

RESOLUTION 1993-5

A RESOLUTION ADOPTING INTERIM WRITTEN GUIDELINES TO PRESCRIBE AN APPLICATION FORM FOR THE INDIANA GAMING COMMISSION AND TO DEFINE "APPLICANT" FOR CERTAIN PURPOSES

WHEREAS, the Indiana Gaming Commission ("the Commission") has the power and duty under IC 4-33-4-1 to fully and effectively execute IC 4-33 ("the Riverboat Gambling Law");

WHEREAS, the Commission has the power and duty to take any reasonable or appropriate action to enforce the Riverboat Gambling Law;

WHEREAS, an applicant for an owner's license is required under IC 4-33-5 and IC 4-33-6 to provide certain information to the Commission before the Commission may issue a license to that applicant;

WHEREAS, the Commission has been duly advised in the matter and finds that the Commission should act promptly to prescribe an application form so that an applicant for an owner's license who wishes to pay the costs of a special election to be conducted on November 2, 1993 concerning the approval of the local public question of permitting riverboat gambling in a city or county, may do so as expeditiously as possible;

WHEREAS, the time remaining before county election boards must make arrangements to conduct a special election on November 2, 1993 is extremely short; and

WHEREAS, the Commission finds that the confidence and public trust in the Riverboat Gambling Law will be maintained by requiring the entirety of the information required by the applicant to be disclosed to the Commission in a reasonably prompt manner, while not preventing or unnecessarily delaying the ability of an applicant to pay the costs of a special election after supplying certain basic information to the Commission in a timely fashion;

NOW, THEREFORE, BE IT RESOLVED BY THE INDIANA GAMING COMMISSION, THAT THE FOLLOWING INTERIM WRITTEN GUIDELINES ARE ADOPTED:

SECTION 1. DEFINITIONS.

The definitions set forth in IC 4-33-2 apply to these interim written guidelines.

SECTION 2. OWNER'S LICENSE APPLICATION FORM ADOPTED.

The Indiana Riverboat Owner License Application form is adopted. A copy of the form is incorporated into this Resolution by reference, and is attached to this Resolution and designated as "EXHIBIT A".

SECTION 3. DEFINITION OF "APPLICANT" FOR CERTAIN PURPOSES.

A person is considered an "applicant" for the purposes of paying for the costs of a special election under Public Law 277-1993(ss), SECTION 133 or SECTION 134 if the person:

- (1) has filed "PART I: Preliminary Information" of the Indiana Riverboat Owner License Application on the form described in SECTION 2 with the Commission; and
- (2) complies with the Riverboat Gambling Law (IC 4-33) and all interim written guidelines, resolutions, or orders adopted by the Commission.

SECTION 4. LOCATION FOR APPLICANT TO FILE.

An applicant must file the document described in SECTION 3(1) of this Resolution with:

Indiana Gaming Commission &
Indiana Department of State Revenue
Room N248, Indiana Government Center North
Indianapolis, Indiana 46204

SECTION 5. EFFECTIVE DATE. These interim written guidelines are effective immediately and expire on the earlier of:

- (1) the date that rules are adopted under IC 4-33-4; or
- (2) July 1, 1994.


ADOPTED, THIS THE 7TH DAY OF SEPTEMBER, 1993:

THE INDIANA GAMING COMMISSION:



Alan I. Klineman, Chair

ATTEST:


Gilmer Hensley
Gilmer Hensley,
Secretary to the Commission