

INDIANA GAMING COMMISSION
Business Meeting
10:00 a.m., July 11, 2003
115 W. Washington St., Ste. 950 South
Indianapolis, IN 46204-3408

Call to Order and Roll Call: Chairman Vowels called the meeting to order at approximately 10:15 a.m. There are six commissioners at this time. A quorum was present.

Present: Commission Members: Donald R. Vowels, Chair; Ann Bochnowski, Vice-Chair; Thomas Milcarek, Secretary; Dale Gettelfinger; Marya Rose; and I. Maurice Ndukwu. Staff: Glenn R. Lawrence, Cynthia L. Dean, Billy Hamilton, Jennifer Arnold, Jennifer Chelf, Susan Brodnan, Roger Shinness, Rhonda Dalton, Major Mark Mason, and members of the public.

Approval of the Minutes

Upon motion by Thomas Milcarek, second by Ann Bochnowski, and unanimous vote of those present, the minutes of the April 7, 2003, business meeting were unanimously approved.

Report of the Executive Director

Waiver of Rules and Regulations

The Executive Director granted the following waivers:

- Argosy - Waiver of 68 IAC 2-6-6(j)(7) which would eliminate the requirement that Argosy perform a coin test on electronic gaming devices ("EGD's) due to the conversion of machines to the Ticket-In/Ticket-Out system.
- Argosy - Waiver of Accounting and Internal Controls and 68 IAC 15-13-2(d)(10) which would allow security to forward both copies of the jackpot payout form to the casino accounting lockbox in the event of a jackpot payment.
- Trump Indiana - Waiver of 68 IAC 2-6-15(a) which would allow the removal of the token acceptors from the electronic gaming devices. This request is not outside the technical requirements necessary to serve the purpose of the requirement or the procedure as the electronic gaming devices will now be equipped to accept electronic cards.
- Grand Victoria - Waiver of 68 IAC 2-6-9(e)(1-3), 68 IAC 2-6-15 and 68 IAC 2-6-27 which would allow the removal of the hopper mechanism and token acceptors from the electronic gaming devices. This request is not outside the technical requirements necessary to serve the purpose of the requirement or the procedure as the electronic gaming devices will now be equipped to accept electronic cards, also known as the Ticket-In/Ticket-Out system.
- Belterra - Waiver of 68 IAC 2-6-15(a) which would allow the removal of token acceptors from electronic gaming devices. This request is not outside the technical requirements necessary to serve the purpose of the requirement or the procedure as the electronic gaming devices will now be equipped to accept electronic cards.
- Belterra - Waiver of 68 IAC 2-6-6(c)(7) and 68 IAC 2-6-27) which would eliminate the requirement that Belterra perform a coin test on electronic gaming devices due to the conversion of machines to the

Ticket-In/Ticket Out system and allow the removal of the hopper mechanism and token acceptors from the electronic gaming devices.

- Horseshoe - Waiver of 68 IAC 11-5-1(c) which would allow accounting personnel to perform the rotation/count on a quarterly basis.
- Trump - Waiver of 68 IAC 11-2-1(a)(1) which would allow Trump to complete a hard drop of the \$.05 and \$.02 ticket pay machines once every seven days. This request is not outside the technical requirements necessary to serve the purpose of the requirement or the procedure as the electronic gaming devices will now be equipped to accept electronic cards, otherwise known as Ticket-In/Ticket-Out.
- ShuffleMaster - A waiver which would allow six pay table combinations and a three card poker table.

Executive Director Lawrence introduced the Indiana Gaming Commission's newest commissioner, Dr. I. Maurice Ndukwa from Chesterton, Indiana and Roger Shinness, Staff Attorney for the Commission. While Mr. Shinness comes to the commission from private practice, he has had extensive experience in state government.

Chairman Vowels approved Executive Director Lawrence's request to change the agenda. MBE/WBE issues will be heard first.

New Business

Minority/Women's Business Enterprise

Representative William Crawford appeared before the Commission. MBE/WBE is a priority for the State of Indiana. To promote compliance with this public policy, Representative Crawford has requested information from all state agencies, boards, commissions, school systems, library boards, and state universities.

By letter dated June 19, 2003 Representative Crawford requested the Gaming Commission provide a listing of MBE/WBE vendors, the name, address and dollar amounts of contracts which are provided by the riverboat licensees. The Indiana Gaming Commission has historically considered this information to be confidential. Based upon memos issued by the legislative services agency and rulings of the public access counselor and attorney general, Representative Crawford feels this ruling was made in error and advised the Commission that he would attempt to obtain this information through administrative, judicial and legislative avenues. Representative Crawford requested he be allowed to address the Commission at a later date.

Belterra MBE/WBE Report

Ron Gifford, Baker and Daniels; Jack Godfrey General Counsel of Pinnacle Entertainment; Charles Felton, MBE/WBE Business Development Coordinator at Belterra appeared before the Commission. Also present were Ron Jones of Barbecue Heaven, Bill and Tom Harmon of Harmon Construction, and Bill Joyner of Structure Resources. Mr. Gifford presented the commissioners with a report reviewing Belterra's achievements during the last 18 months since the implementation of the Action Plan. In 2002 Belterra MBE/WBE expenditures were 17.3% MBE and 13.84% WBE.

