

Washoe Tribe of Nevada and California

Law & Order Code

TITLE 37 – WASHOE GAMING FACILITY STANDARDS CODE

[Enacted on 10/10/2014 — Resolution 2014-WTC-94. Effective Date 4/9/2015. Current Through Date: 4/20/2015]

Table of Contents

37-10	AUTHORITY, FINDINGS AND SCOPE	1
37-20	DEFINITIONS.....	2
37-30	MINIMUM INTERNAL CONTROL STANDARDS.....	3
37-40	FOOD AND BEVERAGE HANDLING	3
37-50	BUILDING & SAFETY CODE STANDARDS	3
37-60	WORKPLACE AND OCCUPATIONAL HEALTH & SAFETY STANDARDS.....	3
37-70	HEALTH & SAFETY STANDARDS	3
37-80	ALCOHOLIC BEVERAGES.....	3
37-90	BANK SECRECY ACT	3
37-100	POSSESSION OF FIREARMS	4
37-110	SEVERABILITY	4
37-120	SOVEREIGN IMMUNITY.....	4
37-130	IMPLEMENTING REGULATIONS	4

Washoe Tribe of Nevada and California

Law & Order Code

TITLE 37 – WASHOE GAMING FACILITY STANDARDS CODE

[Enacted on 10/10/2014 — Resolution 2014-WTC-94, Effective Date 4/9/2015, Current Through Date: 4/20/2015]

37-10 AUTHORITY, FINDINGS AND SCOPE

- 37-10-010** The Washoe Tribal Council is the recognized governing body of the Washoe Tribe of Nevada and California (“Tribe” or “Washoe”) with the responsibility to exercise the privileges and powers of self-government, to conserve and develop Tribal resources, and to secure the social and economic wellbeing of our Tribe. This Title is enacted on the basis of inherent sovereign tribal powers delegated to the Washoe Tribal Council under Article VI of the Tribe’s Constitution and Bylaws.
- 37-10-020** The Washoe Tribal Council hereby finds that:
- (1) The Washoe Tribe has a primary interest in exercising its inherent sovereign authority to provide for the establishment of a statutory framework for the regulation of Gaming Facilities operating within the jurisdiction of the Washoe Tribe.
 - (2) The specific purpose of this Title is to permit the Washoe Tribal government and the Washoe Tribal Gaming Commission to establish rules regarding the safety standards required for Gaming Facilities operating within the jurisdiction of the Washoe Tribe.
 - (3) As a sovereign government, the Washoe Tribe finds that it is in its own best interest to regulate Gaming Facility safety standards independently of the State of Nevada, in order to promote Washoe governmental sovereign authority.
- 37-10-030** This Title shall be known as the Washoe Gaming Facility Standards Code and shall be codified as Title 37 of the Washoe Law and Order Code.
- 37-10-040** The provisions of this Title shall apply to all Gaming Facilities located within the Washoe Reservation or otherwise under the jurisdiction of the Washoe Tribe of Nevada and California, including those Gaming Facilities that exist after the adoption of this Title.

37-20 DEFINITIONS

For the purposes of this Title, the following definitions apply:

- (1) "Gaming" means collectively any and all activities constituting Class I Gaming, Class II Gaming, or Class III Gaming (as those terms are defined by the Indian Gaming Regulatory Act), and "gaming" as defined by the Gaming Compact (gaming activities permitted by Nevada State law).
- (2) "Gaming Compact" means the "Slots Only Compact" between the Washoe Tribe and the State of Nevada, entered into pursuant to Section 11(d)(3) of the Indian Gaming Regulatory Act and published in the Federal Register on July 16, 2004, as the same may from time to time be amended.
- (3) "Gaming Enterprise" means a Gaming Facility and its commercial business operations.
- (4) "Gaming Facility" means any location where Gaming is conducted.
- (5) "Tribal Council" or "Washoe Tribal Council" means the Tribal Council of the Washoe Tribe of Nevada and California.
- (6) "Tribe" or "Washoe Tribe" means the Washoe Tribe of Nevada and California and its authorized officials, agents, agencies, subdivisions, corporate entities, and authorized representatives.
- (7) "Washoe Reservation" means, for the purposes of this Title, all lands within the exterior boundaries of the Washoe Tribe Reservation lands as illustrated in the map of the Reservation attached to the Gaming Compact as Appendix B, and any additional lands made part of the Reservation, so long as such lands are contiguous to the current Reservation lands. In addition to the Reservation lands identified in Appendix B of the Gaming Compact, the term "Reservation" also includes any noncontiguous lands, located within the State of Nevada, acquired by the Secretary of the Interior, in trust for the benefit of the Tribe and deemed to be part of the "Washoe Reservation" under applicable law.
- (8) "Within the Jurisdiction of the [Washoe] Tribe" means within the exterior boundaries of the Washoe Reservation and includes all territory within these limits whether held in fee or trust and includes, to the fullest extent permissible under Nevada Revised Statutes Section 372.805, as now written or subsequently amended, those places "on an Indian Reservation or Indian Colony."

