

**RESOLUTION 1995- 14**

**A RESOLUTION ADOPTING THE FINAL PUBLICATION OF  
68 IAC 1-1-15.1; 68 IAC 1-1-95.1; 68 IAC 1-2;  
68 IAC 1-3; 68 IAC 1-5; 68 IAC 1-7; 68 IAC 1-8;  
68 IAC 1-9; 68 IAC 2-3-1.5; 68 IAC 2-7;  
68 IAC 8-2; AND 68 IAC 9**

**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**, under IC 4-33-4-2, the Commission is to adopt rules to administer the Riverboat Gambling Law; establish conditions under which riverboat gambling may be conducted; provide for the prevention of practices detrimental to the public interest and providing for the best interests of riverboat gambling; inspect riverboats and the permits or licenses necessary to operate riverboats; and impose penalties for noncriminal violations of the Riverboat Gambling Law;

**WHEREAS**, under IC 4-33-4-3, the Commission is to adopt rules it determines necessary to protect or enhance the credibility and integrity of gambling operations authorized by the Riverboat Gambling Law, and the regulatory process provided in the Riverboat Gambling Law;

**WHEREAS**, the Commission has begun promulgation of these rules pursuant to IC 4-21.5, and these rules were published in the Indiana Register, Volume 18, Number 6, pages 1539 - 1567 on March 1, 1995;

**WHEREAS**, the Commission held a public hearing on these rules on March 27, 1995, and accepted written comments on the same;

**WHEREAS**, the verbal comments from the public hearing has been transcribed, and the transcript as well as the written comments have been provided to the Commission members for review;

**WHEREAS**, the promulgation process for the final promulgation of these rules will take up to two (2) to four (4) months;

**WHEREAS**, pursuant to House Enrolled Act 1722 which became law on May 9, 1995, the Commission now has the statutory authority to require applicants for a riverboat owner's license, a supplier's license, and an occupational license to submit the applicant's Social Security number;

**WHEREAS**, the changes made to 68 IAC 1-4 the rule concerning fair market value contracts, prohibited contracts, and reporting

requirements were extensive, and exceeded the scope of the comment that was received by the Commission;

**WHEREAS**, the Commission has reviewed the rules, and undergone a prereview process with the Attorney General's office;

**WHEREAS**, the Commission has made certain changes to the rules that were published on March 1, 1995, as a result of the review of the written comments, the public hearing, and the prereview process;

**WHEREAS**, the Commission has been duly advised in the matter and finds that the Commission should act promptly to adopt the rules that will be published as final rules in the July 1, 1995 Indiana Register and apply them on an interim basis until the promulgation process is complete.

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

**SECTION 1. SCOPE.**

These guidelines apply to each applicant, each licensee, any person who does business with an applicant or licensee, an institution of higher education, and any person who is a patron of a Riverboat Gambling Operation.

**SECTION 2. DEFINITIONS.**

The definitions set forth in IC 4-33-2 and 68 IAC 1-1 apply to this resolution.

**SECTION 3. WITHDRAWAL OF 68 IAC 1-2-3.**

68 IAC 1-2-13, which concerned the required submission of Social Security numbers by applicants, is withdrawn since the Commission, pursuant to House Enrolled Act 1722, now has the statutory authority to require the submission of Social Security numbers by applicants.

**SECTION 4. RECALL OF 68 IAC 1-4.**

68 IAC 1-4, the rule concerning fair market value contracts, prohibited contracts, and reporting requirements is recalled since the changes made to that rule published on March 1, 1995, were extensive and exceeded the scope of the comments submitted on that rule.

**SECTION 5. ADOPTION OF THE RULES THAT WILL BE PUBLISHED AS FINAL RULES IN THE JULY 1, 1995 INDIANA REGISTER.**

The Commission adopts the following rules pending the promulgation process:

Article 1 General Provisions

- Rule 1 Addition to Definitions  
City 68 IAC 1-1-15.1  
Training License 68 IAC 1-1-95.1
- Rule 2 General Provisions
- Rule 3 Economic Development Reports
- Rule 5 General Reporting Requirements
- Rule 7 Weapons
- Rule 8 Support Facility Standards
- Rule 9 Riverboat Commission Surveillance Room,  
Dockside Office and Processing Area

Article 2 Licenses and Approval of Associated Equipment

- Rule 3 Management of Riverboat Gambling  
Operations
- Rule 7 Associated Equipment

Article 8 Public Safety and Excursions

- Rule 2 Medical Services; Emergency Response

Article 9 Ethics

- Rule 1 Commission Members
- Rule 2 Commission Employees
- Rule 3 Commission Agents
- Rule 4 Restriction on Gaming

Pursuant to IC 4-22-2-27 through IC 4-22-2-30, the Commission adopts the rules which are being forwarded to Legislative Services Agency on or before June 9, 1995, for publication as final rules and further adopts any stylistic, grammatical, typographical, or other nonsubstantive changes which the Commission or the Legislative Services Agency may make by July 1, 1995.

These rules will be forwarded to the Attorney General's office for approval pursuant to IC 4-22-2-32. Upon approval by the Attorney General's office, the rules will be submitted to the Governor office for approval pursuant to IC 4-22-2-33. After the rules have been approved or deemed approved by the Governor, the rules shall be submitted to the Secretary of State for filing in accordance with IC 4-22-2-35.

**SECTION 6. EFFECTIVE DATE.**

This RESOLUTION is effective immediately.

**SECTION 7. EXPIRATION DATE.**

This RESOLUTION expires on the date that the rules are fully promulgated pursuant to IC 4-22-2.

**ADOPTED, THIS THE 7TH DAY OF JUNE, 1995:**

**THE INDIANA GAMING COMMISSION:**

  
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Alan I. Klineman, Chair

**ATTEST:**

  
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Donald R. Vowels, Secretary