As of June 30, 2003, MBE expenditures were 18.8% and WBE expenditures were 8.3%. In December 2001 it was determined that Belterra had fallen short of the statutory requirements for MBE/WBE expenditures. To date, 43% of that shortfall has been made up according to Belterra's records.

Construction of the hotel is currently underway. The contract was awarded to the lowest bidder, Wilhelm Construction. Wilhelm Construction is not a minority vendor. The highest bidder was Powers and Sons, a

minority vendor. Wilhem Construction proposed a 50% MBE/WBE participation plan. Included in the contract is a guaranteed maximum price subject to additions and elections by change order. The Commission noted that the final cost of the construction would be reviewed. If it is determined that if there are an excessive number of change orders which would cause the final cost to be comparable to Powers and Sons, the Commission will request additional information.

Rubies Food Service
Appeal No. IDOA/IGC-M/WBE-03-04

In May 2002, R.F.S., Inc. (Rubies Food Service) submitted an application to the Indiana Department of Administration Office of Minority Business for certification as a Minority/Woman Business Enterprise. Pursuant to a Memorandum of Understanding between IDOA and the IGC, IDOA has developed a certification process for Minority and Woman Business Enterprises including appeals and opportunities for hearings. Pursuant to this process, IDOA denied R.F.S.'s request for certification on or about December 26, 2002. R.F.S. appealed the decision of the IDOA and requested a hearing in the matter on or about January 10, 2003. The Commission appointed Bernard L. Pylitt the Administrative Law Judge in this matter. Judge Pylitt conducted a hearing pursuant to this request on April 22, 2002 in Indianapolis, Indiana. R.F.S. appeared by its President, Ruby Powell-Flowers. Present for IDOA were Deputy Commissioner Elena Looper and attorneys F. Daniel Gettelfinger and Shari Kinnaird. Present for the Commission was Susan Brodnan, Staff Attorney. Judge Pylitt submitted his Findings of Fact, Conclusions of Law, and Recommendation to the Commission on or about May 23, 2003. Judge Pylitt recommended that the denial of R.F.S.'s request for certification as a Woman Business Enterprise be upheld.

Action: Commissioner Dale Gettelfinger's distant cousin, Dan Gettelfinger representing IDOA, was in attendance at the hearing held by Administrative Law Judge Pylitt. Commissioner Gettelfinger recused himself.

Upon motion by Marya Rose, second by Tom Milcarek, and unanimous vote of those present the Commissioners accepted the recommendation of the Administrative Law Judge and denied R.F.S.'s request for certification as a Minority/Woman Business Enterprise. Pursuant to IC 4-21.5-3-5, this Order becomes effective 15 days following receipt of the Order of the Indiana Gaming Commission.

Grand Victoria 2001 Revised
MBE/WBE Report

Grand Victoria's MBE/WBE participation report for the year 2001 was submitted in January 2002. Grand Victoria's participation in 2001 satisfied the statutory goals. In the Fall of 2002, Grand Victoria notified the Commission that it was submitting a revised MBE/WBE participation report for the year 2001 and for the first and second quarters of 2002. Grand Victoria had been including purchases made with a WBE whose certification was pending with the Department of Administration. A prerequisite to certification in Indiana is certification in the company's home state. The company was denied certification in its home state in August 2002. Grand Victoria removed the purchases from its MBE/WBE participation report for 2001 and the first and second quarters of 2002 and submitted revised reports. The revised report for 2001 brings the WBE expenditures below the statutory goal. The revisions to the 2002 quarterly reports slightly change the original numbers. The MBE participation for 2002 was 12.23% and the WBE participation was 5.54% which satisfies the statutory goals for both MBE and WBE participation.

Representative Jerry Denbo appeared before the Commission to address the Orange County referendum and the process for a new casino in French Lick/West Baden Springs.

Resolution 2003-20

A Resolution Adopting an Emergency Rule. The legislature has authorized a new casino in French Lick/West Baden Springs which must first be approved by voters in a county-wide referendum. On July 17, 2003, the City Council authorized a referendum. The referendum is scheduled for November 4, 2003. To ensure the integrity of the process, staff recommends an emergency rule which would amend 68 IAC 9-1 (ethics and public disclosure by gaming commission members) to include persons appointed to the Historic Preservation Commission.

Action: Upon motion by Dale Gettelfinger, second by Marya Rose, and unanimous vote of those present, the Commission adopted the emergency rule. The Commission staff will file the adopted emergency rule with the Secretary of State and submit it for publication with the Legislative Services Agency. The emergency rule will become effective upon filing with the Secretary of State, and will continue to be effective for ninety (90) days thereafter. The Commission will have the option to renew the effectiveness of the rule. This resolution applies to Commission members, employees and agents, each applicant for an operating agent contract, and each operating agent. The Commission further adopts any stylistic, grammatical, typographical, or other nonsubstantive changes that the Commission or the Legislative Services Agency may make to this emergency rule. The Commission shall submit the rule to the Publisher of the Indiana Register and the Indiana Administrative Code for the assignment of a document control number and then shall submit the emergency rule to the Secretary of State for filing. The Commission will expeditiously complete the process necessary to adopt the emergency rule as a final rule pursuant to the dictates of IC 4-22-2. The emergency rule adopted in section 3 of this resolution is to become effective upon filing with the Secretary of State.

