appointment process and Background investigation Band Assembly determines that a potential Member is not eligible for office, the position will be filled pursuant to 15 MLBS § 302(d)(4).

8.4. All determinations of the Band Assembly are final and unappealable.

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## 9. Eligibility Requirements for Licensure for Primary Management Official and Class A Key Gaming License

9.1. Felony/Gross Misdemeanor Convictions. The GRA Board shall not issue a Primary Management Official/Key Gaming License to any licensee who has been convicted (date of final disposition) of a felony or non-driving related (except for convictions that include homicide, neglect, or bodily injury) gross misdemeanor within the seven (7) year period preceding application.

9.2. No Licensure for Specific Crimes. The GRA Board shall not issue a Primary Management Official/Key Gaming License to any licensee who has ever been convicted of a felony or gross misdemeanor involving the following offenses:

9.2.1. Gambling

9.2.2. Criminal Sexual Conduct Convictions (1st – 4th degree, including but not limited to rape, attempted rape, and criminal sexual conduct with a juvenile. 5th degree criminal sexual conduct convictions will require the licensee to follow the waiver process prior to being granted a license)

9.2.3. Fraud or Embezzlement

9.2.4. Misrepresentation

9.3. Pending Felony/Gross Misdemeanor Charges.

9.3.1. No Licensure. The GRA Board shall not issue a Primary Management Official /Key Gaming License to any licensee who has a felony or non-driving related gross misdemeanor charge pending. Active stays of adjudication for felonies and gross misdemeanors constitute pending charges.

9.3.2. Current Licensees. The GRA Board shall suspend the Gaming License of any licensee charged with a felony or non- driving related (except those involving homicide, neglect or bodily injury) gross misdemeanor pending the outcome of the criminal proceedings. If a finding of not guilty, dismissal or reduction of the charges occurs, the Executive Director of the OGR&C or designee may recommend reinstatement of the license.

9.3.3. Duty to Report. Licensees shall report any felony or non-driving related gross misdemeanor charges filed against them after initial licensure to the OGR&C within five (5) business days of becoming aware they have been charged with such an offense. Failure to report the filing of such a charge constitutes grounds for suspension or revocation of a Gaming License, at the discretion of the GRA Board.

9.4. Active Warrants. The GRA Board shall not issue a Primary Management Official/Key Gaming License to any licensee who has an active warrant in any jurisdiction. The GRA Board shall suspend the Gaming License of any licensee who fails to resolve an active warrant within ten (10) business days of notification from the OGR&C. The Executive Director of the OGR&C or designee may recommend reinstatement of the license following the resolution of the active warrant.

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9.5. Substantial Period of Incarceration. The GRA Board shall not issue a PMO/Key Gaming License to any licensee who has not had the passage of at least seven (7) years since the licensee completed any substantial period of incarceration (any incarceration period exceeding 365 days).

9.6. Waiver for Mille Lacs Band of Ojibwe Enrolled Members. The restrictions in Section three will not disqualify a Mille Lacs Band of Ojibwe Enrolled Member from licensure if the GRA Board waives such restriction in writing after the licensee has demonstrated to the Board sufficient rehabilitation and present fitness to hold a license by showing the following:

9.6.1. A minimum of five (5) years with no conviction of any felony or non-driving related gross misdemeanor.

9.6.2. The passage of at least five (5) years since the licensee completed any substantial period of incarceration.

9.6.3. Notarized affidavits from at least three (3) persons unrelated to the licensee, who have known him/her for at least the preceding five (5) years, attesting to the rehabilitation.

9.6.4. The licensee may also submit a letter attesting to his/her rehabilitation.

9.6.5. For any conviction, proof of compliance with any court ordered treatment program or aftercare program.

9.6.6. For any crime where fines or restitution is ordered by the court, the licensee should show proof of payment. Once licensed, the licensee shall provide the OGR&C proof they are making payments towards fines and restitution for at least three (3) months. Failure to provide proof of payment constitutes grounds for suspension of a Gaming License obtained through this Section.

9.6.7. For any other crime, proof of sufficient rehabilitation as determined by the GRA Board.

9.6.8. The Board may impose conditions on any license issued.

9.6.9. The waiver process does not apply to licensees who have had a Gaming License revoked.

9.6.10. The waiver process does not apply to the crimes listed in Section 9.2[A118.1], with the exception of 5th degree criminal sexual conduct convictions.

