

RESOLUTION NO. 105 -21
OF THE GOVERNING BODY OF THE
YAVAPAI-APACHE NATION

**A Resolution Approving Revised and New Appendices under the Yavapai-Apache Nation
and State of Arizona Amended and Restated Gaming Compact**

- WHEREAS:** The Yavapai-Apache Tribal Council ("Council") is authorized to represent the Yavapai-Apache Nation ("Nation") and act on all matters that concern the health and welfare of the Nation, and to make decisions not inconsistent with or contrary to the Constitution of the Yavapai-Apache Nation ("Constitution") as provided under Article V(a) of the Constitution; and
- WHEREAS:** The Council, as the legislative body of the Nation, is authorized to take any and all actions necessary and proper for the exercise of its Constitutional powers and duties, including those powers and duties not enumerated, and all other powers and duties now or hereafter delegated to the Council, or vested in the Council through its inherent sovereignty, as provided under Article V (w) of the Constitution; and
- WHEREAS:** The Council is authorized to negotiate and enter into agreements with federal, state and local governments and to manage all tribal economic affairs and enterprises as provided under Article V (b) and (i), respectively, of the Constitution; and
- WHEREAS:** On December 27, 2002, the Nation executed the Yavapai-Apache Nation and State of Arizona Gaming Compact, which became effective in February 2003 (the "2003 Compact"), and on January 8, 2009, pursuant to Resolution No. 03-09, the Council approved amendments to the 2003 Compact; and
- WHEREAS:** In 2016, Arizona Governor Doug Ducey proposed modernizing the gaming compact with the Arizona tribes and on December 12, 2016, pursuant to Council Resolution No. 222-16, the Council approved a Memorandum of Agreement with the State of Arizona under which the Nation and the State of Arizona agreed to enter into good faith negotiations regarding compact amendments; and
- WHEREAS:** After more than four years of negotiation, the Council approved the Yavapai-Apache Nation and State of Arizona Amended and Restated Gaming Compact ("2021 Compact") on February 18, 2021 pursuant to Council Resolution No. 31-21; and
- WHEREAS:** Section 3(b) of the 2021 Compact provides that all Gaming Activity authorized by the Compact shall be conducted in accordance with a mutually-agreed upon appendix setting forth technical and operational standards, specifications, and regulations governing such Gaming Activity; and
- WHEREAS:** As part of the negotiations, existing appendices were revised and new appendices were developed to incorporate updated standards, address new technology, streamline processes, and to address newly authorized Gaming Activities; and

WHEREAS: The existing appendices that have been revised as part of the 2021 Compact negotiations include the following:

- Appendix A – Technical and Operational Standards, Specifications, and Regulations Governing Gaming Devices (*attached to this Resolution as Exhibit A and incorporated herein by reference*);
- Appendix F(1) – Definitions, Operational Standards, Specifications, and Regulations Governing Blackjack (*attached to this Resolution as Exhibit B and incorporated herein by reference*);
- Appendix F(2) – Definitions, Operational Standards, Specifications, and Regulations Governing Promotional Award Power (*attached to this Resolution as Exhibit C and incorporated herein by reference*);
- Appendix F(3) – Definitions, Operational Standards, Specifications, and Regulations Governing House Banked Poker (*attached to this Resolution as Exhibit D and incorporated herein by reference*);
- Poker Memorandum of Understanding – Definitions, Operational Standards, Specifications, and Regulations Governing Poker (*attached to this Resolution as Exhibit E and incorporated herein by reference*);
- Appendix J – Vendor Certification and Licensing Procedures (*attached to this Resolution as Exhibit F and incorporated herein by reference*); and

WHEREAS: The new appendices that have been developed as part of the 2021 Compact negotiations include the following:

- Appendix F(4) – Definitions, Operational Standards, Specifications, and Regulations Governing Baccarat (*attached to this Resolution as Exhibit G and incorporated herein by reference*);
- Appendix F(5) – Definitions, Operational Standards, Specifications, and Regulations Governing Roulette (*attached to this Resolution as Exhibit H and incorporated herein by reference*);
- Appendix F(6) – Definitions, Operational Standards, Specifications, and Regulations Governing Craps (*attached to this Resolution as Exhibit I and incorporated herein by reference*);
- Appendix F(7) – Definitions, Operational Standards, Specifications, and Regulations Governing Big Six (*attached to this Resolution as Exhibit J and incorporated herein by reference*);
- Appendix F(8) – Definitions, Operational Standards, Specifications, and Regulations Governing Pai Gow Tiles (*attached to this Resolution as Exhibit K and incorporated herein by reference*);

- Appendix F(9) – Definitions, Operational Standards, Specifications, and Regulations Governing Sic Bo (*attached to this Resolution as Exhibit L and incorporated herein by reference*);
- Appendix L – Technical and Operational Standards, Specifications, and Regulations Governing Dealer Controlled Electronic Table Games (*attached to this Resolution as Exhibit M and incorporated herein by reference*); and

WHEREAS: The Council has reviewed the above-listed appendices and finds it in the best interest of the Nation and its gaming operation to the approve the same.

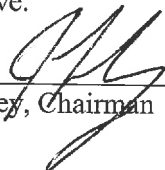
NOW THEREFORE BE IT RESOLVED that the Yavapai-Apache Tribal Council, in Council assembled, at which a quorum is present, hereby approves the appendices listed above and attached to this Resolution as Exhibits A-M.

BE IT FURTHER RESOLVED that the Council authorizes the Chairman to execute the appendices and deliver the execution copy to the Arizona Department of Gaming on behalf of the Nation.

BE IT FINALLY RESOLVED that the Chairman and Vice-Chairwoman, or either of them, are hereby authorized to take such further action as deemed necessary to carry out the intent and purposes of this Resolution.

CERTIFICATION

I hereby certify that the foregoing resolution was adopted by an affirmative vote of the Tribal Council, with a quorum in attendance, presented for approval on June 10 2021, by a vote of 9 in favor, 0 opposed and 0 abstaining, pursuant to the authority contained under the Constitution of the Yavapai-Apache Nation as cited above.



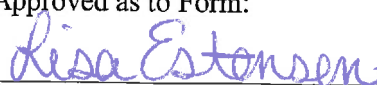
Jon Huey, Chairman

ATTEST:



Karla Reimer, Council Secretary

Approved as to Form:



Office of the Attorney General

EXHIBIT A

Appendix A - Technical and Operational Standards, Specifications,
and Regulations Governing Gaming Devices

APPENDIX A

Technical and Operational Standards, Specifications, And Regulations Governing Gaming Devices

Arizona Tribal-State Gaming Compact

TECHNICAL STANDARDS

Applicable technical standards are the following, accepting and including all recommended standards referenced therein and all amendments and updates thereto, as published by Gaming Laboratories International, Inc. ("GLI"):

Equipment	Standard
Gaming Devices	GLI-11
Progressive Gaming Devices	GLI-12
Online Monitoring Systems	GLI-13
Bonus Systems	GLI-17
Promotional Systems	GLI-18
Redemption Kiosks	GLI-20

These standards are incorporated into this Appendix and compliance with them is required, just as if they were fully set forth herein.

OPERATIONAL STANDARDS, SPECIFICATIONS AND REGULATIONS

PART I

DEFINITIONS AND CONVENTIONS

CHAPTER 1

DEFINITIONS

1. "Award" means a jackpot, a win and/or a prize.
2. "Base amount" means the amount of a progressive jackpot initially offered before increases.
3. "Bill acceptor box" means the secured compartment of a gaming device that contains currency, tickets, and/or coupons.
4. "Bonusing transaction" means an award that is not described in the pay table of a gaming device, that is based upon predetermined events or criteria established by the Gaming Facility Operator, and that results in the electronic transfer of credits to a gaming device. Bonusing transactions are made to patrons through predefined gaming devices.
5. "Control program" means software that operates a gaming device's functions.
6. "Coupon" means a printed wagering instrument that is used primarily for promotional purposes and which can be redeemed for restricted or unrestricted credits.
7. "Credit" means the unit of value that is used to play a game on a gaming device or that may be redeemed for other value.
8. "Critical files" are those files which affect a gaming device's play, operation, or outcome.
9. "Distributor" means a person who obtains a gaming device, gaming device software, host system software, or kiosk from a manufacturer or other distributor and intends to furnish it to the Tribe for a gaming purpose.
10. "Gaming device" means an electronic or electro-mechanical device that at a minimum will utilize an element of chance, skill, or strategy, or some combination of these elements in the determination of prizes, contain some form of activation to initiate the selection process, and makes use of a suitable methodology for delivery of the determined outcome.
11. "Gaming device file" means a database of every gaming device in operation, including at least the following information for each gaming device:

- (a) unique interface element/gaming device identification number;
 - (b) gaming device identification number as assigned by the gaming facility;
 - (c) denomination of the gaming device;
 - (d) theoretical hold of the gaming device; and
 - (e) control programs within the gaming device.
12. "Gaming device tournament" means an organized event that permits a patron to either purchase or be awarded the opportunity to engage in competitive play against other patrons.
13. "Host system" means the Gaming Facility Operator's MCS and, if used, an incentive system and/or validation system.
14. "Incentive system" means the components of the host system (whether hardware, software, or both and whether integral to the MCS or integrated with the MCS) that control incentive transactions. Gaming devices involved in incentive transactions are also part of the incentive system. Gaming devices not involved in incentive transactions are not part of the incentive system.
15. "Incentive transaction" means the electronic transfer of credits to or from a gaming device or kiosk in a promotional transaction or to a gaming device in a bonusing transaction. An incentive transaction is either a promotional transaction or a bonusing transaction. The following are not incentive transactions:
- (a) a patron receiving credits on a gaming device by inserting cash or coins into the gaming device;
 - (b) a patron receiving credits on a gaming device by redeeming a ticket other than a coupon at the gaming device;
 - (c) a patron obtaining or redeeming a ticket other than a coupon at a kiosk or cashier; and
 - (d) a patron receiving credits on a gaming device by winning a prize described in the payable of a gaming device during a game cycle, including a prize awarded during a bonus round.
16. "Incremental amount" means the difference between the amount of a progressive jackpot and its base amount.
17. "Jackpot" means a win of cash or its equivalent that results in a handpay.
18. "Kiosk" means a device that interfaces with the MCS and/or the host system and may be used by, or on behalf of, a patron to perform the following tasks:
- (a) ticket/coupon/jackpot redemption;
 - (b) ticket issuance; and/or
 - (c) bill breaking.
19. "Laboratory" means a gaming test laboratory independent of the Tribe and the State which is licensed by the Tribal Gaming Office and certified by the State Gaming Agency.
20. "Logic area" means a separately locked area of a gaming device which houses electronic components that have the potential to influence the outcome or integrity of the device. This area contains the main processor board and other critical components. It is a sealed,

secured box or enclosure within the gaming device that houses the critical control program(s) for the device.

21. "Manufacturer" means a person who manufactures, produces or assembles a gaming device, gaming device software, host system software, or kiosk and who intends to furnish it to a distributor or the Tribe.

22. "MCS" means an online monitoring and control system (also known as a game management system) that regularly monitors each gaming device via a real time defined communication protocol.

23. "MCS critical files" means those files in the MCS that affect the collection, storage and comparison of gaming device play and operation.

24. "Modify" or "modification" means:

- (a) with respect to a gaming device, a change or alteration in an approved gaming device that affects the manner or mode of play or the percentage paid by the gaming device, including a change in or update to a control program or critical file, but not a:
 - (1) Replacement of one gaming device component with another preapproved gaming device component; or
 - (2) Rebuilding of a previously approved gaming device with preapproved gaming device components.
- (b) With respect to a host system, the terms "modify" and "modification":
 - (1) Mean installing new MCS software, incentive system software, or validation system software (e.g., converting from Bally's MCS software to Aristocrat MCS software or adding Aristocrat validation software to Aristocrat MCS software);
 - (2) Mean installing a new release of MCS software, incentive system software, or validation system software
 - (3) Mean enabling modules of the host system that were installed previously (e.g., enabling the Personal Banker® module of Aristocrat's Oasis Slot Accounting System for the first time, but not using features of the Personal Banker® module for the first time after the Personal Banker® module has been enabled).

The terms "modify" and "modification" do not mean applying service releases, service packs, or patches to host system software, except where the releases, packs, or patches require prior testing and approval by a laboratory.

25. "Multi-site progressive gaming devices" means progressive gaming devices that are interconnected to more than one gaming facility.

26. "Multi-station device" means a multi-player gaming device that incorporates more than one player station, and has only one random number generator, which is controlled by a master terminal. The master terminal shall contain the game's Central Processing Unit (CPU) and the Random Number Generator (RNG). The master terminal shall control the common game display, which is shared among the player stations.

27. "Mystery award" means a prize paid or awarded by a gaming device that is not associated with a specific payable combination.
28. "Par sheet" means a document that depicts the possible outcomes from the play of a gaming device, the probability of occurrences of each, the contribution of each winning outcome to the payback of a gaming device, theoretical hold, and other data applicable to a gaming device.
29. "Prize" means a win of merchandise or other items of value other than cash or its equivalent.
30. "Progressive controller" means hardware and software that controls communications among the devices that calculate the values of the progressive jackpots and displays the information within a progressive gaming device link and on the associated progressive meter. If applicable, progressive controllers may be internally controlled by the game's control program. A progressive controller may consist of more than one discrete component and includes but is not limited to PC-based computers, wiring, interface boards and collection nodes, etc. The progressive controller is considered to be associated equipment to a gaming device.
31. "Progressive gaming device" means a gaming device that has an increasing jackpot, based on a function of credits that are bet. This includes games that award progressive jackpots or a "pool" based on criteria other than obtaining winning symbols on the gaming device, such as a mystery award. However, this does not include games that incorporate a bonus feature as part of the game theme, which offers jackpots that increase as the game is played and, as well, is not configurable.
32. "Progressive jackpot" means a payoff that increases automatically as gaming devices are played.
33. "Promotional transaction" means an electronic transfer of credits (not described in the payable of a gaming device) to or from a gaming device or kiosk based upon predetermined events or criteria established by the Gaming Facility Operator. The term promotional transaction does not include an electronic transfer of credits resulting from a bonusing transaction or other award. A promotional transaction may be a static enticement requiring no patron or gaming device activity before redemption or may be based upon patron play.
34. "Restricted credits" refer to credits obtained in an incentive transaction that may be used only for play on a gaming device (i.e., the credits may not be redeemed for cash).
35. "Ticket" (also known as Voucher) means a printed ticket issued by a gaming device which can be redeemed for cash or used to subsequently establish credits on a device.
36. "Unrestricted credits" refer to credits obtained in an incentive transaction that are capable of being either used for play on a gaming device or redeemed for cash at the discretion of the player.
37. "Validation system" means a component or components of the host system (whether hardware, software, or both and whether integral to the MCS or integrated with the MCS) that controls the issuance, acceptance, and validation of tickets and coupons.
38. "Virtual coupon" is RESERVED.

39. "Virtual ticket" (also known as Virtual voucher) means an electronic token exchanged between a player's mobile device and the gaming device which is used for credit insertion and redemption.

CHAPTER 2 CONVENTIONS

1. Time shall be expressed in local 24-hour format.
2. The Host System and all of its modules must utilize the same 24-hour cutoff when generating reports.
3. Dates shall be expressed in local month, day, and year format.
4. Deadlines shall be calculated consistent with Compact Section 21.
5. All user access passwords shall be changed at least quarterly with the changes documented.
6. Unless the context clearly dictates otherwise, the effect of words written in the singular is the same as if they had been written in the plural and the effect of words written in the plural is the same as if they had been written in the singular.
7. The Tribal Gaming Office and the State Gaming Agency may agree to an alternate procedure for any requirement of this Appendix.
8. All slot department employees shall be licensed by the Tribal Gaming Office and certified by the State Gaming Agency in accordance with the provisions of the Compact.
9. All gaming devices, kiosks, host systems, software, hardware, and associated equipment, as applicable, shall be purchased, leased, or acquired only from manufacturers, distributors, or suppliers certified by the State Gaming Agency and licensed by the Tribal Gaming Office in accordance with the Compact.
10. The State Gaming Agency shall have access to all records of gaming device activity, pursuant to the provisions of the Compact, including, but not limited to:
 - (a) Daily activity and accounting records;
 - (b) Security reports;
 - (c) Surveillance activities and reports; and
 - (d) Investigative reports.
11. The Gaming Facility Operator shall establish minimum and maximum wagers permitted at gaming devices in the Gaming Facility, provided that the maximum wager shall not exceed \$10,000. The maximum wager limit shall apply to any single wager that a player can make based on the approved game rules.

PART II
GAMING DEVICE REQUIREMENTS

- A. **Shipping Software.** All gaming device software, kiosk software, and host system software shall be directly shipped to and controlled by the Tribal Gaming Office, unless otherwise designated by the Tribal Gaming Office.
- B. **Shipping Hardware.** All hardware that affects game play or game outcome shall be directly shipped to and controlled by the Tribal Gaming Office unless otherwise designated by the Tribal Gaming Office.
- C. **Alternate Shipping and Delivery.** The Tribal Gaming Office shall notify the State Gaming Agency of all software and/or hardware shipped or delivered to any place other than the Tribal Gaming Office.
- D. **Downloading Software.** It is permissible to download software to gaming devices and kiosks so long as done in compliance with Part II(E). This Appendix does not authorize server-based or server-supported gaming devices, although they may be authorized in an amendment to this Appendix or a separate Appendix.
- E. **Requirements for Downloading Gaming Device Software.** All information concerning downloading gaming device or kiosk software shall be forwarded to the Tribal Gaming Office which shall forward the information to the State Gaming Agency prior to the downloading process. The method of downloading gaming device or kiosk software shall be consistent with the manufacturer guidelines. All downloading of gaming device or kiosk software shall take place in the presence of Tribal Gaming Office personnel. The Tribal Gaming Office and State Gaming Agency shall approve the method of downloading software. The State Gaming Agency shall not unreasonably withhold approval.
- F. **Software Requirements for Percentage Payout.** During the expected lifetime of the game, including bonus games, each game shall theoretically pay out a minimum of 80% for games requiring no skill and 83% for games of skill. During the expected lifetime of the game, including bonus games, the video game of keno shall theoretically pay out a minimum of 75%. The required return percentage does not include contributions from any award derived externally to the gaming device (i.e., progressive, promotional systems, bonus systems, merchandise, etc.).
- G. **Par Sheet.** A copy of the manufacturer's par sheet for the current configuration shall be maintained inside each gaming device or at a location mutually agreed upon by the Tribal Gaming Office and the State Gaming Agency. The par sheet provided by the manufacturer shall list all the possible pay combinations (including bonus wheel stops), and accurately reflect the current configurations and symbols for the gaming device in play. The theoretical hold percentage for each gaming device recorded in the MCS gaming device file shall be the same as that configured at the gaming device (allowing for rounding, as applicable), and shall be within the performance standards on the manufacturer's par sheet, except as provided in the minimum internal control standards to the Compact.

H. **Prizes in Lieu of Jackpots.**

1. The return to the patron over the complete game cycle shall conform to the theoretical pay-out percentage. No prize shall be included in determining whether a gaming device meets the established minimum payout requirement unless the patron is given an option to claim a jackpot. In that case, the jackpot will be used to compute the payout percentage.
2. The value of a prize and how the Gaming Facility Operator determined the value shall be clearly displayed in close proximity to all gaming devices that offer prizes.
3. Gaming devices which are linked to offer the same prize shall have the same probability of hitting the combination that will award that prize (adjusted for denomination of play and number of coins bet).

I. **Game Rules.** The rules of the game shall not be written in a manner that confuses a reasonable patron. The payglass artwork shall display sufficient information to the patron to indicate all available options and instructions. The game shall always follow the predefined set of rules. Each gaming device that offers a jackpot paid over time shall display notice of the following to all patrons:

1. That the displayed jackpot will be paid over time and not in one lump sum; and
2. The period of time over which the payments will be made.

J. **Pay Tables and Reel Strip Test.** For gaming devices with mechanical reels it shall be possible to test and verify gaming device pay tables and reel strips at the gaming facility during the initial gaming device certification and during any periodic inspection by the Tribal Gaming Office or State Gaming Agency such field testing shall not be required for video based gaming device. Testing and verification of gaming device pay tables for video based gaming devices shall be conducted by the independent testing laboratory as part of the certification process.

K. **Bonus Wheel Testing.** For gaming devices with associated physical wheels, or similar, that are utilized during the game cycle, the gaming device shall provide a means for the Tribal Gaming Office and the State Gaming Agency to verify the wheel stops at the gaming facility during the initial gaming device inspection and during any periodic testing by the Tribal Gaming Office or State Gaming Agency.

L. **Logic Area.**

1. Each logic area shall be locked and keyed differently than any other gaming device compartment.
2. The keys to the logic door and logic area shall be controlled and maintained by the Tribal Gaming Office. With respect to multi-site progressive gaming devices, the door to the logic area shall have two locks which are keyed differently, and the Tribal Gaming Office shall control and maintain the keys to at least one of the locks.

M. Currency Compartment.

1. Access to the currency storage area shall be through two levels of locks: one on the relevant outer door plus one other door or lock, before the bill acceptor box can be removed.
2. Access to the currency storage area shall be secured and fitted with separate sensors that indicate that a door has opened or closed and that a bill acceptor box has been removed, provided power is supplied to the gaming device.

N. Gaming Device Access Logs.

1. A gaming device entry access log shall be completed for each gaming device. Written access logs shall be stored inside each gaming device and shall be completed by the person opening the gaming device.
2. Upon agreement of the Tribal Gaming Office and the State Gaming Agency, an access log may be in written or electronic form. Regardless of whether it is in written or electronic form, the log shall contain the following:
 - (a) the date of access;
 - (b) the time of access;
 - (c) the name or employee identification number of the person accessing the gaming device;
 - (d) the reason for access;
 - (e) the signature or initials of the person accessing the gaming device; and
 - (e) where the access log is in electronic form, each person accessing the gaming device must have an assigned, unique access card or PIN and must use that card or PIN when accessing the gaming device.
3. No entry in the access log is required when removing the bill acceptor box from a gaming device during normal drop procedures.

O. Unrecoverable Critical Memory. An unrecoverable corruption of RAM shall result in a RAM error. Clearing the unrecoverable RAM error shall require a full RAM clear performed by a representative of the Gaming Facility Operator and require the presence of a Tribal Gaming Office representative. Electro-mechanical and electronic meter readings shall be recorded prior to clearing RAM on each gaming device. Documentation shall be forwarded to the Tribal Gaming Office and the accounting department.

P. Lost communication. A gaming device shall be turned off no later than twenty-four (24) hours after communication between the gaming device and the MCS has been lost unless otherwise agreed to in writing between the Tribal Gaming Office and the State Gaming Agency. The gaming device may only be turned back on when communication to the MCS has been restored and verified. All verification results shall be forwarded to the Tribal Gaming Office and the State Gaming Agency.

PART III
MULTI-STATION DEVICES

A. **Number of Multi-Station Devices.** A multi-station device shall constitute a single gaming device for purposes of determining the number of gaming devices at a gaming facility provided that the total number of multi-station devices in a gaming facility does not exceed 2.5% of the gaming devices permitted in that gaming facility and the total number of multi-station device player stations in a gaming facility does not exceed twelve (12) times the number of multi-station devices allowed in that gaming facility – otherwise the individual player stations will each be deemed to be a gaming device. A multi-station device can share player stations with other multi-station devices.

B. **Player Stations.** Each player station through which players play simultaneously with other players at other player stations of a multi-station device shall not:

1. Have a means to individually determine game outcomes;
2. Be disconnected from the central processing unit of the multi-station device that determines the game outcomes for all player stations without rendering that player station inoperable; and
3. Separately contain a random number generator or other means to individually determine the game outcome.

C. **Visual Appearance.** The player stations may not have the visual appearance of a traditional slot machine. Solely for purposes of this standard, a player station has the visual appearance of a traditional slot machine if it includes, as an element of the display of game play, a display of spinning reels or a visual representation of reels, or a display of winning symbol combinations upon pay lines or other similar indicators.

D. **Multi-Station Device Wager Limitations.** The wagering limitations, pursuant to the provisions of the Compact, shall apply separately to each player station. With respect to a multi-station device that depicts the play of craps, the wagering limitation shall be applied to permit a player to place up to the maximum wager on any combination of betting opportunities offered before each roll of the dice with the opportunity to continue to place up to the maximum wager before each subsequent roll of the dice, whether or not the player wins or loses, until the player decides to discontinue play or the game cycle is ended. Players will be permitted to build up their wagers on subsequent rolls of the dice similar to the way that live game of craps is played. With respect to a multi-station device that depicts the play of blackjack, double-down, splitting and insurance bets during game play are considered to be an integral part of the actual game and are considered to be multiple wagers. With respect to a multi-station device that depicts the play of roulette, the wagering limitation shall be applied to permit a player to place up to the maximum wager on any combination of betting opportunities offered within the play of a single game cycle.

E. **Dealer Controlled Electronic Table Games.**

1. If there is a game, device, or equipment that would otherwise qualify as a multi-station device, but which adds the ability for players to wager on live, on-going dealer controlled games in a DCETG, it shall still be treated as a multi-station device.

2. If there is a game, device, or equipment that incorporates elements of a Dealer Controlled Electronic Table Game but adds the ability for players to wager on games at player stations each utilizing a random number generator, and which does not otherwise qualify as a multi-station device, then each player station shall be treated as a gaming device.
3. In addition to the requirements of this Appendix, the Minimum Internal Control Standards in Part VIII of the DCETG Appendix shall apply to DCETG multi-station devices and/or gaming devices.

PART IV **GAMING DEVICE TOURNAMENTS**

- A. **Gaming Device Tournaments.** The Gaming Facility Operator may conduct gaming device tournaments. At such tournaments only gaming devices approved by the Tribal Gaming Office and State Gaming Agency may be utilized. Each gaming device utilized in a gaming device tournament shall meet the applicable technical standards of the Compact.
- B. **Gaming Device Tournament Software.** If tournament mode is an option on a gaming device, it shall be enabled by a TGO approved and controlled method. All gaming device tournament software shall meet the regulatory requirements of this Appendix.
- C. **Number of Gaming Devices During Gaming Device Tournaments.** The number of gaming devices used specifically for gaming device tournaments will be counted toward the amount of devices per facility as provided for in the Compact. If the facility is at the maximum number of authorized gaming devices, the same amount of gaming devices that are to be used in the gaming device tournament will be turned off on the gaming floor until such time that the tournament is completed. The correct number of gaming devices will be verified by the Tribal Gaming Office to ensure compliance with the Compact.
- D. **Credits.** Gaming devices enabled for gaming device tournament play shall not accept credits from any source, nor pay out credits in any way, but shall utilize credit points only. Gaming device tournament credits shall have no cash value.
- E. **Tournament Software Logic Area.**
1. Each gaming device tournament software logic area shall be locked and keyed differently than any other gaming device compartment.
 2. The keys to the gaming device tournament software logic door and logic area shall be controlled and maintained by the Tribal Gaming Office.
- F. **Gaming Device Tournament Notice.**
1. The Gaming Facility Operator shall submit for approval to the Tribal Gaming Office a list of gaming devices to be used in the tournament as well as the operational standards, rules, and procedures to govern the conduct and play of any gaming device tournament. The Tribal Gaming Office shall review and

issue a written approval or disapproval of the operational standards, rules and procedures prior to the beginning of tournament play.

2. Copies of the list of gaming devices to be utilized, tournament standards, rules, and procedures shall be provided to the State Gaming Agency prior to tournament play for review and approval. Within seven (7) days of receipt, the State Gaming Agency shall submit to the Tribal Gaming Office written comments and objections to the proposed standards, rules and procedures. If the State Gaming Agency does not object within seven (7) days, then the standards, rules and procedures are deemed approved. If the State Gaming Agency does object, the Tribal Gaming Office and the State Gaming Agency shall meet and confer within fourteen (14) days in a good faith effort to resolve the objections. Unresolved objections to any proposed standards, rules and procedures shall be resolved expeditiously pursuant to the provisions of the Compact prior to implementation.
3. The operational standards, rules and procedures for the conduct of tournament play shall be:
 - (a) Available to all tournament players prior to the beginning of the tournament.
 - (b) Posted in a conspicuous location.
4. The operational standards, rules and procedures shall include but are not limited to:
 - (a) Qualification or selection criteria which limit the eligibility of tournament patrons.
 - (b) Regulations of the tournament (i.e., beginning and ending times, number of rounds, lapse of rounds, entry fee, elimination factors, cash handling procedures, etc.)
 - (c) Procedures for handling gaming device malfunctions during play.
 - (d) Procedures for handling a tie at the conclusion of tournament play.
 - (e) Prizes to be awarded and a description of each prize.
 - (f) Procedures for the use of stand-by tournament gaming devices in the event of a machine malfunction.
 - (g) A requirement that any patron dispute involving the Gaming Facility Operator's refusal to pay alleged winnings shall be subject to the provisions of the Compact.

G. **Entry Fee and Player Buy-In.** Gaming device tournament entry fees and buy-ins shall be documented on a tournament entry fee and buy-in log. The following information, at a minimum, shall be recorded on the log at the time the entry fee or buy-in is conducted: name of patron and amount of the entry fee or buy-in.

H. **Return to Use.** The Tribal Gaming Office shall inspect and approve all modified or converted gaming devices used in slot tournament play for compliance with the standards set forth in this Appendix and the Compact prior to being returned to use for normal non-tournament play.

- I. **Surveillance.** Surveillance coverage of tournament activity shall include unobstructed views of all tournament gaming devices and participants during tournament play.

PART V **VALIDATION SYSTEMS**

- A. **Ticket Validation and Retention.** A system shall be used to validate the ticket, and the MCS shall retain ticket information at least as long as the ticket is valid at that gaming facility.

- B. **Payment By Ticket Printers.** Each gaming device that has a printer used to make payments may pay the patron by issuing a printed ticket. If the taxation threshold is reached on any single play when using a ticket printer, then the ticket shall not be able to be redeemed at any place other than through human interaction (not on another machine or at a self-service kiosk).

- C. **Voiding Procedures.** The Gaming Facility Operator shall have and follow procedures to track and void tickets that are not generated by customer play (i.e., test tickets).

- D. **Reporting Requirements.** At a minimum, the validation system and/or MCS shall generate the following detailed reports, or their equivalent, at the end of each gaming day:

1. Tickets issued report;
2. Tickets redeemed report;
3. Tickets outstanding (liability) report;
4. Tickets dropped report;
5. Jackpot tickets issued report;
6. Transaction detail report showing all tickets generated by a gaming device and all tickets redeemed by a ticket validation terminal or a gaming device;
7. Cashier report detailing the sum of tickets paid by a cashier or validation unit;
8. Tickets expired report;
9. Tickets voided report;
10. Ticket exception report; and
11. Ticket drop variance report.

- E. **Reconciliation.** The Gaming Facility Operator shall reconcile the reports referenced above within five (5) business days after each gaming day.

PART VI **PROGRESSIVES**

- A. **Base Amount.**

1. The base amount of each progressive jackpot offered at the gaming facility shall be documented and maintained by the Tribal Gaming Office and the accounting department.
2. Whenever a progressive jackpot is offered as part of a gaming device payout, the base amount shall be included in the theoretical payout percentage for purposes of determining whether the minimum percentage requirements are met. The

laboratory shall provide the base amount in the certification letter as the lowest configuration.

B. **Setting the Jackpot Amounts.** The method by which system jackpot parameter values are modified or entered shall be secure and monitored by the Tribal Gaming Office.

C. **Progressive Display.** A meter that shows the amount of the progressive jackpot shall be conspicuously displayed at or near the gaming device to which the jackpot applies.

D. **Progressive Jackpot Limits.** If the Gaming Facility Operator has established a progressive jackpot limit, a notice shall be posted at or near the gaming device or gaming devices to which the limit applies.