Resolution 2003-21

A Resolution Establishing an Application Fee, A Form, and A Deadline For Applicants Who Wish To Apply For The Contract To Operate A Riverboat Located In A Historic Hotel District.

Action: Upon motion by, Dale Gettelfinger, second by Marya Rose, and unanimous vote of those present, the Commission adopted staff recommendations. The Nonrefundable application fee shall be in the amount of \$50,000.00 and shall be paid by cashier's or certified check. The Operating Agent Application, Part I form submitted by staff is adopted. The deadline for filing Part I of the Indiana Agent Application form is 12:00 Noon on August 11, 2003. An applicant shall submit and the Commission shall retain six (6) copies, two (2) unbound and four (4) bound, for each application filed with the Commission.

Resolution 2003-21/Amended

Staff contacted Beth Jones, Clerk of the Orange County Circuit Court for clarification as to when the fees for the cost of the election are due in her office. Ms. Jones confirmed that the Indiana Election Division requires that the ordinance that the legislative body of Orange County adopts in order for the local public question concerning riverboat gambling to be placed on the ballot in the Fall election must be certified by August 1, 2003. A deadline has not been set for the payment of the costs of the special election.

Action: Upon motion by Ann Bochnowski, second by Dale Gettelfinger, and unanimous vote of those present, the Commission amended Resolution 2003-21 changing the deadline to September 19, 2003.

Resolution 2003-22

A Resolution Establishing Guidelines Governing an Operating Agent's Payment of the Costs of a

Special Election If Conducted in November 2003 in Orange County, Indiana.

Action: Upon motion by Thomas Milcarek, second by Dale Gettelfinger, and unanimous vote of those present, the Commission adopted staff recommendations. An applicant must present the Orange County Auditor with a cashier's check or certified check to pay in full the cost of the special election to be conducted in November 2003 as directed by the appropriate body of Orange County. An applicant must present proof of the filing of the application with the Commission and payment of the application fee to the Orange County auditor. An applicant must provide a cashier's check or certified check, in the amount of the cost of the special election (as previously determined by the county election board of the county), and made payable "The Orange County Treasurer". An applicant will be considered to have paid the cost of the special election when the applicant has made payment to the Orange County Treasurer and the Orange County Auditor provides the applicant with a copy of the quietus or receipt issued by the Orange County Auditor and Orange County Treasurer, with a date and hour of issuance stated on the receipt.

Resolution 2003-22/Amended

Commission staff recommended that the Commission vote to amend Resolution 2003-22 striking the dates referring to payment having to be made by August 1, 2003 and that payment should be made as directed by Orange County election officials.

Action: Upon motion by Ann Bochnowski, second by Marya Rose, and unanimous vote of those present, the Commission amended Resolution 2003-22.

Voluntary Exclusion Program

During the last session the general assembly passed legislation authorizing the Indiana Gaming Commission to develop a voluntary exclusion program. The legislation was passed after the Commission received an opinion from the public advisor counsel that the information relating to individuals requesting voluntary exclusion was considered to be public information. Jennifer Arnold appeared before the Commission to discuss the Voluntary Exclusion Program. The new legislation will be a valuable tool in addressing the issue of problem gaming and ensuring the confidentiality of those who request voluntary exclusion. Jennifer Chelf, Staff Attorney, appeared before the Commission to discuss the rules process. Commission staff is currently developing software and promulgating rules for the program. The commissioners were provided with a draft of rules. Commission staff welcomes input from the public. A draft will be made available to the public and licensees upon request.

A Short Break Was Taken

An announcement was made that the auditorium doors should remain open to allow for reentry into the auditorium.

Resolution 2003-23

Kings Gaming, Inc. submitted the game of Play Four Poker for approval for play on Indiana riverboats. Gaming Laboratories International, Inc. reviewed the information and material submitted by Kings Gaming and found that the game of Play Four Poker is a variation of the traditional game of Pai Gow Poker. Kings Gaming received conditional approval of the game for a period of six (6) months, pursuant to Resolution 2002-33, which was adopted by the Commission on November 15, 2002. Horseshoe Casino sponsored Play Four Poker by introducing the game to its casino floor following the conditional approval. Horseshoe has indicated in writing that it wishes to continue offering the game of Play Four Poker.

Action: Upon motion by Ann Bochnowski, second by Dale Gettelfinger, and unanimous vote of those present, the Commission approved the game of Play Four Poker for use on Indiana riverboats. All riverboats who offer the game of Play Four Poker must have pre-approved rules of the game and layout schematics.

