

**FOURTH AMENDMENT  
TO THE  
WISCONSIN WINNEBAGO TRIBE, NOW KNOWN AS THE HO-CHUNK NATION,  
AND THE STATE OF WISCONSIN GAMING COMPACT OF 1992**

The State of Wisconsin and the Ho-Chunk Nation have determined that the following amendments to the Wisconsin Winnebago Tribe, Now Known as the Ho-Chunk Nation, and the State of Wisconsin Gaming Compact of 1992 ("Compact"), serve the best interests of both parties, and do hereby agree to amend the Compact as follows:

**1. Amendments to wording throughout the Compact:**

- a. The word "Tribe" is deleted and replaced with "Nation" throughout the Compact.
- b. The phrase "Wisconsin Winnebago Tribe" is deleted and replaced with "Ho-Chunk Nation" throughout the Compact.
- c. The word "employe" is deleted and replaced with "employee" throughout the Compact.
- d. The word "employes" is deleted and replaced with "employees" throughout the Compact.
- e. The phrase "Lottery Board" is deleted and replaced with "Department" throughout the Compact.

**2. Section I, Title, is amended as follows:** The phrase "Wisconsin Winnebago" is deleted and replaced with "Ho-Chunk Nation".

**3. Section III, Definitions, is amended as follows:**

- a. The existing text of subsection B, defining "Cash Basis", is deleted in its entirety and replaced with the following:

"Department" means the Wisconsin Department of Administration and any successor regulatory entity.

- b. Subsection D, defining "Executive Director," is deleted.
- c. Existing subsection E, defining "Lottery Board," is deleted.

d. Existing subsection F, defining “Management contract,” is re-lettered as subsection D.

e. New subsection E is created and states:

“Net win” means the amount wagered in Class III gaming, less fills and the amount paid out in jackpots and prizes, including the actual cost to the Nation of any noncash prize which is distributed to a patron as the result of a specific, legitimate wager. For purposes of clarity: 1) fees paid to any wide area progressive vendor are not subtracted from the amount wagered in Class III gaming in calculating New Win; and 2) the amount wagered on a gaming device that participates in a wide area progressive jackpot funded by a third party is reduced by the Nation’s total contribution as of the date the jackpot is paid.

f. Existing subsection G, defining “Person,” is re-lettered as subsection F, and is amended as follows:

i. the phrase “limited liability company or its equivalent,” is inserted after “corporation,” and before “or other legal entity.”

g. Existing subsection H, defining “Primary Business Purpose,” is re-lettered as subsection G.

h. Existing subsection I, defining “State,” is re-lettered as subsection H.

i. New subsection I is created and states:

“State Fiscal Year” means the period beginning July 1 of a given year and ending June 30 of the following year.

j. New subsection J is created and states:

“Tribal Fiscal Year” means the period beginning July 1 of a given year and ending June 30 of the following year, or such other time period as the Tribe and State mutually agree in writing.

k. Existing subsection J, defining “The Tribe’s Lands,” is re-lettered as subsection K.

l. Existing subsection K, defining “Tribe,” is re-lettered as subsection L, and all of the text is deleted and replaced with the following:

“Nation” means the Ho-Chunk Nation, its authorized officials, agents and representatives, including but not limited to the Ho-Chunk Nation Legislature, the Ho-Chunk Nation Gaming Commission, and any successors to those entities.

m. New subsection M is created and states:

“Wagering Account” means an electronic ledger administered by the Nation for use by, and that is accessible to, a customer for purposes of placing wagers and recording deposits and withdrawals of funds used for purposes of placing wagers. A “Wagering Account” does not include an electronic ledger that prohibits deposits to an account by the customer and is used solely for purposes of tracking reward or loyalty points, credits, or similar benefits issued by the gaming operation to a customer, even if such benefits are redeemable for cash.

**4. Section IV, Authorized Class III Gaming, is amended as follows:**

- a. In paragraph A.6., the comma after “Poker” is deleted and the phrase “that are not Class II gaming,” is inserted after “Poker”.
- b. In paragraph A.14., the word “and” is deleted after the semicolon.
- c. New paragraph A.15. is created and states:

Event Wagering. “Event Wagering” means accepting wagers on the outcomes of, and occurrences within, sports and non-sports games, competitions, and matches, but shall not include pari-mutuel wagering on horse, harness, and dog-racing events.