E. **Changes to the Jackpot Amount.** The Gaming Facility Operator shall not reduce the amount displayed on a progressive jackpot meter or otherwise reduce or eliminate a progressive jackpot unless:

1. A patron wins the progressive jackpot;
2. The gaming facility adjusts the progressive jackpot meter to correct a malfunction and the gaming facility documents the adjustment and the reasons for it; or
3. Upon presentation of circumstances to the State Gaming Agency, and by mutual agreement with the Tribal Gaming Office, the gaming facility may reduce, eliminate, transfer, distribute, or follow a procedure not otherwise described in this subsection provided that the Tribal Gaming Office has approved procedures specific to the transfer of progressive amounts in excess of the base amount to other gaming devices.

F. **Transfers.** Progressive controllers may transfer a progressive jackpot and/or prize to another controller or other approved progressive system component only through the use of a secure means.

G. **Progressive Area.**

1. The progressive controller compartment shall be locked and keyed differently than any other gaming device compartment.
2. The keys to the progressive controller compartment shall be controlled and maintained by the Tribal Gaming Office.
3. Each gaming device with an associated progressive controller shall communicate to the MCS the number of times the progressive controller compartment has been opened. The progressive controller compartment door metering shall not be shared with any other meter on a gaming device.
4. A progressive controller access log shall be maintained for each progressive controller. Upon agreement of the Tribal Gaming Office and the State Gaming Agency, the progressive controller access log may be in written or electronic form. Regardless of whether it is in written or electronic form, the log shall be maintained pursuant to Compact Section 7(c) and shall contain the following:
 - (a) the date of access;

- (b) the time of access;
- (c) the name or employee identification number of the person accessing the progressive controller;
- (d) the reason for access;
- (e) the signature or initials of the person accessing the controller, if a written access log is maintained; and
- (f) Where the progressive controller access log is in electronic form, each person accessing the progressive controller must have an assigned, unique access card and must use that card when accessing the progressive controller.

PART VII

HOST SYSTEM

- A. **Verification of System Software.** The Gaming Facility Operator when requested shall provide to the Tribal Gaming Office and/or the State Gaming Agency the Program ID and Version of host system software components/modules and the size of any host system software component/module files identified by the Tribal Gaming Office or State Gaming Agency. System software components/modules shall be verifiable by a secure means at the system level. The system shall have the ability to allow for an independent integrity check of the components/modules from an outside source and is required for all control programs that may affect the integrity of the system. This can be accomplished by being authenticated by a third-party device, which may be embedded within the system software or having an interface port for a third-party device to authenticate the media. The integrity check shall provide a means for field verification of the system components/modules to identify and validate the programs/files. The integrity check methodology must be approved by the independent test laboratory.
- B. **Configuration Access Requirements.** The interface element setup/configuration menu shall only be available via a secure access method as authorized by the Tribal Gaming Office.
- C. **Database Access.** The Gaming Facility Operator shall maintain secure access control to the host system databases at all times.

PART VIII

INCENTIVE SYSTEM REQUIREMENTS

- A. **Incentive System.** If the Gaming Facility Operator operates an incentive system, the incentive system shall comply with the requirements of this Appendix.
- B. **Submission of Rules.**
1. Appendix G will not apply to incentive transactions; however, the Gaming Facility Operator must submit the rules for the incentive transactions it conducts to the Tribal Gaming Office prior to conducting those transactions. The Tribal Gaming Office shall promptly provide copies of the rules for incentive system transactions to the State Gaming Agency.

2. The rules shall contain a general description of the incentive transactions, including their frequency, the range of credits which will be electronically transferred, whether the involved credits will be restricted or unrestricted, under what circumstances credits are issued and transferred (e.g., through an Nth coin, prize multiplier, coupon or otherwise, when a prize will be awarded, and which patrons will be awarded a prize), and patron eligibility requirements.
3. The Tribal Gaming Office need not provide the State Gaming Agency prior notice of changes to incentive transaction parameters, such as the date or time for an incentive transaction or the amount of credits to be transferred.

C. Modification of Parameters.

1. The Gaming Facility Operator shall submit to the Tribal Gaming Office the parameters for the configuration of incentive transactions as well as any changes to those parameters prior to implementing those parameters or changes. This information shall be available to the State Gaming Agency upon request.
2. It shall not be possible to change a gaming device configuration setting relating to the incentive system that causes an obstruction to the electronic accounting meters without a RAM clear. Any such changes shall be performed via a secure method that is approved and controlled by the Tribal Gaming Office. Electro-mechanical and electronic meter readings shall be manually recorded prior to clearing RAM on each gaming device. Documentation shall be forwarded to the Tribal Gaming Office and the accounting department.

D. Posting. The Gaming Facility Operator shall conspicuously post in the gaming device and/or players club area of the Gaming Facility a notice of the availability of the rules for all incentive transactions. The Gaming Facility Operator shall make those rules available to all patrons upon request.

E. Participating Gaming Devices. The Gaming Facility Operator shall provide a means for patrons to identify those gaming devices that participate in incentive transactions, with the means being approved by the Tribal Gaming Office, with notice to the State Gaming Agency.

F. Tribal Contribution Reports and Computation.

1. A host system shall distinguish incentive transactions from all other transactions in the reports it produces that provide an audit trail for Class III Net Win reported to the State Gaming Agency, except as provided below. Credits transferred to a gaming device as part of an incentive transaction may be restricted or unrestricted credits.
2. Restricted credits transferred to a gaming device as part of an incentive transaction, including through the use of coupons, shall not be fully or partially cashed out at a gaming device. The credits shall be used for play on a gaming device or be electronically transferred to a player's promotional account. However, credits transferred to a player's promotional account shall remain restricted and shall only be used for play on a gaming device. Restricted credits transferred to a gaming device as part of an incentive transaction shall be treated as Free Play Instrumentalities for purposes of Appendix I and shall not be

included in the calculation of Class III Net Win. Jackpots or credits, which are described in the paytable of the gaming device, won through the use of restricted credits are included in the calculation of Class III Net Win.

3. Unrestricted credits transferred to a gaming device as part of an incentive transaction, including through the use of coupons, which can be fully or partially cashed out at a gaming device shall be included in the calculation of Class III Net Win if the host system reports cannot distinguish the cashing out of these credits from other credits on the gaming device. If the host system reports can clearly distinguish the cashing out of these credits from all other credits cashed out on the gaming device then these credits shall not be included in the calculation of Class III Net Win. Jackpots or credits, which are described in the paytable of the gaming device, won through the use of unrestricted credits are included in the calculation of Class III Net Win.

G. Access to the Incentive System. The incentive system shall provide for the following controls for access to the system:

1. Generate daily monitoring logs of user access, security incidents and unusual transactions, and immediately alert the Gaming Facility Operator of critical security incidents and unusual transactions. The Gaming Facility Operator shall then immediately alert the Tribal Gaming Office of the critical security incidents and unusual transactions.
2. Assignment of rights and privileges to each user, including:
 - (a) Allowance for the secure administration of user accounts to provide an adequate separation of duties; and
 - (b) Contain adequate password parameters such as lockout, minimum length, and expiration interval;
3. Use appropriate access permissions to restrict unauthorized users from viewing, changing or deleting critical files and directories; and
4. Utilize encryption or password protection or equivalent security for files and directories containing critical or sensitive data. If encryption is not used, the Gaming Facility Operator shall restrict users from viewing the contents of such files and directories, which at a minimum shall provide for the following:
 - (a) The effective segregation of duties and responsibilities with regard to the incentive system; and
 - (b) The automatic monitoring and recording by the incentive system of access by any person to such files and directories.

H. Incentive System Operation. The incentive system shall provide for the following controls for system operations:

1. Validate the identity of those components of an incentive system from which a transmission is received;

2. Ensure that all data sent through a transmission is completely and accurately received; and
3. Detect the presence of corrupt or lost data packets and, as necessary, rejects the transmission.

I. Integrity of Data.

1. If coupons are used, they each shall have a unique validation number. The number may be assigned by a unique algorithm or by another method tested and approved by a laboratory, which method shall prevent the ability to predict the composition of any other validation number generated by the host system.
2. The host system shall validate the data type and format of all inputs for critical fields and reject any corrupt data.
3. The host system shall automatically and independently record critical data upon the completion of each incentive transaction.

J. Database and Validation Component Security. Once validation information is stored in the database, the data shall not be altered in any way. The validation system database shall be encrypted or password-protected to prevent unauthorized access and shall provide a non-alterable user audit trail. The normal operation of any device that holds incentive transaction information shall not have any options or method that can compromise incentive transaction information. Any device that holds incentive transaction information in its memory shall not allow removal of the information unless it has first transferred that information to the database or other secured component(s) of the validation system.

K. Incentive System Standards. The Tribal Gaming Office, or the Gaming Facility Operator, as approved by the Tribal Gaming Office, shall establish internal control standards, procedures, and/or rules deemed appropriate to ensure the integrity, accountability and security of the incentive system, incentive transactions and patron account information.

L. Incentive System Failure. If the incentive system temporarily ceases to function and validation information cannot be sent to the validation system, an alternate method of payment must be provided either by the validation system possessing unique features (validity checking of coupons or similar items through a redundant system) to identify duplicate coupons or similar items and prevent fraud, or use of an alternative method approved by the Tribal Gaming Office.

M. Printing, Validating, Processing, and Voiding of Coupons.

1. The Gaming Facility Operator shall set forth in its internal controls the procedures to be used to print or create coupons or any similar items which are used as part of a promotional transaction, including security and control over inventory, issuance, redemption and destruction.
2. Coupons used in promotional transactions shall contain at least the following printed information:
 - (a) the gaming facility(ies) or site(s) at which the coupon is valid;
 - (b) coupon sequence number;

- (c) coupon validation number;
 - (d) bar code or any machine readable code representing the coupon validation number;
 - (e) type of transaction or other method for differentiating coupon types including whether the coupon is restricted and any restrictions on the redemption of the coupon;
 - (f) indication of an expiration period; and
 - (g) the coupon validation number printed a second time on the leading edge of the coupon.
3. Cashier/change booths and kiosks may issue coupons if supported by the validation system. All issued coupons shall be tracked and verified by a validation system.
 4. When a patron seeks to obtain credits on a gaming device by inserting a coupon, no credits may be issued to the gaming device until coupon validation has occurred. A patron may also redeem an unrestricted coupon at a cashier/change booth, kiosk or other approved validation terminal.
 5. The validation system or MCS shall have the ability to identify and notify the cashier of the following occurrences:
 - (a) a coupon validation number or coupon sequence number cannot be found on file;
 - (b) a coupon has already been paid;
 - (c) the amount of a coupon differs from the amount on file; or
 - (d) any other error condition.
 6. The Gaming Facility Operator shall establish procedures in its internal controls for situations where a coupon or similar item for which validation information cannot be accessed from the incentive system or for which no validation information exists is presented for payment. Procedures shall include:
 - (a) Manual override or redemption procedures for valid transactions;
 - (b) Procedures for the physical cancellation, segregation and security of coupons or similar items, for valid transactions;
 - (c) Provisions for the electronic verification and cancellation of coupons or similar devices when the incentive system is restored following manual override procedures; and
 - (d) Preparation of a report for each cashier's shift of the total number and value of all such coupons or similar items redeemed.
 7. The Gaming Facility Operator shall have and follow procedures to track and void coupons.

N. **Forwarded to Accounting.** All coupons or similar items redeemed through the bill/ticket acceptor devices on participating gaming devices shall be forwarded to the accounting department upon conclusion of the count process. All coupons or similar items redeemed at locations other than gaming devices shall be forwarded to the accounting department on a daily basis.

O. **Coupon Retention.** All coupons or similar items forwarded to the accounting department shall be retained by the Gaming Facility Operator in compliance with the provisions of the Compact. Any agreement the Tribe and the State have reached for the retention of tickets and/or vouchers under the Compact shall also apply to the retention of coupons.

P. **Reporting Requirements.** At a minimum, the host system shall generate the following detailed reports, or their equivalent, at the end of each gaming day:

1. Coupons issued report and promotional transactions (other than those involving coupons) issued report;
2. Coupons redeemed report and promotional transactions (other than those involving coupons) redeemed report;
3. Coupons outstanding (liability) report and promotional transactions (other than those involving coupons) outstanding (liability) report;
4. Coupons dropped report and promotional transactions (other than those involving coupons) dropped report;
5. Cashier report detailing the sum of coupons paid by the cashier or validation unit and cashier report detailing the sum of promotional transactions (other than those involving coupons) paid by the cashier or validation unit;
6. Transaction detail report detailing the sum of coupons redeemed at each validation terminal or gaming device and transaction detail report detailing the sum of promotional transactions (other than those involving coupons) redeemed at each validation terminal or gaming device;
7. Coupons expired report and promotional transactions (other than those involving coupons) expired report;
8. Coupons voided report and promotional transactions (other than those involving coupons) voided report;
9. Coupons exception report and promotional transactions (other than those involving coupons) exception report;
10. Coupons drop variance report and promotional transactions (other than those involving coupons) drop variance report;
11. Bonusing transactions issued report;
12. Gaming device paid bonus payouts and attendant paid bonus payouts; and
13. Bonusing transaction exceptions.

Q. **Reconciliation.** The Gaming Facility Operator shall reconcile the above reports at the end of each gaming day with all validated/redeemed coupons or similar items. With respect to coupons not issued by a gaming device, the coupons issued report and the coupons

outstanding (liability) report referenced in subsections (a) and (c) above shall include only redeemed coupons.

R. **Notification to Tribal Gaming Office.** The Gaming Facility Operator shall make immediate notification to the Tribal Gaming Office of any:

1. Evidence that a coupon has been counterfeited or tampered with in any way that would affect the integrity of the coupon;
2. Evidence that approved rules and parameters for incentive transactions are not being followed; or
3. Evidence of fraud with respect to an incentive transaction.

PART IX **KIOSKS**

A. **Kiosks.** Kiosks shall be regulated pursuant to these specific requirements even if they include marketing and ATM features; however, while those marketing or ATM features may be subject to regulation under other provisions of the Compact or its appendices, those features shall not be regulated by the provisions of this Appendix. Likewise, a device that may be used by a patron that performs only marketing or ATM functions and does not perform ticket/coupon redemption, ticket issuance or bill breaking shall not be subject to regulation under this Appendix.

B. **Cabinet Wiring.** Each gaming device, kiosk, or host system shall be designed and installed so that power, security, and data cables are not accessible to the general public.

PART X **LABORATORY CERTIFICATION, MANUFACTURER REQUIREMENTS, NON-** **COMPLIANCE, AND REMEDIES**

A. **Tribal Gaming Office Approval of Receipt.**

1. The Gaming Facility Operator shall obtain approval from the Tribal Gaming Office before receiving any gaming device, gaming device software, kiosk, kiosk software, or host system software. Approval shall not be given until a laboratory has determined that a production sample of the gaming device, gaming device software, kiosk, kiosk software and/or host system software complies with all applicable technical standards in the Compact and this Appendix.
2. The Gaming Facility Operator shall obtain approval from the Tribal Gaming Office before receiving any host system software including any service releases, service packs, or patches. Approval shall not be given until a laboratory determines that the host system software, or any service release, service pack, or patch, complies with all applicable technical standards in the Compact and this Appendix.

B. Laboratory Certification. The Tribal Gaming Office and the State Gaming Agency shall have secure access to the laboratory certification report that contains findings, conclusions and an opinion whether a gaming device, gaming device software, kiosk, kiosk software, host system software, or any service release, service pack, or patch, complies with all applicable technical standards in the Compact and this Appendix. Neither the State nor the Tribe shall be required to pay the cost of laboratory testing, and the manufacturer and/or distributor shall provide the laboratory all information necessary for the laboratory to render its opinion, including the full manufacturer's engineering change order documentation. The State Gaming Agency reserves the right to require additional testing and to invoke the provisions of this Appendix if any gaming device, kiosk, and/or host system software is determined to be non-complying with the applicable technical standards in the Compact and this Appendix.

C. Modifications.

1. The Gaming Facility Operator shall not modify any previously certified gaming device, gaming device software, kiosk, kiosk software, or host system software until a laboratory has certified that the modification complies with all applicable technical standards in the Compact and this Appendix.
2. The Gaming Facility Operator shall not modify previously certified host system software, nor install any service release, service pack, or patch that affects MCS critical files, until a laboratory has certified that the modification, or service release, service pack, or patch, complies with all applicable technical standards in the Compact and this Appendix.

D. Manufacturer's Notifications. A manufacturer or distributor shall provide the State Gaming Agency twenty-four (24) hour advanced notice of any shipment or delivery for any gaming facility in the State of a gaming device, gaming device software, kiosk, kiosk software, or host system software (Tribal Gaming Office notification requirements may differ). The State Gaming Agency may sanction a vendor or deny or revoke vendor certification if a manufacturer or distributor:

1. Fails to provide the State Gaming Agency twenty-four (24) hour advanced notice of any shipment for any gaming facility in the State of a gaming device, gaming device software, kiosk, kiosk software, or host system software (Tribal Gaming Office notification requirements may differ);
2. Sells, or provides for play or any other gaming purpose, gaming devices, gaming device software, kiosk, kiosk software or host system software to a Gaming Facility Operator:
 - (a) prior to laboratory certification; or
 - (b) that it knows, or reasonably should know, will malfunction in any manner that affects game play, the accuracy of meters, or the accuracy of host system reports; or
3. Fails to immediately notify the State Gaming Agency in writing of the discovery of any probable malfunction that affects game play, the accuracy of meters, gaming device software, host system software, the accuracy of host system reports, kiosk functionality, or kiosk software.

E. Non-Complying Gaming Devices and Kiosks. The following are declared to be non-complying gaming devices or kiosks unless remedied pursuant to Part X(F)(1):

1. All gaming devices or kiosks operated in violation of the Compact or its appendices;
2. All gaming devices or kiosks to which the State Gaming Agency has been denied access for inspection purposes;
3. All gaming devices or kiosks in operation that do not report to the host system as required by this Appendix;
4. All gaming devices or kiosks shown by history or operation or notice from a laboratory or manufacturer to be susceptible to cheating;
5. A gaming device or kiosk that remains in operation without a software upgrade or replacement for a period of more than ninety (90) days after the manufacturer has notified the Tribe of a problem with the gaming device's or kiosk's software, where the problem is such that the software does not comply with this Appendix; or
6. A gaming device or kiosk that remains in operation without a software upgrade or replacement, after notice to the Tribe, for a period longer than recommended by a laboratory after the laboratory has revoked its certification of the gaming device's or kiosk's software.

F. Remedies for Non-Complying Gaming Devices and Kiosks.

1. If the State Gaming Agency contends that any gaming device or kiosk fails to comply with the applicable technical standards in the Compact or this Appendix, the State Gaming Agency shall provide written notice to the Tribal Gaming Office setting forth the basis for its contention. If the Tribal Gaming Office agrees with the allegation of non-compliance, then, within twenty-four (24) hours after receiving such a written notice, the Tribal Gaming Office shall require the Gaming Facility Operator to remove the gaming device from play or the kiosk from use and to take appropriate action to ensure that the manufacturer, distributor or other responsible person cures the problem.
2. If the Tribal Gaming Office disagrees with the allegation of non-compliance, then, within twenty-four (24) hours after receiving such a written notice, the Tribal Gaming Office shall require the Gaming Facility Operator to remove the contested gaming device(s) from play or kiosk(s) from use and shall arrange for the prompt inspection of the gaming device(s) or kiosk(s) (or a single example thereof) by a laboratory.
3. If the laboratory finds that the gaming device(s) or kiosk(s) do not comply with the applicable technical standards in the Compact or this Appendix, the non-compliant gaming device(s) shall not be returned to play, and the non-compliant kiosk(s) shall not be returned to use, until they have been modified to comply with the applicable technical standards in the Compact and this Appendix.

4. If the laboratory finds that the gaming device(s) or kiosk(s) comply with the applicable technical standards in the Compact and this Appendix, the Tribal Gaming Office and State Gaming Agency will conduct any inspections and testing they deem necessary and confer regarding the gaming device(s) or kiosk(s) within forty-eight (48) hours of receiving the laboratory's findings or as otherwise agreed upon by the Tribal Gaming Office and State Gaming Agency. Gaming devices removed from play under this section may be returned to play, and kiosks removed from use under this section may be returned to use, once the Tribal Gaming Office and the State Gaming Agency agree that they meet the applicable technical standards in the Compact and this Appendix.
5. If a gaming device or kiosk is determined to be non-complying, the Tribe shall authorize the Tribal Gaming Office to:
 - (a) Disable, or require to be removed from use, any gaming device or kiosk shown by history or operation or notice from a laboratory or manufacturer to be susceptible to cheating or otherwise out of compliance with the Compact or this Appendix; and
 - (b) Require the manufacturers and Gaming Facility Operator to take whatever actions are necessary to ensure that gaming devices and kiosks are not susceptible to cheating methods and comply with all applicable technical standards in the Compact and its appendices.

G. Remedies for a Non-Complying Host System Software.

1. If the State Gaming Agency contends that any host system software fails to comply with the applicable technical standards in the Compact or this Appendix, the State Gaming Agency shall provide written notice to the Tribal Gaming Office setting forth the basis for its determination. Within twenty-four (24) hours after receiving such a written notice, the Tribal Gaming Office shall require the Gaming Facility Operator to develop and implement procedures, within twenty-four (24) hours, to mitigate against loss of any information communicated to or from the host system. Within seventy-two (72) hours of delivery of the State Gaming Agency's notice, a laboratory arranged by the Tribal Gaming Office shall have begun inspecting the contested software.
2. If the laboratory determines that the contested host system software does not comply with the applicable technical standards in the Compact or this Appendix, the Gaming Facility Operator shall have seventy-two (72) hours within which to bring the contested host system software into compliance with the applicable technical standards in the Compact and this Appendix unless this is not reasonably possible despite diligent efforts, in which case the software can be continued in use and it will be brought into compliance as quickly as possible thereafter. If the laboratory finds that the contested software complies with the applicable technical standards in the Compact and this Appendix, the software may be continued in use.

H. Requirement to Provide Schematics, Manuals, Components, and Gaming Devices. Upon request, the manufacturer or distributor of class III gaming devices shall provide the State Gaming Agency with schematics, manuals, gaming device components, software, and production gaming device(s) for research and diagnostic purposes. The State Gaming Agency

shall not be required to pay any costs pursuant to this Section. This paragraph imposes no obligations upon the Tribe or the Gaming Facility Operator.

PART XI
TRIBAL GAMING OFFICE - NOTICE, INSPECTIONS, TESTING, APPROVAL, AND
REPORTING

A. Notice of Installation or Modification to the Tribal Gaming Office.

1. The Gaming Facility Operator shall notify the Tribal Gaming Office in writing if it intends to install a gaming device or kiosk, to re-install a gaming device or kiosk that has been removed from the gaming floor, or to modify a gaming device or kiosk, before the newly installed, re-installed, or modified gaming device or kiosk is scheduled to be placed into use or play. The notice shall identify the gaming device or kiosk, when and where the Gaming Facility Operator would like to place it into use or play, and the type of installation or modification. The notice shall also be sufficiently detailed and provided in time to allow the Tribal Gaming Office to schedule employees to inspect and test the gaming device or kiosk before it is scheduled to be placed into use or play.
2. The Gaming Facility Operator shall notify the Tribal Gaming Office in writing that it intends to install or modify a host system before the date the new or modified host system is scheduled to be placed into use. The notice shall identify the host system, when and where the Gaming Facility Operator would like to place it into use, and the type of installation or modification. The notice shall also be sufficiently detailed and provided in time to allow the Tribal Gaming Office to schedule employees to inspect and test the new or modified host system before it is scheduled to be placed into use.

B. Tribal Gaming Office Approval.

1. Each newly installed, re-installed, or modified gaming device or kiosk shall be inspected and tested by the Tribal Gaming Office prior to its use or play. The Tribal Gaming Office's inspection and testing shall meet the requirements of Part XIII of this Appendix. Upon completing its initial inspection and testing, the Tribal Gaming Office shall either approve the gaming device or kiosk or deny approval for use or play of the gaming device or kiosk. When the Tribal Gaming Office approves a gaming device or kiosk, it shall secure the logic area door with security tape or a seal. The Tribal Gaming Office shall also affix an identifying approval seal on the device. The Tribal Gaming Office shall ensure that all gaming devices and kiosks are properly covered by surveillance, pursuant to the Minimum Internal Control Standards to the Compact.
2. Each newly installed or modified host system shall be inspected and tested by the Tribal Gaming Office prior to its use. The Tribal Gaming Office's inspection and testing shall include confirmation that the host system complies with the provisions of the Compact, its Appendices, and the applicable technical standards and that the host system critical files have been approved by a laboratory for the current version of the installed software. Upon completing its

initial inspection and testing, the Tribal Gaming Office shall either approve the host system or deny approval for use of the host system.

3. The Tribal Gaming Office shall not approve any gaming device, kiosk or host system that is not in material compliance with the Compact, its Appendices, and the applicable technical standards. The Gaming Facility Operator shall either immediately repair or remove from play or use any gaming device, kiosk or host system that has not been approved or is not in material compliance with the Compact, its Appendices, or the applicable technical standards.

C. Notice of Gaming Device Repairs or Replacement. If a gaming device malfunctions or otherwise requires any repairs or replacements that affect game play, game outcome, or the host system, the Gaming Facility Operator shall provide the Tribal Gaming Office notice within forty-eight (48) hours of completing the repairs or replacements. The notice shall identify the gaming device, shall explain the nature of any malfunction, and shall provide details regarding the repairs or replacements. The Tribal Gaming Office may provide guidance to the Gaming Facility Operator as to which repairs or replacements are subject to notice under this section.

D. Transfer or Removal of Gaming Devices.

1. A Gaming Facility Operator's removal of a gaming device from play or use and then subsequent placement of the gaming device back into play at one of the Tribe's gaming facilities will be considered a gaming device transfer under Part XI(D)(3) of this Appendix, rather than a re-install under Part XI(A)(1), if the gaming device is not out of play for more than four (4) months, and if, during the period that the gaming device is not in use, it is stored in a secure location with a lock, security tape, or equivalent on its doors, the Tribal Gaming Office's security tape or equivalent installed under Part XI(B)(1) and/or Part XIII remains unbroken, and the Tribal Gaming Office controls access to the game software.
2. If the Gaming Facility Operator intends to move gaming devices from the floor of a gaming facility to storage, the Gaming Facility Operator shall provide written notice to the Tribal Gaming Office twenty-four (24) hours prior to moving the gaming devices. The notice shall identify the gaming devices and shall include the serial numbers of those gaming devices. The Tribal Gaming Office does not need to remove any seals from the stored gaming devices.
3. If the Gaming Facility Operator transfers gaming devices within a gaming facility or transfers gaming devices to another gaming facility owned by the Tribe, the Gaming Facility Operator shall provide written notice to the Tribal Gaming Office twenty-four (24) hours prior to transferring the gaming devices. A temporary displacement of a gaming device to access walker ducts, wire conduits or the like shall not be considered a transfer under this Section. The notice shall identify the gaming devices, shall include the serial numbers of the gaming devices, shall include details regarding the new location of the gaming devices, and shall include verification (with applicable documentation) that the gaming devices are reporting correctly to the host system, have passed coin acceptor tests (if applicable), bill acceptor tests, and door tests, and are covered by surveillance in their new location.

4. Except as provided in Part XI(D)(2-3), before the Gaming Facility Operator removes any gaming devices from a gaming facility, the Gaming Facility Operator shall provide written notice to the Tribal Gaming Office five (5) days in advance of the removal. The notice shall identify the gaming devices to be removed, shall include the serial numbers of the gaming devices, and shall include details regarding when the gaming devices will be removed, the location to which the gaming devices will be taken, and to whom the gaming devices will be transferred. Before any gaming devices are removed from a Gaming Facility, except as provided in Part XI(D)(2-3), the Tribal Gaming Office shall remove and discard all seals from the gaming devices. These same procedures shall be followed for gaming devices which are in storage and which the Gaming Facility Operator intends to sell or otherwise discard.
- E. **Kiosk Transfers.** A Gaming Facility Operator's removal of a kiosk from use and then subsequent placement of the kiosk back into use at one of the Tribe's gaming facilities will not be considered a re-installation if the kiosk is not out of use for more than four (4) months, and if, during the period that the kiosk is not in use, it is stored in a secure location with a lock, security tape, or equivalent on its doors, the Tribal Gaming Office's security tape or equivalent installed under Part XI(B)(1) and/or Part XIII remains unbroken, and the Tribal Gaming Office controls access to the kiosk software.
- F. **Random Inspections and Additional Inspections.** Unless otherwise agreed to by the Tribal Gaming Office and the State Gaming Agency, the Tribal Gaming Office shall conduct monthly random inspections and testing of no less than five percent (5%) of the gaming facility's gaming devices in use for play at each of the Tribe's Gaming Facilities. The Tribal Gaming Office shall adhere to the procedures in this Appendix when conducting its inspections and testing. The Gaming Facility Operator shall either immediately repair or remove from play or use any gaming device, kiosk or host system that is not in material compliance with the Compact, its Appendices, or the applicable technical standards. The Tribal Gaming Office may conduct additional gaming device and kiosk inspections and testing to the extent it deems appropriate.
- G. **Monthly Report to the State Gaming Agency.** The Tribal Gaming Office shall electronically transmit to the State Gaming Agency by the 10th of each month a written report in a format agreed upon by the Tribal Gaming Office and State Gaming Agency of the following information for the preceding month:
 1. A report detailing when and where the inspections and testing took place, what gaming devices were inspected and tested, and the complete results of the inspections and testing;
 2. A report of all gaming devices, including serial numbers, listing all repairs and replacements that required access to the logic area;
 3. A list of all gaming devices, including the serial numbers of those gaming devices, removed from play and/or moved to storage, along with verification of the removal and discarding of any State Gaming Agency seals and all information the Gaming Facility Operator is required to provide the Tribal Gaming Office regarding the removal and/or move of gaming devices into storage;

4. A list of all gaming devices or kiosks transferred within a gaming facility or transferred to another gaming facility owned by the Tribe, including all of the information the Gaming Facility Operator is required to provide the Tribal Gaming Office regarding the transfers; and
5. A list of all gaming devices or kiosks removed from a Gaming Facility along with verification of the removal and discarding of any State Gaming Agency seals.

PART XII
STATE GAMING AGENCY INSPECTIONS, TESTING, AND REMEDIES

A. **State Gaming Agency Inspections.** Unless otherwise agreed to by the State Gaming Agency and the Tribal Gaming Office, the State Gaming Agency shall inspect and test any newly installed, re-installed, or modified gaming device, kiosk, or host system. The State Gaming Agency shall conduct inspections and testing in the following manner:

1. The Tribal Gaming Office shall notify the State Gaming Agency in writing at least fifteen (15) days prior to the tentative date when the Gaming Facility Operator intends to place a newly installed, re-installed, or modified gaming device, kiosk or host system into play or use. The Tribal Gaming Office and State Gaming Agency shall then agree upon a firm date and time for State testing and inspection which shall be no more than thirty (30) days after placement of the gaming device, kiosk or host system into play or use. The Gaming Facility Operator may place a newly installed, re-installed, or modified gaming device, kiosk or host system into use or play before the State Gaming Agency completes its inspection and testing, so long as it has been tested and approved by the Tribal Gaming Office as complying with the terms of this Appendix. If a gaming device, kiosk, or host system is put into use or play prior to State Gaming Agency approval, the Tribal Gaming Office shall forward their gaming device, kiosk, or host system configuration and testing results to the State Gaming Agency within 72 hours [A1] of the gaming device, kiosk, or host system being placed into use or play.
2. If the Tribal Gaming Office provides thirty (30) days advanced written notice, the State Gaming Agency and the Tribal Gaming Office shall schedule a mutually agreeable date and time for joint testing and inspection of the gaming device, kiosk, or host system prior to its use or play.
3. At least one Tribal Gaming Office inspector and one gaming operation slot technician shall accompany the State Gaming Agency during inspections and testing but shall not impede or compromise these activities. The State Gaming Agency shall not unduly interfere with the Gaming Operation while inspecting or testing gaming devices, kiosks or host systems.
4. If there is a delay in assembling necessary personnel or if some other problem arises with respect to inspections or testing, the Tribal Gaming Office, Gaming Facility Operator, and the State Gaming Agency shall, in good faith, attempt to resolve any such problems. Unless otherwise agreed to by the Tribal Gaming Office and the State Gaming Agency, and assuming that the State Gaming

Agency made reasonable and good faith attempts to complete the inspection, including properly appearing on any agreed upon inspection dates, the Gaming Facility Operator shall remove from play or use any gaming devices, kiosks or host systems that have not been approved by the State Gaming Agency within thirty (30) days of their installation, re-installation or modification until the inspection can be completed.

