

*Bingo Ordinance  
Approved  
10-20-81*

RESOLUTION NO. 10-20-81A

ONEIDA BINGO ORDINANCE

WHEREAS, The Oneida Business Committee duly adopted the Oneida Bingo Ordinance, and;

WHEREAS, The Oneida Business Committee determined that the Oneida Bingo Ordinance be amended, and

WHEREAS, The Oneida Business Committee determined that the aggregated value of prizes be changed from \$2,000.00 to \$3,000.00;

NOW THEREFORE BE IT RESOLVED, that the Oneida Bingo Ordinance, Article VI, Conduct of Bingo, Subsection 11, Limitation on value of Prizes is hereby amended by the attached Amendment I, and hereby incorporated by reference into this resolution.

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

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 7 members, constituting a quorum were present at a meeting duly called, noticed and held on the 20th day of October, 1981; that the foregoing Amendment I to the Oneida Bingo Ordinance was duly adopted at such meeting by a vote of 6 members for, 0 members against, 0 members not voting.

*Wanda Webster*  
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WANDA WEBSTER - SECRETARY  
Oneida Tribe of Indians of Wisconsin

A M E N D M E N T

ONEIDA BINGO ORDINANCE

ONEIDA TRIBE OF INDIANS OF WISCONSIN

AMENDMENT I

ARTICLE VI. Conduct of Bingo, Subsection 11, Limitation on Value of Prizes of the Oneida Bingo Ordinance shall be amended to insert the amount of \$3,000.00 in place of \$2,000.00 and shall read as follows:

No prize in any one regular bingo game shall exceed \$100.00. The aggregate value of prizes at any one bingo occassion may not exceed \$3,000.00 except by the amount resulting from the awarding of minimum prizes under Article VI, (30).

RESOLUTION NO. 10-20-81B

ONEIDA BINGO ORDINANCE

WHEREAS, by the Treaty with the Oneidas, 1838 the Oneida Indian Reservation was set aside for the use of the Oneida Indian Nation of Wisconsin, and;

WHEREAS, the Oneida Indian Nation has the inherent sovereign power to form their own government; administrate their own laws and regulate the use of land within the Oneida Indian Reservation, and;

WHEREAS, the Oneida Tribal Business Committee is the duly constituted governing body of the Oneida Tribe of Indians of Wisconsin of the Oneida Indian Reservation, and;

WHEREAS, under the Constitution and By-Laws of the Tribe, Article IV, Section 1 (F) the Oneida Tribal Business Committee is charged with the duty of protecting the health, security and general welfare of the Oneida Tribe of Indians of Wisconsin, and;

WHEREAS, the Oneida Tribal Business Committee deems it essential to the health, security and general welfare of the Oneida Tribe of Indians of Wisconsin to enact a comprehensive Bingo Ordinance regulating the conduct of Bingo on the Oneida Indian Reservation, and;

WHEREAS, the Oneida Tribal Business Committee wishes to clarify all of the ramifications and benefits of the following Oneida Bingo Ordinance,

NOW, THEREFORE, the Oneida Tribal Business Committee does hereby promulgate and enact the following Oneida Bingo Ordinance.

AN ORDINANCE

Regulating the conduct of bingo by  
Oneida Indians on the Oneida Indian  
Reservation, Oneida, Wisconsin

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

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 7 members, constituting a quorum were present at a meeting duly called, noticed and held on the 20th day of October, 19 81; that the foregoing resolution was duly adopted at such meeting by a vote of 6 members for, 0 members against, 0 members not votin;

*Wanda Webster*  
WANDA WEBSTER - SECRETARY  
Oneida Tribe of Indians of Wisconsin

## ONEIDA BINGO CONTROL ORDINANCE

### ARTICLE I. Title

This ordinance shall be known as the Oneida Bingo Ordinance.