9.6.11. Nothing in this Section compels the GRA Board to grant a waiver.

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## 10. Eligibility Requirements for Licensure for Class B Key Gaming License

10.1. Felony/Gross Misdemeanor Convictions. The GRA Board shall not issue a Class B Key Gaming License to any licensee who has been convicted (date of final disposition) of a non- driving related felony or gross misdemeanor within the five (5) year period preceding application.

10.2. No Licensure for Specific Crimes. The GRA Board shall not issue a Class B Key Gaming License to any licensee who has ever been convicted of a felony or gross misdemeanor involving the following offenses:

10.2.1. Gambling

10.2.2. Criminal Sexual Conduct Convictions (1st – 4th degree, including but not limited to rape, attempted rape, and criminal sexual conduct with a juvenile. 5th degree criminal sexual conduct will require the licensee to follow the waiver process prior to being granted a license)

10.2.3 Fraud

10.3. Pending Felony/Gross Misdemeanor Charges.

10.3.1. No Licensure. The GRA Board shall not issue a Class B Key Gaming License to any licensee who has a non-driving related felony or gross misdemeanor charge pending. Active stays of adjudication for felonies and gross misdemeanors constitute pending charges.

10.3.2. Current Licensee. The GRA Board shall suspend the Gaming License of any licensee charged with a non-driving related felony or gross misdemeanor pending the outcome of the criminal proceedings. If a finding of not guilty, dismissal or reduction of the charges occurs, the Executive Director of the OGR&C or designee may recommend reinstatement of the license.

10.3.3. Duty to Report. Licensees shall report any non-driving felony or gross misdemeanor charges filed against them after initial licensure to the OGR&C within five (5) business days of becoming aware they have been charged with such an offense. Failure to report the filing of such a charge constitutes grounds for suspension or revocation of a Gaming License, at the discretion of the GRA Board.

10.4. Active Warrants. The GRA Board shall not issue a Class B Key Gaming License to any licensee who has an active warrant in any jurisdiction. The GRA Board shall suspend the Gaming License of any licensee who fails to resolve an active warrant within ten (10) business days of notification from the OGR&C. The Executive Director of the OGR&C or designee may recommend reinstatement of the license following the resolution of the active warrant.

10.5. Substantial Period of Incarceration. The GRA Board shall not issue a Class B Key Gaming License to any licensee who has not had the passage of at least five (5) years since the licensee completed any substantial period of incarceration.

10.6. Waivers. The restrictions in Section 4 will not disqualify an licensee from licensure if the GRA Board waives such restriction in writing after the licensee has demonstrated to the

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Board sufficient rehabilitation and present fitness to hold a license by showing the following:

10.6.1. For enrolled Mille Lacs Band Members: a minimum of one (1) year with no conviction of any non-driving related felony or gross misdemeanor. For non-members: a minimum of three (3) years with no conviction of any non-driving related felony or gross misdemeanor.

10.6.2. For enrolled Mille Lacs Band Members: the passage of at least one (1) year since the licensee completed any substantial period of incarceration. For non-members: the passage of at least three (3) years since the licensee completed any substantial period of incarceration.

10.6.3. Notarized affidavits from at least three (3) persons unrelated to the licensee, who have known him/her for at least the preceding five (5) years, attesting to the rehabilitation.

10.6.4. The licensee may also submit a letter attesting to his/her rehabilitation.

10.6.5. For any conviction, proof of compliance with any court ordered treatment program or aftercare program.

10.6.6. For any crime where fines or restitution is ordered by the court, the licensee should show proof of payment. Once licensed, the licensee shall provide the OGR&C proof they are making payments towards fines and restitution for at least three (3) months. Failure to provide proof of payment constitutes ground for suspension of a Gaming License obtained through this Section.

10.6.7. For any other crime, proof of sufficient rehabilitation as determined by the GRA Board.

10.6.8. The Board may impose conditions on any license issued.

10.6.9. The waiver process does not apply to licensees who have had a Gaming License revoked.

10.6.10. The waiver process does not apply to the crimes listed in Section 10.2[A119.1], with the exception of 5th degree criminal sexual conduct convictions.