5. When the State Gaming Agency approves a newly installed, re-installed, or modified gaming device or kiosk for either use for play or continued use, it shall affix an identifying approval seal or equivalent to the gaming device or kiosk. If the State Gaming Agency denies approval for use for play or continued use, the State Gaming Agency shall, at the conclusion of inspection and testing, as applicable, orally explain to the Gaming Facility Operator and the Tribal Gaming Office why the State Gaming Agency is denying approval. The State Gaming Agency shall promptly issue a written statement to the Gaming Facility Operator and Tribal Gaming Office setting forth the grounds for denial of approval.
6. In the case of the opening of a new, expanded, or remodeled Gaming Facility and as part of its pre-opening inspection and approval, the State Gaming Agency shall inspect and test all gaming devices, kiosks, and host systems prior to their placement into play or use at the new, expanded, or remodeled Gaming Facility, and the State Gaming Agency and the Tribal Gaming Office shall agree upon a reasonable schedule in advance to allow the pre-opening inspections to take place.

B. Additional Inspections of Approved Gaming Devices. The State Gaming Agency may conduct gaming device inspections and testing in addition to those provided for in Part XII(A) in the event that:

1. It has determined that within the previous six months one or more gaming devices were not operating in material compliance with the Compact;
2. It observes gaming devices operating out of compliance with the Compact or receives credible information from any source that one (1) or more gaming devices are or may be currently operating out of compliance with the Compact; or
3. It receives a request for additional inspections and testing from the Tribal Gaming Office. In conducting such inspections and testing, the State Gaming Agency and the Tribal Gaming Office shall agree upon a firm date and shall not unduly interfere with the Gaming Operation while inspecting or testing gaming devices.

C. Remedies for Discovery of Non-complying Gaming Devices. If the State Gaming Agency determines that a gaming device on the gaming floor and in play is not in material compliance with the requirements of the Compact, its Appendices, or applicable technical standards, the State Gaming Agency may require that the gaming device be shut down, and either replaced or not put back into play until the compliance issue is resolved.

PART XIII
MANNER OF INSPECTIONS AND TESTING

A. **Gaming Device and Kiosk Inspections and Tests.** All inspections and testing of gaming devices, gaming device software, kiosks, and kiosk software shall be conducted to determine compliance with the Compact, its Appendices, and the applicable technical standards. These inspections and tests shall include, but need not be limited to:

1. Verifying gaming device or kiosk number, gaming device or kiosk serial number, type and name of game, and denomination of each game;
2. Inspecting access logs, as applicable;
3. Reviewing and photocopying pertinent host system reports;
4. Verifying logic board and/or logic area physical security, as applicable;
5. Verifying that all software and hardware in the gaming device or kiosk has been certified by a laboratory and has received final approval by the Tribal Gaming Office and the State Gaming Agency. The Tribal Gaming Office shall affix security tape or a seal to all logic area doors. The gaming control device or software shall be tested by the following if security tape or a seal is broken or not present:
 - (a) gaming test laboratory approval list; and
 - (b) Kobetron test or other approved method of testing.
6. Verifying gaming device software corresponds with game type;
7. Verifying that the gaming device software has not been deemed to be revoked by the independent laboratory;
8. Conducting gaming device payable tests (where feasible) and review par sheets to determine proper configuration and operation;
9. Conducting tests confirming that gaming device and kiosk functions and items of monetary value are being reported to the host system;
10. Conducting gaming device door tests to verify door openings are being reported to the host system when the device is functional;
11. Verifying all gaming device parameters coincide with the host system and par sheets;
12. Inspecting to ensure that all gaming devices and kiosks are installed according to the recommendations of the manufacturer and per all applicable installation and safety codes;
13. Conducting communication audit tests; and
14. Inspecting progressive controller access logs, if applicable.

B. **Progressive Gaming Device Inspections.** All inspection, installation, and modification procedures shall apply to progressive gaming devices.

C. **Host System Inspections.** The Tribal Gaming Office and the State Gaming Agency shall conduct an inspection of the host system at least once annually to verify that the host system critical files have been approved by a laboratory for the current versions of the installed software.

D. **Gaming Test Laboratory.** The State Gaming Agency shall not operate a gaming test laboratory for the purpose of certifying gaming device design.

By:


Jon Huey, Chairman
Yavapai-Apache Nation

By:

Ted Vogt, Director
Arizona Department of Gaming

DATE:

6-10-21

DATE:

EXHIBIT B

Appendix F(1) – Definitions, Operational Standards,
Specifications, and Regulations Governing Blackjack

APPENDIX F(1)

Definitions, Operational Standards, Specifications, and Regulations Governing Blackjack

Arizona Tribal-State Gaming Compact

The game of blackjack, authorized pursuant to the Compact, including all approved variations thereof, shall be permitted and conducted, at a minimum, according to the provisions set forth in the Compact and its appendices. For purposes of the Tribe's internal control standards, blackjack is a Table Game and shall be one of the "major gaming areas of the gaming operation" requiring an annual audit by internal audit personnel.

I. DEFINITIONS.

In addition to definitions set forth in the Compact and its appendices, the following definitions shall apply to the rules of blackjack, including all approved variations, conducted by the Gaming Facility Operator:

- (1) "Blackjack" means:
 - (a) the Game of 21, the object of which is to get closer to 21 points than the dealer, without going over and "busting"; or
 - (b) an ace and an additional card with a point value of ten, dealt as the initial two (2) cards to a player or the dealer.
- (2) "Deal" means the distribution of the cards to the players and the dealer.
- (3) "Dealer" means the employee who operates the game, administering house rules and making payoffs.
- (4) "Hole card" means a card dealt face down to the dealer which remains face down until all the players other than the dealer have received all the cards they have requested.
- (5) "Layout" or "table layout" means the felt, cloth, or other material covering the playing surface of a blackjack table.
- (6) "Shoe" means a dealing device that has a compartment in which one or more decks of cards are stacked and which permits cards to be dealt one at a time.
- (7) "Shuffling device" means an electro-mechanical device which continuously and/or automatically reshuffles the cards and which may randomly insert previously dealt and discarded cards back into the card stack, and which may be integrated with a shoe.
- (8) "Supervisor or management employee" means, for the purpose of this Appendix, any employee assigned duties and responsibilities that include:
 - (a) Directing table game employees in the performance of their duties;
 - (b) Supervising game activity, dealing procedures, and compliance with internal controls;
 - (c) Initially resolving player disputes arising from game play; and
 - (d) Making decisions regarding work scheduling of table game employees.

II. GENERAL REQUIREMENTS

A. Types of Blackjack Games.

- (1) The Gaming Facility Operator shall only conduct blackjack under the rules approved and authorized by the Tribal Gaming Office and the State Gaming Agency. As used in this Appendix, blackjack shall be inclusive of the game of blackjack and variations thereof. Authorized blackjack games shall not exceed the wager limitations established in this Appendix.
- (2) Any electronic or electromechanical components or hardware, including program software and progressive components, utilized in an approved blackjack game shall be evaluated by an independent testing laboratory prior to use for play.

B. Number of Blackjack Tables. The number of blackjack tables in play shall not exceed the limits established in the Compact. Blackjack tables used in authorized tournament play shall be included when determining the total number of blackjack tables in play in a Gaming Facility. No blackjack games shall be operated outside of a Gaming Facility.

C. Licensing and Certification of Employees. All table game employees shall be licensed by the Tribal Gaming Office and certified by the State Gaming Agency in accordance with the provisions of the Compact.

D. Equipment Control. All cards, blackjack tables, gaming chips, and associated equipment, as applicable, shall be purchased, leased, or acquired only from manufacturers or distributors licensed by the Tribal Gaming Office and certified by the State Gaming Agency in accordance with the Compact.

E. Access to Records and Reports. The State Gaming Agency shall have access to all records of blackjack activity, pursuant to the provisions of the Compact, including, but not limited to:

- (1) Daily activity and accounting records;
- (2) Security reports;
- (3) Surveillance activities and reports; and
- (4) Investigative reports.

F. Inspection of Blackjack Tables, Cards, and Play. The State Gaming Agency shall be authorized to inspect any blackjack table, cards, and/or observe any gaming activity pursuant to the provisions of the Compact.

G. Adoption of Rules.

- (1) Prior to conducting a game of blackjack, the Gaming Facility Operator shall submit to the Tribal Gaming Office, and the Tribal Gaming Office shall have approved, rules and procedures for play to govern the conduct of blackjack games operated in each Gaming Facility. In determining whether to approve such rules and procedures, the Tribal Gaming Office shall consider whether the proposed rules and procedures are

appropriate to ensure the integrity, fairness, and security of play. After making its determination and prior to implementation, the Tribal Gaming Office shall issue a written approval or disapproval of the rules and procedures for each game to be played in the Gaming Facility.

- (2) Game rules and procedures approved by the Tribal Gaming Office shall include, in addition to the rules of play:
 - (a) Specifications provided by the equipment manufacturer or distributor applicable to gaming equipment;
 - (b) Physical characteristics of gaming chips;
 - (c) Physical characteristics of such other gaming equipment as may be required for use in authorized blackjack games, including, but not limited to:
 - (i) Cards (including procedures for receipt and storage);
 - (ii) Blackjack tables;
 - (iii) Table layouts;
 - (iv) Shoes (including procedures for receipt and storage), if applicable; and
 - (v) Shuffling devices (including procedures for receipt and storage), if applicable;
 - (d) Rules for each authorized blackjack game, including, but not limited to:
 - (i) Dealing techniques;
 - (ii) Hand shuffling procedures (if applicable);
 - (iii) Minimum and maximum permissible wagers;
 - (iv) Payout odds on each form of wager;
 - (v) Procedures of play;
 - (vi) Procedures to be followed on occurrence of irregularities;
 - (vii) Progressive specifications (if applicable); and
 - (viii) Prohibitions on side betting between and against players.
- (3) Copies of game rules and procedures shall be provided to the State Gaming Agency prior to implementation for review and approval. Within seven (7) days of receipt, the State Gaming Agency shall submit to the Tribal Gaming Office written comments and objections to the proposed rules and procedures. If the State Gaming Agency does not object within seven (7) days, then the rules and procedures are deemed approved. If the State Gaming Agency does object, the Tribal Gaming Office and the State Gaming Agency shall meet and confer within fourteen (14) days in a good faith effort to resolve the objections. Unresolved objections to any proposed rules or procedures shall be resolved expeditiously pursuant to the provisions of the Compact prior to implementation.
- (4) Summaries of the rules of each game relevant to the method of play and, if applicable, odds paid to winning wagers, shall be readily available to patrons in the Gaming Facility and wagering limits applicable to any blackjack table shall be displayed at such blackjack table.

H. Currency Transaction Reporting. The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish and the

Gaming Facility Operator shall comply with, procedures and controls necessary to comply with the provisions of the Federal Bank Secrecy Act and the Federal USA Patriot Act. Copies of the procedures and controls established to comply with the Acts shall be provided to the Tribal Gaming Office and available to the State Gaming Agency upon request.

I. Blackjack Training.

- (1) Prior to any new blackjack game being implemented at the Gaming Facility, the Tribal Gaming Office shall require the Gaming Facility Operator to provide appropriate training for all employees involved in the conduct or regulation of blackjack, such that those employees have the knowledge and skills required under typical industry standards for the job function that employee performs, including but not limited to player money management and wagering, and detection of cheating methods. Tribal Gaming Office employees responsible for blackjack shall receive appropriate training in any new blackjack game.
- (2) The Tribal Gaming Office and/or the Gaming Facility Operator, as designated by the Tribal Gaming Office, shall notify the State Gaming Agency prior to the beginning of any training programs and shall provide the State Gaming Agency an opportunity to participate.

J. Notice of Installation.

- (1) The Gaming Facility Operator shall provide the Tribal Gaming Office advance written notice that it intends to install or re-install, or modify any blackjack table, including any newly purchased, leased, or previously approved blackjack table, for use for play, prior to placing such blackjack table into play at any Gaming Facility. Such notification shall be provided in time to allow the Tribal Gaming Office to schedule employees to inspect and test, as applicable, such blackjack tables, prior to use for play.
- (2) Upon notification from the Gaming Facility Operator, the Tribal Gaming Office shall provide to the State Gaming Agency all the information the Gaming Facility Operator is required to provide, to allow the State Gaming Agency to coordinate inspection and testing, as applicable.
- (3) All installation, reinstallation, and modifications of blackjack tables shall be approved by the Tribal Gaming Office prior to use for play in a Gaming Facility. All blackjack tables shall have affixed an identifying approval seal or equivalent from the Tribal Gaming Office, while in use for play in a Gaming Facility. If the State Gaming Agency is not present at the time of installation, reinstallation, or modification, the Gaming Facility Operator may put the blackjack table in use for play, if approved by the Tribal Gaming Office.
- (4) When the State Gaming Agency approves a blackjack table for either use of play or continued use, it shall affix an identifying approval seal or equivalent to the blackjack table. If the State Gaming Agency denies approval for use for play or continued use, the State Gaming Agency

shall, at the conclusion of inspection and testing, as applicable, orally explain to the Gaming Facility Operator and the Tribal Gaming Office why the State Gaming Agency is denying approval. The State Gaming Agency shall promptly issue a written statement to the Tribal Gaming Office setting forth the grounds for denial of approval.

- (5) A blackjack table shall not be placed into play without having an identifying approval seal or equivalent from both the Tribal Gaming Office and the State Gaming Agency, unless authorized by Section II.J.3 of this Appendix
- (6) The Tribal Gaming Office and the State Gaming Agency shall ensure that all blackjack tables and blackjack gaming activity are properly covered by surveillance, pursuant to the Tribe's internal control standards.

K. Notice of Removal.

- (1) The Gaming Facility Operator shall provide the Tribal Gaming Office five (5) business days advance written notice if it intends to remove any blackjack tables from the Gaming Facility or to allow such tables to be removed. The notice shall identify which blackjack tables will be removed from the Gaming Facility and give details regarding when the tables will be removed, the location to which the tables will be taken, and to whom the tables will be transferred. The Tribal Gaming Office shall immediately remove and discard all affixed approval seals from any blackjack tables removed from the Gaming Facility and shall provide the State Gaming Agency written verification of having discarded the seals.
- (2) If blackjack tables are moved to storage, the Gaming Facility Operator shall provide the Tribal Gaming Office twenty-four (24) hours advance written notice of the tables to be moved and seals need not be removed. The Tribal Gaming Office shall provide written notice to the State Gaming Agency within forty-eight (48) hours of such movement.

L. Card Specifications and Controls.

- (1) Cards shall have imprinted on them the name and/or logo of the gaming establishment. The design on the backs of the cards in the deck shall be identical, and no card may contain any marking, symbol, or design that enables a player to know the identity of any element printed on the face of the card. The backs of the cards in the deck shall be designed to eliminate the ability of any person to place concealed markings on them.
- (2) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish appropriate procedures and controls for purposes of security and integrity, to ensure all decks of cards are properly accounted for from the time of receipt to the time of destruction or disposition.
- (3) A secured location for storing unissued cards shall be maintained. The secured location shall be under constant monitoring by surveillance cameras. The exit and entrance to this area shall be viewed by at least

one (1) fixed camera. A sign-in and sign-out log shall be completed by individuals entering the area. Surveillance shall be notified when persons request entry into this area. At no time shall a single individual be allowed to enter this area alone.

- (4) The Gaming Facility Operator shall maintain an ongoing perpetual inventory of cards that allows for the immediate verification of balances. Not less than monthly, someone independent of the table game department shall verify the card inventory and perpetual inventory records. Any discrepancies shall be immediately investigated and reported to the Tribal Gaming Office and the State Gaming Agency.
- (5) Cards maintained in the table game area shall be stored in a locked cabinet and only accessible to authorized personnel.

M. Staffing and Supervision.

- (1) A designated supervisor shall be responsible for the supervision of blackjack activity, including observing dealers and players, initiating and authorizing table fills and credits, counting and verifying beginning and ending table inventories, viewing drop box removal at established times, initially resolving player disputes arising from table play, and other duties as required. At least one (1) supervisor shall be in each designated table game area at all times when blackjack tables are open for play.
- (2) No gaming employee shall make a wager in any blackjack game operated by the Gaming Facility Operator. This shall not preclude a player from placing a tip, in the form of a wager, on behalf of a blackjack dealer.
- (3) All table game supervisors and management employees shall be knowledgeable in the play of all authorized blackjack games and the regulatory requirements of blackjack games.

N. Prohibited Acts.

- (1) No Gaming Facility Operator or other person shall remove, add, or alter any cards, nor permit such activity, except as provided by this Appendix.
- (2) The dealer shall not look at, nor expose to any person, the face of a card before it is dealt.
- (3) A player shall not use any person, device, object, process, or procedures that are designed or intended to analyze, project, or predict the outcome of the game, unless otherwise approved by the Tribal Gaming Office and the State Gaming Agency.
- (4) Nothing in this section shall prohibit a player from using a strategy card, except when the Gaming Facility Operator has posted notice prohibiting such use.
- (5) No dealer or supervisor shall advise a player about game strategy while the player has a wager still pending on the outcome of the game.

- (6) No person may introduce cards into any blackjack game that were not obtained through the current deal of the cards by the dealer, or any chip other than those obtained from the Gaming Facility where the blackjack game is being played.
- (7) Only the dealer and the player to whom the cards have been dealt may touch the player's cards.
- (8) A player may not touch the cards with the player's person or any instrument in any manner that would alter, mark, bend, or otherwise allow any card to be distinguished from any other card.

O. Cards - Inspection and Presentation.

- (1) Immediately prior to being placed into play, a dealer shall sort and inspect the cards. The dealer shall ensure that the deck is complete, and that no cards are obviously flawed, scratched, or marked in any way. A supervisor or management employee shall verify the inspection. The surveillance system shall record this process.
- (2) The dealer shall spread out the cards, faced upward on the table, according to suit, and in sequence, in such a manner that each individual card can be identified. The surveillance system shall record this process.
- (3) If personnel involved in the inspection find that any cards are damaged or improper, a substitute card or deck, as applicable, shall be brought from the storage area.
- (4) If the Gaming Facility Operator chooses to utilize pre-shuffled cards, procedures for the inspection and verification of the cards shall be submitted to, and approved by the Tribal Gaming Office and the State Gaming Agency.
- (5) The Tribal Gaming Office and the State Gaming Agency shall be authorized to inspect cards at any time in accordance with the provisions of the Compact.

P. Cards - Removal from Use.

- (1) The Gaming Facility Operator shall remove cards at any time if there is any indication of tampering or other defects that might affect the integrity or fairness of the game or at the request of an authorized representative of the Tribal Gaming Office or the State Gaming Agency. Any cards that indicate purposeful tampering shall be placed in a sealed envelope or container, identified by table number, date and time, and shall be signed or initialed by the dealer and a supervisor.
- (2) All envelopes and containers containing cards (or deck of cards) that indicate purposeful tampering shall be turned over to the Tribal Gaming Office which shall inspect them for tampering or anything that might indicate unfair play. The Tribal Gaming Office shall promptly notify the State Gaming Agency of any cards that indicate purposeful tampering

and shall allow the State Gaming Agency to inspect such cards upon request.

Q. Dealer Tips.

- (1) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish the criteria and procedures for the acceptance and, as applicable, distribution of tips. The procedures shall provide criteria to ensure that tips received are reported as income for tax purposes for the individuals receiving them, pursuant to applicable tax laws. At a minimum, such procedures shall require that all tips be placed in a tip box.
- (2) No Gaming Facility Operator employee directly concerned with management, accounting, or surveillance shall solicit or accept any tip or gratuity. At no time shall any table game employee who serves in a supervisory position directly or indirectly solicit or accept any tip or gratuity from an employee under their supervision, or any other employee, at the Gaming Facility where they are employed. Notwithstanding the foregoing, supervisory and management employees may participate in the distribution of gratuities or tips if a pooling and distribution process is approved by the Tribal Gaming Office.
- (3) The Gaming Facility Operator shall establish procedures consistent with applicable laws for accounting for all tips and gratuities received by gaming employees.

R. Chips and Tokens.

- (1) General:
 - (a) A Gaming Facility Operator may not issue chips or tokens for use in its Gaming Facility(s), or sell or redeem chips or tokens, unless the specifications of the chips or tokens have been approved in writing by the Tribal Gaming Office. Chips and tokens shall not deceptively resemble any current or past coinage or currency of the United States or any other nation.
 - (b) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish, and the Gaming Facility Operator shall comply with, appropriate procedures and controls, for purposes of security and integrity, to ensure that all chips and tokens are properly accounted for from the time of receipt to the time of destruction or disposition.
 - (c) Unused and/or reserve chip inventory(ies) shall be maintained in a secure location to prevent unauthorized access. The secure location shall be continuously recorded by a dedicated surveillance camera with sufficient clarity to identify employees. Not less than monthly, accounting personnel shall reconcile unused and/or reserve chip inventory(ies) to accountability records.

- (2) Specifications for gaming chips and tokens:
- (a) Gaming chips and tokens shall be designed, manufactured, and constructed in compliance with all applicable statutes.
 - (b) In addition to other specifications that the Tribal Gaming Office may approve, the following shall appear on the gaming chip or token:
 - (i) The name of the issuing Tribe and/or Gaming Facility shall be inscribed on at least one (1) side of a gaming chip or token;
 - (ii) The value shall be inscribed on both sides of a gaming chip or token; and
 - (iii) A gaming chip shall be designed so that when stacked with gaming chips and tokens of other denominations and viewed on surveillance monitors, the denomination of the gaming chip may be distinguished from that of the other gaming chips and tokens in the stack.
- (3) Denominations of gaming chips shall be denoted by the following colors:
- (a) A one-dollar gaming chip shall be predominantly white;
 - (b) A five-dollar gaming chip shall be predominantly red;
 - (c) A twenty-five-dollar gaming chip shall be predominantly green;
 - (d) A one-hundred dollar gaming chip shall be predominately black;
 - (e) A five-hundred dollar gaming chip shall be predominately purple;
 - (f) Other gaming chip denominations may be used with approval of the Tribal Gaming Office and the State Gaming Agency; and
 - (g) Tournament and promotional chips may be of any color.

III. BLACKJACK REQUIREMENTS

A. Availability of Rules.

- (1) Basic blackjack and house rules shall include an explanation of each wager and the corresponding payout odds.
- (2) House rules shall include a statement indicating that each player at the table shall be responsible for correctly computing the point count of his hand and no player shall rely on the point count to be announced by the blackjack dealer without himself checking the accuracy of such announcement.
- (3) Basic blackjack rules and house rules governing play of blackjack shall be clear, legible, and available to all players in the table game area.

B. Blackjack Table—Physical Characteristics.

- (1) Blackjack shall be played on a table having, on one side wagering positions for not more than seven (7) players, and, on the opposite side, a place for the dealer.

- (2) Each blackjack table, while in play, shall have a table tray, a discard rack, a drop slot and drop box with a clear plastic money paddle, and a tip box, except that no tip box shall be required if tips are not accepted at the table. Each table may also be equipped with other such devices as specified in the rules.
- (3) The layout shall have imprinted on it the name and/or logo of the establishment, specific areas marked in which to place wagers, and the payout odds, unless otherwise approved by the Tribal Gaming Office and State Gaming Agency. The layout may have additional markings which identify the game, the holder of intellectual property rights to the game, the distributor of the game, any special markings needed for play of the game, and any other markings approved by the Tribal Gaming Office and the State Gaming Agency.
- (4) The following notices shall appear either on the table layout or on table signage clearly visible to every player at the table:
 - (a) One of these statements, in substantially this form: "Dealer must draw to 16 and stand on all 17's" or, alternatively, "Dealer must draw to soft 17";
 - (b) Blackjack payoff odds and insurance payoff odds;
 - (c) If applicable, any restrictions on doubling down; and
 - (d) If applicable, any restrictions on splitting aces or the number of cards which can be drawn to split aces.

C. Drop Boxes.

- (1) Each blackjack table in the Gaming Facility shall have attached to it a metal container known as a drop box, in which shall be deposited all cash, tickets, documents evidencing fills and credits, requests for fills and credits, and game inventory forms.
- (2) Each drop box shall have:
 - (a) One (1) separate lock securing the contents placed into the drop box, the key to which shall be different from any other key;
 - (b) A separate lock securing the drop box to the gaming tables, the key to which shall be different from the key to the lock securing the contents of the drop box;
 - (c) An opening through which currency, tickets, coins, tokens, forms, records, and documents can be inserted into the drop box; and
 - (d) Permanently imprinted or impressed thereon, and clearly visible, a number corresponding to a permanent number on the gaming table to which it is attached, and a marking to indicate game type, table number, and shift (if there are multiple shifts), except that emergency drop boxes may be maintained without such number or marking, provided the word "emergency" is permanently imprinted or impressed thereon and, when put into use, are temporarily marked with the number of the gaming table and identification of the game and shift.

D. Cards.

- (1) One (1) or more decks of cards may be utilized for play in a blackjack game. The maximum number of decks shall not exceed eight (8).
- (2) Cards may be dealt to the players face upwards or face down. Players may be permitted to touch the cards.
- (3) The values of the cards contained in a deck of cards are as follows:
 - (a) A card from 2 to 10 has its face value;
 - (b) A jack, queen, or king has a value of 10; and
 - (c) An ace may have a value of either 1 or 11 unless a value of 11 would give a player or the dealer a score in excess of 21, in which case it has a value of one.
- (4) The game of blackjack shall be played with standard decks of 52 cards in four suits (hearts, diamonds, clubs, and spades) with each suit consisting of numerical cards from 2 to 10 and a jack, a queen, a king, and an ace. A blackjack variation may be played with decks of cards that have been modified from standard 52 card decks (i.e., cards have been removed from or added to a standard 52 card deck), but any modifications must be performed at the table where the cards will be put into play and performed such that the process may be viewed and recorded by the surveillance system.

E. Shoes and Shuffling Devices.

- (1) A shoe may be used at a blackjack table. The shoe shall be designed and constructed to maintain the integrity of the game. Shoes shall have a cover on the face of the device.
- (2) A shuffling device may be used at a blackjack table. The shoe and automated shuffling device may be combined as one (1) operating device.
- (3) Shoes and shuffling devices in the Gaming Facility shall be inspected each gaming day before play commences to ensure that the shoe or shuffling device is not damaged, is operating properly, and has not been compromised in any manner which might affect the integrity of the game.

F. Manual Shuffling and Hand Dealing

- (1) If the Gaming Facility Operator chooses to shuffle the cards by hand, procedures for such shuffling shall be submitted to, and approved by the Tribal Gaming Office and the State Gaming Agency. The surveillance system shall record this process.
- (2) If the Gaming Facility Operator chooses to deal the cards by hand, procedures for such dealing shall be submitted to, and approved by the Tribal Gaming Office and the State Gaming Agency.

- (3) Manual shuffling and/or hand dealing shall be prohibited on any blackjack game that utilizes a progressive meter or other electronic component, unless otherwise approved by the Tribal Gaming Office and the State Gaming Agency.

G. Wagers.

- (1) The Gaming Facility Operator shall establish minimum and maximum wagers permitted at each blackjack table in the Gaming Facility, provided that the maximum wager shall not exceed \$100,000. The maximum wager limit shall apply to any single wager that a player can make based on the approved game rules.
- (2) The minimum and maximum wagers shall be conspicuously posted at each table.
- (3) The Gaming Facility Operator, at its discretion, may change the minimum and/or maximum wagers at any table, with appropriate notice to all players.
- (4) All paper currency and coin (only US currency) shall be exchanged for gaming chips or tokens by the dealer, prior to a wager being made.

H. Wagering Rules.

- (1) All wagers shall be made by placing chips on the appropriate areas of the layout.
- (2) Each player shall be responsible for the correct positioning of his wager on the layout, regardless of whether he is assisted by the dealer. The player shall be responsible for ensuring that the instructions he gives to the dealer regarding the placement of a wager are correctly carried out.
- (3) Except when splitting pairs, doubling down, or making an insurance wager, no wager shall be handled, increased, decreased, or withdrawn after the first card of a round has been dealt, unless such wager or removal of a wager is authorized under the rules of a blackjack game or the dealer or blackjack supervisor approves such an alteration or removal of a wager in accordance with the Gaming Facility Operator's approved procedures.
- (4) The Gaming Facility Operator may preclude a person who has not made a wager on the first, or any subsequent, round of play from entering the blackjack game on a subsequent round of play prior to a reshuffle of the cards occurring. Any person permitted by the Gaming Facility Operator to enter a blackjack game after a round of play may be limited by the Gaming Facility Operator to a wager of the minimum limit posted at the table until the cards are reshuffled and a new deal is commenced.
- (5) Any player who, after placing a wager on any given round of play, declines to place a wager on any subsequent round of play may be

precluded by the Gaming Facility Operator from placing any further wagers.

I. **Payment of Wagers.** Unless otherwise approved and authorized in the game rules, winning wagers shall be paid at odds of at least one to one with the exception of blackjack, which shall be paid at odds of at least three to two. If a Gaming Facility Operator intends to pay the winning wagers at odds other than those listed in this Section, such payments shall appear on the table layout or shall be posted on table signage.

J. **Players Wagering on More than One Hand.**

- (1) A Gaming Facility Operator may permit a player to wager on more than one hand to be played by such player or may limit multiple plays.
- (2) Multiple hands played by any one (1) player shall be in contiguous playing positions at the table; there shall be no other players seated at positions between the hands being played by a player.

K. **Progressive Standards.**

- (1) Physical and logical access to the progressive server, including the method by which system jackpot parameter values are entered or updated, shall be secure and monitored by the Tribal Gaming Office.
- (2) A meter that shows the amount of the progressive jackpot shall be conspicuously displayed at or near the table to which the jackpot applies.
- (3) At least once each day, the Gaming Facility Operator shall record the amount shown on each progressive jackpot meter.
- (4) Explanations for meter reading decreases shall be maintained with the progressive meter reading sheets.
- (5) The base amount of each progressive jackpot offered at the Gaming Facility shall be documented and maintained by the Gaming Facility Operator and the Tribal Gaming Office.
- (6) The Tribal Gaming Office shall approve procedures specific to the transfer of progressive amounts. Such procedures may include alternate methods of distribution that accrue to the benefit of the gaming public via an award or prize.
- (7) Upon presentation of circumstances to the State Gaming Agency, and by mutual agreement with the Tribal Gaming Office, the Gaming Facility may reduce, eliminate, transfer, or distribute progressive amounts in excess of the base amount.

L. **Game Drop and Count Standards.**

- (1) A table game drop shall be performed at the end of each shift. Times for the drop and count shall be submitted to the Tribal Gaming Office for

approval, and the Tribal Gaming Office shall provide a copy to the State Gaming Agency. Drop and count shall be conducted only at the scheduled times, except for emergency drops.

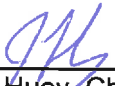
- (2) The Tribal Gaming Office shall be notified prior to performing any emergency drop. A written record shall be maintained of all emergency drops indicating the reason, persons involved, date, and time.
- (3) Any permanent change to the drop and/or count times shall be submitted to the Tribal Gaming Office for approval prior to any change being implemented by the Gaming Facility Operator. The Tribal Gaming Office shall immediately notify the State Gaming Agency of any approved changes.