- d. Existing paragraph A.15. is renumbered as paragraph A.16.
- e. New paragraph A.16. is amended as follows:
  - i. The comma at the end of the phrase “subsection 13 above” is deleted;
  - ii. The phrase “and forms of remote wagering permitted under Section XIX and the Nation’s minimum internal control standards,” is inserted after “subsection 13 above . . .” and before “. . . and provided further, . . .”

**5. Section V, Conduct of Games; Generally, is amended as follows:**

- a. In paragraph B.(1), the word “or” is deleted.
- b. In paragraph B.(2), the period at the end is deleted and replaced with a comma, and the word “or” is added to the end.
- c. New paragraph B.(3) is created and states: “to gain access to the Nation’s non-gaming venues.”
- d. The text of subsection C is deleted in its entirety and replaced with the following:

No person who is visibly under the influence of an intoxicant, a controlled substance, a controlled substance analog, or any combination thereof, shall be permitted to play any game authorized by this Compact.

- e. The text of subsection D is deleted in its entirety and replaced with the following:

Except as herein provided, no person shall be extended credit or receive an advance of funds for gaming by any Nation gaming facility, nor shall the Nation permit any other person to offer such credit or advance for a fee. This subsection shall not restrict the right of the Nation to install third-party automated teller machines or accept bank card or credit card transactions in the same manner as would normally be permitted at any retail business within the state. This subsection shall not prohibit the use of Wagering Accounts pursuant to the terms of this Compact or the Nation’s minimum internal control standards, where such Wagering Accounts do not extend credit or advance funds to the account holder.

**6. Section VII, Gaming Related Contractor; Contractor to Hold State Certificate, of the Compact is amended as follows:**

- a. New paragraph A.7. is created and states:

Contracts for event wagering goods or services, including but not limited to event wagering systems, event wagering risk management services, betting line services, integrity providers, and hardware and software used for purposes of placing event wagers.

- b. New paragraph A.8. is created and states:

Contracts for geolocation, geo-tracking, or geofencing services for purposes of tracking the location of customers using remote wagering devices.

- c. In subsection B, the word "\$10,000" is deleted and replaced with "\$100,000".

- d. In subsection C, the word "\$10,000" is deleted and replaced with "\$100,000".

- e. New subdivision D.1.e.(4) is created and states:

A limited liability company or its equivalent (collectively "LLC"), then subdiv. a. applies to the LLC and each member and manager of the LLC or their equivalents.

- f. Existing subdivision D.1.f. is deleted and replaced with the following:

The restrictions under subdiv. a. do not apply to the partnership, association, LLC, or corporation if the Department determines that the partnership, association, LLC, or corporation has terminated its relationship with the partner, officer, director, member, manager, or owner who was convicted or entered the plea or with the partner, officer, director, member, manager, owner or other individual whose actions directly contributed to the partnership's, association's, LLC's, or corporation's conviction or entry of plea.

- g. In subparagraph E.2.a., the phrase "Executive Director of the Lottery Board" is deleted and replaced with "Secretary of the Department".

- h. In subparagraph E.2.b., the phrase "Executive Director" is replaced with "Secretary".

- i. Subsection G, titled "Transitional Provision", is deleted in its entirety.

**7. Section IX, Criminal and Background Restrictions, is amended as follows:**

- a. In subsection A.1.c., add a comma ",", after the word "Fraud", and then add the word "theft" after the new comma.
- b. In subsection B, the phrase "Wisconsin Winnebago Business Committee" is deleted and replaced with "Ho-Chunk Nation Legislature".

**8. Section XII, Audits, is amended as follows:**

- a. In subsection A:
  - i. The phrase “(commencing with the current tribal fiscal year)” is deleted.
  - ii. The phrase “fiscal year” is replaced with “Tribal Fiscal Year” throughout.
- b. In subsection B, the phrase “tribal fiscal year” is deleted and replaced with “Tribal Fiscal Year”.
- c. In paragraph C.1.:
  - i. ““Accounting and Audit Guide -- Casinos”” is deleted and replaced with ““Gaming Audit and Accounting Guide””.