Resolution 2003-24

Shuffle Master Gaming submitted the game of Crazy 4 Poker for approval for play on Indiana riverboats. Gaming Laboratories International, Inc. reviewed the information and material submitted by Shuffle Master and found that the game of Crazy 4 Poker is a variation of the traditional game of Poker. Shuffle Master received conditional approval of the game for a period of six (6) months, pursuant to Resolution 2002-24, which was adopted by the Commission on September 27, 2002. Shuffle Master subsequently submitted a revised version of the game, which was granted conditional approval pursuant to Resolution 2002-37, which was adopted by the Commission on November 15, 2002. Caesars Indiana sponsored Crazy 4 Poker by introducing the game to its casino floor following the conditional approval. Caesars has indicated in writing that it wishes to continue offering the game of Crazy 4 Poker.

Action: Upon motion by Thomas Milcarek, second by Ann Bochnowski, and unanimous vote of those present, the Commission approved the game of Crazy 4 Poker for use on Indiana riverboats. All riverboats who offer the game of Crazy 4 Poker must have pre-approved rules of the game and layout schematics.

Resolution 2003-25

New Vision Gaming submitted the game of Pai Gow Mania for approval for play on Indiana riverboats. Gaming Laboratories International, Inc. reviewed the information and material submitted by New Vision found that the game of Pai Gow Mania is a variation of the traditional game of Pai Gow Poker. New Vision received conditional approval of the game for a period of six (6) months, pursuant to Resolution 2002-34, which was adopted by the Commission on November 15, 2002. Majestic Star Casino sponsored Pai Gow Mania by introducing the game to its casino floor following the conditional approval. Majestic Star has indicated in writing that it wishes to continue offering the game of Pai Gow Mania.

Action: Upon motion by Marya Rose, second by Ann Bochnowski, and unanimous vote of those present, the Commission approved the game of Pai Gow for use on Indiana riverboats. All riverboats who offer the game of Pai Gow Mania must have pre-approved rules of the game and layout schematics.

Resolution 2003-26

Lawrence Goldfarb, a sub-licensee of Gaming Systems Unlimited, has submitted the game of Sweepstakes Blackjack and has asked that the Commission consider approving it for use in Indiana. Harrah's Casino has advised the Commission, in writing, that it supports the game of Sweepstakes Blackjack for use in Indiana, and has submitted a draft of proposed rules for the game which it purports to utilize if the game of Sweepstakes Blackjack is approved. Gaming Laboratories has reviewed the information and material submitted by Mr. Goldfarb. GLI has forwarded its report to the Commission and has found that the game of Sweepstakes Blackjack is a significantly different version of the traditional game of Blackjack. Commission staff has not made a recommendation.

Action: Upon motion by Thomas Milcarek, second by I. Maurice Ndukwu, and unanimous vote of those present, the Commission tabled the resolution.

Resolution 2003-27

Shuffle Master Gaming has submitted the game of Dragon Bonus and has asked that the Commission consider approving it for use in Indiana. Caesars Indiana has advised the Commission, in writing, that it supports the game of Dragon Bonus for use in Indiana, and has submitted a draft of proposed rules for the game which it purports to utilize if the game of Dragon Bonus is approved. Gaming Laboratories International, Inc. has reviewed the information and material submitted by Shuffle Master Gaming. GLI has forwarded its report to the Commission and has found that the game of Dragon Bonus is a variation of the traditional game of Baccarat.

Action: Upon motion by, Dale Gettelfinger, second by Marya Rose, and unanimous vote of those present, the Commission approved the game of Dragon Bonus for a trial period of six (6) months for use on Indiana riverboats. During the trial period, all riverboats who offer the game of Dragon Bonus must have pre-approved rules of the game and must report those matters as directed by the Executive Director or the Executive Director's designee, which matters shall include, but are not limited to, the following information: the amount of play, the revenue generated by the game of Dragon Bonus, and whether the riverboat licensee wishes to continue offering the game of Dragon Bonus. The riverboat licensee must also document any customer complaints or incidents that are generated by the game of Dragon Bonus and forward those reports to the Commission. At the end of the trial period, the Commission will consider approving the game of Dragon Bonus to be offered on Indiana riverboats on a permanent basis.

Occupational License Matters

Nefertiti Beecham MS-DEN-03-2

On or about February 8, 2002, Nefertiti Beacham received a level 2 temporary occupational license for employment as a slot attendant at Majestic Star Casino. Ms. Beacham's employment at Majestic Star Casino was terminated after it was discovered that she completed manual jackpot fill slips and retained the money used to complete a second, fraudulent jackpot. Based on evidence collected, Commission staff determined that Ms. Beacham committed theft during the performance of her duties as a slot attendant. On that basis, Commission staff revoked Ms. Beacham's temporary occupational license and denied her application for a permanent license. Commission staff advised Ms. Beacham of this action on June 13, 2003.

Action: Upon motion by Ann Bochnowski, second by Marya Rose, and unanimous vote of those present, the Commission denied the application for an occupational license, level 2 submitted by Ms. Beacham. Pursuant to IC 4-21.5-3-6, the Order will become effective fifteen (15) days after it is served.