M. Blackjack Tournaments.

- (1) The Gaming Facility Operator may conduct blackjack tournaments. At such tournaments only blackjack games approved and authorized by the Tribal Gaming Office and the State Gaming Agency may be played.
- (2) The Gaming Facility Operator shall submit for approval to the Tribal Gaming Office operational standards, rules, and procedures to govern the conduct and play of any blackjack tournament. The Tribal Gaming Office shall review and issue a written approval or disapproval of the operational standards, rules, and procedures prior to the beginning of tournament play.
- (3) Copies of tournament standards, rules and procedures shall be provided to the State Gaming Agency prior to tournament play for review and approval. Within seven (7) days of receipt, the State Gaming Agency shall submit to the Tribal Gaming Office written comments and objections to the proposed standards, rules, and procedures. If the State Gaming Agency does not object within seven (7) days, then the standards, rules and procedures are deemed approved. If the State Gaming Agency does object, the Tribal Gaming Office and the State Gaming Agency shall meet and confer within fourteen (14) days in a good faith effort to resolve the objections. Unresolved objections to any proposed standards, rules, and procedures shall be resolved expeditiously pursuant to the provisions of the Compact prior to implementation.
- (4) The operational standards, rules, and procedures for the conduct of tournament play shall be:
 - (a) Available to all tournament players prior to the beginning of the tournament; and
 - (b) Posted in a conspicuous location.
- (5) The operational standards, rules, and procedures shall include but are not limited to:
 - (a) Qualification or selection criteria which limit the eligibility of tournament players;

- (b) Regulations of the tournament (e.g., beginning and ending times, number of rounds, lapse of rounds, entry fee, elimination factors, cash handling procedures, etc.); and
- (c) Prizes to be awarded.

N. Entry Fee and Player Buy-In. Blackjack tournament entry fees and buy-ins shall be documented on a tournament entry fee and buy-in log. The following information, at a minimum, shall be recorded on the log at the time the entry fee or buy-in is conducted: name of patron and amount of the entry fee or buy-in.

By: 
Jon Huey, Chairman
Yavapai-Apache Nation

DATE: 6/10/21

By: _____
Ted Vogt, Director
Arizona Department of Gaming

DATE: _____

EXHIBIT C

Appendix F(2) – Definitions, Operational Standards,
Specifications, and Regulations Governing Promotional Award
Power

APPENDIX F(2)

**Definitions, Operational Standards, Specifications,
and Regulations Governing Promotional Award Poker**

Arizona Tribal-State Gaming Compact

The game of promotional award poker, authorized pursuant to the Compact, including all approved variations thereof, shall be permitted and conducted, at a minimum, according to the provisions set forth in the Compact and its appendices. For purposes of the Tribe's internal control standards, promotional award poker is a Card Game and shall be one of the "major gaming areas of the gaming operation" requiring an annual audit by internal audit personnel.

I. DEFINITIONS.

In addition to definitions set forth in the Compact and its appendices, the following definitions shall apply to the rules of promotional award poker, including all approved variations, conducted by the Gaming Facility Operator:

- (1) "Bet" means a player's wager on any betting round.
- (2) "Buy-in" means a purchase of gaming chips by a player prior to play.
- (3) "Card table bank" means an imprest inventory of cash, gaming chips and tokens physically located in the table tray on the card table and controlled by and accountable through the card room bank as provided in Section III.I of this Appendix. Card table banks are only to be used for the purpose of making change, handling player buy-ins, or storing dealer tips in accordance with the rules of the promotional award poker games and this Appendix.
- (4) "Deal" means the distribution of cards among the players and, if applicable, the dealer.
- (5) "Dealer" means the employee who operates the game, administering house rules and making payoffs.
- (6) "Hand" means one game in a series, one deal, the cards held by a player, or the best five cards of a player's holding or including any community cards.
- (7) "Jackpot promotional award" means a special award from the jackpot promotional fund paid following the occurrence of a predetermined event to qualifying individuals playing promotional award poker games, as specified by the posted jackpot promotional fund rules.
- (8) "Jackpot promotional fund" means a fund to which the players or Gaming Facility Operator contribute for the benefit of the players. Funds are distributed to qualifying promotional award poker game players based on predetermined events.
- (9) "Jackpot rake" means a separate rake taken to build the jackpot promotional fund. A standard rake may be taken in addition to the jackpot rake.
- (10) "Layout" or "table layout" means the felt, cloth, or other material covering the playing surface of a table.

- (11) "Pot" means a location on the table or the total amount anted and bet by players during a hand which is awarded to the winning player or players.
- (12) "Promotional award poker game" means poker and poker variations which utilize cards and the ranking of traditional hands (which can include more or less than 5 cards), that includes a jackpot promotional award and for which rules and procedures have been approved under Section II.G of this Appendix.
- (13) "Proposition player" means a player who receives a salary, wage, or fixed sum from the Gaming Facility Operator for playing in short games (those with empty seats), starting new games, or filling in where needed. Although a proposition player works for the Gaming Facility Operator, he plays his own money, retains his winnings and absorbs his losses.
- (14) "Shill" means an employee financed by the Gaming Facility Operator and acting as a player for the purpose of starting or maintaining a sufficient number of players in a game.
- (15) "Shuffling device" means an electro-mechanical device which continuously and/or automatically reshuffles the cards.
- (16) "Stakes player" means a player financed by the Gaming Facility Operator to play for the purpose of starting a game that would otherwise be short, or to keep a game that is becoming short from breaking up. A stakes player participates in a game under an arrangement or understanding where by such person retains all or a percentage of his profits (after returning to the house the amount given to him when he was first put in), usually at the end of a shift, but absorbs none of the losses.
- (17) "Supervisor or management employee" means, for the purpose of this Appendix, any employee assigned duties and responsibilities that include:
- (a) Directing card room employees in the performance of their duties;
 - (b) Supervising game activity, dealing procedures and compliance with internal controls;
 - (c) Initially resolving player disputes arising from game play;
 - (d) Making decisions regarding the seating of players; and
 - (e) Making decisions regarding work scheduling of card room employees.
- (18) "Time rake" means a charge to a player, determined on a time basis, by the Gaming Facility Operator for the right to participate in a game.

II. GENERAL REQUIREMENTS.

A. Types of Promotional Award Poker Games.

- (1) The Gaming Facility Operator shall only conduct promotional award poker games under the rules approved and authorized by the Tribal Gaming Office and the State Gaming Agency. Authorized promotional

award poker games shall not exceed the wager limitations established in this Appendix.

- (2) Any electronic or electromechanical components or hardware, including program software, utilized in an approved poker game shall be evaluated by an independent testing laboratory prior to use for play.

B. Number of Promotional Award Poker Game Tables. The number of promotional award poker game tables in play shall not exceed the limits established in the Compact. Promotional award poker game tables used in authorized tournament play shall be included when determining the total number of promotional award poker game tables in play in a Gaming Facility. No poker games shall be operated outside of a Gaming Facility.

C. Licensing and Certification of Employees. All card room employees shall be licensed by the Tribal Gaming Office and certified by the State Gaming Agency in accordance with the provisions of the Compact.

D. Equipment Control. All cards, promotional award poker game tables, gaming chips, and associated equipment, as applicable, shall be purchased, leased, or acquired only from manufacturers or distributors licensed by the Tribal Gaming Office and certified by the State Gaming Agency in accordance with the Compact.

E. Access to Records and Reports. The State Gaming Agency shall have access to all records of promotional award poker gaming activity, pursuant to the provisions of the Compact, including, but not limited to:

- (1) Daily activity and accounting records;
- (2) Security reports;
- (3) Surveillance activities and reports; and
- (4) Investigative reports.

F. Inspection of Promotional Award Poker Game Tables, Cards and Play. The State Gaming Agency shall be authorized to inspect any promotional award poker game table, cards, related operations, and/or observe any gaming activity pursuant to the provisions of the Compact.

G. Adoption of Rules.

- (1) Prior to conducting a game of promotional award poker, the Gaming Facility Operator shall submit to the Tribal Gaming Office and the Tribal Gaming Office shall have approved rules and procedures for play to govern the conduct of promotional award poker games operated in each Gaming Facility. In determining whether to approve such rules and procedures, the Tribal Gaming Office shall consider whether the proposed rules and procedures are appropriate to ensure the integrity, fairness, and security of play. After making its determination and prior to implementation, the Tribal Gaming Office shall issue a written approval or disapproval of the rules and procedures for each game to be played in the Gaming Facility.

- (2) Game rules and procedures approved by the Tribal Gaming Office shall include, in addition to the rules of play:
- (a) Specifications provided by the equipment manufacturer or distributor applicable to gaming equipment;
 - (b) Physical characteristics of gaming chips;
 - (c) Physical characteristics of such other gaming equipment as may be required for use in authorized promotional award poker games, including, but not limited to:
 - (i) Cards (including procedures for receipt and storage);
 - (ii) Card tables;
 - (iii) Table layouts; and
 - (iv) Shuffling devices (including procedures for receipt and storage), if applicable;
 - (d) Rules for each authorized promotional award poker game, including, but not limited to:
 - (i) Dealing techniques;
 - (ii) Hand shuffling procedures (if applicable);
 - (iii) Minimum and maximum permissible wagers;
 - (iv) Procedures of play;
 - (v) Procedures to be followed on the occurrence of irregularities; and
 - (vi) Prohibitions on side betting between and against players.
- (3) Copies of game rules and procedures shall be provided to the State Gaming Agency prior to implementation for review and approval. Within seven (7) days of receipt, the State Gaming Agency shall submit to the Tribal Gaming Office written comments and objections to the proposed rules and procedures. If the State Gaming Agency does not object within seven (7) days, then the rules and procedures are deemed approved. If the State Gaming Agency does object, the Tribal Gaming Office and the State Gaming Agency shall meet and confer within fourteen (14) days in a good faith effort to resolve the objections. Unresolved objections to any proposed rules or procedures shall be resolved expeditiously pursuant to the provisions of the Compact prior to implementation.

H. Currency Transaction Reporting. The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish and the Gaming Facility Operator shall comply with procedures and controls necessary to comply with the provisions of the Federal Bank Secrecy Act and the Federal USA Patriot Act. Copies of the procedures and controls established to comply with the Acts shall be provided to the Tribal Gaming Office and available to the State Gaming Agency upon request.

I. Promotional Award Poker Game Training.

- (1) Prior to any new promotional award poker game being implemented at the Gaming Facility, the Tribal Gaming Office shall require the Gaming Facility Operator to provide appropriate training for all employees involved in the conduct or regulation of promotional award poker, such that those employees have the knowledge and skills required under

typical industry standards for the job function that employee performs, including but not limited to player money management and wagering, and detection of cheating methods. Tribal Gaming Office employees responsible for promotional award poker shall receive appropriate training in any new promotional award poker game.

- (2) The Tribal Gaming Office and/or the Gaming Facility Operator, as designated by the Tribal Gaming Office, shall notify the State Gaming Agency prior to the beginning of any training programs and shall provide the State Gaming Agency an opportunity to participate.

J. Notice of Installation.

- (1) The Gaming Facility Operator shall provide the Tribal Gaming Office advance written notice that it intends to install or re-install, or modify any promotional award poker table, including any newly purchased, leased, or previously approved promotional award poker game table, for use for play, prior to placing such promotional award poker table into play at any Gaming Facility. Such notification shall be provided in time to allow the Tribal Gaming Office to schedule employees to inspect and test, as applicable, such promotional award poker tables prior to use for play.
- (2) Upon notification from the Gaming Facility Operator, the Tribal Gaming Office shall provide to the State Gaming Agency all the information the Gaming Facility Operator is required to provide, to allow the State Gaming Agency to coordinate inspection and testing, as applicable.
- (3) All installation, reinstallation, and modifications of promotional award poker tables shall be approved by the Tribal Gaming Office prior to use for play in a Gaming Facility. All promotional award poker tables shall have affixed an identifying approval seal or equivalent from the Tribal Gaming Office, while in use for play in a Gaming Facility. If the State Gaming Agency is not present at the time of installation, reinstallation or modification, the Gaming Facility Operator may put the promotional award poker game table in use for play, if approved by the Tribal Gaming Office.
- (4) When the State Gaming Agency approves a promotional award poker table for either use for play or continued use, it shall affix an identifying approval seal or equivalent to the promotional award poker table. If the State Gaming Agency denies approval for use for play or continued use, the State Gaming Agency shall, at the conclusion of inspection and testing, as applicable, orally explain to the Gaming Facility Operator and the Tribal Gaming Office why the State Gaming Agency is denying approval. The State Gaming Agency shall promptly issue a written statement to the Tribal Gaming Office setting forth the grounds for denial of approval.
- (5) A promotional award poker table shall not be placed into play without having an identifying approval seal or equivalent from both the Tribal Gaming Office and the State Gaming Agency, unless authorized by Section II.J.3 of this Appendix.

- (6) The Tribal Gaming Office and the State Gaming Agency shall ensure that all promotional award poker tables and gaming activity are properly covered by surveillance, pursuant to the Tribe's internal control standards.

K. Notice of Removal.

- (1) The Gaming Facility Operator shall provide the Tribal Gaming Office five (5) business days advance written notice if it intends to remove any promotional award poker table from the gaming facility or to allow such tables to be removed. The notice shall identify which promotional award poker tables will be removed from the gaming facility and give details regarding when the tables will be removed, the location to which the tables will be taken, and to whom the tables will be transferred. The Tribal Gaming Office shall immediately remove and discard all affixed approval seals from any promotional award poker tables removed from the Gaming Facility and shall provide the State Gaming Agency written verification of having discarded the seals.
- (2) If promotional award poker tables are moved to storage, the Gaming Facility Operator shall provide the Tribal Gaming Office twenty-four (24) hours advance written notice of the tables to be moved and seals need not be removed. The Tribal Gaming Office shall provide written notice to the State Gaming Agency within forty-eight (48) hours of such movement.

L. Card Specifications and Controls.

- (1) Cards may have imprinted on them the name and/or logo of the gaming establishment. The design on the backs of the cards in the deck shall be identical, and no card may contain any marking, symbol, or design that enables a player to know the identity of any element printed on the face of the card. The backs of the cards in the deck shall be designed to eliminate the ability of any person to place concealed markings on them.
- (2) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish appropriate procedures and controls for purposes of security and integrity to ensure all decks of cards are properly accounted for from the time of receipt to the time of destruction or disposition.
- (3) A secured location for storing unissued cards shall be maintained. The secured location shall be under constant monitoring by surveillance cameras. The exit and entrance to this area shall be viewed by at least one (1) fixed camera. A sign-in and sign-out log shall be completed by individuals entering the area. Surveillance shall be notified when persons request entry into this area. At no time shall a single individual be allowed to enter this area alone.

- (4) The Gaming Facility Operator shall maintain an ongoing perpetual inventory of cards that allows for the immediate verification of balances. Not less than monthly, someone independent of the card room shall verify the card inventory and perpetual inventory records. Any discrepancies shall be immediately investigated and reported to the Tribal Gaming Office and the State Gaming Agency.
- (5) Cards maintained in the card room area shall be stored in a locked cabinet and only accessible to authorized personnel.
- (6) If the Gaming Facility Operator uses plastic cards (not plastic-coated cards), the cards may be used for up to six (6) months if the plastic cards are routinely inspected, and washed or cleaned in a manner and time frame approved by the Tribal Gaming Office.

M. Staffing and Supervision.

- (1) A designated supervisor shall be responsible for the supervision of promotional award poker activity, including observing dealers and players, viewing drop box removal at established times, initially resolving player disputes arising from table play, and other duties as required. At least one (1) supervisor shall be in the card room area at all times when promotional award poker tables are open for play.
- (2) All card room supervisors and management employees shall be knowledgeable in the play of all promotional award poker games and the regulatory requirements of promotional award poker games.
- (3) A supervisor may function as a dealer without any other supervision if disputes are resolved by supervisory personnel independent of the transaction or independent of the card games department.

N. Prohibited Acts.

- (1) No Gaming Facility Operator or other person shall remove, add, or alter any cards, nor permit such activity, except as provided by this Appendix.
- (2) The dealer shall not look at, nor expose to any person, the face of a card before it is dealt.
- (3) A player shall not use any person, device, object, process, or procedures that are designed or intended to analyze, project, or predict the outcome of the game, unless otherwise approved by the Tribal Gaming Office and the State Gaming Agency.
- (4) No dealer or supervisor shall advise a player about game strategy while the player has a wager still pending on the outcome of the game.
- (5) No person may introduce cards into any promotional award poker game that was not obtained through the current deal of the cards by the dealer, or any chip other than those obtained from the Gaming Facility where the promotional award poker game is being played.

- (6) Only the dealer and the player to whom the cards have been dealt may touch the player's cards.
- (7) A player may not touch the cards with the player's person or any instrument in any manner that would alter, mark, bend, or otherwise allow any card to be distinguished from any other card.

O. Cards - Inspection and Presentation.

- (1) Immediately prior to being placed into play, a dealer shall sort and inspect the cards. The dealer shall ensure that the deck is complete, and that no cards are obviously flawed, scratched, or marked in any way. A supervisor or management employee shall verify the inspection. The surveillance system shall record this process.
- (2) The dealer shall spread out the cards, faced upward on the table, according to suit, and in sequence, in such a manner that each individual card can be identified. The surveillance system shall record this process.
- (3) If, after checking the cards, personnel involved in the inspection and testing find that any cards are damaged or improper, a substitute card or deck, as applicable, shall be brought from the storage area.
- (4) The Tribal Gaming Office and the State Gaming Agency shall be authorized to test and inspect cards at any time in accordance with the provisions of the Compact.

P. Cards - Removal from Use.

- (1) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish a reasonable time period within which to mark, cancel, or destroy cards from play.
- (2) The Gaming Facility Operator shall remove cards at any time if there is any indication of tampering or other defects that might affect the integrity or fairness of the game or at the request of an authorized representative of the Tribal Gaming Office or the State Gaming Agency. Any cards that indicate purposeful tampering shall be placed in a sealed envelope or container, identified by table number, date and time, and shall be signed or initialed by the dealer and a supervisor.
- (3) All envelopes and containers containing cards (or deck of cards) that indicate purposeful tampering shall be turned over to the Tribal Gaming Office which shall inspect them for tampering or anything that might indicate unfair play. The Tribal Gaming Office shall promptly notify the State Gaming Agency of any cards that indicate purposeful tampering and shall allow the State Gaming Agency to inspect such cards upon request.

Q. Dealer Tips.

- (1) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish the criteria and procedures for the acceptance and, as applicable, distribution of tips. The procedures shall provide criteria to ensure that tips received are reported as income for tax purposes for the individuals receiving them pursuant to applicable tax laws. At a minimum, such procedures shall require that all tips be placed in the card table bank or a tip box.
- (2) No Gaming Facility Operator employee directly concerned with management, accounting, or surveillance shall solicit or accept any tip or gratuity. A card room supervisor or management employee, while temporarily relieving a promotional award poker dealer, may accept tips on behalf of the regularly scheduled dealer, to be immediately deposited in the card table bank or a tip box.
- (3) At no time shall any card game employee who serves in a supervisory position directly or indirectly solicit or accept any tip or gratuity from an employee under their supervision, or any other employee, at the Gaming Facility where they are employed. Notwithstanding the foregoing, supervisory and management employees may participate in the distribution of gratuities or tips if a pooling and distribution process is approved by the Tribal Gaming Office.
- (4) The Gaming Facility Operator shall establish procedures consistent with applicable laws for accounting for all tips and gratuities received by gaming employees.

R. Chips and Tokens.

- (1) General:
 - (a) A Gaming Facility Operator may not issue chips or tokens for use in its Gaming Facility(s), or sell or redeem chips or tokens, unless the specifications of the chips or tokens have been approved in writing by the Tribal Gaming Office. Chips and tokens shall not deceptively resemble any current or past coinage or currency of the United States or any other nation.
 - (b) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish and the Gaming Facility Operator shall comply with appropriate procedures and controls for purposes of security and integrity to ensure that all chips and tokens are properly accounted for from the time of receipt to the time of destruction or disposition.
 - (c) Unused and/or reserve chip inventory(s) shall be maintained in a secure location to prevent unauthorized access. The secure location shall be continuously recorded by a dedicated surveillance camera with sufficient clarity to identify employees. Not less than monthly, accounting personnel shall reconcile unused and/or reserve chip inventory(s) to accountability records.

- (2) Specifications for gaming chips and tokens:
 - (a) Gaming chips and tokens shall be designed, manufactured, and constructed in compliance with all applicable statutes.
 - (b) In addition to other specifications that the Tribal Gaming Office may approve, the following shall appear on the gaming chip or token:
 - (i) The name of the issuing Tribe and/or Gaming Facility shall be inscribed on at least one (1) side of a gaming chip or token;
 - (ii) The value shall be inscribed on both sides of a gaming chip or token; and
 - (iii) A gaming chip shall be designed so that when stacked with gaming chips and tokens of other denominations and viewed on surveillance monitors, the denomination of the gaming chip may be distinguished from that of the other gaming chips and tokens in the stack.
- (3) Denominations of gaming chips shall be denoted by the following colors:
 - (a) A one-dollar gaming chip shall be predominantly white;
 - (b) A five-dollar gaming chip shall be predominantly red;
 - (c) A twenty-five-dollar gaming chip shall be predominantly green;
 - (d) A one-hundred dollar gaming chip shall be predominately black;
 - (e) A five-hundred dollar gaming chip shall be predominately purple;
 - (f) Other gaming chip denominations may be used with approval of the Tribal Gaming Office and the State Gaming Agency; and
 - (g) Tournament and promotional chips may be of any color.

III. PROMOTIONAL AWARD POKER GAME REQUIREMENTS.

A. Availability of Rules.

- (1) Basic promotional award poker rules and house rules governing the play of promotional award poker games and jackpot promotional fund rules shall be clear, legible, and available to all players in the card room area.
- (2) The maximum rake percentage or other fee charged, the maximum jackpot promotional fund percentage, the number of raises allowed, the monetary limit of each raise, the amount of the ante, and other promotional award poker game rules shall be available upon the request of any player.
- (3) The Gaming Facility Operator shall furnish, upon the request of any player, a complete legible set of all rules of play and betting for promotional award poker games, including house rules for the play of promotional award poker games and promotional fund rules.

B. Promotional Award Poker Table - Physical Characteristics.

- (1) Promotional award poker games shall be played on an oblong table having wagering positions for no more than ten (10) players and a place for the dealer.
- (2) Each promotional award poker table, while in play, shall have a table tray, two drop slots, and a tip box, except that no tip box shall be required if tips are not accepted at the table. Each table may also be equipped with other such devices as specified in the rules.

C. Drop Boxes.

- (1) Each table used for promotional award poker games shall have one (1) drop box with a drop slot even with the top right corner of the table tray, with a cover over the drop slot. At the conclusion of the hand the rake is placed in the drop box by the dealer. The drop box shall be a locked container marked with a permanent number corresponding to the permanent number on the promotional award poker game table. The locked container shall be locked to the table and shall be separately keyed from the lock securing the contents of the container itself.
- (2) Each promotional award poker game with a jackpot rake shall be played on a promotional award poker game table with a separate jackpot promotional fund drop box with the drop slot even with the top left of the table tray, with a cover over the drop slot. At the conclusion of the hand the jackpot rake is placed in the drop box by the dealer. The drop box shall be a locked container and shall be clearly marked, identifying the contents of the box. The locked container shall be locked to the table and shall be separately keyed from the lock securing the contents of the container itself.

D. Cards.

- (1) Cards may be dealt to the players face upwards or face down.
- (2) If expressly permitted by the rules of play of a promotional award poker game, a hand may consist of either fewer than five cards or more than five cards. The rank of poker hands containing other than five cards shall be specified by the rules of play of each promotional award poker game permitting such hand.
- (3) If expressly permitted by the rules of play of a promotional award poker game, a joker(s) may be used as specified by the rules of play of each promotional award poker game permitting the use of such card(s).
- (4) A promotional award poker game may be played with a deck of cards that has been modified from a standard 52 card deck (i.e. cards have been removed from or added to a standard 52 card deck), but any modifications must be performed at the table where the cards will be put into play and performed such that the process may be viewed and recorded by the surveillance system.

E. Shuffling Devices.

- (1) A shuffling device may be used at a promotional award poker table.
- (2) Shuffling devices in the Gaming Facility shall be inspected each gaming day before play commences to ensure that the shuffling device is not damaged, is operating properly, and has not been compromised in any manner which might affect the integrity of the game.

F. Manual Shuffling and Hand Dealing.

- (1) If the Gaming Facility Operator chooses to shuffle the cards by hand, procedures for such shuffling shall be submitted to, and approved by the Tribal Gaming Office and the State Gaming Agency. The surveillance system shall record this process.
- (2) Hand dealing procedures shall be submitted to, and approved by, the Tribal Gaming Office and the State Gaming Agency.

G. Proposition Players.

- (1) All proposition players authorized pursuant to this Appendix shall be licensed by the Tribal Gaming Office and certified by the State Gaming Agency as Gaming Employees pursuant to the provisions of the Compact.
- (2) Proposition players shall not play in any manner among themselves or in collusion with others to the disadvantage of other players in the promotional award poker game.
- (3) Each Gaming Facility Operator employing proposition players shall identify proposition players upon request and shall display a clear and legible sign in a conspicuous and conveniently accessible location which states, in substantially this form: "Tribal gaming regulations allow the use of proposition players. Proposition players will be identified by management upon request."
- (4) Each Gaming Facility Operator shall maintain a list of all proposition players, readily available for inspection by the Tribal Gaming Office and the State Gaming Agency.
- (5) Dealers may only act as proposition players if in accordance with the Gaming Facility Operator's approved procedures.
- (6) Card room supervisors or management employees shall not act as proposition players. If the Gaming Facility Operator never operates more than five (5) poker and promotional award poker game tables at one time, an on duty supervisor may act as a proposition player pursuant to procedures established by the Gaming Facility Operator and approved by the Tribal Gaming Office and State Gaming Agency, when

such play by the supervisor is necessary to keep a promotional award poker game operating.

H. Restrictions of Other Players.

- (1) No dealer shall wager in any promotional award poker game in which he is dealing.
- (2) No Gaming Employee shall be allowed to stake, or have a stake in, a player in any card game in the Gaming Facility.
- (3) Skills and stakes players are not authorized pursuant to this Appendix and shall not be utilized by the Gaming Facility Operator.

I. Rake-Off and Time Rake Collection.

- (1) A rake shall be collected in accordance with the posted rules for such promotional award poker game. Time rake collection shall be allowed in any promotional award poker game, predetermined by management. The dealer shall not deviate from the standard rake or rake-off procedures without prior management approval.
- (2) A standard rake chart and rake-off procedures shall be set by management.
- (3) A rake shall only be pulled by the dealer in an obvious manner. The rake shall be placed in a designated rake circle/area or on top of the drop slide and shall remain in the designated rake circle/area or on top of the drop slide until a winner is declared and paid. The rake shall then be inserted into the promotional award poker table drop box.
- (4) For time rakes, the dealer shall place the rake in the designated rake circle/area and shall announce to the manager/supervisor that he has a time rake. The manager/supervisor shall verify the time rake and shall observe the dealer place the time rake into the promotional award poker table drop box.
- (5) A jackpot rake may be taken in addition to the standard rake in accordance with the rules for such promotional award poker game.
- (6) A separate rake circle/area shall be used for the jackpot rake.
- (7) Monies from the rake and the jackpot rake shall not be commingled.
- (8) If one (1) promotional award poker game table is to be used in a single shift for two (2) or more dissimilar promotional award poker games that offer separate jackpot promotional awards, the jackpot promotional fund drop box shall be removed, secured, and replaced between game changes.

J. Table Stakes.

- (1) Players in promotional award poker games may bet only the visible portion of gaming chips and tokens in front of them on the promotional award poker game table when the hand begins. Such players may add to their stacks at any time before the hand starts, but cannot take money that has been in play for even one (1) hand off the promotional award poker game table until they cash out, except that money on the table may be used for tips and to purchase food and beverages served at the table, as applicable.
- (2) Players shall not be allowed to loan or exchange cash, gaming chips or tokens with another player while a hand is in progress.

K. Card Room Banks (or Cage).

- (1) Card room banks shall be used exclusively for the purpose of the issuance and receipt of card table banks, the maintenance of card table banks used in card games, and the purchase and redemption of gaming chips by players or dealers.
- (2) Card room banks shall be maintained on an imprest basis. Access and keys to the card room bank(s) shall be controlled pursuant to the Tribe's internal control standards. Accountability for the imprest bank(s) shall be established pursuant to the Tribe's internal control standards.
- (3) Transfers between the main card room bank and the cage must be properly authorized and documented.
- (4) The amount of the main card room bank shall be counted, recorded, and reconciled on at least a per shift basis.

L. Card Table Banks.

- (1) Promotional award poker games shall use an imprest card table bank. For all card table banks, at all times the gaming chips, tokens and money in the card table bank shall equal a pre-established amount, plus dealer tips if tips are stored in the card table bank. The card table banks shall only be used for the purpose of making change, handling player buy-ins, or storing dealer tips.
- (2) Exchanges between card table banks and the main card room bank (or cage, if a main card room bank is not used) shall be authorized by a supervisor. All exchanges shall be evidenced by the use of a lammer unless the exchange of chips, tokens, and/or cash takes place at the table.
- (3) Exchanges from the main card room bank (or cage, if a main card room bank is not used) to the table banks shall be verified by the dealer and the runner.

- (4) At least once per shift, the table banks that were opened during that shift shall be counted, recorded, and reconciled by a dealer or other person, and a supervisor, and shall be attested to by their signatures on the check-out form.

M. Wagers.

- (1) The Gaming Facility Operator shall establish minimum and maximum wagers permitted at each promotional award poker table in the Gaming Facility, provided that the maximum wager shall not exceed \$100,000. The maximum wager limit shall apply to any single wager that a player can make based on the approved game rules.
- (2) The wagering structure and type of promotional award poker game shall be conspicuously posted at each table.
- (3) The Gaming Facility Operator, at its discretion, may change the wagering structure at any table, with appropriate notice to all players.
- (4) All paper currency and coin (only US currency) shall be exchanged for chips or tokens by the dealer, prior to a wager being made.

N. Game Drop and Count Standards.

- (1) A card game drop shall be performed at the end of each shift. Times for the drop and count shall be submitted to the Tribal Gaming Office for approval, and the Tribal Gaming Office shall provide a copy to the State Gaming Agency. Drop and count shall be conducted only at the scheduled times, except for emergency drops.
- (2) The Tribal Gaming Office shall be notified prior to performing any emergency drop. A written record shall be maintained of all emergency drops indicating the reason, persons involved, date and time.
- (3) Any permanent change to the drop and/or count times shall be submitted to the Tribal Gaming Office for approval prior to any change being implemented by the Gaming Facility Operator. The Tribal Gaming Office shall immediately notify the State Gaming Agency of any approved changes.

O. Jackpot Promotional Fund Rules.

- (1) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall adopt rules that govern jackpot promotional funds.
- (2) Copies of jackpot promotional fund rules shall be provided to the State Gaming Agency prior to implementation for review and approval. Within seven (7) days of receipt, the State Gaming Agency shall submit to the Tribal Gaming Office written comments and objections to the proposed rules. If the State Gaming Agency does not object within seven (7) days, then the rules are deemed approved. If the State Gaming Agency

does object, the Tribal Gaming Office and the State Gaming Agency shall meet and confer within fourteen (14) days in a good faith effort to resolve the objections. Unresolved objections to any proposed rules shall be resolved expeditiously pursuant to the provisions of the Compact prior to implementation.

- (3) The rules shall be conspicuously posted.
- (4) At a minimum, the rules shall designate:
 - (a) The amount of the jackpot rake to be contributed from each hand or pot into the jackpot promotional fund;
 - (b) What predetermined event it takes to win a jackpot;
 - (c) How the jackpot promotional fund will be paid out;
 - (d) How and when the contributed funds are added to the jackpot;
 - (e) Amount/percentage of funds allocated to primary and secondary jackpots, if applicable;
 - (f) If applicable, the amount of any reset, base, or seed funds contributed by the Gaming Facility Operator to the jackpot promotional fund; and
 - (g) All uses of the jackpot promotional fund, including all eligibility requirements for awards, all predetermined events upon which awards may be made, and all uses related to jackpot promotional tournaments.
- (5) All funds contributed by players into a jackpot promotional fund shall be returned to players on the happening of one or more predetermined events, which may or may not include the play of a hand, in accordance with the posted rules, except as provided by Compact Section 3(v)(2)(H). A player must be actively participating in live or tournament play at the time eligibility for an award from the jackpot promotional fund is determined. No commission or administrative fee shall be paid to the Gaming Facility Operator or others for administering a jackpot promotional fund. Any non-cash award shall be charged to the jackpot promotional fund at no greater than the actual cost of the award (as reasonably determined by the Gaming Facility Operator). In addition, the funds contributed to a jackpot promotional fund shall be accounted for separately. Any interest earned on a jackpot promotional fund balance shall be credited and posted to the jackpot promotional fund.

