

RESOLUTION 1994-26

**A RESOLUTION CONCERNING THE REQUEST OF
GAMMA INTERNATIONAL, LTD. TO SUBSTANTIVELY
AMEND PART I AND PART II OF ITS INDIANA
RIVERBOAT OWNER'S LICENSE APPLICATION BY
AMENDING THE PROPOSED ECONOMIC DEVELOPMENT PROPOSAL**

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, pursuant to IC 4-33-4-1(a)(4), the Commission has the power and duty to "investigate applicants and determine the eligibility of applicants for licenses";

WHEREAS, the Commission is required under IC 4-33-4-5 to adopt standards for the licensing of persons regulated under the Riverboat Gambling Law;

WHEREAS, pursuant to IC 4-33-4-17, the Commission is to "decide promptly and in reasonable order all license applications";

WHEREAS, pursuant to RESOLUTION 1993-16, the Commission adopted Part II of the Riverboat Owner's License Application;

WHEREAS, pursuant to RESOLUTION 1994-7, the Commission granted the Executive Director of the Commission the authority to amend Part II of the Riverboat Owner's License Application by March 23, 1994, and Part II of the application was so amended;

WHEREAS, pursuant to RESOLUTION 1994-5, the Commission adopted a policy governing amendments to Part II of the Riverboat Owner's License Application;

WHEREAS, on August 19, 1994, Gamma International, Ltd., submitted a proposed amendment to its Riverboat Owner's License Application and a letter explaining the proposed amendment for Commission consideration. The primary purpose of the substantive amendment requested by Gamma International, Ltd. is to reflect a change of the applicant from Gamma International, Ltd. to Rising Sun Riverboat Casino and Resort, L.L.C., with a change in ownership interest held by Patrick F. Daly and Edward W. Ross, with a further request to file said changes on or before the

close of business on September 19, 1994. (Copy of letter attached); and

WHEREAS, Rising Sun Riverboat Casino and Resort, L.L.C. has tendered a cashier's check in the amount of Fifty Thousand Dollars (\$50,000) in the event that the Commission approves the proposed amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE INDIANA GAMING COMMISSION, THAT THE FOLLOWING RESOLUTION IS ADOPTED:

SECTION 1. SCOPE.

This guideline applies to Gamma International, Ltd.

SECTION 2. DEFINITIONS.

The definitions set forth in IC 4-33-2 and 68 IAC 1-1 (adopted by RESOLUTION 1993-14) apply to this resolution.

SECTION 3. ACTION ON THE REQUEST FOR AMENDMENT.

The requested amendment of Gamma International, Ltd. which reflects the change of the applicant from Gamma International, Ltd. to the applicant Rising Sun Riverboat Casino and Resort, L.L.C., with a change in the ownership interest of Patrick F. Daly and Edward W. Ross, and letter submitted August 19, 1994, with a request to file said changes on or before close of business September 19, 1994, is hereby

Accepted

ACCEPTED or REJECTED

SECTION 4. EFFECTIVE DATE.

This RESOLUTION is effective immediately.


ADOPTED, THIS THE 31ST DAY OF AUGUST, 1994:

THE INDIANA GAMING COMMISSION:



Alan I. Klineman, Chair

ATTEST:



Gilmer Gene Hensley, Secretary