10.6.11. Nothing in this Section compels the GRA Board to grant the waiver.

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## 11. Eligibility Requirements for Licensure for Non-Key Gaming License

11.1. Felony/Gross Misdemeanor Convictions. The GRA Board shall not issue a Non-key Gaming License to any licensee who has been convicted (date of final disposition) of a non-driving related felony or gross misdemeanor within the two (2) year period preceding application.

11.2. No Licensure for Specific Crimes. The GRA Board shall not issue a Non-key Gaming License to any licensee who has ever been convicted of the following offense:

11.2.1. Criminal Sexual Conduct Convictions (1st – 4th degree, including but not limited to rape, attempted rape, and criminal sexual conduct with a juvenile. 5th degree criminal sexual conduct will require the licensee to follow the waiver process prior to being granted a license).

11.3. Pending Felony/Gross Misdemeanor Charges.

11.3.1. No Licensure. The GRA Board shall not issue a Non-key Gaming License to any licensee who has a non-driving related felony or gross misdemeanor charge pending. Active stays of adjudication for felonies and gross misdemeanors constitute pending charges.

11.3.2. Current Licensees. The GRA Board shall suspend the Gaming License of any licensee charged with a non-driving related felony or gross misdemeanor pending the outcome of the criminal proceedings. If a finding of not guilty or dismissal of the charges occurs, the Executive Director of the OGR&C or designee may recommend reinstatement of the license.

11.3.3. Duty to Report. Licensees shall report any non-driving related felony or gross misdemeanor charges filed against them after initial licensure to the OGR&C within five (5) business days of becoming aware they have been charged with such an offense. Failure to report the filing of such a charge constitutes grounds for suspension or revocation of a Gaming License, at the discretion of the GRA Board.

11.4. Active Warrants. The GRA Board shall not issue a Non-key Gaming License to any licensee who has an active warrant in any jurisdiction. The GRA Board shall suspend the Gaming License of any licensee who fails to resolve an active warrant within ten (10) business days of notification from the OGR&C. The Executive Director of the OGR&C or designee may recommend reinstatement of the license following the resolution of the active warrant.

11.5. Substantial Period of Incarceration. The GRA Board shall not issue a Non-key Gaming License to any licensee who has not had the passage of at least two (2) years since the licensee completed any substantial period of incarceration.

11.6. Waivers. The restrictions in Section 5 will not disqualify an licensee from licensure if the GRA Board waives such restriction in writing after the licensee has demonstrated to the Board sufficient rehabilitation and present fitness to hold a license by showing the following:

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11.6.1. For enrolled Mille Lacs Band Members: a minimum of six (6) months with no conviction of any felony or gross misdemeanor of any kind. For non-members: a minimum of one (1) year with no conviction of any felony or gross misdemeanor of any kind.

11.6.2. For enrolled Mille Lacs Band Members: the passage of at least six (6) months since the licensee completed any substantial period of incarceration. For non-members: the passage of at least one (1) year since the licensee completed any substantial period of incarceration.

11.6.3. Notarized affidavits from at least three (3) persons unrelated to the licensee, who have known him/her for at least the preceding five (5) years, attesting to the rehabilitation.

11.6.4. The licensee may also submit a letter attesting to his/her rehabilitation.

11.6.5. For any conviction, proof of compliance with any court ordered treatment program or aftercare program.

11.6.6. For any crime where fines or restitution is ordered by the court, licensee should show proof of payment. Once licensed, the licensee shall provide the OGR&C proof they are making payments towards fines and restitution for at least three (3) months. Failure to provide proof of payment constitutes grounds for suspension of a Gaming License obtained through this Section.

11.6.7. For any other crime, proof of sufficient rehabilitation as determined by the GRA Board.

11.6.8. The Board may impose conditions on any license issued.

11.6.9. The waiver process does not apply to licensee who have had a Gaming License revoked.

11.6.10. The waiver process does not apply to the crimes listed in Section 11.2 [A120.1]with the exception of 5th degree criminal sexual conduct convictions.

11.6.11. Nothing in this section compels the GRA Board to grant the waiver.

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## 12. Juvenile Record Not Considered

12.1. The GRA Board shall not consider the juvenile criminal history of any licensee, unless the licensee was charged as an adult and the charges were so adjudicated.

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