

# GENERAL PROCESS SYNOPSIS FOR IDENTIFIED LICENSING VIOLATIONS PER HO-CHUNK NATION GAMING ORDINANCE (5 HCC § 1)

► Each occurrence is handled on a case by case basis, certain violations shall require the Gaming Commission to issue a befitting immediate action.

GAMING LICENSE TYPE		IDENTIFIED LICENSING VIOLATION(S)	GAMING COMMISSION DECISION LETTER ISSUED	HEARING JURISDICTION	HEARING TYPE DUE PROCESS <i>*Person or Vendor/Entity must request respective hearing by submitting the issued "Hearing Request Application"</i>	DECISION LETTER	APPEAL JURISDICTION-HCN COURT <i>*Must be preceded by a Gaming Commission hearing *Person must initiate action at Court via "Petition for Administrative Review"</i>
A	<b>PRELIM</b> <i>(LEGISLATIVE WAIVER ONLY)</i>	Any violation <b>found</b> under Section 27 (B) of the Gaming Ordinance	NOT APPLICABLE	Legislature*	Legislative Waiver hearing	<b>NOTICE OF LEGISLATIVE WAIVER RULING with RESOLUTION</b>	The decision of the Legislature will be final and <b>cannot</b> be appealed.
	<b>INITIAL GAMING LICENSE</b>	Any violation <b>not</b> found under Section 27 (B) of the Gaming Ordinance	<b>GAMING LICENSE DECISION (DENIAL)</b>	Gaming Commission	Gaming Commission hearing	<b>DECISION &amp; ORDER</b>	<b>Decision &amp; Order</b> <i>(Only issued if Court Order/Decision calls for GC action)</i>
B	<b>INITIAL GAMING LICENSE</b>	Any violation <b>found</b> under Section 27 (B) of the Gaming Ordinance	<b>GAMING LICENSE DECISION (DENIAL)</b>	Legislature*	Legislative Waiver hearing	<b>NOTICE OF LEGISLATIVE WAIVER RULING with RESOLUTION -or- DECISION &amp; ORDER with RESOLUTION</b>	The decision of the Legislature will be final and <b>cannot</b> be appealed.
		Any violation <b>not</b> found under Section 27 (B) of the Gaming Ordinance	<b>NOTICE OF NON-COMPLIANCE</b>	Gaming Commission	Gaming Commission hearing	<b>DECISION &amp; ORDER</b>	<b>Decision &amp; Order</b> <i>(Only issued if Court Order/Decision calls for GC action)</i>
C	<b>EXISTING GAMING LICENSE</b>	Any violation <b>found</b> under Section 27 (B) of the Gaming Ordinance	<b>GAMING LICENSE DECISION - VENDOR (DENIAL)</b>	Gaming Commission	Gaming Commission hearing	<b>DECISION &amp; ORDER</b>	<b>Decision &amp; Order</b> <i>(Only issued if Court Order/Decision calls for GC action)</i>
		Any violation <b>not</b> found under Section 27 (B) of the Gaming Ordinance	<b>NOTICE OF NON-COMPLIANCE</b>	Legislature*	Legislative Waiver hearing	<b>DECISION &amp; ORDER with RESOLUTION</b>	The decision of the Legislature will be final and <b>cannot</b> be appealed.
D	<b>INITIAL VENDOR LICENSE</b>	Any violation of the Gaming Ordinance	<b>GAMING LICENSE DECISION - VENDOR (DENIAL)</b>	Gaming Commission	Gaming Commission hearing	<b>DECISION &amp; ORDER</b>	<b>Decision &amp; Order</b> <i>(Only issued if Court Order/Decision calls for GC action)</i>
	<b>EXISTING VENDOR LICENSE</b>		<b>NOTICE OF NON-COMPLIANCE</b>				

## NOTATIONS:

\* If the Gaming Commission finds an applicant's documentation and/or other Legislative Waiver hearing requirements are deficient, the applicant will be offered an opportunity to request a Gaming Commission hearing to solely address the identified deficiencies. Post this Gaming Commission hearing, a **Decision & Order** will be issued.

1. Gaming Commission may issue a **Letter of Concern** to serve as your formal notification of identified regulatory matter(s) of concern. The purpose of this letter is to provide the details of the specific regulatory matter(s) of concern, requisite corrective action(s), and a reasonable time frame to rectify the identified regulatory matter(s) of concern.
2. Gaming Commission may issue an **Order to Appear** to serve as your formal notification to appear on the record before the Gaming Commission. The purpose of this Order is to provide clarification, a description, and/or an examination of an identified regulatory compliance subject matter.

## GAMING ORDINANCE SECTION 27 (B) LEGISLATIVE WAIVER:

The Legislature has the sole discretion to approve or deny a resolution for a waiver at a duly convened Legislative Session, for any person, when the person has demonstrated on the record evidence of sufficient rehabilitation and present fitness to hold a license.

**"SECTION 27 (B):** No person will be employed in the operations or conduct of gaming, nor will the Nation permit a gaming-related contractor to employ any person in the course of performance under the contract, if that person: has been convicted of, or entered a plea of guilty or no contest to, any of the following offenses, unless the person has been pardoned:

1. Any felony conviction within the ten (10) years prior to the application.
2. Any conviction for any gaming-related offense.
3. Any conviction for fraud, misrepresentation, theft, or deception in any form or connection within the ten (10) years prior to the application.
4. A violation of any provision of Chs 562\* or 565\*, Wis. Stats., a rule promulgated by the Wisconsin Division of Gaming, this Ordinance or any other Tribal law regulation or prohibiting gaming. "

\*Chs 562-Regulation of racing and on-track pari-mutuel wagering \*Chs 565-State Lottery