Chris Keller BT-DEN-03-2

On or about June 11, 2003, Mr. Chris Keller applied for and received a level 2 occupational license for employment as a Cage Cashier at Belterra Casino and Resort. On or about June 23, 2003, Belterra Surveillance and Commission agents gathered information that Mr. Keller had stolen \$300 while performing his duties as a Cage Cashier. Belterra terminated Mr. Keller because of this incident. Commission staff revoked Mr. Keller's temporary occupational license and denied his application for a permanent license.

Action: Upon motion by Marya Rose, second by I. Maurice Ndukwu, and unanimous vote of those present, the Commission denied the application for an occupational license, level 2 submitted by Mr. Keller. Pursuant to IC 4-21.5-3-5, this Order will become effective fifteen (15) days after it is served.

Andrew Pettigrew
MS-DEN-03-3

On or about February 8, 2002, Andrew Pettigrew received a level 2 temporary occupational license for employment as a slot attendant at Majestic Star Casino was terminated after it was discovered that he completed duplicate manual jackpot fill slips and retained the money used to complete a second, fraudulent jackpot. Based on the evidence collected, Commission staff determined that Mr. Pettigrew committed theft during the performance of his duties as a slot attendant. On that basis, Commission staff revoked Mr. Pettigrew's temporary occupational license and denied his application for a permanent license. Commission staff formally advised Mr. Pettigrew of this action on May 28, 2003.

Action: Upon motion by Dale Gettelfinger, second by Marya Rose, and unanimous vote of those present, the Commission denied his application for an occupational license, level 2 submitted by Mr. Pettigrew. Pursuant to IC 4-21.5-3-5, the Order will become effective fifteen (15) days after it is served.

Supplier's License Matters

Resolution 2003-28

Resolution Concerning The Renewal Of Suppliers' Licenses for ServiceMaster by Wallace, Inc., Konami Gaming, Inc., Hasgoe Cleaning Systems, Inc., Casino Data Systems, Shuffle Master, Inc., GEMACO Playing Card Company, Osborne Coinage Company, Paul-Son Gaming Supplies, Inc., Atronic Americas, LLC and Kilmartin Industries, Inc., d/b/a-Roger Williams Mint.

Action: Upon motion by Ann Bochnowski, second by I. Maurice Ndukwu, and unanimous vote of those present, the Commission granted the renewal of the Suppliers' Licenses issued to ServiceMaster by Wallace, Inc., Konami Gaming, Inc., Hasgoe Cleaning Systems, Inc., Casino Data Systems, Shuffle Master, Inc., GEMACO Playing Card Company, Osborne Coinage Company, Paul-Son Gaming Supplies, Inc., Atronic Americas, LLC and Kilmartin Industries, Inc., d/b/a-Roger Williams Mint on the condition that any outstanding background fees are paid as directed by the Commission staff. The renewed Supplier's Licenses will be valid for a period of one (1) year from the date of issuance.

Resolution 2003-29

A Resolution Concerning the Renewal of the Supplier's License Held by Sigma Game, Inc. Mark Schreoder appeared on behalf of Sigma Game, Inc.

Action: Upon motion by Thomas Milcarek, second by I. Maurice Ndukwu, and unanimous vote of those present, the Commission granted the renewal of the Supplier's License issued to Sigma Game, Inc. conditioned upon the resolution of the issues surrounding the Missouri disciplinary action. Should the Commission discover that Indiana gaming regulations were violated or that Sigma failed to suitably conduct business pursuant to IC 4-33 or 68 IAC, the Commission may take further action against Sigma's supplier's license. Sigma will be responsible for paying any background investigation fees associated with the Commission's investigation. If payment is not received as directed by Commission staff, the supplier's license will be subject to revocation. If Sigma wishes to renew its supplier's license, it must request renewal of the supplier's license at least thirty (30) days before the expiration of the license and pay the renewal fee in accordance with 68 IAC 2-2-3(C) and 68 IAC 2-2-8.

Resolution 2003-30

A Resolution Concerning the Renewal of the Supplier's License Held by Mikohn Gaming Corporation.

Action: Upon motion by Ann Bochnowski, second by Thomas Milcarek, and unanimous vote of those present, the Commission granted the renewal of the Supplier's License issued to Mikohn Gaming Corporation conditioned upon the resolutions of the issues with the Michigan Gaming Control Board. Should the Commission discover that Indiana gaming regulations were violated or that Mikohn failed to suitably conduct business pursuant to IC 4-33 or 68 IAC, the Commission may take further action against Mikohn's supplier's license. Mikohn will be responsible for paying any background investigation fees associated with the Commission's investigation. If payment is not received as directed by Commission staff, the supplier's license will be subject to revocation. If Mikohn wishes to renew its supplier's license, it must request the renewal of the supplier's license at least thirty (30) days before the expiration of the license and pay the renewal fee in accordance with 68 IAC 2-2-3(c) and 68 IAC 2-2-8.

