

**SALT RIVER PIMA-MARICOPA
INDIAN COMMUNITY**
10,005 East Osborn Road
Scottsdale, Arizona 85256

ORDINANCE NUMBER: SRO-463-2015

AN ORDINANCE TO AMEND CHAPTER 15.5 OF THE SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY CODE OF ORDINANCES BY AMENDING SECTION 9, SUBSECTIONS 4 AND 5 (AND THAT PORTION OF SRO 457-2015 ADDRESSING SECTION 9, SUB SECTIONS 4 AND 5) TO IMPROVE THE EFFICIENCY OF GAMING REGULATION WITHIN THE COMMUNITY AND AT THE REQUEST OF THE NATIONAL INDIAN GAMING COMMISSION.

BE IT ENACTED:

Chapter 15.5, Section 9 subsections (4) and (5) of the Salt River Pima-Maricopa Indian Community Code of Ordinances are hereby amended to read as follows:

Sec. 15.5-9. Licenses for employee.

- (4) *Procedures for forwarding applications and reports for key employees and primary management officials to National Indian Gaming Commission.* Upon completion of a background investigation, and an eligibility determination for a gaming employee license pursuant to subsection (3) of this section, and in any event no later than the time when a key employee or primary management official begins work, the Community regulatory agency shall forward to the National Indian Gaming Commission a copy of the completed application for employment, and an investigative report on the background investigation required pursuant to subsection (2) of this section. Such investigative report shall include the steps taken in conducting a background investigation; results obtained; conclusions reached; and the basis for those conclusions. The Community regulatory agency shall submit a notice of results of the applicant's background investigation to the National Indian Gaming Commission no later than sixty (60) days after the applicant begins work. The notice of results shall contain:
- a. Applicant's name, date of birth, and social security number;
 - b. Date on which applicant began or will begin work as key employee or primary management official;
 - c. A summary of the information presented in the investigative report, which shall at a minimum include a listing of:
 - (i) Licenses that have previously been denied;
 - (ii) Gaming licenses that have been revoked, even if subsequently reinstated;

(iii) Every known criminal charge brought against the applicant within the last 10 years of the date of application; and

(iv) Every felony of which the applicant has been convicted or any ongoing prosecution.

d. A copy of the eligibility determination made under Code of Federal Regulations Section 556.5.

Such eligibility determination, investigative report, and notice of results shall be forwarded to the National Indian Gaming Commission for inclusion in the Indian gaming individual's records system, regardless of whether a prospective licensee is granted or denied a license. The Community regulatory agency shall retain applications for employment of key employees and primary management officials, reports of background investigations, and eligibility determinations of such individuals for inspection by the chairman of the commission or his designee for no less than three years from the date of termination of employment.

(5) *Granting a license.*

a. *General provisions.* Upon completion of the eligibility determination required pursuant to subsection (3) of this section, the Community regulatory agency shall either grant or deny a gaming employee license. Within 30 days after the issuance of the license or a decision to deny the license, the Community regulatory agency shall notify the National Indian Gaming Commission. Any individual denied a gaming employee license shall be entitled to an administrative hearing upon request. A right to a hearing under this section shall vest only upon receipt of a license granted under an ordinance approved by the Chairperson of the National Indian Gaming Commission.

b. *Licenses issued to key employees and primary management officials.* A Community gaming operation shall not employ a key employee or primary management official who does not have a license after ninety (90) days. In the event the Community regulatory agency determines that a key employee or primary management official is eligible to be granted a gaming employee license, such individual shall be granted a temporary gaming license pending completion of the following procedure. If, upon completion of a 30-day period after receipt by the chairman of the National Indian Gaming Commission of the investigative report required pursuant to subsection (4) of this section, the commission notifies the Community regulatory agency that it has no objection to the issuance of a gaming employee license, or fails to provide the Community regulatory agency with a request for further information or a statement itemizing objections to the issuance of a gaming employee license to a key employee or primary management official, the Community regulatory agency shall grant a gaming employee license to such individual. If, however, the chairman requests further information during the 30-day period, the 30-day period shall be suspended until the chairman receives the information requested, if, within the 30-day period, the commission provides the Community regulatory agency with a statement itemizing objections to the issuance of a gaming employee license to a key employee or to a primary management official, the Community regulatory agency shall reconsider the license application, taking into account the objections itemized by the commission. The Community regulatory agency shall make the final decision whether to issue a gaming employee license to such applicant. Once a decision to issue or not issue a license is

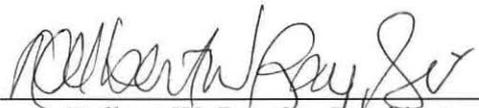
made pursuant to this procedure, the Community regulatory agency shall notify the National Indian Gaming Commission of its decision within 30 days. Each temporary gaming employee license shall expire and become void and of no effect upon the determination by the Community regulatory agency of the applicant's suitability for a gaming employee license.

c. *Identification required.* Each holder of a gaming employee license shall be required to wear in plain view while at work an identification card issued by the Community regulatory agency which includes the holder's photograph, first and last name, and an identification number unique to the individual license which shall include a tribal seal or signature, and an expiration date.

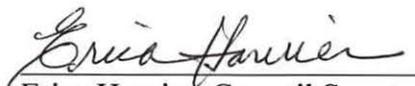
C E R T I F I C A T I O N

Pursuant to the authority contained in Article VII, Section 1 of the Constitution of the Salt River Pima-Maricopa Indian Community (as amended), ratified by the Tribe on February 28, 1990, and approved by the Secretary of the Interior on March 19, 1990, the foregoing resolution was adopted this 20th day of May, 2015, in a duly called meeting of the Community Council at Salt River, Arizona, at which a quorum of 9 members was present, by a vote of 9 for; 0 opposed; 0 abstaining; and 0 excused.

SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY COUNCIL


Delbert W. Ray Sr., President

ATTEST:


Erica Harvier, Council Secretary