P. Jackpot Promotional Fund Signs.

- (1) The amount of the jackpot promotional fund(s) shall be conspicuously displayed in the card room. At least once a day the fund sign(s) or meter(s), as applicable, shall be updated to reflect the current jackpot amounts. At least once a day, increases to the fund sign(s) or meter(s) shall be reconciled by personnel independent of the card room.
- (2) The Tribal Gaming Office shall ensure that the jackpot promotional fund sign is properly covered by surveillance utilizing at least one (1) dedicated camera.

Q. Notification of Jackpot Promotional Fund Awards. Within twenty-four (24) hours of the award of any promotional jackpot equal to or greater than \$10,000, the Gaming Facility Operator shall notify the Tribal Gaming Office of such award.

R. Jackpot Promotional Fund Log.

- (1) A jackpot promotional fund log shall be maintained. Someone independent of the card room shall record the amount of each jackpot promotional fund liability sign or meter on a daily basis.
- (2) The jackpot promotional fund log shall be forwarded to accounting at least once a month, and whenever a promotional jackpot is awarded.
- (3) Accounting shall ensure all decreases are reasonable and properly explained. The explanation shall include a reference to the card games payout form numbers documenting a jackpot promotional fund payout.
- (4) At least once a month, and whenever a promotional jackpot is awarded, accounting shall reconcile the promotional jackpot liability to the amount shown on the jackpot promotional fund log and the amount displayed on the jackpot sign(s) or meter(s) in the card room.
- (5) The total of the promotional jackpot amounts awarded per the card games payout form(s) for each player shall agree to the promotional jackpot liability as recorded on the Jackpot Promotional Fund log.

S. Unclaimed Jackpots.

- (1) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish procedures and controls for the handling of unclaimed jackpots.
- (2) Copies of unclaimed jackpot procedures and controls shall be provided to the State Gaming Agency prior to implementation for review and approval. Within seven (7) days of receipt, the State Gaming Agency shall submit to the Tribal Gaming Office written comments and objections to the proposed procedures and controls. If the State Gaming Agency does not object within seven (7) days, then the procedures and controls are deemed approved. If the State Gaming Agency does object, the Tribal Gaming Office and the State Gaming Agency shall meet and confer within fourteen (14) days in a good faith effort to resolve the objections. Unresolved objections to any proposed procedures and controls shall be resolved expeditiously pursuant to the provisions of the Compact prior to implementation.


T. Monthly Report. A financial report of the jackpot promotional fund covering the prior month's activities, including funds received, held, and distributed, and all promotional items distributed, shall be prepared by the Gaming Facility Operator and provided to the Tribal Gaming Office by the 25th day of the month for the preceding month. The Tribal Gaming Office shall make copies of the financial report available to the State Gaming Agency upon request.

U. Promotional Award Poker Game Tournaments.

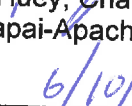
- (1) The Gaming Facility Operator may conduct promotional award poker game tournaments. At such tournaments only promotional award poker games approved and authorized by the Tribal Gaming Office and the State Gaming Agency may be played.
- (2) The Gaming Facility Operator shall submit for approval to the Tribal Gaming Office operational standards, rules, and procedures to govern the conduct and play of any promotional award poker game tournament. The Tribal Gaming Office shall review and issue a written approval or disapproval of the operational standards, rules, and procedures prior to the beginning of tournament play.
- (3) Copies of tournament standards, rules, and procedures shall be provided to the State Gaming Agency prior to tournament play for review and approval. Within seven (7) days of receipt, the State Gaming Agency shall submit to the Tribal Gaming Office written comments and objections to the proposed standards, rules, and procedures. If the State Gaming Agency does not object within seven (7) days, then the standards, rules, and procedures are deemed approved. If the State Gaming Agency does object, the Tribal Gaming Office and the State Gaming Agency shall meet and confer within fourteen (14) days in a good faith effort to resolve the objections. Unresolved objections to any proposed standards, rules, and procedures shall be resolved expeditiously pursuant to the provisions of the Compact prior to implementation.
- (4) The operational standards, rules, and procedures for the conduct of tournament play shall be:
 - (a) Available to all tournament players prior to the beginning of the tournament; and
 - (b) Posted in a conspicuous location.
- (5) The operational standards, rules, and procedures shall include but are not limited to:
 - (a) Qualification or selection criteria which limit the eligibility of tournament players. Proposition players shall not be permitted to play as proposition players in tournament play;
 - (b) Regulations of the tournament (e.g., beginning and ending times, number of rounds, lapse of rounds, entry fee, elimination factors, cash handling procedures, etc.); and
 - (c) Prizes to be awarded.

V. Entry Fee and Player Buy-In. Promotional award poker game tournament entry fees and buy-ins shall be documented on a tournament entry fee and buy-in log. The following information, at a minimum, shall be recorded on the log at the time the entry fee or buy-in is conducted: name of patron and amount of the entry fee or buy-in.

By: _____


Jon Huey, Chairman
Yavapai-Apache Nation

DATE: _____


6/10/21

By: _____

Ted Vogt, Director
Arizona Department of Gaming

DATE: _____

EXHIBIT D

Appendix F(3) – Definitions, Operational Standards,
Specifications, and Regulations Governing House Banked Poker

APPENDIX F(3)

**Definitions, Operational Standards, Specifications,
and Regulations Governing House Banked Poker**

Arizona Tribal-State Gaming Compact

The game of house banked poker, authorized pursuant to the Compact, including all approved variations thereof, shall be permitted and conducted, at a minimum, according to the provisions set forth in the Compact and its appendices. For purposes of the Tribe's internal control standards, house banked poker is a Table Game and shall be one of the "major gaming areas of the gaming operation" requiring an annual audit by internal audit personnel.

I. DEFINITIONS.

In addition to definitions set forth in the Compact and its appendices, the following definitions shall apply to the rules of house banked poker, including all approved variations, conducted by the Gaming Facility Operator:

- (1) "Deal" means the distribution of cards among the players and the dealer.
- (2) "Dealer" means the employee who operates the game, administering house rules and making payoffs.
- (3) "Hand" means one game in a series, one deal, the cards held by a player, or the best five (5) cards of a player's holding or including any community cards.
- (4) "House banked poker" means a game that utilizes cards and the ranking of traditional poker hands (which can include more or less than five (5) cards) to determine game outcome and which is banked by the Gaming Facility Operator.
- (5) "Layout" or "table layout" means the felt, cloth, or other material covering the playing surface of a house banked poker table.
- (6) "Shoe" means a dealing device that has a compartment in which deck(s) of cards are stacked and which permits cards to be dealt in accordance with the rules of the game.
- (7) "Shuffling device" means an electro-mechanical device which continuously and/or automatically reshuffles the cards and which may randomly insert previously dealt and discarded cards back into the card stack, and which may be integrated with a shoe.
- (8) "Supervisor or management employee" means, for the purpose of this Appendix, any employee assigned duties and responsibilities that include:
 - (a) Directing table game employees in the performance of their duties;
 - (b) Supervising game activity, dealing procedures and compliance with internal controls;
 - (c) Initially resolving player disputes arising from game play; and
 - (d) Making decisions regarding work scheduling of table game employees.

- (9) "Vigorish" means a commission that may be charged by the Gaming Facility Operator on winning wagers.

II. GENERAL REQUIREMENTS.

A. Types of House Banked Poker Games.

- (1) The Gaming Facility Operator shall only conduct house banked poker under the rules approved and authorized by the Tribal Gaming Office and the State Gaming Agency. Authorized house banked poker games shall not exceed the wager limitations established in this Appendix.
- (2) Any electronic or electromechanical components or hardware, including program software and progressive components, utilized in an approved house banked poker game shall be evaluated by an independent testing laboratory prior to use for play.
- (3) An electronic and/or manual random number generator may be utilized in a house banked poker game to determine the starting position for the play of the game. The electronic random number generator does not need to be tested or approved by a laboratory.

B. Number of House Banked Poker Tables. The number of house banked poker tables in play shall not exceed the limits established in the Compact. House banked poker tables used in authorized tournament play shall be included when determining the total number of house banked poker tables in play in a Gaming Facility. No house banked poker games shall be operated outside of a Gaming Facility.

C. Licensing and Certification of Employees. All table game employees shall be licensed by the Tribal Gaming Office and certified by the State Gaming Agency in accordance with the provisions of the Compact.

D. Equipment Control. All cards, house banked poker game tables, gaming chips, and associated equipment, as applicable, shall be purchased, leased, or acquired only from manufacturers or distributors licensed by the Tribal Gaming Office and certified by the State Gaming Agency in accordance with the Compact.

E. Access to Records and Reports. The State Gaming Agency shall have access to all records of house banked poker activity, pursuant to the provisions of the Compact, including, but not limited to:

- (1) Daily activity and accounting records;
- (2) Security reports;
- (3) Surveillance activities and reports; and
- (4) Investigative reports.

F. Inspection of House Banked Poker Tables, Cards, and Play. The State Gaming Agency shall be authorized to inspect any house banked poker table, cards, and/or observe any gaming activity pursuant to the provisions of the Compact.

G. Adoption of Rules.

- (1) Prior to conducting a game of house banked poker, the Gaming Facility Operator shall submit to the Tribal Gaming Office, and the Tribal Gaming Office shall have approved, rules and procedures for play to govern the conduct of house banked poker games operated in each Gaming Facility. In determining whether to approve such rules and procedures, the Tribal Gaming Office shall consider whether the proposed rules and procedures are appropriate to ensure the integrity, fairness, and security of play. After making its determination and prior to implementation, the Tribal Gaming Office shall issue a written approval or disapproval of the rules and procedures for each game to be played in the Gaming Facility.
- (2) Game rules and procedures approved by the Tribal Gaming Office shall include, in addition to the rules of play:
 - (a) Specifications provided by the equipment manufacturer or distributor applicable to gaming equipment;
 - (b) Physical characteristics of gaming chips;
 - (c) Physical characteristics of such other gaming equipment as may be required for use in authorized house banked poker games, including, but not limited to:
 - (i) Cards (including procedures for receipt and storage);
 - (ii) House banked poker tables;
 - (iii) Table layouts;
 - (iv) Shoes (including procedures for receipt and storage), if applicable; and
 - (v) Shuffling devices (including procedures for receipt and storage), if applicable;
 - (d) Rules for each authorized house banked poker game, including, but not limited to:
 - (i) Dealing techniques;
 - (ii) Hand shuffling procedures (if applicable);
 - (iii) Minimum and maximum permissible wagers;
 - (iv) Payout odds on each form of wager;
 - (v) Procedures of play;
 - (vi) Procedures to be followed on the occurrence of irregularities;
 - (vii) Progressive specifications (if applicable);
 - (viii) Prohibitions on side betting between and against players; and
 - (ix) Vigorish and collection procedures (if applicable).
- (3) Copies of game rules and procedures shall be provided to the State Gaming Agency prior to implementation for review and approval. Within seven (7) days of receipt, the State Gaming Agency shall submit to the Tribal Gaming Office written comments and objections to the proposed rules and procedures. If the State Gaming Agency does not

object within seven (7) days, then the rules and procedures are deemed approved. If the State Gaming Agency does object, the Tribal Gaming Office and the State Gaming Agency shall meet and confer within fourteen (14) days in a good faith effort to resolve the objections. Unresolved objections to any proposed rules or procedures shall be resolved expeditiously pursuant to the provisions of the Compact prior to implementation.

- (4) Summaries of the rules of each game relevant to the method of play and, if applicable, odds paid to winning wagers, shall be readily available to patrons in the Gaming Facility and wagering limits applicable to any house banked poker table shall be displayed at such house banked poker table.

H. Currency Transaction Reporting. The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish, and the Gaming Facility Operator shall comply with, procedures and controls necessary to comply with the provisions of the Federal Bank Secrecy Act and the Federal USA Patriot Act. Copies of the procedures and controls established to comply with the Acts shall be provided to the Tribal Gaming Office and available to the State Gaming Agency upon request.

I. House Banked Poker Training.

- (1) Prior to any new house banked poker game being implemented at the Gaming Facility, the Tribal Gaming Office shall require the Gaming Facility Operator to provide appropriate training for all employees involved in the conduct or regulation of house banked poker, such that those employees have the knowledge and skills required under typical industry standards for the job function that employee performs, including but not limited to, player money management and wagering, and detection of cheating methods. Tribal Gaming Office employees responsible for house banked poker shall receive appropriate training in any new house banked poker game.
- (2) The Tribal Gaming Office and/or the Gaming Facility Operator, as designated by the Tribal Gaming Office, shall notify the State Gaming Agency prior to the beginning of any training programs and shall provide the State Gaming Agency an opportunity to participate.

J. Notice of Installation.

- (1) The Gaming Facility Operator shall provide the Tribal Gaming Office advance written notice that it intends to install or re-install, or modify any house banked poker table, including any newly purchased, leased, or previously approved house banked poker table, for use for play, prior to placing such house banked poker table into play at any Gaming Facility. Such notification shall be provided in time to allow the Tribal Gaming Office to schedule employees to inspect and test, as applicable, such house banked poker tables, prior to use for play.

- (2) Upon notification from the Gaming Facility Operator, the Tribal Gaming Office shall provide to the State Gaming Agency all the information the Gaming Facility Operator is required to provide, to allow the State Gaming Agency to coordinate inspection and testing, as applicable.
- (3) All installation, reinstallation, and modifications of house banked poker tables shall be approved by the Tribal Gaming Office prior to use for play in a Gaming Facility. All house banked poker tables shall have affixed an identifying approval seal or equivalent from the Tribal Gaming Office, while in use for play in a Gaming Facility. If the State Gaming Agency is not present at the time of installation, reinstallation or modification, the Gaming Facility Operator may put the house banked poker table in use for play, if approved by the Tribal Gaming Office.
- (4) When the State Gaming Agency approves a house banked poker table for either use for play or continued use, it shall affix an identifying approval seal or equivalent to the house banked poker table. If the State Gaming Agency denies approval for use for play or continued use, the State Gaming Agency shall, at the conclusion of inspection and testing, as applicable, orally explain to the Gaming Facility Operator and the Tribal Gaming Office why the State Gaming Agency is denying approval. The State Gaming Agency shall promptly issue a written statement to the Tribal Gaming Office setting forth the grounds for denial of approval.
- (5) A house banked poker table shall not be placed into play without having an identifying approval seal or equivalent from both the Tribal Gaming Office and the State Gaming Agency, unless authorized by Section II.J.3 of this Appendix.
- (6) The Tribal Gaming Office and the State Gaming Agency shall ensure that all house banked poker tables and house banked poker gaming activity are properly covered by surveillance, pursuant to the Tribe's internal control standards.

K. Notice of Removal.

- (1) The Gaming Facility Operator shall provide the Tribal Gaming Office five (5) business days advance written notice if it intends to remove any house banked poker tables from the Gaming Facility or to allow such tables to be removed. The notice shall identify which house banked poker tables will be removed from the Gaming Facility and give details regarding when the tables will be removed, the location to which the tables will be taken, and to whom the tables will be transferred. The Tribal Gaming Office shall immediately remove and discard all affixed approval seals from any house banked poker tables removed from the Gaming Facility and shall provide the State Gaming Agency written verification of having discarded the seals.

- (2) If house banked poker tables are moved to storage, the Gaming Facility Operator shall provide the Tribal Gaming Office twenty-four (24) hours advance written notice of the tables to be moved and seals need not be removed. The Tribal Gaming Office shall provide written notice to the State Gaming Agency within forty-eight (48) hours of such movement.

L. Card Specifications and Controls.

- (1) Cards shall have imprinted on them the name and/or logo of the gaming establishment. The design on the backs of the cards in the deck shall be identical, and no card may contain any marking, symbol, or design that enables a player to know the identity of any element printed on the face of the card. The backs of the cards in the deck shall be designed to eliminate the ability of any person to place concealed markings on them.
- (2) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish appropriate procedures and controls for purposes of security and integrity, to ensure all decks of cards are properly accounted for from the time of receipt to the time of destruction or disposition.
- (3) A secured location for storing unissued cards shall be maintained. The secured location shall be under constant monitoring by surveillance cameras. The exit and entrance to this area shall be viewed by at least one (1) fixed camera. A sign-in and sign-out log shall be completed by individuals entering the area. Surveillance shall be notified when persons request entry into this area. At no time shall a single individual be allowed to enter this area alone.
- (4) The Gaming Facility Operator shall maintain an ongoing perpetual inventory of cards that allows for the immediate verification of balances. Not less than monthly, someone independent of the table game department shall verify the card inventory and perpetual inventory records. Any discrepancies shall be immediately investigated and reported to the Tribal Gaming Office and the State Gaming Agency.
- (5) Cards maintained in the table game area shall be stored in a locked cabinet and only accessible to authorized personnel.

M. Staffing and Supervision.

- (1) A designated supervisor shall be responsible for the supervision of house banked poker activity, including observing dealers and players, initiating and authorizing table fills and credits, counting and verifying beginning and ending table inventories, viewing drop box removal at established times, initially resolving player disputes arising from table play, and other duties as required. At least one (1) supervisor shall be in each designated table game area at all times when house banked poker tables are open for play.

- (2) No gaming employee shall make a wager in any house banked poker game operated by the Gaming Facility Operator. This shall not preclude a player from placing a tip, in the form of a wager, on behalf of a house banked poker dealer.
- (3) All table game supervisors and management employees shall be knowledgeable in the play of all authorized house banked poker games and the regulatory requirements of house banked poker games.

N. Prohibited Acts.

- (1) No Gaming Facility Operator or other person shall remove, add, or alter any cards, nor permit such activity, except as provided by this Appendix.
- (2) The dealer shall not look at, nor expose to any person, the face of a card before it is dealt.
- (3) A player shall not use any person, device, object, process, or procedures that are designed or intended to analyze, project, or predict the outcome of the game, unless otherwise approved by the Tribal Gaming Office and the State Gaming Agency.
- (4) Nothing in this section shall prohibit a player from using a strategy card, except when the Gaming Facility Operator has posted notice prohibiting such use.
- (5) No dealer or supervisor shall advise a player about game strategy while the player has a wager still pending on the outcome of the game; provided, however that a dealer or supervisor may describe or set a player's hand in the house way as provided in the rules of a house banked poker game.
- (6) No person may introduce cards into any house banked poker game that were not obtained through the current deal of the cards, or any chip other than those obtained from the Gaming Facility where the house banked poker game is being played.
- (7) Only the dealer and the player to whom the cards have been dealt may touch the player's cards.
- (8) A player may not touch the cards with the player's person or any instrument in any manner that would alter, mark, bend, or otherwise allow any card to be distinguished from any other card.

O. Cards - Inspection and Presentation.

- (1) Immediately prior to being placed into play, a dealer shall sort and inspect the cards. The dealer shall ensure that the deck is complete, and that no cards are obviously flawed, scratched, or marked in any

way. A supervisor or management employee shall verify the inspection. The surveillance system shall record this process.

- (2) The dealer shall spread out the cards, faced upward on the table, according to suit, and in sequence, in such a manner that each individual card can be identified. The surveillance system shall record this process.
- (3) If personnel involved in the inspection find that any cards are damaged or improper, a substitute card or deck, as applicable, shall be brought from the storage area.
- (4) If the Gaming Facility Operator chooses to utilize pre-shuffled cards, procedures for the inspection and verification of the cards shall be submitted to, and approved by the Tribal Gaming Office and the State Gaming Agency.
- (5) The Tribal Gaming Office and the State Gaming Agency shall be authorized to inspect cards at any time in accordance with the provisions of the Compact.

P. Cards - Removal from Use.

- (1) The Gaming Facility Operator shall remove cards at any time if there is any indication of tampering or other defects that might affect the integrity or fairness of the game or at the request of an authorized representative of the Tribal Gaming Office or the State Gaming Agency. Any cards that indicate purposeful tampering shall be placed in a sealed envelope or container, identified by table number, date and time, and shall be signed or initialed by the dealer and a supervisor.
- (2) All envelopes and containers containing cards (or deck of cards) that indicate purposeful tampering shall be turned over to the Tribal Gaming Office which shall inspect them for tampering or anything that might indicate unfair play. The Tribal Gaming Office shall promptly notify the State Gaming Agency of any cards that indicate purposeful tampering and shall allow the State Gaming Agency to inspect such cards upon request.

Q. Dealer Tips.

- (1) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish the criteria and procedures for the acceptance and, as applicable, distribution of tips. The procedures shall provide criteria to ensure that tips received are reported as income for tax purposes for the individuals receiving them, pursuant to applicable tax laws. At a minimum, such procedures shall require that all tips be placed in a tip box.

- (2) No Gaming Facility Operator employee directly concerned with management, accounting, or surveillance shall solicit or accept any tip or gratuity. At no time shall any table game employee who serves in a supervisory position directly or indirectly solicit or accept any tip or gratuity from an employee under their supervision, or any other employee, at the Gaming Facility where they are employed. Notwithstanding the foregoing, supervisory and management employees may participate in the distribution of gratuities or tips, if a pooling and distribution process is approved by the Tribal Gaming Office.
- (3) The Gaming Facility Operator shall establish procedures consistent with applicable laws for accounting for all tips and gratuities received by gaming employees.

R. Chips and Tokens.

- (1) General:
 - (a) A Gaming Facility Operator may not issue chips or tokens for use in its Gaming Facility(s), or sell or redeem chips or tokens, unless the specifications of the chips or tokens have been approved in writing by the Tribal Gaming Office. Chips and tokens shall not deceptively resemble any current or past coinage or currency of the United States or any other nation.
 - (b) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish, and the Gaming Facility Operator shall comply with, appropriate procedures and controls, for purposes of security and integrity, to ensure that all chips and tokens are properly accounted for from the time of receipt to the time of destruction or disposition.
 - (c) Unused and/or reserve chip inventory(ies) shall be maintained in a secure location to prevent unauthorized access. The secure location shall be continuously recorded by a dedicated surveillance camera with sufficient clarity to identify employees. Not less than monthly, accounting personnel shall reconcile unused and/or reserve chip inventory(ies) to accountability records.
- (2) Specifications for gaming chips and tokens:
 - (a) Gaming chips and tokens shall be designed, manufactured, and constructed in compliance with all applicable statutes.
 - (b) In addition to other specifications that the Tribal Gaming Office may approve, the following shall appear on the gaming chip or token:
 - (i) The name of the issuing Tribe and/or Gaming Facility shall be inscribed on at least one (1) side of a gaming chip or token;

- (ii) The value shall be inscribed on both sides of a gaming chip or token; and
- (iii) A gaming chip shall be designed so that when stacked with gaming chips and tokens of other denominations and viewed on surveillance monitors, the denomination of the gaming chip may be distinguished from that of the other gaming chips and tokens in the stack.

(3) Denominations of gaming chips shall be denoted by the following colors:

- (a) A one-dollar gaming chip shall be predominantly white;
- (b) A five-dollar gaming chip shall be predominantly red;
- (c) A twenty-five-dollar gaming chip shall be predominantly green;
- (d) A one-hundred dollar gaming chip shall be predominately black;
- (e) A five-hundred dollar gaming chip shall be predominately purple;
- (f) Other gaming chip denominations may be used with approval of the Tribal Gaming Office and the State Gaming Agency; and
- (g) Tournament and promotional chips may be of any color.

III. HOUSE BANKED POKER REQUIREMENTS.

A. Availability of Rules.

- (1) Basic house banked poker and house rules shall include an explanation of each wager and the corresponding payout odds.
- (2) Basic house banked poker rules and house rules governing the play of house banked poker shall be clear, legible, and available to all players in the table game area.

B. House Banked Poker Table - Physical Characteristics.

- (1) House banked poker shall be played on a table having, on one side wagering positions for not more than seven (7) players, and, on the opposite side, a place for the dealer.
- (2) Each house banked poker table, while in play, shall have a table tray, a discard rack, a drop slot and drop box with a clear plastic money paddle, and a tip box, except that no tip box shall be required if tips are not accepted at the table. Each table may also be equipped with other such devices as specified in the rules.
- (3) The layout shall have imprinted on it the name and/or logo of the establishment, specific areas marked in which to place wagers, and the payout odds, unless otherwise approved by the Tribal Gaming Office and State Gaming Agency. The layout may have additional markings which identify the game, the holder of intellectual property rights to the game, the distributor of the game, any special markings needed for the play of the game, and any other markings approved by the Tribal Gaming Office and the State Gaming Agency.

C. Drop Boxes.

- (1) Each house banked poker table in the Gaming Facility shall have attached to it a metal container known as a drop box, in which shall be deposited all cash, tickets, documents evidencing fills and credits, requests for fills and credits, and game inventory forms.
- (2) Each drop box shall have:
 - (a) One (1) separate lock securing the contents placed into the drop box, the key to which shall be different from any other key;
 - (b) A separate lock securing the drop box to the gaming tables, the key to which shall be different from the key to the lock securing the contents of the drop box;
 - (c) An opening through which currency, tickets, coins, tokens, forms, records, and documents can be inserted into the drop box; and
 - (d) Permanently imprinted or impressed thereon, and clearly visible, a number corresponding to a permanent number on the gaming table to which it is attached, and a marking to indicate game type, table number, and shift (if there are multiple shifts), except that emergency drop boxes may be maintained without such number or marking, provided the word "emergency" is permanently imprinted or impressed thereon and, when put into use, are temporarily marked with the number of the table and identification of the game and shift.

D. Cards.

- (1) One (1) or more decks of cards may be utilized for play in a house banked poker game.
- (2) If expressly permitted by the rules of play of a house banked poker game, a hand may consist of either fewer than five (5) cards or more than five (5) cards. The rank of poker hands containing other than five (5) cards shall be specified by the rules of play of each house banked poker game permitting such hand.
- (3) If expressly permitted by the rules of play of a house banked poker game, a joker(s) may be used as specified by the rules of play of each house banked poker game permitting the use of such card(s).
- (4) A house banked poker game may be played with decks of cards that have been modified from standard 52 card decks (i.e., cards have been removed from or added to a standard 52 card deck), but any modifications must be performed at the table where the cards will be put into play and performed such that the process may be viewed and recorded by the surveillance system.

E. Shoes and Shuffling Devices.

- (1) A shoe may be used at a house banked poker table. The shoe shall be designed and constructed to maintain the integrity of the game. Shoes shall have a cover on the face of the device.
- (2) A shuffling device may be used at a house banked poker table. The shoe and automated shuffling device may be combined as one (1) operating device.
- (3) Shoes and shuffling devices in the Gaming Facility shall be inspected each gaming day before play commences to ensure that the shoe or shuffling device is not damaged, is operating properly, and has not been compromised in any manner which might affect the integrity of the game.

F. Manual Shuffling and Hand Dealing.

- (1) If the Gaming Facility Operator chooses to shuffle the cards by hand, procedures for such shuffling shall be submitted to, and approved by the Tribal Gaming Office and the State Gaming Agency. The surveillance system shall record this process.
- (2) If the Gaming Facility Operator chooses to deal the cards by hand, procedures for such dealing shall be submitted to, and approved by the Tribal Gaming Office and the State Gaming Agency.
- (3) Manual shuffling and/or hand dealing shall be prohibited on any house banked poker game that utilizes a progressive meter or other electronic component, unless otherwise approved by the Tribal Gaming Office and the State Gaming Agency.

G. Wagers.

- (1) The Gaming Facility Operator shall establish minimum and maximum wagers permitted at each house banked poker table in the Gaming Facility, provided that the maximum wager shall not exceed \$100,000. The maximum wager limit shall apply to any single wager that a player can make based on the approved game rules.
- (2) The minimum and maximum wagers shall be conspicuously posted at each table.
- (3) The Gaming Facility Operator, at its discretion, may change the minimum and/or maximum wagers at any table, with appropriate notice to all players.
- (4) All paper currency and coin (only US currency) shall be exchanged for gaming chips or tokens by the dealer, prior to a wager being made.

H. Wagering Rules.

- (1) All wagers shall be made by placing chips on the appropriate areas of the layout.
- (2) Each player shall be responsible for the correct positioning of his wager on the layout, regardless of whether he is assisted by the dealer. The player shall be responsible for ensuring that the instructions he gives to the dealer regarding the placement of a wager are correctly carried out.
- (3) No wager shall be increased, decreased, or withdrawn after the first card of a round has been dealt, unless such alteration or removal of a wager is authorized under the rules of house banked poker or the dealer approves such an alteration or removal of a wager in accordance with the Gaming Facility Operator's approved procedures.

I. Players Wagering on More than One Hand.

- (1) A Gaming Facility Operator may permit a player to wager on more than one hand to be played by such player or may limit multiple plays.
- (2) Multiple hands played by any one (1) player shall be in contiguous playing positions at the table; there shall be no other players seated at positions between the hands being played by a player.

J. Progressive Standards.

- (1) Physical and logical access to the progressive server, including the method by which system jackpot parameter values are entered or updated, shall be secure and monitored by the Tribal Gaming Office.
- (2) A meter that shows the amount of the progressive jackpot shall be conspicuously displayed at or near the table to which the jackpot applies.
- (3) At least once each day, the Gaming Facility Operator shall record the amount shown on each progressive jackpot meter.
- (4) Explanations for meter reading decreases shall be maintained with the progressive meter reading sheets.
- (5) The base amount of each progressive jackpot offered at the Gaming Facility shall be documented and maintained by the Gaming Facility Operator and the Tribal Gaming Office.
- (6) The Tribal Gaming Office shall approve procedures specific to the transfer of progressive amounts. Such procedures may include alternate methods of distribution that accrue to the benefit of the gaming public via an award or prize.

- (7) Upon presentation of circumstances to the State Gaming Agency, and by mutual agreement with the Tribal Gaming Office, the Gaming Facility may reduce, eliminate, transfer or distribute progressive amounts in excess of the base amount.

K. Game Drop and Count Standards.

- (1) A table game drop shall be performed at the end of each shift. Times for the drop and count shall be submitted to the Tribal Gaming Office for approval, and the Tribal Gaming Office shall provide a copy to the State Gaming Agency. Drop and count shall be conducted only at the scheduled times, except for emergency drops.
- (2) The Tribal Gaming Office shall be notified prior to performing any emergency drop. A written record shall be maintained of all emergency drops indicating the reason, persons involved, date, and time.
- (3) Any permanent change to the drop and/or count times shall be submitted to the Tribal Gaming Office for approval prior to any change being implemented by the Gaming Facility Operator. The Tribal Gaming Office shall immediately notify the State Gaming Agency of any approved changes.

L. House Banked Poker Tournaments.

- (1) The Gaming Facility Operator may conduct house banked poker tournaments. At such tournaments only house banked poker games approved and authorized by the Tribal Gaming Office and the State Gaming Agency may be played.
- (2) The Gaming Facility Operator shall submit for approval to the Tribal Gaming Office operational standards, rules, and procedures to govern the conduct and play of any house banked poker tournament. The Tribal Gaming Office shall review and issue a written approval or disapproval of the operational standards, rules, and procedures prior to the beginning of tournament play.
- (3) Copies of tournament standards, rules, and procedures shall be provided to the State Gaming Agency prior to tournament play for review and approval. Within seven (7) days of receipt, the State Gaming Agency shall submit to the Tribal Gaming Office written comments and objections to the proposed standards, rules and procedures. If the State Gaming Agency does not object within seven (7) days, then the standards, rules, and procedures are deemed approved. If the State Gaming Agency does object, the Tribal Gaming Office and the State Gaming Agency shall meet and confer within fourteen (14) days in a good faith effort to resolve the objections. Unresolved objections to any proposed standards, rules, and procedures shall be resolved expeditiously pursuant to the provisions of the Compact prior to implementation.

- (4) The operational standards, rules, and procedures for the conduct of tournament play shall be:
 - (a) Available to all tournament players prior to the beginning of the tournament; and
 - (b) Posted in a conspicuous location.
- (5) The operational standards, rules, and procedures shall include but are not limited to:
 - (a) Qualification or selection criteria which limit the eligibility of tournament players;
 - (b) Regulations of the tournament (e.g., beginning and ending times, number of rounds, lapse of rounds, entry fee, elimination factors, cash handling procedures, etc.); and
 - (c) Prizes to be awarded.