### ARTICLE II. General Principles

1. The purpose of this Ordinance is to regulate the conduct of Bingo operations by Indians on the Oneida Indian Reservation, Oneida, Wisconsin.
  - a. All bingo operations shall be conducted exclusively on Tribal premises.
  - b. All bingo operations shall be conducted exclusively by members of the Oneida Bingo Committee as described further in this Ordinance.
  - c. All profits from the conduct of the afore-said bingo operation shall be used exclusively for Tribal purpose as set forth in Article IV, Section 1 (F), Powers of the General Tribal Council, of the Oneida Tribal constitution or lessening the burdens of Tribal Government or voluntarily supporting, augmenting or supplementing services which the Tribal Government would normally render to the people.
  - d. All bingo operations shall be conducted in accordance with the detailed regulations as set forth in Article VI below.

### ARTICLE III. Definitions

1. "Bingo Committee" means an organization of five persons established by the Oneida Tribe of Indians of Wisconsin to conduct bingo operations on the Oneida Indian Reservation.
2. "Bingo" means a game of chance in which 75 numbered objects are available for random selection and in which each player participates by means of cards sold, rented or used only the time and place of the game. Each card contains five rows of five spaces each, each space printed with a number from 1 to 75, except the central space which is marked "FREE".

Winners are determined and prizes awarded on the basis of possessing a bingo card on which some combination of numbers are printed and conform to the numbered objects selected at random based on a predetermined winning arrangement.

3. "Bingo Occasion" means a single gathering or session at which a series of successive bingo games are played.
4. "Bingo Supplies and Equipment" means all cards, boards, sheets, markers, pads or other supplies, devices or equipment designed for use in the play of bingo.
5. "Extra Regular Card" means a nondisposable card which affords additional opportunities to play in a regular bingo game at a bingo occasion.
6. "Gross Receipts" means total receipts received from the conduct of Bingo including, but not limited to, receipts from the sale, rental or use of regular bingo cards, extra regular cards, special bingo cards and bingo supplies.
7. "Oneida Business Committee" means an elected body, composed of nine (9) Oneida Tribal members who perform duties for and authorized by the Oneida General Tribal Council. Which duties are set forth in Article IV, Powers of General Tribal Council, of the Oneida Tribal Constitution.
8. "Oneida General Tribal Council" means the governing body of the Oneida Tribe of Indians of Wisconsin composed of all the qualified voters of the Oneida Tribe of Wisconsin as determined by Article III, Section 2, of the Oneida Tribal Constitution.
9. "Premises" means any Tribal Building, room, hall, enclosure, tent or outdoor area in which bingo is being played on Tribal land.
10. "Profit" means the gross receipts collected from one or more bingo occasions, less reasonable sums necessarily and actually expended for conducting bingo, bingo supplies, equipment, prizes or utilities.
11. "Regular Bingo Card" means a nondisposable card issued to a person upon payment of the admission fee which affords a person the opportunity to participate in all regular Bingo games played at a bingo occasion.
12. "Regular Bingo Game" means a bingo game in which a person, upon payment of an admission, is issued a regular bingo card and may purchase or rent extra

regular cards.

13. "Removal of Cause" means terminating the employment of any person connected with any aspect of the Oneida bingo operations for a) behavior or conduct which may in any way affect local perceptions of the Oneida bingo enterprise in a negative manner, causing suspicion to be raised as to the actual conduct of bingo, and which may lead to an inordinate decline in revenues actually received from the bingo operations. b) Direct non-compliance with any rule or regulation pertaining to bingo control or causing another either directly or indirectly to disregard such rules and regulations.
14. "Special Bingo Card" means a disposable, specially marked bingo card which affords a person the opportunity to participate in a special bingo game to be played at bingo occasions.
15. "Special Bingo Game" means any bingo game which is not a regular bingo game and which is played with special bingo cards for special prizes.
16. "Tribal Land" means lands held in Trust by the United States Government for the Oneida Tribe of Indians of Wisconsin.
17. "Tribal Organization" means any organization duly recognized by the Oneida Tribe of Indians of Wisconsin.