Resolution 2003-31

A Resolution Concerning the Request of Aristocrat Technologies, Inc. and Casino Data Systems to Transfer Ownership Interests. Aristocrat Technologies, Inc., a wholly owned subsidiary of Aristocrat Leisure Limited, received a temporary Supplier's License on November 13, 1996. Casino Data Systems received a temporary Supplier's License on September 6, 1996. A permanent Supplier's License was issued on June 12, 1998. On June 29, 2001, a merger agreement was executed by Aristocrat and CDS whereby CDS would merge with Cedar Acquisition Company, a holding company and wholly owned subsidiary of Aristocrat. Upon completion of the merger, Cedar would cease to exist, with CDS remaining a wholly owned subsidiary of Aristocrat. On November 12, 2001, Aristocrat submitted an application for transfer of ownership pursuant to this transaction. Both Aristocrat and CDS have retained their respective Suppliers' Licenses after the transaction was completed. Aristocrat and CDS have completed appropriate Personal Disclosure forms for additional key personnel that resulted from this transaction.

Action: Upon motion by Ann Bochnowski, second by Thomas Milcarek, and unanimous vote of those present, the Commission granted Aristocrat and CDS's request for approval of the resulting transfer of ownership in CDS.

Resolution 2003-32

A Resolution Concerning the Request of PDS Gaming Corporation to Transfer Ownership Interest. PDS Gaming Corporation received a temporary Supplier's License on August 14, 1998. PDS announced in February 2003 that it had entered into a letter of intent with respect to a proposed stock buy out. The proposed transaction would involve the management group of Johan Finley, Lona Finley, and Peter Cleary acquiring the remaining outstanding shares of common stock of PDS. Mr. Finley, Ms. Finley, and Mr. Cleary are current controlling shareholders of PDS, and as such, have undergone background investigations pursuant to their current ownership interests. The proposed transaction would merely increase their ownership interests. Once the transaction is completed, these three individuals will own 100% of the outstanding shares of PDS stock, although it is unknown at this time what the exact individual ownership interests will be. The transaction is anticipated to close in late August 2003. PDS has represented to the Commission that there will be no new key personnel or substantial owners as a result of this transaction. Due to the fact that no new key persons or substantial owners are being introduced as a result of this change in ownership, PDS has requested that the Commission waive the normal transfer of ownership procedures and attendant background investigations.

Action: Upon motion by Ann Bochnowski, second by Dale Gettelfinger, and unanimous vote of those present, the Commission granted PDS's request for a waiver of the normal transfer of ownership procedures and attendant background investigations.

Action: Upon motion by Dale Gettelfinger, second by Marya Rose, and unanimous vote of those present, the Commission granted PDS's request for approval of the resulting transfer of ownership in PDS Gaming Corporation

Resolution 2003-33

A Resolution Concerning the Request for Approval to Conduct Gambling Operations For Up To Twenty-Four Hours A Day By the Riverboat Licensed Owners

Action: Upon motion by Ann Bochnowski, second by Thomas Milcarek, and unanimous vote of those present, the Commission approved the request to conduct gambling operations for up to twenty-four (24) hours a day by the riverboat licensed owners. The Commission authorizes gambling operations for up to twenty-four (24) hours a day and the riverboat licensed owners shall implement their respective plans or amendments for the days and hours specified in their respective plans or amendments that have obtained approved internal control procedures immediately, on the gaming day commencing 6:00 a.m., July 11, 2003.

Financing Matters

Resolution 2003-34

A Resolution Concerning Financing By Harrah's Operating Company, Inc. Kay Fleming appeared on behalf of Harrah's. In accordance with 68 IAC 5-3-2(b)(3) this is a second meeting appearance with the first meeting occurring on April 7, 2003. Harrah's requested approval of a Rule 144A private placement with a subsequent public offering on the notes in the amount of \$500 million at an interest rate not to exceed 8 percent for a term between three (3) to ten (10) years.

Action: Upon motion by Ann Bochnowski, second by Thomas Milcarek, and unanimous vote of those present, the Commission approved Harrah's request for a \$500 million 144A note subject to a review and approval of the final draft and associated documents by Commission staff.

Majestic Star

Kay Fleming of Ice Miller and Troy Keeping, General Manager appeared on behalf of Majestic Star. Majestic currently has a \$20 million credit facility in place with a zero balance. The initial resolution was approved in 2001 Majestic Star requests approval to extend the terms of the credit facility to November 2, 2003 while they explore alternative financing. If alternative financing is not found by the end of the 90-day extension Majestic would request renewal of the existing facility for a period of one year with the only change being the maturity date.

The Commission approved Majestic Star's request to extend the credit facility for 90-days. In the event of a change in the terms of the facility, the Executive Director will contact Chairman Vowels and Commissioner Gettelfinger.

Consideration of License Renewal

Majestic Star

The Indiana Gaming Commission issued a Riverboat Owner's License to Majestic Star Casino, LLC on June 3, 1996 with an effective date of June 11, 1996. On August 23, 2001 and May 13, 2002, the Commission granted the renewal of Majestic Star's Riverboat Owner's License for a period of one year, effective through June 1, 2003. In a letter dated March 24, 2003 Kay Fleming on behalf of Majestic Star requested a renewal of its Riverboat Owner's License and submitted payment of the annual renewal fee in the amount of five thousand dollars (\$5,000). Pursuant to Resolution 2003-13, In a letter dated March 24, 2003 Executive Director Glenn Lawrence granted the one-year renewal of Majestic Star's license until the Commission could hold a business meeting to consider the matter.