M. Entry Fee and Player Buy-In. House banked poker tournament entry fees and buy-ins shall be documented on a tournament entry fee and buy-in log. The following information, at a minimum, shall be recorded on the log at the time the entry fee or buy-in is conducted: name of patron and amount of the entry fee or buy-in.

By:

Jon Huey, Chairman
Yavapai-Apache Nation

By:

Ted Vogt, Director
Arizona Department of Gaming

DATE:

6/10/21

DATE:

EXHIBIT E

**Poker Memorandum of Understanding – Definitions, Operational
Standards, Specifications, and Regulations Governing Poker**

POKER
MEMORANDUM OF UNDERSTANDING

Definitions, Operational Standards, Specifications,
and Regulations Governing Poker

MEMORANDUM OF UNDERSTANDING REGARDING POKER
BETWEEN THE YAVAPAI-APACHE NATION
AND THE STATE OF ARIZONA

Consistent with the Compact executed on April 14, 2021, the Yavapai-Apache Nation (the "Tribe") and the State of Arizona (the "State") hereby enter into the following Memorandum of Understanding (the "Agreement") regarding the Tribe's conduct of Class II poker.

LIMITS AND EXCLUSIVITY

The Tribe agrees to forbear the play of poker except as provided herein in consideration for the rights and privileges set forth in the Yavapai-Apache Nation and State of Arizona Gaming Compact (the "Compact") executed on April 14, 2021.

The Tribe and the State agree that the limits with respect to the conduct of card games as set forth in the Compact shall apply to the conduct of poker. These limits include: (i) the limits on numbers of player positions for each card game table as found in Compact Section 3(e); (ii) that card games shall only be conducted in Gaming Facilities authorized by the Compact as stated in Compact Section 3(e); and (iii) that card games shall only be played on a limited number of tables, such that the total number of poker tables coupled with the total number of blackjack and promotional award poker tables does not exceed the total Card Game Tables allowed under Compact Section 3(e).

The Tribe and the State further agree that the applicable exclusivity provisions of the Compact as found at Sections 3(g) and 3(h) are incorporated into the terms of this Agreement. Nothing in this Agreement shall in any way be interpreted to infringe or encroach upon the jurisdiction of the National Indian Gaming Commission ("Commission") over the regulation of Class II gaming. The parties may renegotiate provisions of this Agreement to maintain consistency with Commission opinions and regulations.

I. DEFINITIONS.

In addition to definitions set forth in the Compact and its appendices, the following definitions shall apply to the rules of poker, including all approved variations, conducted by the Gaming Facility Operator:

- (1) "Bet" means a player's wager on any betting round.
- (2) "Buy-in" means a purchase of gaming chips by a player prior to play.
- (3) "Card table bank" means an imprest inventory of cash, gaming chips and tokens physically located in the table tray on the card table and controlled by and accountable through the card room bank as provided in Section II of this Agreement. Card table banks are only to be used for the purpose of making change, handling player buy-ins, or storing dealer tips in accordance with the rules of the poker games and this Agreement.
- (4) "Deal" means the distribution of cards among the players and, if applicable, the dealer.

- (5) "Dealer" means the employee who operates the game, administering house rules and making payoffs.
- (6) "Hand" means one game in a series, one deal, the cards held by a player, or the best five cards of a player's holding or including any community cards.
- (7) "Layout" or "table layout" means the felt, cloth, or other material covering the playing surface of a table.
- (8) "Poker" or "poker game" means poker and poker variations which utilize cards and the ranking of traditional hands (which can include more or less than 5 cards), for which rules and procedures have been approved under Section II.G of this Agreement.
- (9) "Pot" means a location on the table or the total amount anted and bet by players during a hand which is awarded to the winning player or players.
- (10) "Proposition player" means a player who receives a salary, wage, or fixed sum from the Gaming Facility Operator for playing in short games (those with empty seats), starting new games, or filling in where needed. Although a proposition player works for the Gaming Facility Operator, he plays his own money, retains his winnings and absorbs his losses.
- (11) "Shill" means an employee financed by the Gaming Facility Operator and acting as a player for the purpose of starting or maintaining a sufficient number of players in a game.
- (12) "Shuffling device" means an electro-mechanical device which continuously and/or automatically reshuffles the cards.
- (13) "Stakes player" means a player financed by the Gaming Facility Operator to play for the purpose of starting a game that would otherwise be short, or to keep a game that is becoming short from breaking up. A stakes player participates in a game under an arrangement or understanding where by such person retains all or a percentage of his profits (after returning to the house the amount given to him when he was first put in), usually at the end of a shift, but absorbs none of the losses.
- (14) "Supervisor or management employee" means, for the purpose of this Agreement, any employee assigned duties and responsibilities that include:
 - (a) Directing card room employees in the performance of their duties;
 - (b) Supervising game activity, dealing procedures and compliance with internal controls;
 - (c) Initially resolving player disputes arising from game play;
 - (d) Making decisions regarding the seating of players; and

- (e) Making decisions regarding work scheduling of card room employees.

- (15) "Time rake" means a charge to a player, determined on a time basis, by the Gaming Facility Operator for the right to participate in a game.

II. **GENERAL REQUIREMENTS.**

A. **Types of Poker Games.**

- (1) The Gaming Facility Operator shall only conduct poker games under the rules approved and authorized by the Tribal Gaming Office and the State Gaming Agency. Authorized poker games shall not exceed the wager limitations established by the Tribal Gaming Office.
- (2) Any electronic or electromechanical components or hardware, including program software, utilized in an approved poker game shall be evaluated by an independent testing laboratory prior to use for play.

B. **Number of Poker Tables.** The number of poker tables in play shall not exceed the limits established in the Compact. Poker tables used in authorized tournament play shall be included when determining the total number of poker tables in play in a Gaming Facility. No poker games shall be operated outside of a Gaming Facility.

C. **Licensing and Certification of Card Room Employees.** All card room employees shall be licensed by the Tribal Gaming Office and certified by the State Gaming Agency in accordance with the provisions of the Compact.

D. **Equipment Control.** All cards, poker tables, gaming chips, and associated equipment, as applicable, shall be purchased, leased or acquired only from manufacturers or distributors licensed by the Tribal Gaming Office and certified by the State Gaming Agency in accordance with the Compact.

E. **Access to Records and Reports.** The State Gaming Agency shall have access to all records of poker gaming activity, pursuant to the provisions of the Compact, including, but not limited to:

- (1) Daily activity and accounting records;
- (2) Security reports;
- (3) Surveillance activities and reports; and
- (4) Investigative reports.

F. **Inspection of Poker Tables, Cards and Play.** The State Gaming Agency shall be authorized to inspect any poker table, cards, related operations, and/or observe any gaming activity pursuant to the provisions of the Compact.

G. **Adoption of Rules.**

- (1) Prior to conducting a game of poker, the Gaming Facility Operator shall submit to the Tribal Gaming Office and the Tribal Gaming Office shall have approved rules and procedures for play to govern the conduct of

poker games operated in each Gaming Facility. In determining whether to approve such rules and procedures, the Tribal Gaming Office shall consider whether the proposed rules and procedures are appropriate to ensure the integrity, fairness, and security of play. After making its determination and prior to implementation, the Tribal Gaming Office shall issue a written approval or disapproval for the rules and procedures for each game to be played in the Gaming Facility.

- (2) Game rules and procedures approved by the Tribal Gaming Office shall include, in addition to the rules of play:
 - (a) Specifications provided by the equipment manufacturer or distributor applicable to gaming equipment;
 - (b) Physical characteristics of gaming chips;
 - (c) Physical characteristics of such other gaming equipment as may be required for use in authorized poker games, including, but not limited to:
 - (i) Cards (including procedures for receipt and storage);
 - (ii) Card tables;
 - (iii) Table layouts; and
 - (iv) Shuffling devices (including procedures for receipt and storage), if applicable.
 - (d) Rules for each authorized poker game, including, but not limited to:
 - (i) Dealing techniques;
 - (ii) Hand shuffling procedures (if applicable);
 - (iii) Minimum and maximum permissible wagers;
 - (iv) Procedures of play;
 - (v) Procedures to be followed on occurrence of irregularities; and
 - (vi) Prohibitions on side betting between and against players.
- (3) Copies of game rules and procedures shall be provided to the State Gaming Agency prior to implementation for review and approval. Within seven (7) days of receipt, the State Gaming Agency shall submit to the Tribal Gaming Office written comments and objections to the proposed rules and procedures. If the State Gaming Agency does not object within seven (7) days, then the rules and procedures are deemed approved. If the State Gaming Agency does object, the Tribal Gaming Office and the State Gaming Agency shall meet and confer within fourteen (14) days in a good faith effort to resolve the objections. Unresolved objections to any proposed rules or procedures shall be resolved expeditiously pursuant to the dispute resolution provisions of the Compact prior to implementation.

H. Currency Transaction Reporting. The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish and the Gaming Facility Operator shall comply with procedures and controls necessary to comply with the provisions of the Federal Bank Secrecy Act and the Federal USA Patriot Act. Copies of the procedures and controls established to comply with the Acts

shall be provided to the Tribal Gaming Office and available to the State Gaming Agency upon request.

I. Poker Game Training.

- (1) Prior to any new poker game being implemented at the Gaming Facility, the Tribal Gaming Office shall require the Gaming Facility Operator to provide appropriate training for all employees involved in the conduct or regulation of poker, such that those employees have the knowledge and skills required under typical industry standards for the job function that employee performs, including but not limited to player money management and wagering, and detection of cheating methods. Tribal Gaming Office employees responsible for poker shall receive appropriate training in any new poker game.
- (2) The Tribal Gaming Office and/or the Gaming Facility Operator, as designated by the Tribal Gaming Office, shall notify the State Gaming Agency prior to the beginning of any training programs and shall provide the State Gaming Agency an opportunity to participate.

J. Notice of Installation.

- (1) The Gaming Facility Operator shall provide the Tribal Gaming Office advance written notice that it intends to install or re-install, or modify any poker table, including any newly purchased, leased, or previously approved poker table, for use for play, prior to placing such poker table into play at any Gaming Facility. Such notification shall be provided in time to allow the Tribal Gaming Office to schedule employees to inspect and test, as applicable, such poker tables, prior to use for play.
- (2) Upon notification from the Gaming Facility Operator, the Tribal Gaming Office shall provide to the State Gaming Agency all the information the Gaming Facility Operator is required to provide, to allow the State Gaming Agency to coordinate inspection and testing, as applicable.
- (3) All installation, reinstallation, and modifications of poker tables shall be approved by the Tribal Gaming Office prior to use for play in a Gaming Facility. All poker tables shall have affixed an identifying approval seal or equivalent from the Tribal Gaming Office, while in use for play in a Gaming Facility. If the State Gaming Agency is not present at the time of installation, reinstallation or modification, the Gaming Facility Operator may put the poker table in use for play, if approved by the Tribal Gaming Office.
- (4) When the State Gaming Agency approves a poker table for either use for play or continued use, it shall affix an identifying approval seal or equivalent to the poker table. If the State Gaming Agency denies approval for use for play or continued use, the State Gaming Agency shall, at the conclusion of inspection and testing, as applicable, orally explain to the Gaming Facility Operator and the Tribal Gaming Office why the State Gaming Agency is denying approval. The State Gaming

Agency shall promptly issue a written statement to the Tribal Gaming Office setting forth the grounds for denial of approval.

- (5) A poker table shall not be placed into play without having an identifying approval seal or equivalent from both the Tribal Gaming Office and the State Gaming Agency, unless authorized by Section II.J.3 of this Agreement.
- (6) The Tribal Gaming Office and the State Gaming Agency shall ensure that all poker tables and gaming activity are properly covered by surveillance, pursuant to the Tribe's internal control standards.

K. Notice of Removal.

- (1) The Gaming Facility Operator shall provide the Tribal Gaming Office five (5) business days advance written notice if it intends to remove any poker table from the gaming facility or to allow such tables to be removed. The notice shall identify which poker tables will be removed from the gaming facility and give details regarding when the tables will be removed, the location to which the tables will be taken, and to whom the tables will be transferred. The Tribal Gaming Office shall immediately remove and discard all affixed approval seals from any poker tables removed from the Gaming Facility and shall provide the State Gaming Agency written verification of having discarded the seals.
- (2) If poker tables are moved to storage, the Gaming Facility Operator shall provide the Tribal Gaming Office twenty-four (24) hours advance written notice of the tables to be moved and seals need not be removed. The Tribal Gaming Office shall provide written notice to the State Gaming Agency within forty-eight (48) hours of such movement.

L. Card Specifications and Controls.

- (1) Cards may have imprinted on them the name and/or logo of the gaming establishment. The design on the backs of the cards in the deck shall be identical, and no card may contain any marking, symbol, or design that enables a player to know the identity of any element printed on the face of the card. The backs of the cards in the deck shall be designed to eliminate the ability of any person to place concealed markings on them.
- (2) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish appropriate procedures and controls for purposes of security and integrity to ensure all decks of cards are properly accounted for from the time of receipt to the time of destruction or disposition.
- (3) A secured location for storing unissued cards shall be maintained. The secured location shall be under constant monitoring by surveillance cameras. The exit and entrance to this area shall be viewed by at least one (1) fixed camera. A sign-in and sign-out log shall be completed by

individuals entering the area. Surveillance shall be notified when persons request entry into this area. At no time shall a single individual be allowed to enter this area alone.

- (4) The Gaming Facility Operator shall maintain an ongoing perpetual inventory of cards that allows for the immediate verification of balances. Not less than monthly, someone independent of the card room department shall verify the card inventory and perpetual inventory records. Any discrepancies shall be immediately investigated and reported to the Tribal Gaming Office and the State Gaming Agency.
- (5) Cards maintained in the card room area shall be stored in a locked cabinet and only accessible to authorized personnel.
- (6) If the Gaming Facility Operator uses plastic cards (not plastic-coated cards), the cards may be used for up to six (6) months if the plastic cards are routinely inspected, and washed or cleaned in a manner and time frame approved by the Tribal Gaming Office.

M. Staffing and Supervision.

- (1) A designated supervisor shall be responsible for the supervision of poker activity, including observing dealers and players, viewing drop box removal at established times, initially resolving player disputes arising from table play, and other duties as required. At least one (1) supervisor shall be in the card room area at all times when poker tables are open for play.
- (2) All card room supervisors and management employees shall be knowledgeable in the play of all poker games and the regulatory requirements of poker games.
- (3) A supervisor may function as a dealer without any other supervision if disputes are resolved by supervisory personnel independent of the transaction or independent of the card games department.

N. Prohibited Acts.

- (1) No Gaming Facility Operator or other person shall remove, add, or alter any cards, nor permit such activity, except as provided by this Agreement.
- (2) The dealer shall not look at, nor expose to any person, the face of a card before it is dealt.
- (3) A player shall not use any person, device, object, process, or procedures that are designed or intended to analyze, project, or predict the outcome of the game, unless otherwise approved by the Tribal Gaming Office and the State Gaming Agency.

- (4) No dealer or supervisor shall advise a player about game strategy while the player has a wager still pending on the outcome of the game.
- (5) No person may introduce cards into any poker game that were not obtained through the current deal of the cards by the dealer, or any chip other than those obtained from the Gaming Facility where the poker game is being played.
- (6) Only the dealer and the player to whom the cards have been dealt may touch the player's cards.
- (7) A player may not touch the cards with the player's person or any instrument in any manner that would alter, mark, bend, or otherwise allow any card to be distinguished from any other card.

O. Cards - Inspection and Presentation.

- (1) Immediately prior to being placed into play, a dealer shall sort and inspect the cards. The dealer shall ensure that the deck is complete, and that no cards are obviously flawed, scratched, or marked in any way. A supervisor or management employee shall verify the inspection. The surveillance system shall record this process.
- (2) The dealer shall spread out the cards, faced upward on the table, according to suit, and in sequence, in such a manner that each individual card can be identified. The surveillance system shall record this process.
- (3) If, after checking the cards, personnel involved in the inspection and testing find that any cards are damaged or improper, a substitute card or deck, as applicable, shall be brought from the storage area.
- (4) The Tribal Gaming Office and the State Gaming Agency shall be authorized to test and inspect cards at any time in accordance with the provisions of the Compact.

P. Cards - Removal from Use.

- (1) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish a reasonable time period within which to mark, cancel, or destroy cards from play.
- (2) The Gaming Facility Operator shall remove cards at any time if there is any indication of tampering or other defects that might affect the integrity or fairness of the game or at the request of an authorized representative of the Tribal Gaming Office or the State Gaming Agency. Any cards that indicate purposeful tampering shall be placed in a sealed envelope or container, identified by table number, date and time, and shall be signed or initialed by the dealer and a supervisor.

- (3) All envelopes and containers containing cards (or deck of cards) that indicate purposeful tampering shall be turned over to the Tribal Gaming Office which shall inspect them for tampering or anything that might indicate unfair play. The Tribal Gaming Office shall promptly notify the State Gaming Agency of any cards that indicate purposeful tampering and shall allow the State Gaming Agency to inspect such cards upon request.

Q. Dealer Tips.

- (1) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish the criteria and procedures for the acceptance and, as applicable, distribution of tips. The procedures shall provide criteria to ensure that tips received are reported as income for tax purposes for the individuals receiving them pursuant to applicable tax laws. At a minimum, such procedures shall require that all tips be placed in the card table bank or a tip box.
- (2) No Gaming Facility Operator employee directly concerned with management, accounting, or surveillance shall solicit or accept any tip or gratuity. A card room supervisor or management employee, while temporarily relieving a poker dealer, may accept tips on behalf of the regularly scheduled dealer, to be immediately deposited in the card table bank or a tip box.
- (3) At no time shall any table game employee who serves in a supervisory position directly or indirectly solicit or accept any tip or gratuity from an employee under their supervision, or any other employee, at the Gaming Facility where they are employed. Notwithstanding the foregoing, supervisory and management employees may participate in the distribution of gratuities or tips if a pooling and distribution process is approved by the Tribal Gaming Office.
- (4) The Gaming Facility Operator shall establish procedures consistent with applicable laws for accounting for all tips and gratuities received by gaming employees.

R. Chips and Tokens.

- (1) General:
 - (a) A Gaming Facility Operator may not issue chips or tokens for use in its Gaming Facility(s), or sell or redeem chips or tokens, unless the specifications of the chips or tokens have been approved in writing by the Tribal Gaming Office. Chips and tokens shall not deceptively resemble any current or past coinage or currency of the United States or any other nation.
 - (b) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish and the Gaming Facility Operator shall comply with appropriate procedures and controls for purposes of security and integrity to

ensure that all chips and tokens are properly accounted for from the time of receipt to the time of destruction or disposition.

- (c) Unused and/or reserve chip inventory(s) shall be maintained in a secure location to prevent unauthorized access. The secure location shall be continuously recorded by a dedicated surveillance camera with sufficient clarity to identify employees. Not less than monthly, accounting personnel shall reconcile unused and/or reserve chip inventory(s) to accountability records.

(2) Specifications for gaming chips and tokens:

- (a) Gaming chips and tokens shall be designed, manufactured, and constructed in compliance with all applicable statutes.
- (b) In addition to other specifications that the Tribal Gaming Office may approve, the following shall appear on the gaming chip or token:
 - (i) The name of the issuing Tribe and/or Gaming Facility shall be inscribed on at least one (1) side of a gaming chip or token;
 - (ii) The value shall be inscribed on both sides of a gaming chip or token; and
 - (iii) A gaming chip shall be designed so that when stacked with gaming chips and tokens of other denominations and viewed on surveillance monitors, the denomination of the gaming chip may be distinguished from that of the other gaming chips and tokens in the stack.

(3) Denominations of gaming chips shall be denoted by the following colors:

- (a) A one-dollar gaming chip shall be predominantly white;
- (b) A five-dollar gaming chip shall be predominantly red;
- (c) A twenty-five-dollar gaming chip shall be predominantly green;
- (d) A one-hundred dollar gaming chip shall be predominately black;
- (e) A five-hundred dollar gaming chip shall be predominately purple;
- (f) Other gaming chip denominations may be used with approval of the Tribal Gaming Office and the State Gaming Agency; and
- (g) Tournament and promotional chips may be of any color.

III. POKER GAME REQUIREMENTS.

A. Availability of Rules.

- (1) Basic poker rules and house rules governing the play of poker shall be clear, legible, and available to all players in the card room area.
- (2) The maximum rake percentage or other fee charged, the number of raises allowed, the monetary limit of each raise, the amount of the ante, and other poker game rules shall be available upon the request of any player.

- (3) The Gaming Facility Operator shall furnish, upon the request of any player, a complete legible set of all rules of play and betting for poker games, including house rules for the play of poker.

B. Poker Table - Physical Characteristics.

- (1) Poker games shall be played on an oblong table having wagering positions for no more than ten (10) players and a place for the dealer.
- (2) Each poker table, while in play, shall have a table tray, a drop slot, and a tip box, except that no tip box shall be required if tips are not accepted at the table. Each table may also be equipped with other such devices as specified in the rules.

C. Drop Boxes. Each table used for poker games shall have one drop box with a drop slot even with the top right corner of the table tray, with a cover over the drop slot. At the conclusion of the hand the rake is placed in the drop box by the dealer. The drop box shall be a locked container marked with a permanent number corresponding to the permanent number on the poker table. The locked container shall be locked to the table and shall be separately keyed from the lock securing the contents of the container itself.

D. Cards.

- (1) Cards may be dealt to the players face upwards or face down.
- (2) If expressly permitted by the rules of play of a poker game, a hand may consist of either fewer than five cards or more than five cards. The rank of poker hands containing other than five cards shall be specified by the rules of play of each poker game permitting such hand.
- (3) If expressly permitted by the rules of play of a poker game, a joker(s) may be used as specified by the rules of play of each poker game permitting the use of such card(s).
- (4) A poker game may be played with a deck of cards that has been modified from a standard 52 card deck (i.e. cards have been removed from or added to a standard 52 card deck), but any modifications must be performed at the table where the cards will be put into play and performed such that the process may be viewed and recorded by the surveillance system.

E. Shuffling Devices.

- (1) A shuffling device may be used at a poker table.
- (2) Shuffling devices in the Gaming Facility shall be inspected each gaming day before play commences to ensure that the shuffling device is not damaged, is operating properly, and has not been compromised in any manner which might affect the integrity of the game.

F. Manual Shuffling and Hand Dealing.

- (1) If the Gaming Facility Operator chooses to shuffle the cards by hand, procedures for such shuffling shall be submitted to, and approved by the Tribal Gaming Office and the State Gaming Agency. The surveillance system shall record this process.
- (2) Hand dealing procedures shall be submitted to, and approved by the Tribal Gaming Office and the State Gaming Agency.

G. Proposition Players.

- (1) All proposition players authorized pursuant to this Agreement shall be licensed by the Tribal Gaming Office and certified by the State Gaming Agency as Gaming Employees pursuant to the provisions of the Compact.
- (2) Proposition players shall not play in any manner among themselves or in collusion with others to the disadvantage of other players in the poker game.
- (3) Each Gaming Facility Operator employing proposition players shall identify proposition players upon request and shall display a clear and legible sign in a conspicuous and conveniently accessible location which states, in substantially this form: "Tribal gaming regulations allow the use of proposition players. Proposition players will be identified by management upon request."
- (4) Each Gaming Facility Operator shall maintain a list of all proposition players, readily available for inspection by the Tribal Gaming Office and the State Gaming Agency.
- (5) Dealers may only act as proposition players if in accordance with the Gaming Facility Operator's approved procedures.
- (6) Card room supervisors or management employees shall not act as proposition players. If the Gaming Facility Operator never operates more than five (5) poker and promotional award poker tables at one time, an on duty supervisor may act as a proposition player pursuant to procedures established by the Gaming Facility Operator and approved by the Tribal Gaming Office and State Gaming Agency, when such play by the supervisor is necessary to keep a poker game operating.

H. Restrictions of Other Players.

- (1) No dealer shall wager in any poker game in which he is dealing.
- (2) No Gaming Employee shall be allowed to stake, or have a stake in, a player in any card game in the Gaming Facility.

- (3) Shills and stakes players are not authorized pursuant to this Agreement and shall not be utilized by the Gaming Facility Operator.

I. Rake-Off and Time Rake Collection.

- (1) A rake shall be collected in accordance with the posted rules for such poker game. Time rake collection shall be allowed in any poker game, predetermined by management. The dealer shall not deviate from the standard rake or rake-off procedures without prior management approval.
- (2) A standard rake chart and rake-off procedures shall be set by management.
- (3) A rake shall only be pulled by the dealer in an obvious manner. The rake shall be placed in a designated rake circle/area or on top of the drop slide and shall remain in the designated rake circle/area or on top of the drop slide until a winner is declared and paid. The rake shall then be inserted into the poker table drop box.
- (4) For time rakes, the dealer shall place the rake in the designated rake circle/area and shall announce to the manager/supervisor that he has a time rake. The manager/supervisor shall verify the time rake and shall observe the dealer place the time rake into the poker table drop box.

J. Table Stakes.

- (1) Players in poker games may bet only the visible portion of gaming chips and tokens in front of them on the table when the hand begins. Such players may add to their stacks at any time before the hand starts, but cannot take money that has been in play for even one hand off the table until they cash out, except that money on the table may be used for tips and to purchase food and beverages served at the table, as applicable.
- (2) Players shall not be allowed to loan or exchange cash, gaming chips or tokens with another player while a hand is in progress.

K. Card Room Banks (or Cage).

- (1) Card room banks shall be used exclusively for the purpose of the issuance and receipt of card table banks, the maintenance of card table banks used in card games, and the purchase and redemption of gaming chips by players or dealers.
- (2) Card room banks shall be maintained on an imprest basis. Access and keys to the card room bank(s) shall be controlled pursuant to the Tribe's internal control standards. Accountability for the imprest bank(s) shall be established pursuant to the Tribe's internal control standards.
- (3) Transfers between the main cardroom bank and the cage must be properly authorized and documented.

- (4) The amount of the main cardroom bank shall be counted, recorded, and reconciled on at least a per shift basis.

L. Card Table Banks.

- (1) Poker games shall use an imprest card table bank. For all card table banks, at all times the gaming chips, tokens and money in the card table bank shall equal a pre-established amount, plus dealer tips if tips are stored in the card table bank. The card table banks shall only be used for the purpose of making change, handling player buy-ins, or storing dealer tips.
- (2) Exchanges between card table banks and the main card room bank (or cage, if a main card room bank is not used) shall be authorized by a supervisor. All exchanges shall be evidenced by the use of a lammer unless the exchange of chips, tokens, and/or cash takes place at the table.
- (3) Exchanges from the main card room bank (or cage, if a main card room bank is not used) to the table banks shall be verified by the card room dealer and the runner.
- (4) At least once per shift, the table banks that were opened during that shift shall be counted, recorded, and reconciled by a dealer or other person, and a supervisor, and shall be attested to by their signatures on the check-out form.

M. Wagers.

- (1) The wagering structure and type of poker game shall be conspicuously posted at each table.
- (2) The Gaming Facility Operator, at its discretion, may change the wagering structure at any table, with appropriate notice to all players.
- (3) All paper currency and coin (only US currency) shall be exchanged for chips or tokens by the dealer, prior to a wager being made.

N. Game Drop and Count Standards.

- (1) A card game drop shall be performed at the end of each shift. Times for the drop and count shall be submitted to the Tribal Gaming Office for approval, and the Tribal Gaming Office shall provide a copy to the State Gaming Agency. Drop and count shall be conducted only at the scheduled times, except for emergency drops.
- (2) The Tribal Gaming Office shall be notified prior to performing any emergency drop. A written record shall be maintained of all emergency drops indicating the reason, persons involved, date and time.

- (3) Any permanent change to the drop and/or count times shall be submitted to the Tribal Gaming Office for approval prior to any change being implemented by the Gaming Facility Operator. The Tribal Gaming Office shall immediately notify the State Gaming Agency of any approved changes.

O. Limitations on Jackpots. Poker played pursuant to this Agreement shall not have a jackpot promotional fund, jackpot rake, jackpot promotional award, or bad beat pots or pools. Poker games which include any of these jackpot features may only be played as specified in the Appendix for Promotional Award Poker.

P. Poker Tournaments.

- (1) The Gaming Facility Operator may conduct poker game tournaments. At such tournaments only poker games approved and authorized by the Tribal Gaming Office and the State Gaming Agency may be played.
- (2) The Gaming Facility Operator shall submit for approval to the Tribal Gaming Office operational standards, rules, and procedures to govern the conduct and play of any poker game tournament. The Tribal Gaming Office shall review and issue a written approval or disapproval of the operational standards, rules, and procedures prior to the beginning of tournament play.
- (3) Copies of tournament standards, rules, and procedures shall be provided to the State Gaming Agency prior to tournament play for review and approval. Within seven (7) days of receipt, the State Gaming Agency shall submit to the Tribal Gaming Office written comments and objections to the proposed standards, rules, and procedures. If the State Gaming Agency does not object within seven (7) days, then the standards, rules, and procedures are deemed approved. If the State Gaming Agency does object, the Tribal Gaming Office and the State Gaming Agency shall meet and confer within fourteen (14) days in a good faith effort to resolve the objections. Unresolved objections to any proposed standards, rules, and procedures shall be resolved expeditiously pursuant to the dispute resolution provisions of the Compact prior to implementation.
- (4) The operational standards, rules, and procedures for the conduct of tournament play shall be:
 - (a) Available to all tournament players prior to the beginning of the tournament; and
 - (b) Posted in a conspicuous location.
- (5) The operational standards, rules, and procedures shall include but are not limited to:
 - (a) Qualification or selection criteria which limit the eligibility of tournament players. Proposition players shall not be permitted to play as proposition players in tournament play;

- (b) Regulations of the tournament (e.g., beginning and ending times, number of rounds, lapse of rounds, entry fee, elimination factors, cash handling procedures, etc.); and
- (c) Prizes to be awarded.

Q. Entry Fee and Player Buy-In. Poker tournament entry fees and buy-ins shall be documented on a tournament entry fee and buy-in log. The following information, at a minimum, shall be recorded on the log at the time the entry fee or buy-in is conducted: name of patron and amount of the entry fee or buy-in.

R. Tribal Contributions Computation. The Tribe agrees to include its gross gaming revenue from poker in its Class III Net Win for the purposes of the calculation and payment of its contributions under the Compact and Appendix I.

- (1) For each poker game, gross gaming revenue is equal to the amount of compensation charged players for the opportunity to play and wager on any poker game. It includes rake, time collection, or any other fee the player is required to pay the Gaming Facility Operator for the opportunity to play and wager against other players.
- (2) The following shall not be included in the calculation of gross gaming revenue for poker: entry fees or other compensation received by the Gaming Facility Operator for poker game tournaments, and prizes paid to winning players as a result of poker game tournaments.

RESOLUTION OF DISPUTES

The Tribe and the State agree to follow the dispute resolution process of the Compact to resolve any dispute, claim or grievance between them regarding compliance with, or the interpretation or application of, this Agreement.

REGULATION AND MONITORING OF AGREEMENT

The Tribe and the State agree that the parties shall have the same role, responsibilities, and authority with respect to the monitoring and regulation of poker and compliance with this Agreement as set forth in the Compact and its appendices with respect to monitoring and regulation of gaming and monitoring of Compact compliance. As a result, among other things, there will be security and surveillance as called for by the Compact with respect to the poker games and card rooms, measures for player disputes and to protect the public health and safety established by the Compact shall apply to poker players and the conduct of poker and card rooms, the conduct of poker shall meet operational requirements, and Compact provisions for Tribal regulation and State monitoring of gaming shall apply to the conduct of poker and operation of card rooms.

NOTICES

All notices required or authorized to be served under this Agreement shall be served by certified mail (return receipt requested), commercial overnight courier service, or personal delivery to the Director of the Arizona Department of Gaming.

AUTHORITY TO EXECUTE

The persons signing this Agreement on behalf of the Tribe and the State represent that they have the authority to bind the respective parties to its terms.

ENTIRE AGREEMENT

This Agreement between the Tribe and the State constitutes the entire agreement of the parties. The parties' agreement shall not be construed to amend the Compact. This Agreement shall be governed by and construed in accordance with the applicable laws of the United States, and the Tribe and the State.