#### ARTICLE IV. Bingo Committee

1. There is hereby established a bingo Committee as set forth under Article IV, Section 1, (G) of the Oneida Tribal Constitution.
  - a. The Committee shall consist of five members.
  - b. Committee members shall be enrolled members of the Oneida Tribe of Indians of Wisconsin.
  - c. Committee members will be appointed to conduct the Bingo operations in the following manner. Three (3) appointees will serve for a period of two (2) years. Two (2) appointees will serve for a period of three (3) years.
  - d. Committee members shall be appointed by the Oneida Business Committee which appointment will be subject to review by the General Tribal Council for forty-five (45) days following the Business Committee appointment.

- e. Any Bingo Committee member may be removed for cause by the Oneida Business Committee during his/her period of appointment, provided such member is afforded due process of law.
- f. No member person shall assume bingo operation duties until he/she shows evidence of a surety bond in the amount of \$5,000.00.

ARTICLE V. Powers of Bingo Committee

1. Conduct bingo operations by personal supervision as set forth in Article VI below.
2. Interpret in consistent fashion the regulations set forth in Article VI below.
3. Receive and deposit monies realized as profit from bingo operations in the Oneida Bingo Account at a bank designated by the Oneida Business Committee.

ARTICLE VI. Conduct of Bingo

1. Who Conducts: Only a Bingo Committee member authorized under Article IV shall conduct bingo.
2. Where Played: Bingo shall be played only on Tribal premises.
3. Limit On Number of Occasions: Not more than 52 bingo occasions of regular bingo may be played for any one specific Tribal purpose.
4. Prohibited Places: Bingo may not be conducted by any Indian or Oneida Tribal member, not a Bingo Committee member, on the Oneida Indian Reservation.
5. Who May Play: Except for limited period bingo, only persons who pay for a regular bingo card or special card may participate as a player in a regular bingo game or special game.
6. Sufficient Space to Play: Purchase of a regular bingo card shall entitle each player to a place with sufficient room in which to play.
7. Limitation on Players: There will be a limit of 500 players allowed to play bingo at any one Bingo Occasion.
8. Only Cash Payments: The Bingo Committee shall accept only cash payment for any bingo card.
9. Equipment and Supplies: The Bingo Committee shall be responsible for the purchase of bingo supplies and

equipment specifically designed or adapted for use in the conduct of bingo from a bingo manufacturer or supplier. Such bingo supplies and equipment must be sold or purchased on the Oneida reservation, and only on the premises at which bingo is being conducted.

- a. Any bingo equipment and supplies used in the conduct of bingo shall be owned absolutely by the Oneida Tribe.
  - b. The bingo equipment and supplies used in the conduct of bingo shall be maintained in good repair and sound condition.
  - c. All objects used as markers on a regular bingo card or on an extra regular card shall be non-metallic and different in shape and size from any United States Coin.
10. Profits for Lawful Tribal Purposes: The profits from any bingo shall exclusively be devoted for lawful Tribal purposes as set forth in Article IV, Section (F) of the Oneida Tribal Constitution or lessening burdens borne by the Tribal Government or voluntarily supporting, augmenting or supplementing services which the Tribal Government would normally render to the people.
  11. Limitation on Value of Prizes: No prize in any one regular bingo game shall exceed \$100.00. The aggregate value of prizes at any one bingo occasion may not exceed \$2,000.00 except by the amount resulting from the awarding of minimum prizes under Article VI, (30).
  12. Prohibited Prizes: There shall be no prize consisting of alcoholic or fermented malt beverages or an interest in real estate or securities.
  13. Merchandise Prizes: If any Merchandise prize is awarded in a bingo game, its value shall be its current retail price. No merchandise prize shall be redeemable or convertible into cash either directly or indirectly by the Oneida Tribe.
  14. Management and Operation of Bingo: Only a bona fide and active member of the Bingo Committee shall participate in the management or operation of any bingo occasion.
  15. Age Limitations: No person under the age of 18 shall play any bingo game conducted by the Bingo Committee unless accompanied by that person's parent or guardian. No person under the age of 12 shall be allowed on or in Tribal premises where bingo is conducted.