**9. Section XIV, Public Health and Safety, is amended as follows:**

- a. In subsection A, all of the text beginning with “chs. ILHR 14 . . .” and ending with “. . . 81-86 (Plumbing),” is deleted and replaced with:

chs. SPS 314 (Fire Prevention), 316 (Electrical), 328 (Smoke Detectors and Carbon Monoxide Detectors), 366 (Existing Buildings), 377 (Theatres and Assembly Halls), and 381-387 (Plumbing),

**10. Section XV, Electronic Games of Chance, is amended as follows:**

- a. Paragraph C.3., titled “Existing Games”, is deleted in its entirety.
- b. Paragraph D.14., titled “Maximum Wagers”, is deleted in its entirety.
- c. Existing paragraphs D.15. through D.17. are renumbered as D.14. through D.16.
- d. In existing paragraph D.17.b. (now D.16.b.), the phrase “Executive Director of the Lottery Board” is deleted and replaced with “Department”.
- e. Subsection F, titled “Transitional provision”, is deleted in its entirety.
- f. In subparagraph G.1.b., the semicolon at the end is deleted and replaced with a period.
- g. Subparagraph G.1.c. is deleted.

- h. Paragraph H, titled "Game locations", is deleted in its entirety.
- i. Subsection I, titled "Minimum Standards for the Playing of Games", is deleted in its entirety. Minimum Internal Control Standards are addressed in new Section XXXIX as set forth in paragraph 24 below.

**11. Section XVI, Blackjack, Regulation and Play of, is amended as follows:**

- a. Subsection B is deleted in its entirety.
- b. Subsection E is deleted in its entirety.
- c. Subsections C and D are re-lettered as subsections B and C.

**12. Section XVII, Pull-Tabs or Break-Open Tickets, is amended as follows:**

- a. Subsection B is deleted in its entirety.
- b. Existing subsection C is re-lettered as subsection B.

**13. New Section XIX, Event Wagering, is created and states:**

**XIX. EVENT WAGERING.**

- A. The Nation shall adopt minimum internal control standards and rules of play governing event wagering which shall be approved by the Department as provided in this Compact. All minimum internal controls governing event wagering shall be considered non-confidential documents that are available to the public. Rules of play for event wagering shall be publicly posted and a copy shall be made readily available to players upon request.
- B. Event wagers placed using remote wagering devices shall be placed only from locations permitted by the Nation's minimum internal control standards governing event wagering.
- C. Event wagers shall be placed only on permitted events as set forth in the Nation's minimum internal control standards governing event wagering.
- D. The Nation shall engage the services of an integrity provider approved by the Department, which approval shall not be unreasonably withheld. For purposes of this subsection, an

“integrity provider” means a third-party service that provides information regarding potential fraud, improper manipulation, misuse of insider information, and other improper conduct regarding event.

- E. If the scope of permissible event wagering in the state is expanded in any of the manners set forth below, then, upon written notice by the Nation to the Department, the Nation’s minimum internal control standards shall be deemed to include such expansion of scope and promptly thereafter the Nation and the State shall negotiate in good faith to amend the Nation’s minimum internal control standards to reflect the change:
1. The State legalizes event wagering on an event or events not included as permitted events in the Nation’s minimum internal control standards.
  2. The State legalizes event wagering which allows a customer located outside of land owned by a Wisconsin Indian Tribe or held in trust by the federal government for the benefit of a Wisconsin Indian Tribe to place an event wager through the use of a remote wagering device.
  3. The State enters a Tribal-State gaming compact or gaming compact amendment with another Wisconsin Indian Tribe, or agrees to minimum internal control standards with another Wisconsin Indian Tribe, which allow event wagering on an event or events not included as permitted events in the Nation’s minimum internal control standards, or the Secretary of the United States Department of the Interior prescribes procedures for another Wisconsin Indian Tribe pursuant to section 11((d)(7)(B)(vii) of the Act which allow event wagering on an event or events not included as permitted events in the Nation’s minimum internal control standards.
  4. The State enters a Tribal-State gaming compact or gaming compact amendment with another Wisconsin Indian Tribe, or agrees to minimum internal control standards with another Wisconsin Indian Tribe, which allow event wagering through the use of remote wagering devices under terms more favorable than those set forth in the Nation’s minimum internal control standards, including but not limited to permitted locations, or if the Secretary of the United States Department of the Interior prescribes procedures for another Wisconsin Indian Tribe pursuant to section 11((d)(7)(B)(vii) of the Act which allow event wagering through the use of



remote wagering devices under terms more favorable than those set forth in the Nation's minimum internal control standards, including but not limited to permitted locations.