Action: Upon motion by Dale Gettelfinger, second by Marya Rose, and unanimous vote of those present, the Commission granted the renewal of Majestic Star's Riverboat Owner's License for a period of one year subject to continued compliance with Indiana Code 4-33, Title 68 of the IAC, and the conditions directed by the Commission on August 23, 2001. The renewal of the Riverboat Owner's License shall be valid for a period of one year from June 2, 2003 to June 1, 2004.

Trump Indiana

The Indiana Gaming Commission issued a Riverboat Owner's License to Trump Indiana, Inc. on June 3, 1996 with an effective date of June 11, 1996. On August 23, 2001 and May 13, 2002 the Commission granted to renewal of Trump's Riverboat Owner's License for a period of one year, effective through June 1, 2003. In a letter dated March 17, 2003 Trump Executive Vice President and General Counsel Robert M. Pickus requested a renewal of its Riverboat Owner's License. Trump submitted payment of the annual renewal fee in the amount of five thousand dollars (\$5,000). In a letter dated May 23, 2003 and pursuant to Resolution 2003-13, Executive Director Glenn Lawrence granted the one-year renewal of Trump's license until such time as the Commission could hold a business meeting to consider the matter.

Action: Upon motion by Ann Bochnowski, second by Dale Gettelfinger, and unanimous vote of those present, the Commission granted the renewal of Trump's Riverboat Owner's License for a period of one year subject to continued compliance with Indiana Code 4-33, Title 68 of the Indiana Administrative Code, and the conditions directed by the Commission on August 23, 2001. The renewal of the Riverboat Owner's License shall be valid for a period of one year from June 2, 2003 to June 1, 2004.

Horseshoe Hammond, Inc.

The Indiana Gaming Commission issued a Riverboat Owner's License to Empress Casino Corporation on June 21, 1996, with an effective date of June 29, 1996. By Resolution 1999-32, dated August 20, 1999, Horseshoe Gaming Holding Corporation purchased 100% of the ownership interest in Empress Casino Hammond Corporation. By action of the Commission on March 2, 2001, pursuant to Resolution 2001-8, Horseshoe Gaming Holding Corporation received the approval to change the name of the entity that holds the Riverboat Owner's License from Empress Casino Hammond Corporation to Horseshoe Hammond, Inc. On August 24, 2001, the Commission granted the renewal of Horseshoe's Riverboat Owner's License for a period of one year pursuant to Indiana Code 4-33-6-12. On May 13, 2002 the Commission granted the renewal of horseshoe's Riverboat Owner's License for a period of one year, effective through June 19, 2003. In a letter dated April 18, 2003, Horseshoe requested a renewal of its Riverboat Owner's License. Horseshoe submitted payment of the annual renewal fee in the amount of five thousand dollars (\$5,000). In a letter dated June 12, 2003, Pursuant to Resolution 2003-13, Executive Director Glenn Lawrence granted the one-year renewal of Horseshoe's license

until the Commission could hold a business meeting to consider the matter.

Action: Upon motion by Ann Bochnowski, second by Thomas Milcarek, and unanimous vote of those present, the Commission granted the renewal of Horseshoe's Riverboat Owner's License for a period of one year subject to continued compliance with Indiana Code 4-33, Title 68 of the Indiana Administrative Code, and the conditions directed by the Commission on August 24, 2001. The renewal of the Riverboat Owner's License shall be valid for a period of one year from June 20, 2003 to June 19, 2004.

Blue Chip Casino, LLC

The Indiana Gaming Commission issued a Riverboat Owner's License to Blue Chip Casino, Inc., on August 19, 1997, with an effective date of August 22, 1997. By Resolution 1999-36, dated November 8, 1999, the Commission approved the request of Blue Chip Casino, Inc. to form a limited liability company to be known as Blue Chip Casino, LLC and transfer the Riverboat Owner's License to Blue Chip Casino, LLC. Pursuant to Resolution 1999-38, dated November 8, 1999 the Commission approved the application of Boyd Gaming Corporation to acquire the ownership interest of Blue Chip. Pursuant to IC 4-33-6-10(C), an owner's license expires five (5) years after the effective date of the license. On September 27, 2002, the Commission granted the renewal of Blue Chip's Riverboat Owner's License for a period of one year pursuant to Indiana Code 4-33-6-12, effective through August 17, 2003. In a letter dated March 17, 2003 Blue Chip Casino Executive Vice President and General Manager Judy Campbell, Blue Chip made a request for renewal of its Riverboat Owner's License. Blue Chip submitted payment of the annual renewal of its Riverboat Owner's License. Blue Chip submitted payment of the annual renewal fee in the amount of five thousand dollars (\$5,000).

Action: Upon motion by Thomas Milcarek, second by Ann Bochnowski, and unanimous vote of those present, the Commission granted the renewal of Blue Chip's Riverboat Owner's License for a period of one year subject to continued compliance with Indiana Code 4-33, Title 68 of the Indiana Administrative Code, and the conditions directed by the Commission on September 27, 2002. The renewal of the Riverboat Owner's License shall be valid for a period of one year from August 18, 2003 to August 17, 2004.

