

# FOREST COUNTY POTAWATOMI GAMING COMMISSION

## LICENSING DIVISION

POTAWATOMI GAMING COMMISSION  
1721 W CANAL ST, MILWAUKEE, WI 53233  
P: (414) 847-8061 – E: GCBACKGROUND@PAYSBIG.COM – F: 414-847-8058

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### Publication A

These instructions and forms apply to any vendor, supplier, contractor desiring to provide supplies, goods, materials or services to the Forest County Potawatomi gaming enterprise in accordance with the Forest County Potawatomi Gaming Commission’s Vendor Licensing Regulations.

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### **Notice to Vendors**

#### ***Authority***

The 1992 Forest County Potawatomi – State of Wisconsin Gaming Compact as amended (Compact); the Indian Gaming Regulatory Act (IGRA); and relevant Forest County Potawatomi Gaming Ordinances and regulations, including, but not limited to, the Amended Gaming Control Ordinance and Tribal Minimum Internal Control Standards.

#### ***Purpose***

The Tribe will not employ or contract with persons whose prior activities, habits, reputation and/or associations pose a threat to the public interest, the effective regulation of gaming conducted under the ordinance, or create or enhance the dangers of unsuitable, unfair or illegal practices, methods and activities in the conduct of such gaming.

#### ***Burden Of Proof***

An Applicant is seeking the granting of a privilege. The burden of proving his/her qualifications is at all times on the Applicant.

#### ***Disclosure Of Information***

An Applicant may be denied a Finding of Suitability for failing to provide all information, documentation and assurances as required by the Compact, IGRA, or by the Forest County Potawatomi Gaming Commission (hereafter called the Gaming Commission). Failure to reveal any material facts, or providing misleading or untrue information as to a material fact, is also grounds for denial.

#### ***Privacy Notification***

The Gaming Commission shall maintain a file of all applications for a Finding of Suitability, together with a record of all action taken with respect to those applications. All information is kept strictly confidential and is accessed for the investigative backgrounding purposes and licensing suitability review only. Only the Gaming Commission and its designated staff including, but not limited to, the Gaming Commission legal counsel and the Gaming Commission Licensing Division shall have access to vendor license information.

#### ***Additional Information***

The Gaming Commission reserves the right to request additional information from the Applicant as needed to complete the background investigation and suitability determination. By signing and submitting an application, the Applicant agrees to provide any such additional information. Failure to do so may be grounds for denial of a license.

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### ***Licensing Fees***

There are no fees for vendor licensing or registration at this time.

### ***Withdrawal Of An Application***

An Application may not be withdrawn without the permission of the Gaming Commission.

## **Vendor Categories**

### ***Vendors Not Required to Register or Apply for Vendor License***

Non-gaming vendor registration or a vendor license are not required for any organization providing products or services to a gaming enterprise involving the following activities. The Gaming Commission may require an exempted vendor to cooperate with the Gaming Commission and, upon request, to provide information in the same manner as required of a licensed vendor.

- Legal or accounting services;
- State and federally chartered financial institutions (a company engaged in the business of dealing with monetary transactions, such as deposits, loans, investments and currency exchange);
- Federal, state and tribal government agencies to include law enforcement agencies;
- Insurance agencies;
- Business travel agencies/services. A vendor that provides goods or services to gaming enterprise employees engaging in business travel, including transportation, lodging, food, and fuel providers;
- Employee training or professional development services for Gaming Enterprise employees excluding management consulting services;
- Non-gaming vendors that realize \$50,000 or less in revenue in any calendar or fiscal year period from conducting business with the gaming enterprise shall be automatically exempted and are not required to register. If, at any time, the exemptee meets the above-referenced monetary threshold, a vendor license application or vendor license non-gaming registration form, whichever applies, must be submitted within thirty (30) days of meeting the monetary threshold or the exemptee must cease doing business with the gaming enterprise;
- Work performance services. A vendor who provides conferences, seminars, publications, or memberships that will directly contribute to the work performance or professional development of Gaming Enterprise employees excluding management consulting services;