5. The State enters a Tribal-State gaming compact or compact amendment with another Wisconsin Indian Tribe, or enters an agreement with another Wisconsin Indian Tribe, or agrees to minimum internal control standards with another Wisconsin Indian Tribe, which provide for a different procedure or procedures than set forth in the Nation's minimum internal control standards for adding permitted events for event wagering.
- F. Promptly, but no later than ten (10) business days after entering a Tribal-State compact or compact amendment with another Wisconsin Indian Tribe, or entering an agreement with another Wisconsin Indian Tribe, or agreeing to minimum internal control standards with another Wisconsin Indian Tribe, which address permitted events for event wagering and/or permitted locations for remote wagering and/or procedures for adding permitted events for event wagering, the State shall provide written notice to the Nation together with a copy of such compact, compact amendment, agreement, and/or minimum internal control standards.

Both the Nation and the State have legitimate interests in protecting the integrity of events subject to event wagering.

**14. Existing Sections XIX through XXXVI are renumbered as Sections XX through XXXVII and all cross-references to these Sections and their subparts in the Compact are renumbered to conform with this renumbering.**

**15. Existing Section XXI (renumbered as Section XXII), Enforcement, is amended as follows:**

- a. In subsection A:
  - i. the phrase "Wisconsin Winnebago Business Committee" is deleted and replaced with "Ho-Chunk Nation Legislature".
  - ii. "Chairman" is deleted and replaced with "President".

**16. Existing Section XXIII (renumbered as Section XXIV), Dispute Resolution, is amended as follows:**

- a. The opening text of the section, beginning with “If any dispute arises . . .” and ending with “. . . following procedure:” is deleted and replaced with the following:

Except as otherwise provided in this Compact, if any dispute arises between the Parties regarding interpretation or enforcement of the Compact that dispute (“Dispute”) shall be resolved in accordance with the following procedure:
- b. In subsection B, the phrase “this Second Amendment by the Parties” is deleted and replaced with “the Second Amendment to this Compact”.

**17. Existing Section XXIV (renumbered as Section XXV), Sovereign Immunity, is amended as follows:**

- a. In subsection C, the phrase “Second Amendment” is replaced with “Section XXV”.
- b. In subsection E, the phrase “paragraph 11 of this Second Amendment” is deleted and replaced with “this Section XXV”.
- c. In subsection F, the phrase “Paragraph 11 of this Second Amendment” is deleted and replaced with “this Section XXV”.

**18. Existing Section XXVI (renumbered as Section XXVII), Duration, is amended as follows:**

- a. In subsection A, delete the first sentence and amend the second sentence to read:

The Compact shall have a term of 25 years from the date of notification of approval of the Fourth Amendment to the Compact as published in the Federal Register pursuant to 25 U.S.C. 2710(d)(8)(D).

- b. Subsection G is deleted in its entirety.

**19. The text of existing Section XXVII (renumbered as Section XXVIII), Gaming Locations, is deleted in its entirety and replaced with the following:**

**XXVIII. GAMING LOCATIONS.**

The Class III games authorized under this Compact may be conducted within one Gaming Facility located in each of the following counties: Jackson, Sauk, Wood, and Rock. In addition, the Nation may conduct any of the Class III games authorized under this Compact at five Ancillary Facilities two of which are located in Jackson County and one of which is located in each of the following counties: Sauk, Monroe, and Shawano. As used herein the term "Gaming Facility" means a facility whose Primary Business Purpose is gaming, and the term "Ancillary Facility" means a facility where fifty percent or more of the lot coverage of the trust property upon which the facility is located, is used for a Primary Business Purpose other than gaming. All Class III games authorized under this Compact are subject to the days and hours of operation set by the Nation.

**20. Existing Section XXX (now renumbered as Section XXXI), Notices, is amended as follows:**

- a. "Wisconsin Winnebago Business Committee" is deleted and replaced with "Ho-Chunk Nation Legislature".
- b. The Nation shall also send by email to [DOAGaming@wisconsin.gov](mailto:DOAGaming@wisconsin.gov) a copy of all notices it serves on the Governor, or such other email or mailing address as the Department may specify.
- c. The State shall also send by email to the Ho-Chunk Nation Attorney General and the Ho-Chunk Nation Legislative Counsel, a copy of all notices it serves on the Ho-Chunk Nation.
- d. Subsection B is deleted in its entirety.
- e. Subsection C is deleted in its entirety.