EFFECTIVE PERIOD

This Agreement shall come into effect once it is fully executed and the Compact becomes effective. This Agreement shall remain in effect for as long as the Compact is in effect and shall expire and terminate without further action of the parties thereafter, unless the parties agree otherwise before this Agreement expires.

COUNTERPARTS

This Agreement may be executed in counterparts, all of which together shall constitute one original document. A signature delivered by facsimile or other electronic transmission shall have the same effect as an original signature, and any party transmitting its signature by facsimile shall furnish the other party an original signature within 72 hours of any facsimile transmission.


INTERPRETATION

The State and the Tribe have agreed to use the particular language in this Agreement, and no ambiguity in this Agreement shall be construed against either party. Terms in this Agreement that are not defined shall have the meaning given to them in the Compact.

MODIFICATIONS

This Agreement may be amended and modified only in writing in a document signed by the parties.

By: _____


Jon Huey, Chairman
Yavapai-Apache Nation

By: _____

Ted Vogt, Director
Arizona Department of Gaming

DATE: _____

6-10-21

DATE: _____

EXHIBIT F

Appendix J – Vendor Certification and Licensing Procedures

APPENDIX J

Vendor Certification and Licensing Procedures

Yavapai-Apache Nation and State of Arizona Gaming Compact 2021

The Tribe and the State agree that the following procedures shall apply to the State certification of vendors. To the extent that this Appendix J does not address any issue with respect to the certification of a vendor, the provisions of the Compact will govern.

I. DEFINITIONS

In addition to definitions set forth in the Compact and its appendices, the following definitions shall apply to the certification of vendors:

(A) "Bond" means any security evidence of Indebtedness issued pursuant to a Loan Administration Agreement between the issuer of the security and an administrator who has a right to enforce the terms of the Indebtedness on behalf of all Holders of the Indebtedness.

(B) "Financial Source" means any third party extending or guaranteeing financing for a Gaming Operation, Gaming Facility or Gaming Facility Operator as provided under Section 3(s) of the Compact.

(C) "Guaranty" means all obligations of an issuer guaranteeing, or in effect guaranteeing, any Indebtedness, obligation of any primary obligor in any manner, whether directly or indirectly, including but not limited to obligations incurred through an agreement, contingent or otherwise, by such issuer: (i) to purchase such issuer or obligation or any property constituting security therefor; (ii) to advance or supply funds: (1) for the purchase or payment of such Indebtedness or obligation or (2) to maintain working capital or other balance sheet condition; (iii) to purchase securities or other property or services primarily for the purpose of assuring the owner of such Indebtedness or obligation of the ability of the primary obligor to make payment of the Indebtedness or obligation; or (iv) otherwise to assure the owner of such Indebtedness or obligation against loss in respect thereof.

(D) "Holder" means the record or beneficial owner of Indebtedness.

(E) "Indebtedness" means, for any issuer, (a) Bonds, (b) all Guaranties by such issuer, and (c) all obligations for the payment of money incurred or assumed by such issuer.

(F) "Indebtedness issued by or on behalf of a Tribe" means Indebtedness issued by the Tribe or by any branch, department, agency, instrumentality, division, subsidiary, enterprise, authority, wholly-owned corporation or business of the Tribe for a Gaming Operation, Gaming Facility or Gaming Facility Operator.

(G) "Initial Holder" means with respect to any issue of Indebtedness, any Holder of record of a registered Indebtedness of the issue and any beneficial owner of a book-entry participation of the issue who, in either case, acquired its interest in the Indebtedness in connection with the initial sale thereof from the issuer or from a placement agent, underwriter or similar intermediary for the initial sale, directly or indirectly.

(H) "Loan Administration Agreement" means any indenture, loan agreement, lease agreement, note participation agreement, credit facility agreement or any other agreement providing for the terms, conditions and administration of an issue of Indebtedness.

(I) "Regulated Bank" means a lending institution licensed and regulated by the State or the United States.

(J) "Transferee Holder" means a Holder acquiring record or beneficial ownership of Indebtedness from the initial Holder or any subsequent Holder.

II. PERSONS ELIGIBLE FOR WAIVER

Subject to the provisions of Section III below, the following Persons are eligible for a waiver of State certification.

(A) Entertainers. If a Tribe or Gaming Facility Operator contracts directly with an entertainer, the entertainer, employees of the entertainer, and Persons providing personal services to the entertainer who are paid by the entertainer so long as:

- (1) The entertainer does not perform at a Tribe's Gaming Facilities on more than three days in one calendar year; and
- (2) The entertainer, employees of the entertainer, and Persons providing personal services to the entertainer who are paid by the entertainer are not allowed unescorted access to any secure areas of a Gaming Facility as referenced in Compact Section 4(b). For purposes of this waiver, performances ending after midnight that are part of a show or series of performances started the previous evening will be considered part of the performance from the previous evening, and performances do not include setting up and tearing down the stage, props, or light and sound equipment, or warm ups and sound checks.

(B) Publicly Traded Companies. Companies whose equity is publicly traded on a United States national market or exchange (i.e., excluding OTCBB, Pink Sheet, or regional markets), including any wholly-owned subsidiaries of such companies, so long as:

- (1) Goods, and not services, are purchased from the vendor and those goods are not used in the play of Class III gaming, including software or component parts, and are not used for security or surveillance (other than component parts or replacement component parts used for security or surveillance);
- (2) The Tribe or Gaming Facility Operator makes its purchases directly from the vendor (including via an Internet web site or from a vendor owned retail store);
- (3) The goods purchased by the Tribe or Gaming Facility Operator are sold by the vendor in the regular course of its business, rather than goods acquired solely for resale to the Tribe or Gaming Facility Operator or of a type or nature not sold to other customers of the vendor; and

- (4) No employees of the vendor are allowed unescorted access to any secure areas of a Gaming Facility as referenced in Compact Section 4(b).

(C) Providers of Training. The providers of on-site or off-site training services, seminars, and trade show services, and the providers of related hotel accommodations and travel, if they are accredited associations or educational institutions that are regulated by a state or federal agency or sponsored by a trade organization.

(D) Providers of Travel Services. The providers of travel services, including common carriers, automobile rentals, lodging, ground transportation, food and beverage, for travel in the ordinary course of business.

(E) Motor Vehicle Dealers. New motor vehicle dealers (as defined in A.R.S. 28-4301) providing motor vehicles to the Gaming Facility Operator, including for promotional purposes, if they are an Arizona licensed motor vehicle dealer.

III. WAIVER PROCEDURES

The State Gaming Agency will waive the certification requirement for Persons identified in Section II above subject to the following terms.

(A) Within one (1) business day of the vendor providing good and/or services, the Tribal Gaming Office shall submit a notice of waiver to the State Gaming Agency providing the name and address of the vendor, identifying the goods or services to be provided, and describing how the vendor is qualified for the waiver.

(B) Within one (1) business day of receipt of a notice of waiver, the State Gaming Agency shall issue a written waiver of State certification to the Tribal Gaming Office unless the State Gaming Agency determines, reasonably, and in good faith, that the vendor does not qualify for the waiver, is likely not to qualify for State certification, or poses a threat to the public interest.

(C) If the notice of waiver fails to provide information sufficient to allow the State Gaming Agency to make a reasonable, good faith determination that the vendor qualifies for a waiver of certification, the State Gaming Agency may request additional information from the Tribal Gaming Office, and may deny a waiver pending receipt of the additional information.

(D) This process may be followed in advance of any specific transaction in order to allow the preclearance of a vendor or vendors.

(E) The State Gaming Agency may at any time require the Tribal Gaming Office to provide updated information relative to the waiver. The State Gaming Agency may revoke or rescind a waiver at any time if it determines, reasonably, and in good faith, that the vendor does not qualify for the waiver, is likely not to qualify for State certification, or poses a threat to the public interest.

(F) A Person granted a waiver of State certification shall notify the Tribal Gaming Office within ten (10) days of any proposed or final disciplinary action taken against it by any regulatory agency or any change in its regulatory status, including a loss of good standing, or any criminal action taken against it. The Tribal Gaming Office shall notify the State Gaming Agency within one (1) business day of receipt of such notice.

(G) A waiver granted pursuant to this Section III is valid for each Tribal Gaming Operation operating under this form of Appendix J. The State Gaming Agency will maintain a current list of the waivers and make it available to the Tribes.

IV. WAIVER OF FINANCIAL SOURCES

(A) The State Gaming Agency hereby waives the certification requirement for each of the following entities (including all wholly-owned subsidiaries), that is an actual or prospective Holder of any Indebtedness issued by or on behalf of a Tribe and that is a Financial Source acting for its own account or the accounts of other entities specified in this Section IV(A), that certifies to the Tribal Gaming Office that they are in good standing with all applicable regulatory agencies, and are not in danger of losing this standing. These entities are not required to follow the waiver procedures in Section III(A)-(C) above.

- (1) Any fund or other investment vehicle which is administered or managed by a Regulated Bank, to the extent such entity is not otherwise exempt under Section 3(s) of the Compact;
- (2) Any investment company registered under the federal Investment Company Act of 1940 (15 U.S.C. § 80(a)(1), et seq.);
- (3) Any company (a) that is organized as an insurance company, the primary and predominant business activity of which is the writing of insurance or the reinsuring of risks underwritten by insurance companies, and (b) that is licensed by the Arizona Department of Insurance, or equivalent official or agency of another state within the United States who uses the UCWA for licensing;
- (4) Any retirement plan established and maintained by the United States, an agency or instrumentality thereof, or by a state, its political subdivisions, or any agency or instrumentality of a state or its political subdivisions, for the benefit of its employees;
- (5) Any employee benefit plan within the meaning of Title I of the federal Employee Retirement Income Security Act of 1974 (29 U.S.C. sec. 1001 et seq.);
- (6) An agency of the U.S. federal government, any U.S. state government, or any U.S. federally recognized Indian tribe, together with any person purchasing any debt securities or other forms of indebtedness of the agency to provide such financing;
- (7) A real estate investment trust, as defined in 26 U.S.C. § 856(a), that is publicly traded on a stock exchange, registered with the Securities and Exchange Commission, and subject to regulatory oversight of the Securities and Exchange Commission;
- (8) A Person who, alone or together with any Person(s) controlling, controlled by or under common control with such Person, holds less than ten

percent (10%) of all outstanding debt securities issued for a Gaming Operation or Gaming Facility;

- (9) A Transferee Holder, that is not otherwise qualified as a Regulated Bank or subject to waiver under Section IV(A), so long as the Transferee Holder (a) has not been denied a gaming approval or gaming license or found unsuitable in any other jurisdiction, or had a gaming license suspended or revoked, (b) has not been convicted of a felony, (c) has not been convicted of a misdemeanor involving a gaming offense, money laundering, extortion, theft, bribery, embezzlement, racketeering, or fraud, and (d) does not have the power to individually accelerate or exercise remedies with respect to the Gaming Operation, Gaming Facilities or the collateral for such Indebtedness. Instead, such actions may only be taken by a Regulated Bank or Person that is the subject of a waiver and described in Section IV(A)(1-7), acting at the direction of the requisite Holders pursuant to the terms of the Indebtedness; and
- (10) Any entity, all the owners or members of which individually meet the criteria of this Section IV(A).

(B) Indebtedness issued by or on behalf of a Tribe is transferable only to a Transferee Holder whose certification has been waived. Any other transfer of Indebtedness or beneficial interest in the Indebtedness is void and null.

(C) A Financial Source for which State certification has been waived pursuant to the provisions of Section IV(A) shall notify the Tribal Gaming Office within ten (10) days of any proposed or final disciplinary action taken against it by any regulatory agency that would make inapplicable the provision of Section IV(A) under which it was granted a waiver.

(D) The State Gaming Agency may revoke or suspend a waiver for a Financial Source at any time if it determines, reasonably, and in good faith, that the Financial Source no longer qualifies for the waiver of State certification.

(E) As a condition of receiving a waiver, Financial Sources shall provide prior written notice to the Tribal Gaming Office before each specific issue of Indebtedness. The financing extended or guaranteed by the Financial Source shall be disclosed to the Tribal Gaming Office in writing before financing or other services are extended.

(F) On an annual basis the Tribal Gaming Office shall provide the State Gaming Agency with a list of all persons that participated as a Financial Source for the Tribe's Gaming Operation, Gaming Facility or Gaming Facility Operator.

V. PERSONS NOT REQUIRING CERTIFICATION

The following Persons are not Financial Sources subject to State certification.

- (A) Any securities dealer registered pursuant to the federal Securities Exchange Act of 1934 (15 U.S.C. § 78(a), et seq.) acting in one or more transactions to purchase from any

Person and resell Indebtedness issued by or on behalf of a Tribe, if, no later than sixty (60) days after the securities dealer acquires the Indebtedness, fully offsetting sales of such Indebtedness are made to one or more entities with a waiver pursuant to this Appendix or to other Persons that are either (a) licensed by the Tribal Gaming Office and certified by the State Gaming Agency as required under Section 5 of the Compact, or (b) exempt from licensing and State Certification pursuant to Compact Section 3(s).

(B) Any Person acting solely as a "clearing corporation," as defined in A.R.S. § 47-8102(A)(5), with respect to any Indebtedness issued by or on behalf of a Tribe that are issued in so-called "book-entry" form.


(C) A Person whose sole connection with a provision or extension of financing to a Gaming Operation or Gaming Facility is to provide loan brokerage or debt servicing for a Financial Source at no cost to the Gaming Operation or Gaming Facility, provided that no portion of any financing provided is an extension of credit to the Gaming Operation or Gaming Facility by that person or entity.

VI. OTHER PROVISIONS

(A) Exceptions. The waivers in this Appendix do not apply, or affect the certification requirements applicable, to:

- (1) Manufacturers, Distributors, Management Contractors, or Gaming Vendors; or
- (2) Persons who would qualify for a waiver with respect to goods and services that are within the scope of this Appendix, but who also provide other goods or services that require certification and licensing.

(B) Nothing in this Appendix is intended to limit the State Gaming Agency's discretion to waive the requirement that other vendors be certified if, pursuant to Compact Section 4(d), it determines that certifying the vendor is not necessary to protect the public interest.

By: 
Jon Huey, Chairman
Yavapai-Apache Nation

By: _____
Ted Vogt, Director
Arizona Department of Gaming

DATE: 6/10/21

DATE: _____

EXHIBIT G

Appendix F(4) – Definitions, Operational Standards,
Specifications, and Regulations Governing Baccarat

APPENDIX F(4)

Definitions, Operational Standards, Specifications, and Regulations Governing Baccarat

Arizona Tribal-State Gaming Compact

The game of baccarat, authorized pursuant to the Compact, including all approved variations thereof, shall be permitted and conducted, at a minimum, according to the provisions set forth in the Compact and its appendices. For purposes of the Tribe's internal control standards, baccarat is a Table Game and shall be one of the "major gaming areas of the gaming operation" requiring an annual audit by internal audit personnel.

I. DEFINITIONS.

In addition to definitions set forth in the Compact and its appendices, the following definitions shall apply to the rules of baccarat, including all approved variations, conducted by the Gaming Facility Operator:

- (1) "Baccarat" means a game in which players wager on a Player or Dealer hand, both of which utilize two (2) or three (3) cards trying to get as close to 9 as possible.
- (2) "Caller" means an employee who is responsible for the cards and for announcing the play of the game.
- (3) "Dealer" means the employee who operates the game, administering house rules and making payoffs. For Midi Baccarat and Mini Baccarat, a single employee can perform the duties of both the caller and dealer.
- (4) "Layout" or "table layout" means the felt, cloth, or other material covering the playing surface of a baccarat table.
- (5) "Point Count" means the value of a hand that shall be a single digit number between 0 and 9. If the total of the hand is a double-digit number, the left digit of the number shall be ignored and the right digit shall constitute the value of the hand.
- (6) "Shoe" means a dealing device that has a compartment in which deck(s) of cards are stacked and which permits cards to be dealt in accordance with the rules of the game.
- (7) "Supervisor or management employee" means, for the purpose of this Appendix, any employee assigned duties and responsibilities that include:
 - (a) Directing table game employees in the performance of their duties;
 - (b) Supervising game activity, dealing procedures, and compliance with internal controls;
 - (c) Initially resolving player disputes arising from game play; and
 - (d) Making decisions regarding work scheduling of table game employees.
- (8) "Vigorish" means a commission that may be charged by the Gaming Facility Operator on winning wagers.

II. GENERAL REQUIREMENTS

A. Types of Baccarat Games.

- (1) The Gaming Facility Operator shall only conduct baccarat under the rules approved and authorized by the Tribal Gaming Office and the State Gaming Agency. As used in this Appendix, baccarat shall be inclusive of the games of Baccarat, Midi Baccarat, Mini Baccarat, and variations thereof. Authorized baccarat games shall not exceed the wager limitations established in this Appendix.
- (2) Any electronic or electromechanical components or hardware, including program software and progressive components, utilized in an approved baccarat game shall be evaluated by an independent testing laboratory prior to use for play.

B. Number of Baccarat Tables. The number of baccarat tables in play shall not exceed the limits established in the Compact. Baccarat tables used in authorized tournament play shall be included when determining the total number of baccarat tables in play in a Gaming Facility. No baccarat games shall be operated outside of a Gaming Facility.

C. Licensing and Certification of Employees. All table game employees shall be licensed by the Tribal Gaming Office and certified by the State Gaming Agency in accordance with the provisions of the Compact.

D. Equipment Control. All cards, baccarat tables, gaming chips, and associated equipment, as applicable, shall be purchased, leased, or acquired only from manufacturers or distributors licensed by the Tribal Gaming Office and certified by the State Gaming Agency in accordance with the Compact.

E. Access to Records and Reports. The State Gaming Agency shall have access to all records of baccarat activity, pursuant to the provisions of the Compact, including, but not limited to:

- (1) Daily activity and accounting records;
- (2) Security reports;
- (3) Surveillance activities and reports; and
- (4) Investigative reports.

F. Inspection of Baccarat Tables, Cards, and Play. The State Gaming Agency shall be authorized to inspect any baccarat table, cards, and/or observe any gaming activity pursuant to the provisions of the Compact.

G. Adoption of Rules.

- (1) Prior to conducting a game of baccarat, the Gaming Facility Operator shall submit to the Tribal Gaming Office, and the Tribal Gaming Office shall have approved, rules and procedures for play to govern the conduct of baccarat games operated in each Gaming Facility. In determining whether to approve such rules and procedures, the Tribal Gaming Office shall consider whether the proposed rules and procedures are appropriate to ensure the integrity, fairness, and security of play. After making its determination and prior to implementation, the Tribal Gaming Office shall issue a written approval or disapproval of the rules and procedures for each game to be played in the Gaming Facility.
- (2) Game rules and procedures approved by the Tribal Gaming Office shall include, in addition to the rules of play:
 - (a) Specifications provided by the equipment manufacturer or distributor applicable to gaming equipment;
 - (b) Physical characteristics of gaming chips;
 - (c) Physical characteristics of such other gaming equipment as may be required for use in authorized baccarat games, including, but not limited to:
 - (i) Cards (including procedures for receipt and storage);
 - (ii) Baccarat tables;
 - (iii) Table layouts;
 - (iv) Shoes (including procedures for receipt and storage), if applicable; and
 - (v) Shuffling devices (including procedures for receipt and storage), if applicable;
 - (d) Rules for each authorized baccarat game, including, but not limited to:
 - (i) Dealing techniques;
 - (ii) Hand shuffling procedures (if applicable);
 - (iii) Minimum and maximum permissible wagers;
 - (iv) Payout odds on each form of wager;
 - (v) Procedures of play;
 - (vi) Procedures to be followed on the occurrence of irregularities;
 - (vii) Progressive specifications (if applicable);
 - (viii) Prohibitions on side betting between and against players; and
 - (ix) Vigorish and collection procedures (if applicable).
- (3) Copies of game rules and procedures shall be provided to the State Gaming Agency prior to implementation for review and approval. Within seven (7) days of receipt, the State Gaming Agency shall submit to the Tribal Gaming Office written comments and objections to the proposed rules and procedures. If the State Gaming Agency does not object within seven (7) days, then the rules and procedures are deemed approved. If the State Gaming Agency does object, the Tribal Gaming Office and the State Gaming Agency shall meet and confer within fourteen (14) days in a

good faith effort to resolve the objections. Unresolved objections to any proposed rules or procedures shall be resolved expeditiously pursuant to the provisions of the Compact prior to implementation.

- (4) Summaries of the rules of each game relevant to the method of play and, if applicable, odds paid to winning wagers, shall be readily available to patrons in the Gaming Facility and wagering limits applicable to any baccarat table shall be displayed at such baccarat table.

H. Currency Transaction Reporting. The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish, and the Gaming Facility Operator shall comply with, procedures and controls necessary to comply with the provisions of the Federal Bank Secrecy Act and the Federal USA Patriot Act. Copies of the procedures and controls established to comply with the Acts shall be provided to the Tribal Gaming Office and available to the State Gaming Agency upon request.

I. Baccarat Training.

- (1) Prior to any new baccarat game being implemented at the Gaming Facility, the Tribal Gaming Office shall require the Gaming Facility Operator to provide appropriate training for all employees involved in the conduct or regulation of baccarat, such that those employees have the knowledge and skills required under typical industry standards for the job function that employee performs, including, but not limited to, player money management and wagering, and detection of cheating methods. Tribal Gaming Office employees responsible for baccarat shall receive appropriate training in any new baccarat game.
- (2) The Tribal Gaming Office and/or the Gaming Facility Operator, as designated by the Tribal Gaming Office, shall notify the State Gaming Agency prior to the beginning of any training programs and shall provide the State Gaming Agency an opportunity to participate.

J. Notice of Installation.

- (1) The Gaming Facility Operator shall provide the Tribal Gaming Office advance written notice that it intends to install or re-install, or modify any baccarat table, including any newly purchased, leased, or previously approved baccarat table, for use for play, prior to placing such baccarat table into play at any Gaming Facility. Such notification shall be provided in time to allow the Tribal Gaming Office to schedule employees to inspect and test, as applicable, such baccarat tables, prior to use for play.
- (2) Upon notification from the Gaming Facility Operator, the Tribal Gaming Office shall provide to the State Gaming Agency all the information the Gaming Facility Operator is required to provide, to allow the State Gaming Agency to coordinate inspection and testing, as applicable.
- (3) All installation, reinstallation, and modifications of baccarat tables shall be approved by the Tribal Gaming Office prior to use for play in a Gaming

Facility. All baccarat tables shall have affixed an identifying approval seal or equivalent from the Tribal Gaming Office, while in use for play in a Gaming Facility. If the State Gaming Agency is not present at the time of installation, reinstallation, or modification, the Gaming Facility Operator may put the baccarat table in use for play, if approved by the Tribal Gaming Office.

- (4) When the State Gaming Agency approves a baccarat table for either use of play or continued use, it shall affix an identifying approval seal or equivalent to the baccarat table. If the State Gaming Agency denies approval for use for play or continued use, the State Gaming Agency shall, at the conclusion of inspection and testing, as applicable, orally explain to the Gaming Facility Operator and the Tribal Gaming Office why the State Gaming Agency is denying approval. The State Gaming Agency shall promptly issue a written statement to the Tribal Gaming Office setting forth the grounds for denial of approval.
- (5) A baccarat table shall not be placed into play without having an identifying approval seal or equivalent from both the Tribal Gaming Office and the State Gaming Agency, unless authorized by Section II.J.3 of this Appendix.
- (6) The Tribal Gaming Office and the State Gaming Agency shall ensure that all baccarat tables and baccarat gaming activity are properly covered by surveillance, pursuant to the Tribe's internal control standards.

K. Notice of Removal.

- (1) The Gaming Facility Operator shall provide the Tribal Gaming Office five (5) business days advance written notice if it intends to remove any baccarat tables from the Gaming Facility or to allow such tables to be removed. The notice shall identify which baccarat tables will be removed from the Gaming Facility and give details regarding when the tables will be removed, the location to which the tables will be taken, and to whom the tables will be transferred. The Tribal Gaming Office shall immediately remove and discard all affixed approval seals from any baccarat tables removed from the Gaming Facility and shall provide the State Gaming Agency written verification of having discarded the seals.
- (2) If baccarat tables are moved to storage, the Gaming Facility Operator shall provide the Tribal Gaming Office twenty-four (24) hours advance written notice of the tables to be moved and seals need not be removed. The Tribal Gaming Office shall provide written notice to the State Gaming Agency within forty-eight (48) hours of such movement.

L. Card Specifications and Controls.

- (1) Cards shall have imprinted on them the name and/or logo of the gaming establishment. The design on the backs of the cards in the deck shall be identical, and no card may contain any marking, symbol, or design that enables a player to know the identity of any element printed on the face of

the card. The backs of the cards in the deck shall be designed to eliminate the ability of any person to place concealed markings on them.

- (2) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish appropriate procedures and controls for purposes of security and integrity, to ensure all decks of cards are properly accounted for from the time of receipt to the time of destruction or disposition.
- (3) A secured location for storing unissued cards shall be maintained. The secured location shall be under constant monitoring by surveillance cameras. The exit and entrance to this area shall be viewed by at least one (1) fixed camera. A sign-in and sign-out log shall be completed by individuals entering the area. Surveillance shall be notified when persons request entry into this area. At no time shall a single individual be allowed to enter this area alone.
- (4) The Gaming Facility Operator shall maintain an ongoing perpetual inventory of cards that allows for the immediate verification of balances. Not less than monthly, someone independent of the table game department shall verify the card inventory and perpetual inventory records. Any discrepancies shall be immediately investigated and reported to the Tribal Gaming Office and the State Gaming Agency.
- (5) Cards maintained in the table game area shall be stored in a locked cabinet and only accessible to authorized personnel.

M. Staffing and Supervision.

- (1) A designated supervisor shall be responsible for the supervision of baccarat activity, including observing callers, dealers and players, initiating and authorizing table fills and credits, counting and verifying beginning and ending table inventories, viewing drop box removal at established times, initially resolving player disputes arising from table play, and other duties as required. At least one (1) supervisor shall be in each designated table game area at all times when baccarat tables are open for play.
- (2) A Baccarat game shall be conducted by one (1) caller and two (2) dealers, unless otherwise approved by the Tribal Gaming Office and State Gaming Agency.
- (3) A Midi Baccarat game or Mini Baccarat game shall be conducted by one (1) dealer, unless otherwise approved by the Tribal Gaming Office and State Gaming Agency.
- (4) No gaming employee shall make a wager in any baccarat game operated by the Gaming Facility Operator. This shall not preclude a player from placing a tip, in the form of a wager, on behalf of a baccarat caller and/or dealer.

- (5) All table game supervisors and management employees shall be knowledgeable in the play of all authorized baccarat games and the regulatory requirements of baccarat games.

N. Prohibited Acts.

- (1) No Gaming Facility Operator or other person shall remove, add, or alter any cards, nor permit such activity, except as provided by this Appendix.
- (2) The caller or dealer shall not look at, nor expose to any person, the face of a card before it is dealt.
- (3) A player shall not use any person, device, object, process, or procedures that are designed or intended to analyze, project, or predict the outcome of the game, unless otherwise approved by the Tribal Gaming Office and the State Gaming Agency.
- (4) No caller, dealer, or supervisor shall advise a player about game strategy while the player has a wager still pending on the outcome of the game.
- (5) No person may introduce cards into any baccarat game that were not obtained through the current deal of the cards, or any chip other than those obtained from the Gaming Facility where the baccarat game is being played.
- (6) Only the caller or dealer and the player to whom the cards have been dealt may touch the player's cards.
- (7) A player may not touch the cards with the player's person or any instrument in any manner that would alter, mark, bend, or otherwise allow any card to be distinguished from any other card.

O. Cards - Inspection and Presentation.

- (1) Immediately prior to being placed into play, a caller or dealer shall sort and inspect the cards. The caller or dealer shall ensure that the deck is complete, and that no cards are obviously flawed, scratched, or marked in any way. A supervisor or management employee shall verify the inspection. The surveillance system shall record this process.
- (2) The caller or dealer shall spread out the cards, faced upward on the table, according to suit, and in sequence, in such a manner that each individual card can be identified. The surveillance system shall record this process.
- (3) If personnel involved in the inspection find that any cards are damaged or improper, a substitute card or deck, as applicable, shall be brought from the storage area.
- (4) If the Gaming Facility Operator chooses to utilize pre-shuffled cards, procedures for the inspection and verification of the cards shall be

submitted to, and approved by the Tribal Gaming Office and the State Gaming Agency.

- (5) The Tribal Gaming Office and the State Gaming Agency shall be authorized to inspect cards at any time in accordance with the provisions of the Compact.

P. Cards - Removal from Use.

- (1) The Gaming Facility Operator shall remove cards at any time if there is any indication of tampering or other defects that might affect the integrity or fairness of the game or at the request of an authorized representative of the Tribal Gaming Office or the State Gaming Agency. Any cards that indicate purposeful tampering shall be placed in a sealed envelope or container, identified by table number, date and time, and shall be signed or initialed by the caller or dealer and a supervisor.
- (2) All envelopes and containers containing cards (or deck of cards) that indicate purposeful tampering shall be turned over to the Tribal Gaming Office which shall inspect them for tampering or anything that might indicate unfair play. The Tribal Gaming Office shall promptly notify the State Gaming Agency of any cards that indicate purposeful tampering and shall allow the State Gaming Agency to inspect such cards upon request.

Q. Caller/Dealer Tips.

- (1) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish the criteria and procedures for the acceptance and, as applicable, distribution of tips. The procedures shall provide criteria to ensure that tips received are reported as income for tax purposes for the individuals receiving them, pursuant to applicable tax laws. At a minimum, such procedures shall require that all tips be placed in a tip box.
- (2) No Gaming Facility Operator employee directly concerned with management, accounting, or surveillance shall solicit or accept any tip or gratuity. At no time shall any table game employee who serves in a supervisory position directly or indirectly solicit or accept any tip or gratuity from an employee under their supervision, or any other employee, at the Gaming Facility where they are employed. Notwithstanding the foregoing, supervisory and management employees may participate in the distribution of gratuities or tips, if a pooling and distribution process is approved by the Tribal Gaming Office.
- (3) The Gaming Facility Operator shall establish procedures consistent with applicable laws for accounting for all tips and gratuities received by gaming employees.

R. Chips and Tokens.

(1) General:

- (a) A Gaming Facility Operator may not issue chips or tokens for use in its Gaming Facility(s), or sell or redeem chips or tokens, unless the specifications of the chips or tokens have been approved in writing by the Tribal Gaming Office. Chips and tokens shall not deceptively resemble any current or past coinage or currency of the United States or any other nation.
- (b) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish, and the Gaming Facility Operator shall comply with, appropriate procedures and controls, for purposes of security and integrity, to ensure that all chips and tokens are properly accounted for from the time of receipt to the time of destruction or disposition.
- (c) Unused and/or reserve chip inventory(ies) shall be maintained in a secure location to prevent unauthorized access. The secure location shall be continuously recorded by a dedicated surveillance camera with sufficient clarity to identify employees. Not less than monthly, accounting personnel shall reconcile unused and/or reserve chip inventory(ies) to accountability records.

(2) Specifications for gaming chips and tokens:

- (a) Gaming chips and tokens shall be designed, manufactured, and constructed in compliance with all applicable statutes.
- (b) In addition to other specifications that the Tribal Gaming Office may approve, the following shall appear on the gaming chip or token:
 - (i) The name of the issuing Tribe and/or Gaming Facility shall be inscribed on at least one (1) side of a gaming chip or token;
 - (ii) The value shall be inscribed on both sides of a gaming chip or token; and
 - (iii) A gaming chip shall be designed so that when stacked with gaming chips and tokens of other denominations and viewed on surveillance monitors, the denomination of the gaming chip may be distinguished from that of the other gaming chips and tokens in the stack.

(3) Denominations of gaming chips shall be denoted by the following colors:

- (a) A one-dollar gaming chip shall be predominantly white;
- (b) A five-dollar gaming chip shall be predominantly red;
- (c) A twenty-five-dollar gaming chip shall be predominantly green;
- (d) A one-hundred dollar gaming chip shall be predominately black;
- (e) A five-hundred dollar gaming chip shall be predominately purple;

- (f) Other gaming chip denominations may be used with approval of the Tribal Gaming Office and the State Gaming Agency; and
- (g) Tournament and promotional chips may be of any color.