Homeland Security

Mike Smith, Executive Director of the Indiana Casino Association, appeared before the Commission to provide an update on Homeland Security Issues. Executive Director Smith, the Coast Guard, the Department of Justice, the National Association of Homeland Security as well as representatives from each licensee, are members of a task force that has been working together to ensure the safety of patrons on riverboats. Their goal is to develop a plan for submission to the Coast Guard by the end of the year. The task force will meet on a monthly basis until the plan is implemented. After the plan is implemented, the task force will continue to work with the Coast Guard as needed.

Disciplinary Action

Casino Aztar

On or about February 23, 2003, a sixteen (16) year old boarded the riverboat without being asked for identification. Aztar personnel became aware of the minor's presence approximately ten minutes later, and subsequently escorted the minor from the vessel. The actions of Aztar violated Indiana statute and gaming regulations. The Commission staff and Aztar agree that a sanction be imposed. Pending Commission approval, Executive Director Glenn R. Lawrence and James Brown, General Manager have signed a settlement agreement where Aztar Indiana agrees to pay a fine in the amount of \$1,500.00

Action: Upon motion by Dale Gettelfinger, second by Marya Rose, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement

Trump Indiana, Inc.

Pursuant to Indiana gaming regulations, riverboat licensees must inform Commission agents on property when an occupational licensee's employment is terminated, suspended, on a leave of absence, or transferred to another position. The riverboat licensee is to provide data regarding the employee, including, but not limited to the employee's name, license number, job title or position, if the license was collected, and if the action was voluntary or involuntary. The information must be submitted to the Commission within 15 days of the occurrence of the change or action. Commission staff was notified of two incidents where Trump failed to provide proper notification of employee changes. The first incident involved an employee whose occupational license expired while the employee was on medical leave. The employee was terminated for exhausting her allowed medical leave and Commission agents were notified of this termination. The employee was subsequently reinstated by Trump's Human Resources; however, this reinstatement was not conveyed to Commission agents. Further, the employee did not renew her gaming badge and worked for approximately three months with an expired badge. The second incident involved an employee who was terminated for license compliance. The information was submitted to Commission agents on property. It was discovered approximately six months later that the paperwork referred to the wrong employee. As a result, an employee worked for approximately six months while appearing as an inactive employee in the Commission's database. Pending Commission approval, Executive Director Glenn R. Lawrence and Chris Leininger, General Manager of Trump Indiana have signed a settlement agreement where Trump agrees to pay a fine in the amount of \$1,500.00

Action: Upon motion by Dale Gettelfinger, second by Marya Rose, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement.

Resolution 2003-35

A Resolution Concerning the Fourth Amendment to the Project Agreement By and Between The City of Rising Sun and Grand Victoria Casino and Resort, L.P. Dan Azark, Hyatt Gaming; and Kay Fleming of Ice Miller representing the City of Rising Sun appeared before the Commission. On December 6, 2001, the Indiana Gaming Commission approved the renewal of Grand Victoria's Riverboat Owner's License with the condition that the City of Rising Sun and Hyatt Gaming, LLC negotiate a third amendment to the project agreement with a replacement formula that would have the same economic impact that the admission based formula has had over the life of the project. On or about July 7, 2003, the City and Grand Victoria executed the Fourth Amendment to the Project Agreement. The Fourth Amendment has the effect of modifying Sections 3(f) and (g) of the Original Agreement, Section 9 of the First Amendment, and Section 11 of the Third Amendment.

Action: Upon motion by Ann Bochnowski, second by Marya Rose and unanimous vote of those present, the Commission granted the request of The City of Rising Sun and Grand Victoria Casino & Resort, L.P., to approve the Fourth Amendment to the Development Agreement by and between the City and Grand Victoria.

Executive Director

Billy Hamilton, Deputy Director, has announced his retirement, effective August 15, 2003, from the Indiana Gaming Commission.

Next Meeting

The next meeting of the Indiana Gaming Commission will be September 12, 2003 at 10:00 a.m. at Caesar's Indiana, 11999 Avenue of the Emperors, Elizabeth, IN.

Adjournment

Upon motion by Dale Gettelfinger, second by Marya Rose, and unanimous vote of those present, the meeting was adjourned.

Minutes

Baynes & Shirey Reporting Services transcribed the July 11, 2003, Business Meeting. Consequently, the transcript is the complete record of the meeting. Anyone wishing to see the transcript can review it in the Commission office or obtain a copy of the transcript from Baynes & Shirey, One Indiana Square #2525, Indianapolis, IN 46204 (317) 231-9003.

Rhonda K. Dalton, Executive Secretary of the Indiana Gaming Commission Staff, prepared these minutes.

Respectfully submitted,

Rhonda K. Dalton (FACSIMILE)
Rhonda K. Dalton

THE INDIANA GAMING COMMISSION:

Donald R. Vowels (FACSIMILE)
Donald Vowels, Chair

Thomas Milcarek (FACSIMILE)
Thomas Milcarek, Secretary