37-30 MINIMUM INTERNAL CONTROL STANDARDS

Gaming Enterprises under the jurisdiction of the Washoe Tribe shall comply with all Minimum Internal Control Standards adopted by the Washoe Tribe. The Washoe Tribe hereby delegates to the Washoe Tribal Gaming Commission all necessary authority to adopt appropriate regulations and enforce said standards, subject to prior approval by the Washoe Tribal Council.

37-40 FOOD AND BEVERAGE HANDLING

Gaming Enterprises under the jurisdiction of the Washoe Tribe shall meet or exceed the food and beverage handling standards which exist in the county where the Gaming Facility is located.

37-50 BUILDING & SAFETY CODE STANDARDS

Gaming Enterprises under the jurisdiction of the Washoe Tribe shall meet or exceed the Building and Safety Code standards which exist in the county where the Gaming Facility is located.

37-60 WORKPLACE AND OCCUPATIONAL HEALTH & SAFETY STANDARDS

The Washoe Tribe hereby adopts, incorporates by this reference and makes applicable to all Gaming Enterprises all applicable federal workplace and occupational health and safety standards.

37-70 HEALTH & SAFETY STANDARDS

The Washoe Tribe hereby adopts as Tribal standards all applicable federal health and safety standards for which there is not an express Tribal standard.

37-80 ALCOHOLIC BEVERAGES

All Gaming Enterprises shall comply with applicable standards for service of alcoholic beverages, including any applicable licensing requirements and prohibitions against serving of complimentary alcoholic beverages to patrons.

37-90 BANK SECRECY ACT

All Gaming Enterprises shall comply with the applicable provisions of the Bank Secrecy Act, all applicable reporting requirements of the Internal Revenue Service regarding Gaming Enterprises, and any applicable Minimum Internal Control Standards promulgated by the National Indian Gaming Commission.

37-100 POSSESSION OF FIREARMS

The Washoe Tribe officially declares its policy of permitting law enforcement officers of the Washoe Tribal Police Department and qualified security personnel to carry firearms on the premises of Gaming Facilities, provided that all other persons are prohibited from possessing firearms on the premises of Gaming Facilities.

37-110 SEVERABILITY

If any part of this Title or the application thereof to any person or circumstance is declared to be invalid by any court of competent jurisdiction, such invalidity shall not affect any other provisions or applications of this Title which may be given effect without the invalid provision. To these ends, the provisions of this Title are declared to be severable.

37-120 SOVEREIGN IMMUNITY

Nothing in this Title shall be deemed or construed to be a waiver of the sovereign immunity of the Washoe Tribe, any Washoe Tribal Entity, or any Gaming Enterprise owned by any other federally recognized Indian Tribe from suit, action, claim, controversy or process, or operate to consent the Washoe Tribe, any Washoe Tribal Entity, or any Gaming Enterprise owned by any other federally recognized Indian Tribe to the jurisdiction of the United States, any State, any county, any court, including the Tribal Court with regard to the business or affairs of the Tribe or any Tribal Entity or to any cause of suit, action, claim, controversy or process.

37-130 IMPLEMENTING REGULATIONS

The Washoe Tribe hereby delegates to the Washoe Tribal Gaming Commission all necessary authority to adopt any necessary or appropriate regulations necessary to implement the standards in this Title, and to enforce said standards, subject to prior approval by the Washoe Tribal Council.