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- Vendor sales representatives. An individual who represents one or more vendors and has influence to direct service and product sales to the gaming enterprise in exchange for a fee, commission or percentage of sales revenue;
- Utility providers;
- Telecommunications providers;
- Beer, liquor and wine distributors/suppliers that hold a state license/permit;
- Tour and travel vendors (to include group sales);
- Training conducted off-site;
- Courier and shipping services;
- Services or products provided by another federally recognized Tribe, subject to all the laws and the Ordinances of the Forest County Potawatomi Tribe.
- Publicly traded entities. Applicant must provide documentary evidence demonstrating that applicant is a publically traded domestic corporation under the regulation of the U.S. Securities and Exchange Commission (SEC) and/or the Financial Industry Regulatory Authority (FINRA) or a wholly-owned subsidiary of such a corporation;
- Promotions and marketing;
- Media outlets to include television, radio, print publications, internet, social media websites (i.e. Facebook, Twitter, etc.), direct mail, signage/billboard advertisement, product placement, mobile devices, sponsorships, other media outlets;
- Giftware, souvenirs, and retail items sold in a gaming enterprise gift shop;
- A professional entertainer, sports figure and other celebrity engaged by the gaming enterprise to appear at gaming enterprise-sponsored special entertainment or promotional event, and their respective agents;
- A provider of a facility or a host or sponsor of an event that presents advertising on behalf of or promotes the gaming enterprise including but not limited to theatres, ballrooms, halls, hotels, arenas, parks, stadia, golf courses, and other entertainment, recreational and sports facilities;
- A provider of a facility that provides entertainment, recreational, or hospitality services to include but not limited to theatres, ballrooms, halls, hotels, arenas, parks, stadia, gold courses, and other special event venues;
- Educational or medical institutions;
- State licensed or public agency regulated off-track betting/horse racetracks;
- Non-profit/charity organizations;
- Employees or representatives of vendors or organizations exempted from vendor licensing may be exempted from occupational licensing in accordance with Tribal MICS 18-01: Licensing.

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### ***Non-Gaming Vendor Registration Duration and Renewal***

1. A non-gaming related vendor's registration shall be for a period of four (4) years from the date of registration by the Gaming Commission.
2. At the expiration of a registration the vendor shall be required to re-register with the gaming Commission if said vendor is still conducting business with the gaming enterprise.

### ***Must Apply for a Vendor License.***

1. Class II and Class III gaming related vendors as determined by the Gaming Commission.

## **Criminal & Background Restrictions for Non-Key Vendor Occupational License Applicants**

Individuals who have a business need to conduct work on behalf of a vendor in a non-public area of the gaming enterprise, access confidential/proprietary information or databases, and/or have remote access to IT systems and/or databases, must apply for a Non-Key Vendor Occupational License License and have a background check done. No person may be employed in the operation or conduct of gaming under the Compact, and a gaming related contractor shall not employ any person in the course of performance under the contract, if that person:

1. Has been convicted of, or entered a plea of guilty or no contest to, any of the following, unless the person has been pardoned:
  - a) Any felony during the immediately preceding ten (10) years; or
  - b) Any felony during the person's lifetime whereby the offense involved:
    - (i) Theft and related offenses;
    - (ii) Forgery and fraudulent practices;
    - (iii) Bribery and corrupt influence;
    - (iv) Perjury and other falsification in official matters;
    - (v) Misconduct in office and abuse in office;
    - (vi) Gambling offenses including possession of a gambling device; or
    - (vii) A violation of any provision of Chapters 562 or 565, Wisconsin Statutes, a rule promulgated by the Division of Gaming or Wisconsin Racing Board, or a Tribal ordinance regulating or prohibiting gaming.
2. The person is a defendant in a current prosecution or pending charges in any jurisdiction for any offense enumerated in paragraph A.1 above; provided, however, that at the person's request, the Gaming Commission may defer decision upon the application while such charge is pending.

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3. Has been determined by the Gaming Commission to be a person who is, or is likely to be, a career offender or a member of a career offender cartel or an associate of a career offender or a career offender cartel. For purposes of this section, career offender shall be defined as any person, whose occupational behavior for the purpose of economic gain, utilizes such methods as are deemed criminal. A career offender cartel shall be defined as any group of persons who operate together as career offenders.
4. Has been determined by the Gaming Commission to be a person whose prior activities, criminal record if any, or reputation, habits, and associations pose a threat to the public interest or to the effective regulation and control of gaming, or create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, or activities in the operation of gaming or the carrying on of the business and financial arrangements incidental thereto.
5. The restriction in paragraph A.1 above shall not disqualify an applicant or employee if the Gaming Commission waives such restriction by legislative resolution after the applicant or employee has demonstrated to the Gaming Commission evidence of sufficient rehabilitation and present fitness.
6. Once granted a Non-Key Vendor Occupational License License, a license holder must report to the Licensing Division in order to pick up his/her license in person. License holders may report when they arrive on casino property. License Holders will be given a copy of the rules to abide by when on property (Publication B: Non-Key Vendor Occupational License License Holder Rules).