**21. The text of existing Section XXXI (now renumbered as Section XXXII), Agreement Date, is deleted in its entirety and replaced with the following:**

The Nation and the State intend that each will have vested rights and obligations, and that the terms of this Compact and any amendments thereto will be binding on the Nation and the State upon execution by the Nation and the State, despite any later effective date determined by the approval of the Secretary of the Interior, pursuant to 25 U.S.C. Section 2710 (d)(3)(B)

or approval by operation of law pursuant to 25 C.F.R. § 293.12. In the event an amendment to this Compact is disapproved by the Secretary of the United States Department of the Interior, the amendment shall cease to be binding on the parties and the Compact as it existed before the execution of the amendment shall remain in effect.

**22. Existing Section XXXIV (now renumbered as Section XXXV), Payment to the State, is amended as follows:**

- a. In paragraph C.3.:
  - i. in the second sentence, "\$4 million in total" is deleted and replaced with "\$6 million in total, a portion of which was already taken by the Nation prior to the Fourth Amendment to this Compact."; and
  - ii. "\$1 million" is deleted and replaced with "\$2 million".
- b. The existing text of paragraph C.4. is deleted in its entirety and replaced with the following:

Government Projects. Consistent with the agreement reached by the State and the Nation in 2003 as reflected in paragraph 17 of the Second Amendment to this Compact, and which was restated in 2008 in paragraph 8 of the Third Amendment to this Compact, the Nation may deduct from its Annual Payment amounts paid by the Nation for the government projects identified on Exhibit A to the Fourth Amendment to the Compact, subject to the following limitations:

- i. The Nation shall not take the deductions set forth in this paragraph until after:
  - a) The Substantial Public Benefit deduction set forth in paragraph C.3. is exhausted; and
  - b) The Nation's permanent new casino in Rock County is fully constructed and has been in operation for one full Tribal Fiscal Year.
- ii. The deductions may be taken for a period of not longer than 15 consecutive Annual Payments, beginning with the Annual Payment due immediately following the Tribal Fiscal Year in which the conditions of subparagraph C.4.i. are satisfied.
- iii. The deductions shall not exceed \$17 million in total.
- iv. The annual amount of the deduction shall not exceed the amount of the Annual Payment that would otherwise be due in the absence of the deduction.

- v. Prior to applying the deductions to an Annual Payment, the Nation shall provide to the Department copies of the Nation's general ledger or other official accounting or financial documents sufficient to show that the claimed amounts were paid by the Nation for purposes of one or more of the Government Projects identified on Exhibit A to the Fourth Amendment to the Compact.
- c. The existing text of subsection E is deleted in its entirety and replaced with the following:

In the event that a natural or human-made disaster renders impossible the operation of fifty (50) percent or more of the Class III electronic games of chance operated by the Nation under this Compact for a period of fourteen (14) consecutive days or more (the "Closure Period"), the May 1 payment date for each State Fiscal Year during which all or a portion of the Closure Period occurs shall be extended and the Nation's Annual Payment shall be reduced as set forth in this section. For purposes of clarity, the Nation's decision to reduce operations at its gaming facilities in response to a public health emergency shall be deemed a disaster for purposes of this section.

1. To invoke the provisions of this subsection, prior to the May 1 payment date of each State Fiscal Year in which the disaster occurs the Nation shall provide the State with written notice describing the nature of the disaster and the number of Class III electronic games of chance that ceased operation.
2. The Nation's Annual Payment for each State Fiscal Year during which all or a portion of the Closure Period occurs shall be reduced by a percentage equal to the percentage decrease in the Net Win for the Tribal Fiscal Year in which the Closure Period occurred compared with the Net Win for the previous Tribal Fiscal Year.
3. The Nation's Annual Payment shall be due on or before 60 days from the end the Tribal Fiscal Year in which the Closure Period occurred.

For all Closure Periods, the State and Nation shall meet to discuss the possibility of providing the Nation additional assistance in light of the severity of the disaster.