16. Only Certain Expenses Permitted: No expense may be incurred or amounts paid in connection with the conduct of bingo by the Bingo Committee, except those reasonably and necessarily expended for conducting bingo, bingo supplies, equipment, prizes and utilities.
17. Alcohol and Drugs: No alcoholic beverages and/or illegal drugs shall be allowed on Tribal premises where bingo is conducted. Anyone caught possessing and/or using alcoholic beverages or illegal drugs shall be removed from the premises and barred from playing bingo on Tribal premises.
18. Regular Bingo Game Fee: A fee of not more than \$1.00 may be charged for admission to premises at which a regular bingo game is conducted. The fee entitles the person to participate without additional charge in all regular bingo games played at such bingo occasion, except that a fee of not more than \$1.00 may be charged for extra regular card.
19. Winners and Prizes: Each bingo winner shall be determined and every prize shall be awarded and delivered on the same day on which the bingo occasion is conducted.
20. How Bingo May be Advertised: The Bingo occasion shall be advertised by a sign on the reservation.
21. Contents of Advertisement: The bingo advertisement shall be limited to stating the location of the bingo occasion and the time it is to be conducted.
22. Sale of Supplies and Refreshments: No person shall sell any merchandise on the premises where bingo is being conducted unless authorized by the Bingo Committee. This does not include the sale of food or refreshments.
23. Price of Bingo Cards: Regular entry cards are \$1.00, extra regular cards and special bingo cards shall each be assigned a specific price and the price shall remain the same during a bingo occasion. At any time during a bingo occasion, a card may be changed at no additional cost. Cards shall be sold or rented only on the premises at which bingo is being conducted.
24. Separate Count of Bingo Cards: The Bingo Committee shall keep an accurate, separate count of the number of regular bingo cards, extra regular cards and special bingo cards which are sold, rented or used. Such information shall be available for inspection at the close of the bingo occasion.
25. Method of Play:

- a. The method of play in any bingo game and utilization of bingo equipment and supplies shall be such that each player is afforded an equal opportunity to win.
  - b. The objects to be drawn shall be essentially the same in size, shape, weight, balance and all other characteristics so that at all times during the conduct of bingo each object possesses the capacity for equal agitation with any other object within the receptacle.
  - c. All 75 objects shall be present in the receptacle at the beginning of each bingo game.
  - d. The announcement of all numbers drawn shall be clearly audible to the players present.
  - e. When more than one room is used for any one bingo game, the receptacle and the caller and all numbers shall be announced in a manner clearly audible to the players present.
  - f. Once removed, no object shall be returned to the receptacle until after the conclusion of the game.
  - g. The receptacle and the caller shall be visible to the majority of players at all times.
26. Number Arrangement and Prizes Announced: The particular arrangement of numbers required to be covered in order to win and the amount of the prize for the game shall be clearly described and audibly announced to the players immediately before each game.
27. Verification of Winner:
- a. The numbers appearing on the winning card at the time a winner is determined shall be verified in the immediate presence of at least one disinterested person.
  - b. At the time a winner is determined, any player may call for a verification of all numbers and of the objects remaining in the receptacle and not yet drawn. This verification shall be made in the immediate presence of the supervising Bingo Committee member and at least one disinterested player.
28. Limit on Number of Bingo Games: Except for limited period bingo, the Bingo Committee shall conduct no more than 34 bingo games, including regular and special games, on a single bingo occasion.