III. BACCARAT REQUIREMENTS

A. Availability of Rules.

- (1) Basic baccarat and house rules shall include an explanation of each wager and the corresponding payout odds.
- (2) Basic baccarat rules and house rules governing the play of baccarat shall be clear, legible, and available to all players in the table game area.

B. Baccarat Table—Physical Characteristics.

- (1) Baccarat shall be played on a table having, on one side, wagering positions for not more than fourteen (14) players, and, on the opposite side, a place for the caller.
- (2) Midi Baccarat or Mini Baccarat shall be played on a table having, on one side, wagering positions for not more than nine (9) players, and, on the opposite side, a place for the dealer.
- (3) Each baccarat table, while in play, shall have a table tray, a discard rack or bucket, a drop slot and drop box with a clear plastic money paddle, and a tip box, except that no tip box shall be required if tips are not accepted at the table. Each table may also be equipped with other such devices as specified in the rules.
- (4) The layout shall have imprinted on it the name and/or logo of the establishment, specific areas marked in which to place wagers, and the payout odds, unless otherwise approved by the Tribal Gaming Office and State Gaming Agency. The layout may have additional markings which identify the game, the holder of intellectual property rights to the game, the distributor of the game, any special markings needed for the play of the game, and any other markings approved by the Tribal Gaming Office and the State Gaming Agency.

C. Drop Boxes.

- (1) Each baccarat table in the Gaming Facility shall have attached to it a metal container known as a drop box, in which shall be deposited all cash, tickets, documents evidencing fills and credits, requests for fills and credits, and game inventory forms.
- (2) Each drop box shall have:
 - (a) One (1) separate lock securing the contents placed into the drop box, the key to which shall be different from any other key;

- (b) A separate lock securing the drop box to the gaming tables, the key to which shall be different from the key to the lock securing the contents of the drop box;
- (c) An opening through which currency, tickets, coins, tokens, forms, records, and documents can be inserted into the drop box; and
- (d) Permanently imprinted or impressed thereon, and clearly visible, a number corresponding to a permanent number on the gaming table to which it is attached, and a marking to indicate game type, table number, and shift (if there are multiple shifts), except that emergency drop boxes may be maintained without such number or marking, provided the word "emergency" is permanently imprinted or impressed thereon and, when put into use, are temporarily marked with the number of the gaming table and identification of the game and shift.

D. Cards.

- (1) Six (6) or more decks of cards shall be utilized for play in a baccarat game unless otherwise approved by the Tribal Gaming Office and the State Gaming Agency.
- (2) Cards may be dealt face upwards or face down. Players may be permitted to touch the cards.
- (3) The values of the cards contained in a deck of cards are as follows:
 - (a) A card from 2 to 9 has its face value;
 - (b) Any 10, jack, queen, or king has a value of zero; and
 - (c) An ace has a value of one.
- (4) The game of baccarat shall be played with standard decks of 52 cards in four suits (clubs, diamonds, hearts, and spades), with each suit consisting of numerical cards from 2 to 10 and a jack, a queen, a king, and an ace.

E. Shoes and Shuffling Devices.

- (1) A shoe shall be used at a baccarat table. The shoe shall be designed and constructed to maintain the integrity of the game. Shoes shall have a cover on the face of the device.
- (2) A shuffling device may be used at a baccarat table. The shoe and automated shuffling device may be combined as one operating device.
- (3) Shoes and shuffling devices in the Gaming Facility shall be inspected each gaming day before play commences to ensure that the shoe or shuffling device is not damaged, is operating properly, and has not been compromised in any manner which might affect the integrity of the game.

F. Manual Shuffling.

- (1) If the Gaming Facility Operator chooses to shuffle the cards by hand, procedures for such shuffling shall be submitted to, and approved by the

Tribal Gaming Office and the State Gaming Agency. The surveillance system shall record this process.

- (2) Manual shuffling shall be prohibited on any baccarat game that utilizes a progressive meter or other electronic component, unless otherwise approved by the Tribal Gaming Office and the State Gaming Agency.

G. Wagers.

- (1) The Gaming Facility Operator shall establish minimum and maximum wagers permitted at each baccarat table in the Gaming Facility, provided that the maximum wager shall not exceed \$100,000. The maximum wager limit shall apply to any single wager that a player can make based on the approved game rules.
- (2) The minimum and maximum wagers shall be conspicuously posted at each table.
- (3) The Gaming Facility Operator, at its discretion, may change the minimum and/or maximum wagers at any table, with appropriate notice to all players.
- (4) All paper currency and coin (only US currency) shall be exchanged for gaming chips or tokens by the dealer, prior to a wager being made.

H. Wagering Rules.

- (1) All wagers shall be made by placing chips on the appropriate areas of the layout.
- (2) Each player shall be responsible for the correct positioning of his wager on the layout, regardless of whether he is assisted by the dealer. The player shall be responsible for ensuring that the instructions he gives to the dealer regarding the placement of a wager are correctly carried out.
- (3) No wager shall be increased, decreased, or withdrawn after the first card of a round has been dealt, unless such alteration or removal of a wager is authorized under the rules of baccarat or the dealer approves such an alteration or removal of a wager in accordance with the Gaming Facility Operator's approved procedures.
- (4) The Gaming Facility Operator may preclude a person who has not made a wager on the first, or any subsequent, round of play from entering the baccarat game on a subsequent round of play prior to a reshuffle of the cards occurring. Any person permitted by the Gaming Facility Operator to enter the baccarat game after a round of play may be limited by the Gaming Facility Operator to a wager of the minimum limit posted at the table until the cards are reshuffled and a new deal is commenced.
- (5) Any player who, after placing a wager on any given round of play, declines to place a wager on any subsequent round of play may be

precluded by the Gaming Facility Operator from placing any further wagers.

I. **Payment of Wagers.** Unless otherwise approved and authorized in the game rules, winning wagers on the Banker's or Player's hand shall be paid at odds of at least one to one, and winning wagers on the Tie shall be paid at odds of at least eight to one. If a Gaming Facility Operator intends to pay the winning wagers at odds other than those listed in this Section, such payments shall appear on the table layout or shall be posted on table signage.

- (1) A wager on the Banker's Hand shall:
 - (a) Win, if the Banker's Hand has a Point Count higher than that of the Player's Hand.
 - (b) Lose, if the Banker's Hand has a Point Count lower than that of the Player's Hand.
 - (c) Push, if the Banker's Hand and the Player's Hand have the same Point Count.
- (2) A wager on the Player's Hand shall:
 - (a) Win, if the Player's Hand has a Point Count higher than that of the Banker's Hand.
 - (b) Lose, if the Player's Hand has a Point Count lower than that of the Banker's Hand.
 - (c) Push, if the Player's Hand and the Banker's Hand have the same Point Count.
- (3) A wager on the Tie shall:
 - (a) Win, if the Player's Hand and the Banker's Hand have the same Point Count.
 - (b) Lose, if the Player's Hand has a Point Count different than that of the Banker's Hand.

J. **Progressive Standards.**

- (1) Physical and logical access to the progressive server, including the method by which system jackpot parameter values are entered or updated, shall be secure and monitored by the Tribal Gaming Office.
- (2) A meter that shows the amount of the progressive jackpot shall be conspicuously displayed at or near the table to which the jackpot applies.
- (3) At least once each day, the Gaming Facility Operator shall record the amount shown on each progressive jackpot meter.
- (4) Explanations for meter reading decreases shall be maintained with the progressive meter reading sheets.
- (5) The base amount of each progressive jackpot offered at the Gaming Facility shall be documented and maintained by the Gaming Facility Operator and the Tribal Gaming Office.

- (6) The Tribal Gaming Office shall approve procedures specific to the transfer of progressive amounts. Such procedures may include alternate methods of distribution that accrue to the benefit of the gaming public via an award or prize.
- (7) Upon presentation of circumstances to the State Gaming Agency, and by mutual agreement with the Tribal Gaming Office, the Gaming Facility may reduce, eliminate, transfer, or distribute progressive amounts in excess of the base amount.

K. Game Drop and Count Standards.

- (1) A table game drop shall be performed at the end of each shift. Times for the drop and count shall be submitted to the Tribal Gaming Office for approval, and the Tribal Gaming Office shall provide a copy to the State Gaming Agency. Drop and count shall be conducted only at the scheduled times, except for emergency drops.
- (2) The Tribal Gaming Office shall be notified prior to performing any emergency drop. A written record shall be maintained of all emergency drops indicating the reason, persons involved, date, and time.
- (3) Any permanent change to the drop and/or count times shall be submitted to the Tribal Gaming Office for approval prior to any change being implemented by the Gaming Facility Operator. The Tribal Gaming Office shall immediately notify the State Gaming Agency of any approved changes.


L. Baccarat Tournaments.

- (1) The Gaming Facility Operator may conduct baccarat tournaments. At such tournaments only baccarat games approved and authorized by the Tribal Gaming Office and the State Gaming Agency may be played.
- (2) The Gaming Facility Operator shall submit for approval to the Tribal Gaming Office operational standards, rules, and procedures to govern the conduct and play of any baccarat tournament. The Tribal Gaming Office shall review and issue a written approval or disapproval of the operational standards, rules, and procedures prior to the beginning of tournament play.
- (3) Copies of tournament standards, rules, and procedures shall be provided to the State Gaming Agency prior to tournament play for review and approval. Within seven (7) days of receipt, the State Gaming Agency shall submit to the Tribal Gaming Office written comments and objections to the proposed standards, rules, and procedures. If the State Gaming Agency does not object within seven (7) days, then the standards, rules, and procedures are deemed approved. If the State Gaming Agency does object, the Tribal Gaming Office and the State Gaming Agency shall meet and confer within fourteen (14) days in a good faith effort to resolve the objections. Unresolved objections to any

proposed standards, rules, and procedures shall be resolved expeditiously pursuant to the provisions of the Compact prior to implementation.

- (4) The operational standards, rules, and procedures for the conduct of tournament play shall be:
 - (a) Available to all tournament players prior to the beginning of the tournament; and
 - (b) Posted in a conspicuous location.
- (5) The operational standards, rules, and procedures shall include but are not limited to:
 - (a) Qualification or selection criteria which limit the eligibility of tournament players;
 - (b) Regulations of the tournament (e.g., beginning and ending times, number of rounds, lapse of rounds, entry fee, elimination factors, cash handling procedures, etc.); and
 - (c) Prizes to be awarded.

M. Entry Fee and Player Buy-In. Baccarat tournament entry fees and buy-ins shall be documented on a tournament entry fee and buy-in log. The following information, at a minimum, shall be recorded on the log at the time the entry fee or buy-in is conducted: name of patron and amount of the entry fee or buy-in.

By: 
Jon Huey, Chairman
Yavapai-Apache Nation

DATE: 6/10/21

By: _____
Ted Vogt, Director
Arizona Department of Gaming

DATE: _____

EXHIBIT H

Appendix F(5) – Definitions, Operational Standards,
Specifications, and Regulations Governing Roulette

APPENDIX F(5)

Definitions, Operational Standards, Specifications, and Regulations Governing Roulette

Arizona Tribal-State Gaming Compact

The game of roulette, authorized pursuant to the Compact, including all approved variations thereof, shall be permitted and conducted, at a minimum, according to the provisions set forth in the Compact and its appendices. For purposes of the Tribe's internal control standards, roulette is a Table Game and shall be one of the "major gaming areas of the gaming operation" requiring an annual audit by internal audit personnel.

I. DEFINITIONS.

In addition to definitions set forth in the Compact and its appendices, the following definitions shall apply to the rules of roulette, including all approved variations, conducted by the Gaming Facility Operator:

- (1) "Dealer" means the employee who operates the game, administering house rules and making payoffs.
- (2) "Layout" or "table layout" means the felt, cloth, or other material covering the playing surface of a roulette table.
- (3) "Roulette" means a game in which players make wagers on the spin of a ball that makes a minimum of four (4) revolutions in a direction opposite to the rotation of the wheel until it comes to rest in a numbered compartment.
- (4) "Roulette Chips" means non-value chips used exclusively at a single roulette table.
- (5) "Roulette Table" means the combination of the layout and roulette wheel in the play of the game of roulette. A roulette table may be comprised of multiple layouts or wheels but each layout shall be considered an individual game of roulette.
- (6) "Roulette Wheel" means a device with 37 (single zero) or 38 (double zero) numbered compartments.
- (7) "Supervisor or management employee" means, for the purpose of this Appendix, any employee assigned duties and responsibilities that include:
 - (a) Directing table game employees in the performance of their duties;
 - (b) Supervising game activity, dealing procedures, and compliance with internal controls;
 - (c) Initially resolving player disputes arising from game play; and
 - (d) Making decisions regarding work scheduling of table game employees.

II. **GENERAL REQUIREMENTS**

A. **Types of Roulette Games.**

- (1) The Gaming Facility Operator shall only conduct roulette under the rules approved and authorized by the Tribal Gaming Office and the State Gaming Agency. As used in this Appendix, roulette shall be inclusive of the game of roulette and variations thereof. Authorized roulette games shall not exceed the wager limitations established in this Appendix.
- (2) Any electronic or electromechanical components or hardware, including program software and progressive components, utilized in an approved roulette game shall be evaluated by an independent testing laboratory prior to use for play.

B. **Number of Roulette Tables.** The number of roulette tables in play shall not exceed the limits established in the Compact. Roulette tables used in authorized tournament play shall be included when determining the total number of roulette tables in play in a Gaming Facility. No roulette games shall be operated outside of a Gaming Facility.

C. **Licensing and Certification of Employees.** All table game employees shall be licensed by the Tribal Gaming Office and certified by the State Gaming Agency in accordance with the provisions of the Compact.

D. **Equipment Control.** All roulette wheels, roulette balls, roulette tables, roulette chips, gaming chips, and associated equipment, as applicable, shall be purchased, leased, or acquired only from manufacturers or distributors licensed by the Tribal Gaming Office and certified by the State Gaming Agency in accordance with the Compact.

E. **Access to Records and Reports.** The State Gaming Agency shall have access to all records of roulette activity, pursuant to the provisions of the Compact, including, but not limited to:

- (1) Daily activity and accounting records;
- (2) Security reports;
- (3) Surveillance activities and reports; and
- (4) Investigative reports.

F. **Inspection of Roulette Tables, Wheels, Balls, and Play.** The State Gaming Agency shall be authorized to inspect any roulette table, roulette wheel, roulette ball, testing equipment, and/or observe any gaming activity pursuant to the provisions of the Compact.

G. **Adoption of Rules.**

- (1) Prior to conducting a game of roulette, the Gaming Facility Operator shall submit to the Tribal Gaming Office, and the Tribal Gaming Office shall have approved, rules and procedures for play to govern the conduct of roulette games operated in each Gaming Facility. In determining whether to approve such rules and procedures, the Tribal Gaming Office shall

consider whether the proposed rules and procedures are appropriate to ensure the integrity, fairness, and security of play. After making its determination and prior to implementation, the Tribal Gaming Office shall issue a written approval or disapproval of the rules and procedures for each game to be played in the Gaming Facility.

- (2) Game rules and procedures approved by the Tribal Gaming Office shall include, in addition to the rules of play:
 - (a) Specifications provided by the equipment manufacturer or distributor applicable to gaming equipment;
 - (b) Physical characteristics of gaming chips;
 - (c) Physical characteristics of roulette chips;
 - (d) Physical characteristics of such other gaming equipment as may be required for use in authorized roulette games, including, but not limited to:
 - (i) Roulette wheel (including procedures for receipt and storage);
 - (ii) Roulette ball (including procedures for receipt and storage);
 - (iii) Roulette tables;
 - (iv) Table layouts; and
 - (v) Testing equipment (including testing procedures);
 - (e) Rules for each authorized roulette game, including, but not limited to:
 - (i) Minimum and maximum permissible wagers;
 - (ii) Payout odds on each form of wager;
 - (iii) Procedures for establishing and displaying roulette chip value;
 - (iv) Procedures of play;
 - (v) Procedures to be followed on the occurrence of irregularities;
 - (vi) Progressive specifications (if applicable); and
 - (vii) Prohibitions on side betting between and against players.
- (3) Copies of game rules and procedures shall be provided to the State Gaming Agency prior to implementation for review and approval. Within seven (7) days of receipt, the State Gaming Agency shall submit to the Tribal Gaming Office written comments and objections to the proposed rules and procedures. If the State Gaming Agency does not object within seven (7) days, then the rules and procedures are deemed approved. If the State Gaming Agency does object, the Tribal Gaming Office and the State Gaming Agency shall meet and confer within fourteen (14) days in a good faith effort to resolve the objections. Unresolved objections to any proposed rules or procedures shall be resolved expeditiously pursuant to the provisions of the Compact prior to implementation.
- (4) Summaries of the rules of each game relevant to the method of play and, if applicable, odds paid to winning wagers, shall be readily available to patrons in the Gaming Facility and wagering limits applicable to any roulette table shall be displayed at such roulette table.

H. **Currency Transaction Reporting.** The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish, and the Gaming Facility Operator shall comply with, procedures and controls necessary to comply with the provisions of the Federal Bank Secrecy Act and the Federal USA Patriot Act. Copies of the procedures and controls established to comply with the Acts shall be provided to the Tribal Gaming Office and available to the State Gaming Agency upon request.

I. **Roulette Training.**

- (1) Prior to any new roulette game being implemented at the Gaming Facility, the Tribal Gaming Office shall require the Gaming Facility Operator to provide appropriate training for all employees involved in the conduct or regulation of roulette, such that those employees have the knowledge and skills required under typical industry standards for the job function that employee performs, including, but not limited to, player money management and wagering, and detection of cheating methods. Tribal Gaming Office employees responsible for roulette shall receive appropriate training in any new roulette game.
- (2) The Tribal Gaming Office and/or the Gaming Facility Operator, as designated by the Tribal Gaming Office, shall notify the State Gaming Agency prior to the beginning of the any training programs and shall provide the State Gaming Agency an opportunity to participate.

J. **Notice of Installation.**

- (1) The Gaming Facility Operator shall provide the Tribal Gaming Office advance written notice that it intends to install or re-install, or modify any roulette table and/or roulette wheel, including any newly purchased, leased, or previously approved roulette table and/or roulette wheel, for use for play, prior to placing such roulette table and/or roulette wheel into play at any Gaming Facility. Such notification shall be provided in time to allow the Tribal Gaming Office to schedule employees to inspect and test, as applicable, such roulette tables and/or roulette wheels, prior to use for play.
- (2) Upon notification from the Gaming Facility Operator, the Tribal Gaming Office shall provide to the State Gaming Agency all the information the Gaming Facility Operator is required to provide, to allow the State Gaming Agency to coordinate inspection and testing, as applicable.
- (3) All installation, reinstallation, and modifications of roulette tables and/or roulette wheels shall be approved by the Tribal Gaming Office, prior to use for play in a Gaming Facility. All roulette tables shall have affixed an identifying approval seal or equivalent from the Tribal Gaming Office, while in use for play in a Gaming Facility. If the State Gaming Agency is not present at the time of installation, reinstallation, or modification, the Gaming Facility Operator may put the roulette table and/or roulette wheel in use for play, if approved by the Tribal Gaming Office.

- (4) When the State Gaming Agency approves a roulette table and/or roulette wheel for either use of play or continued use, it shall affix an identifying approval seal or equivalent to the roulette table. If the State Gaming Agency denies approval for use for play or continued use, the State Gaming Agency shall, at the conclusion of inspection and testing, as applicable, orally explain to the Gaming Facility Operator and the Tribal Gaming Office why the State Gaming Agency is denying approval. The State Gaming Agency shall promptly issue a written statement to the Tribal Gaming Office setting forth the grounds for denial of approval.
- (5) A roulette table shall not be placed into play without having an identifying approval seal or equivalent from both the Tribal Gaming Office and the State Gaming Agency, unless authorized by Section II.J.3 of this Appendix.
- (6) The Tribal Gaming Office and the State Gaming Agency shall ensure that all roulette tables, including roulette wheels, roulette balls, and roulette gaming activity, are properly covered by surveillance, pursuant to the Tribe's internal control standards.

K. Notice of Removal.

- (1) The Gaming Facility Operator shall provide the Tribal Gaming Office five (5) business days advance written notice, if it intends to remove any roulette table and/or roulette wheel from the Gaming Facility or to allow such tables and/or wheels to be removed. The notice shall identify which roulette table(s) and/or roulette wheel(s) will be removed from the Gaming Facility and give details regarding when the tables and/or wheels will be removed, the location to which the tables and/or wheels will be taken, and to whom they tables and/or wheels will be transferred. The Tribal Gaming Office shall immediately remove and discard all affixed approval seals from any roulette table and/or roulette wheel removed from the Gaming Facility and shall provide the State Gaming Agency written verification of having discarded the seals.
- (2) If roulette tables and/or roulette wheels are moved to storage, the Gaming Facility Operator shall provide the Tribal Gaming Office twenty-four (24) hours advance written notice of the tables and/or wheels to be moved and seals need not be removed. The Tribal Gaming Office shall provide written notice to the State Gaming Agency within forty-eight (48) hours of such movement.

L. Roulette Equipment Specifications and Controls.

- (1) A single zero roulette wheel must have 37 equally spaced compartments around the wheel where the roulette ball may come to rest. The roulette wheel must also have a ring of 37 equally spaced areas to correspond to the position of the compartments with a compartment marked zero (0) and colored green and the others marked 1 to 36 and colored alternately red and black. The numbers must be arranged clockwise around the wheel in the following order: 0, 32, 15, 19, 4, 21, 2, 25, 17, 34, 6, 27, 13, 36, 11, 30,

8, 23, 10, 5, 24, 16, 33, 1, 20, 14, 31, 9, 22, 18, 29, 7, 28, 12, 35, 3 and 26. The color of each compartment must either be a corresponding color to those depicted on the ring or a neutral color as approved by the Tribal Gaming Office and the State Gaming Agency.

- (2) A double zero roulette wheel must have 38 equally spaced compartments around the wheel where the roulette ball may come to rest. The roulette wheel must also have a ring of 38 equally spaced areas to correspond to the position of the compartments with a compartment marked zero (0) and colored green, a compartment marked double zero (00) and colored green, and the others marked 1 to 36 and colored alternately red and black. The numbers must be arranged clockwise around the wheel in the following order: 0, 28, 9, 26, 30, 11, 7, 20, 32, 17, 5, 22, 34, 15, 3, 24, 36, 13, 1, 00, 27, 10, 25, 29, 12, 8, 19, 31, 18, 6, 21, 33, 16, 4, 23, 35, 14 and 2. The color of each compartment must either be a corresponding color to those depicted on the ring or a neutral color as approved by the Tribal Gaming Office and the State Gaming Agency.
- (3) All roulette balls must be made completely of a nonmetallic substance and not less than 3/8" nor more than 7/8" in diameter, unless otherwise approved by the Tribal Gaming Office and the State Gaming Agency.
- (4) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish appropriate procedures and controls for purposes of security and integrity, to ensure roulette wheels and roulette balls are properly accounted for from the time of receipt to the time of destruction or disposition.
- (5) A secured location for storing roulette wheels and roulette balls shall be maintained. The secured location shall be under constant monitoring by surveillance cameras. The exit and entrance to this area shall be viewed by at least one (1) fixed camera. A sign-in and sign-out log shall be completed by individuals entering the area. Surveillance shall be notified when persons request entry into this area. At no time shall a single individual be allowed to enter this area alone.
- (6) The Gaming Facility Operator shall maintain an ongoing perpetual inventory of roulette wheels and roulette balls that allows for the immediate verification of balances. Not less than monthly, someone independent of the table game department shall verify the roulette wheel and roulette ball inventory and perpetual inventory records. Any discrepancies shall be immediately investigated and reported to the Tribal Gaming Office and the State Gaming Agency.
- (7) Roulette balls maintained in the table game area shall be stored in a locked cabinet and only accessible to authorized personnel.

M. Staffing and Supervision.

- (1) A designated supervisor shall be responsible for the supervision of roulette activity, including observing dealers and players, initiating and authorizing

table fills and credits, counting and verifying beginning and ending table inventories, viewing drop box removal at established times, initially resolving player disputes arising from table play, and other duties as required. At least one (1) supervisor shall be in each designated table game area at all times when roulette tables are open for play.

- (2) A roulette game shall be conducted by at least one (1) dealer.
- (3) No gaming employee shall make a wager in any roulette game operated by the Gaming Facility Operator. This shall not preclude a player from placing a tip, in the form of a wager, on behalf of a roulette dealer.
- (4) All table game supervisors and management employees shall be knowledgeable in the play of all authorized roulette games and the regulatory requirements of roulette games.

N. Prohibited Acts.

- (1) No Gaming Facility Operator or other person shall remove, add, switch, or alter a roulette ball or roulette wheel, nor permit such activity, except as provided by this Appendix.
- (2) A player shall not use any person, device, object, process, or procedures that are designed or intended to analyze, project, or predict the outcome of the game, unless otherwise approved by the Tribal Gaming Office and the State Gaming Agency.
- (3) No dealer or supervisor shall advise a player about game strategy while the player has a wager still pending on the outcome of the game.
- (4) No person may introduce into any roulette game any chips other than those obtained from the Gaming Facility where the roulette game is being played.

O. Roulette Wheel – Inspection and Testing.

- (1) Immediately prior to being placed into play, a dealer shall inspect and test the roulette wheel to insure that the wheel is level, rotating freely and evenly, and free of any obvious bias. A supervisor or management employee shall verify the inspection. The surveillance system shall record this process.
- (2) The Tribal Gaming Office and the State Gaming Agency shall be authorized to inspect and test roulette wheels at any time using either the Gaming Facility Operator's testing equipment or its own testing equipment in accordance with the provisions of the Compact.

P. Roulette Wheel – Removal from Use.

- (1) The Gaming Facility Operator shall remove a roulette wheel at any time if there is any indication of tampering or other defects that might affect the

integrity or fairness of the game or at the request of an authorized representative of the Tribal Gaming Office or the State Gaming Agency. A roulette wheel that indicates purposeful tampering shall be immediately removed from play, secured, and identified by table number, date and time, and the signature or initials of the dealer and a supervisor.

- (2) A roulette wheel that indicates purposeful tampering shall be turned over to the Tribal Gaming Office which shall inspect the wheel for anything that might indicate unfair play. The Tribal Gaming Office shall promptly notify the State Gaming Agency of any roulette wheel that indicates purposeful tampering and shall allow the State Gaming Agency to inspect such roulette wheel upon request.

Q. Roulette Ball – Inspection and Testing.

- (1) Immediately prior to being placed into play, a dealer shall inspect the roulette ball by passing it over a magnet or compass to assure its nonmagnetic quality. A supervisor or management employee shall verify the inspection. The surveillance system shall record this process.
- (2) If personnel involved in the inspection and testing find that any roulette balls are damaged or improper, substitute roulette balls, as applicable, shall be brought from the storage area.
- (3) The Tribal Gaming Office and the State Gaming Agency shall be authorized to inspect and test roulette balls at any time using either the Gaming Facility Operator's testing equipment or its own testing equipment in accordance with the provisions of the Compact.

R. Roulette Balls - Removal from Use.

- (1) The Gaming Facility Operator shall remove roulette balls at any time, if there is any indication of tampering or other defects that might affect the integrity or fairness of the game or at the request of an authorized representative of the Tribal Gaming Office or the State Gaming Agency. Any roulette balls that indicates purposeful tampering shall be placed in a sealed envelope or container, identified by table number, date and time, and the signature or initials of the dealer and a supervisor.
- (2) All envelopes and containers containing roulette balls that indicate purposeful tampering shall be turned over to the Tribal Gaming Office which shall inspect them for tampering or anything that might indicate unfair play. The Tribal Gaming Office shall promptly notify the State Gaming Agency of any roulette balls that indicate purposeful tampering and shall allow the State Gaming Agency to inspect such roulette balls upon request.

S. Dealer Tips.

- (1) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish the criteria and procedures for the

acceptance and, as applicable, distribution of tips. The procedures shall provide criteria to ensure that tips received are reported as income for tax purposes for the individuals receiving them, pursuant to applicable tax laws. At a minimum, such procedures shall require that all tips be placed in a tip box.

- (2) No Gaming Facility Operator employee directly concerned with management, accounting, or surveillance shall solicit or accept any tip or gratuity. At no time shall any table game employee who serves in a supervisory position directly or indirectly solicit or accept any tip or gratuity from an employee under their supervision, or any other employee, at the Gaming Facility where they are employed. Notwithstanding the foregoing, supervisory and management employees may participate in the distribution of gratuities or tips, if a pooling and distribution process is approved by the Tribal Gaming Office.
- (3) The Gaming Facility Operator shall establish procedures consistent with applicable laws for accounting for all tips and gratuities received by gaming employees.

T. Chips and Tokens.

(1) General:

- (a) A Gaming Facility Operator may not issue chips or tokens for use in its Gaming Facility(s), or sell or redeem chips or tokens, unless the specifications of the chips or tokens have been approved in writing by the Tribal Gaming Office. Chips and tokens shall not deceptively resemble any current or past coinage or currency of the United States or any other nation.
- (b) The Tribal Gaming Office, or the Gaming Facility Operator as approved by the Tribal Gaming Office, shall establish, and the Gaming Facility Operator shall comply with, appropriate procedures and controls, for purposes of security and integrity, to ensure that all chips and tokens are properly accounted for from the time of receipt to the time of destruction or disposition.
- (c) Unused and/or reserve chip inventory(ies) shall be maintained in a secure location to prevent unauthorized access. The secure location shall be continuously recorded by a dedicated surveillance camera with sufficient clarity to identify employees. Not less than monthly, accounting personnel shall reconcile unused and/or reserve chip inventory(ies) to accountability records.

(2) Specifications for gaming chips and tokens:

- (a) Gaming chips and tokens shall be designed, manufactured, and constructed in compliance with all applicable statutes.
- (b) In addition to other specifications that the Tribal Gaming Office may approve, the following shall appear on the gaming chip or token:

- (i) The name of the issuing Tribe and/or Gaming Facility shall be inscribed on at least one (1) side of a gaming chip or token;
 - (ii) The value shall be inscribed on both sides of a gaming chip or token; and
 - (iii) A gaming chip shall be designed so that when stacked with gaming chips and tokens of other denominations and viewed on surveillance monitors, the denomination of the gaming chip may be distinguished from that of the other gaming chips and tokens in the stack.
- (3) Denominations of gaming chips shall be denoted by the following colors:
 - (a) A one-dollar gaming chip shall be predominantly white;
 - (b) A five-dollar gaming chip shall be predominantly red;
 - (c) A twenty-five-dollar gaming chip shall be predominantly green;
 - (d) A one-hundred dollar gaming chip shall be predominately black;
 - (e) A five-hundred dollar gaming chip shall be predominately purple;
 - (f) Other gaming chip denominations may be used with approval of the Tribal Gaming Office and the State Gaming Agency; and
 - (g) Tournament and promotional chips may be of any color.
- (4) Specifications for roulette chips:
 - (a) Each roulette chip utilized shall be issued solely for the purpose of gaming at roulette.
 - (b) The following shall appear on the roulette chip:
 - (i) The name of the issuing Tribe and/or Gaming Facility shall be inscribed on at least one (1) side of the roulette chip;
 - (ii) A design, pattern, symbol, number, or letter differentiating it from the roulette chips being used at other roulette tables;
 - (iii) The word "roulette" impressed on the roulette chip; and
 - (iv) A roulette chip shall be designed so that each identifying characteristic is clearly distinguishable for surveillance.
 - (c) Each roulette chip shall be assigned to a particular roulette table and may not be used, redeemed, or exchanged at any other roulette table.
 - (d) Roulette chips may not be identical in color to gaming chips or other roulette chips at the same table.

III. ROULETTE REQUIREMENTS

A. Availability of Rules

- (1) Basic roulette and house rules shall include an explanation of each wager and the corresponding payout odds.
- (2) Basic roulette rules and house rules governing the play of roulette shall be clear, legible, and available to all players in the table game area.