**23. Existing Section XXXVIII (which remains numbered as XXXVIII, because there is no existing Section XXXVII) is amended as follows:**

- a. The section shall be titled "DATA REPORTING."
- b. The first paragraph of the section is moved to renumbered Section XXXVII and becomes subsection E of that section.
- c. The remainder of the existing section is deleted in its entirety.
- d. New subsection A is created and states:
  - A. On or before fourteen (14) days after the conclusion of each calendar month, the Nation shall report information for all forms of Class III gaming to the Data Collection System ("DCS") maintained by the State, utilizing the hardware, software and reporting formats mutually agreed to by the State and the Nation. The Nation's participation in the DCS satisfies the obligations of the Nation contained in paragraph 2 of the Memorandum of Understanding Regarding Technical Matters, dated December 11, 1998. The Parties shall meet and confer in accordance with Section XXIV.A. of the Compact regarding any proposed modifications to the hardware, software and reporting formats utilized by the DCS which affects the manner in which the Nation reports the information. Any amendments or modifications proposed by either Party shall be implemented by the other Party, unless the other Party objects to the modification pursuant to the procedures contained in Section XXIV of the Compact. The arbitrators shall approve the proposed modification if it is determined to be reasonably necessary to allow the State to maintain electronic monitoring of the specified information or shall reject the modification if it is determined to be unreasonably burdensome on the Nation.
- e. New subsection B is created and states:
  - B. The Nation shall submit the following to the Department on a monthly basis, in an electronic format mutually agreed upon by the State and the Nation, not later than fourteen (14) days after the conclusion of each calendar month:
    1. Daily revenue information for table games: type of table game, table number, shift, opening inventory, fills, credits, adjustments, closing inventory, drop, and win/loss; and

2. Daily revenue information for event wagering: the total amount of all wagers received less voided or canceled wagers and amounts paid out for winning wagers and the total amount of the write on events or games that occur during the month or will occur in subsequent months, less gaming payouts.

**24. New Section XXXIX, Minimum Internal Control Standards, is created and states:**

**XXXIX. MINIMUM INTERNAL CONTROL STANDARDS (MICS)  
AND RULES OF PLAY.**

- A. Minimum Internal Control Standards. The Nation shall at all times maintain minimum internal control standards ("MICS") that, at a minimum, cover all subjects addressed in the MICS established by the National Indian Gaming Commission ("NIGC") and meet or exceed the requirements set forth in the NIGC MICS. The State and the Nation agree that the Nation's MICS in effect and approved by the Department as of the date of the Fourth Amendment to this Compact satisfy this requirement.
- B. Rules of Play. As a component of its MICS, the Nation shall at all times maintain rules of play governing all Class III games offered at its facilities. The rules of play shall be ensure the fairness of play of each game and shall meet or exceed industry standards and practices. The State and the Nation agree that the Nation's rules of play in effect and approved by the Department as of the date of the Fourth Amendment to this Compact satisfy this requirement.
- C. Amendments. Either Party may propose an amendment to the MICS (including rules of play), including new areas to be subject to the MICS, at any time, according to the procedures set forth below.
  1. For amendments to MICS not directly related to event wagering or remote wagering, the Party proposing the amendment shall submit a copy to the receiving Party. Within thirty (30) days of receipt of such amendment, the receiving Party shall submit any objection it may have to such amendment serving a written notice of objection on the proposing Party. The notice of objection shall state with specificity the reasons therefor. All objections must be based on the amendment not adequately ensuring:
    - a. the fairness of the playing of the game ("Game") that the

MICS seeks to regulate;

- b. that revenue generated from the playing of the Game is adequately counted and accounted for in accordance with Generally Accepted Accounting Principles for casinos;
- c. a system of internal controls consistent with industry standards and practices; and
- d. that the MICS are not clearly contrary to the law.

Within thirty (30) days of submission of any objection, the Parties shall meet in an attempt to resolve the objection. If the objection is not resolved within twenty (20) days of such meeting, either Party may serve upon the other a demand for binding arbitration pursuant to paragraph 3 below. The Nation may continue to utilize any amended MICS subject to objection by the Department while the procedures set forth in paragraph 3 below are completed.

