

AMENDMENT TO THE GAMING COMPACT BETWEEN THE
SISSETON-WAHPETON OYATE OF THE LAKE TRAVERSE RESERVATION
AND THE
STATE OF SOUTH DAKOTA

Pursuant to Section 3.4 of the Class III Gaming Compact between the Sisseton-Wahpeton Oyate and the State of South Dakota, approved and published in the Federal Register by the U.S. Department of Interior on April 1, 2019, as amended July 13, 2021, this Compact is hereby amended to read as follows:

4. Operation of Slot Machines, Pari-Mutuel Wagering on Horses and Dogs, and Sports Wagering

4.3 The Tribe shall operate sports wagering activity pursuant to this Compact and the ordinances and regulations enacted by the Tribe, which ordinances shall be at least as stringent as those adopted by the State in SDCL Ch. 42-7B and ARSD 20:18.

For purposes of this Compact, the term "sports wagering system" shall be as defined in SDCL 42-7B-4(3) and ARSD 20:18:35:01(37) and "sports wagering services provider" shall be as defined in SDCL 42-7B-4(43).

4.4 The Tribe shall appoint a Tribal Gaming Commission which shall supervise the gaming activities, issue licenses as provided herein, inspect all premises where gaming is conducted and otherwise be responsible for enforcing the Tribe's gaming ordinances and regulations.

The Sisseton-Wahpeton Oyate's Gaming Commission shall have primary responsibility for the supervision and regulation of gaming conducted under the authority of this Compact. This shall include, but not be limited to, the licensing of gaming employees and the inspection and regulation of all slot machines and parti-mutuel operations. Any discrepancies in the gaming operation and any violation of the Tribal Gaming Commission regulations and rules of this Compact shall be immediately reported to the Tribal Gaming Commission and the South Dakota Commission on Gaming for appropriate action by the Tribal Gaming Commission pursuant to terms of this Compact.

4.5 Disciplinary Action for Misconduct by Licensees

Any suspected violation of any law or rule, adopted in or pursuant to this Compact, shall be reported to the Tribal Gaming Commission and the South Dakota Commission on Gaming. If either the State or the Tribe concludes that a violation has

occurred, the violation will be addressed by the tribe within five (5) days, The Tribal Gaming Commission shall report any disciplinary action it imposes upon a licensee to the Executive Secretary of the South Dakota Gaming Commission on Gaming within ten (10) days of the imposition of the action.

8.3 Technical Standards for Gaming Devices and Sports Wagering Systems

All slot machines and sports wagering systems operated and played within the establishments identified in 8.5 pursuant to this Compact shall meet or exceed the hardware and software specifications set forth by the South Dakota Gaming Commission and SDCL 42-7B-43 and ARSD 20:18 prior to play. Slot machines prototypes will be tested and approved prior to play by the State according to State procedures.

8.4 Approval of Slot Machines and Sports Wagering Systems

No slot machines or sports wagering system shall be operated in gaming operations identified in paragraph 8.5 unless:

- 1) The slot machine is purchased, leased or acquired from a manufacturer or distributor licensed to sell, lease or distribute slot machines by the State, or the sports wagering system is purchased, leased, or acquired from a sports wagering service provider licensed as a sports wagering services provider by the State, pursuant to SDCL ch. 42-7B and ARSD 20:18, and
- 2) The slot machine or sports wagering systems or a prototype thereof, has been tested, approved and certified by a gaming test laboratory as meeting the requirements and standards of this Compact. For purposes of this Compact, a gaming test laboratory shall be a laboratory agreed to and designated in writing by the South Dakota Commission on Gaming and the Tribal Gaming Commission.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed and effective as of the date below.

STATE OF SOUTH DAKOTA



Governor Kristi Noem

Date August 10, 2021

SISSETON-WAHPETON OYATE
OF THE LAKE TRAVERSE RESERVATION



Chairman Delbert Hopkins Jr.

Date August 16, 2021