29. Limit on Hours of Bingo:
- a. No bingo game shall be conducted between 8 a.m. and 9 a.m.
  - b. No bingo occasion shall last longer than five (5) hours.
30. More Than One Winner: When more than one player is found to be the winner on the call of the same number in the same bingo game, a cash prize shall be divided equally among the winners to a minimum cash prize of \$5.00. When equal division of a merchandise prize is not possible, identical substitute prizes whose aggregate retail value is approximately equal to that of the designated prize shall be awarded.
31. Prohibited From Playing: No Bingo Committee member who is conducting or assisting in the conduct of bingo on a bingo occasion shall be permitted to participate as a player on that occasion.
32. Bingo Caller: Only a Bingo Committee member may act as a caller in the conduct of bingo, or a person authorized to act as a caller by the Bingo Committee and who satisfies the bonding requirement of Article IV, (F).
33. Limited-Period Bingo: There shall be no more than 70 games of limited-period bingo on a single occasion. Limited-period bingo may be conducted on two occasions in a single day if at least 30 minutes elapse between the bingo occasions.
- a. No admission fee shall be charged to play limited-period bingo.
  - b. A fee not more than .50¢ per game may be charged for a single card to participate in limited-period bingo.
  - c. All other provisions in this section relating to regular bingo games shall apply to limited-period bingo except as otherwise provided.
34. Special Bingo Games: In addition to provisions in this section relating to regular bingo games, the following provisions shall apply to special bingo games:
- a. All special bingo cards shall be in a form approved by the Bingo Committee.
  - b. Each special bingo card shall be used for one special bingo game only, and shall be indelibly marked by the player while in use so as to render it void and unusable thereafter.

- c. A fee of not more than 50¢ may be charged for each special paper bingo card.
- d. Not more than eight (8) special bingo games shall be played at each bingo occasion.

ARTICLE VII. Penalty

1. No Indian shall conduct bingo operations within the borders of the Oneida Indian Reservation except as prescribed above.
2. Any Indian or Oneida Tribal member violating any provision of this ordinance shall forfeit not more than \$2,000.00 to the Oneida Tribe.
3. The Oneida Business Committee may commence an action in any Court of proper jurisdiction to recover a forfeiture previously adjudged by the Oneida Business Committee or Tribal Court.

ARTICLE VIII. Reports and Procedure for Receipt and Holding of Money.

1. A monthly financial report shall be submitted to the Oneida Business Committee. The Bingo Committee shall retain a copy of the report for its permanent records. The report shall include:
  - a. The names of the Bingo Committee members.
  - b. The numbers and dates of the bingo occasions.
  - c. An itemized statement of the gross receipts from each bingo occasion.
  - d. An itemized list of all expenditures.
  - e. Statement showing the balance in the bingo account and the bingo savings account.
  - f. The name of the bank and account number(s).
  - g. The report shall be signed by the Bingo Committee Chairperson.
2. Bingo Account: There shall be one account designated as the bingo account which will be used as a regular checking account. All receipts derived from bingo shall be deposited into the bingo account following the bingo occasion and before commencement of the next bingo occasion. All accounts shall be maintained in a financial institution located in this State. Gross receipts derived from the conduct of bingo shall not be co-mingled with any other Tribal funds.

Checks drawn on the bingo account shall be for one or more of the following purposes:

- A. The payment of necessary and reasonable expenses incurred in connection with the conduct of bingo, including prizes, bingo supplies, equipment and utilities.
- B. The disbursement of profits derived from the conduct of bingo for a Tribal purpose through regular Accounting Office procedure.

ARTICLE IX. Allocation of Bingo Funds:

1. Any bona fide Tribal Organization shall be eligible to receive a grant or Loan from revenues derived from bingo occasions provided the applications:
  - a. Be made in writing to the Oneida Business Committee.
  - b. State the nature of the organization.
  - c. State the purpose for which the money is to be used.
  - d. Be signed by the person responsible for the proper utilization of the money for the organization.
2. Any allocation shall be approved by the Oneida Business Committee for use by the organization for purposes set out in Article IV, Section 1 (F) of the Oneida Tribal Constitution.
3. Nothing herein shall prevent the Oneida Business Committee from directly appropriating bingo revenues for the purposes set out in Article IV, Section 1 (F) of the Oneida Tribal Constitution.

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

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 7 members, constituting a quorum were present at a meeting duly called, noticed and held on the 20th day of October, 1981; that the foregoing Resolution to the Oneida Bingo Ordinance was duly adopted at such meeting by a vote of 6 members for, 0 members against, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

*Wanda Webster*  
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WANDA WEBSTER - SECRETARY  
Oneida Tribe of Indians of Wisconsin