- 2. Amendments to MICS directly related to event wagering or remote wagering shall be made only by mutual agreement of the Parties. The Party proposing the amendment shall submit a copy to the receiving Party. The Parties shall enter into good faith negotiations regarding such proposed amendments within thirty (30) days of the receiving Party's receipt of the proposed amendments, except that the State shall have no obligation to negotiate regarding proposed amendments to MICS governing events occurring in Wisconsin or involving Wisconsin teams that do not occur on land owned by the Tribe or held in trust for the Nation by the federal government. Disputes regarding the obligation to negotiate in good faith under this provision shall be resolved under the provisions of Section XXIV (Dispute Resolution).
- 3. The provisions of this paragraph 3 apply only to proposed amendments to MICS not directly related to event wagering or remote wagering. Arbitration shall be conducted in Madison, Wisconsin at a location approved by the arbitrator. The arbitration shall be conducted by a single arbitrator. Each Party shall select one arbitrator, and the two arbitrators shall select a third neutral arbitrator who shall conduct the arbitration. The arbitrators doing the selection and the arbitrator selected shall be certified public accountants with casino auditing experience or substantial experience in preparing casino internal controls. The arbitrator shall conduct the arbitration in accordance with the arbitration rules of the American Arbitration Association



STATE OF WISCONSIN

  
Tony Evers  
Governor

Executed on this 1<sup>st</sup> day of October, 2024      Executed this 7<sup>th</sup> day of October, 2024

UNITED STATES DEPARTMENT OF THE INTERIOR

Handwritten signature or scribble.

## EXHIBIT A

### GOVERNMENT PROJECTS LIST FOURTH AMENDMENT

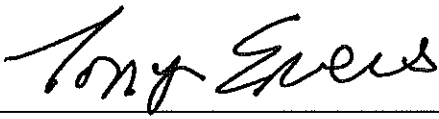
1. The State shall credit the Ho-Chunk Nation fee payments for any waste water facility constructed by the Nation or constructed by a municipality in partnership with the Nation.
2. The State shall credit the Ho-Chunk Nation fee payments for the creation of a system of food sovereignty and sustenance measures including production facilities and distribution sites.
3. The State shall credit the Ho-Chunk Nation fee payments for the creation of a home health services program for tribal members.
4. The State shall credit the Ho-Chunk Nation fee payments for establishing a youth residential facility and counseling services.
5. The State shall credit the Ho-Chunk Nation fee payments for establishing emergency housing for tribal members experiencing homelessness or transiency.
6. The State shall credit the Ho-Chunk Nation fee payments to provide adequate housing for tribal members in need including land acquisition and infrastructure costs.
7. The State shall credit the Ho-Chunk Nation fee payments for a language preservation archival and learning facility and to assist with cooperative educational efforts within school districts.
8. The State shall credit the Ho-Chunk Nation fee payments for the establishment of the permanent home of the Ho-Chunk Nation Museum and Cultural Center.
9. The State shall credit the Ho-Chunk Nation fee payments for the acquisition and maintenance of culturally significant sites in order to preserve and protect the Nation's history.
10. The State shall credit the Ho-Chunk Nation fee payments for the environmental restoration of the Badger Army Ammunition Plant property owned by the Nation.
11. The State shall credit the Ho-Chunk Nation fee payments for a Highway 54 business development corridor in Jackson County and a Highway BD business development corridor in Sauk County.
12. The State shall credit the Ho-Chunk Nation fee payments for the development

of commercial hemp production or other commercial agricultural project by the Nation.

13. The State shall credit the Ho-Chunk Nation fee payments for the creation of a segregated economic development fund that will provide grants to new and existing tribal businesses to create new job opportunities for tribal members.
14. The State shall credit the Ho-Chunk Nation fee payments for the cost of converting the Nation's current business, governmental and residential building structures from fossil fuel to renewable energy usage.
15. The State shall credit the Ho-Chunk Nation fee payments for the development and deployment of broadband to tribal members and surrounding communities as well as enhancing internet services.

CERTIFICATION OF THE GOVERNOR OF WISCONSIN  
REGARDING THE FOURTH AMENDMENT TO THE  
WISCONSIN WINNEBAGO TRIBE, NOW KNOWN AS THE HO-CHUNK NATION  
and  
STATE OF WISCONSIN  
GAMING COMPACT OF 1992

In accordance with the procedures for submission of Tribal-State Gaming Compacts, as specified in 25 C.F.R. § 293.8(c), I hereby certify that, pursuant to the authority granted to me by Section 14.035 of the Wisconsin Statutes, I am duly authorized under Wisconsin law to enter into the Fourth Amendment to the Wisconsin Winnebago Tribe, Now Known as the Ho-Chunk Nation, and the State of Wisconsin Gaming Compact of 1992.

By:   
Tony Evers  
Governor

Date: 10/7/2024