

RESOLUTION 2012-151

A RESOLUTION ASSIGNING TO THE EXECUTIVE DIRECTOR THE AUTHORITY TO ACT ON BEHALF OF THE COMMISSION UNDER URGENT CIRCUMSTANCES

The Indiana Gaming Commission ("Commission") adopts the following resolution pursuant to the authority granted to it under IC 4-33, 4-35, and 68 IAC 1-2-6.

The Commission has considered the following factors:

1. According to IC 4-33-3-18(b) and IC 4-35-4-1(c), the Commission may by resolution assign to the Executive Director any duty imposed upon the Commission by IC 4-33 and IC 4-35.
2. According to IC 4-33-4-1 and IC 4-35-4-1, the Commission has numerous powers and duties for the purpose of administering, regulating, and enforcing the system of casino gambling established under IC 4-33 and IC 4-35, including but not limited to the following:
 - a. All powers and duties specified in IC 4-33 and IC 4-35.
 - b. All powers necessary and proper to fully and effectively execute IC 4-33 and IC 4-35.
 - c. Jurisdiction and supervision over the following:
 - i. Casino gambling operations in Indiana.
 - ii. Persons at casinos where gambling operations are conducted.
 - d. Investigate and reinvestigate applicants and licensees and determine the eligibility of applicants for licenses.
 - e. Take appropriate administrative enforcement or disciplinary action against a licensee.
 - f. Investigate alleged violations of relevant statutes.
 - g. Establish fees for licenses.
 - h. Adopt appropriate standards for the design, appearance, aesthetics, and construction for riverboats and facilities.
 - i. Conduct hearings.
 - j. Issue subpoenas for the attendance of witnesses and subpoenas duces tecum for the production of books, records, and other relevant documents.
 - k. Revoke, suspend, or renew licenses.
 - l. Hire employees to gather information, conduct investigations, and carry out other tasks under IC 4-33 and IC 4-35.
 - m. Take any reasonable or appropriate action to enforce IC 4-33 and IC 4-35.
3. According to 68 IAC 1-2-7, the Commission has delegated to the executive director the power and authority to take desirable and proper actions to administer and carry out the executive functions of the Commission or enforce the gaming laws, including, but not limited to:
 - a. executing and entering into contracts on behalf of the Commission
 - b. incurring reasonable and necessary expenses in the name of the Commission in the manner provided by law;
 - c. taking and holding property on behalf of the Commission; and
 - d. hiring and firing employees of the Commission.

4. At times, issues arise that require Commission action, but urgent circumstances require action before a Commission meeting may be held.
5. At times, it may be impractical, burdensome, and not in the best interests of the public and the casino gambling industry for the Commission to not act on an issue before the next Commission meeting.

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

SECTION 1: DEFINITIONS

The definitions set for the IC 4-33-2, IC 4-35-2, and 68 IAC apply to this resolution.

SECTION 2: GRANT OF AUTHORITY TO THE EXECUTIVE DIRECTOR UNDER IC 4-33-3-18(b) AND IC 4-35-4-1(c)

If the Executive Director finds that a situation requires the exercise of powers and duties of the Commission under IC 4-33-4-1 or IC 4-35-4-1 and is a matter of urgent circumstances, and that failure to act immediately would be impractical, burdensome, or not in the best interests of the public or the gaming industry, the Executive Director may exercise the powers and duties of the Commission not specifically prohibited to be assigned by law or by resolution. The Executive Director must obtain consent from one Commissioner before the Executive Director may exercise authority under this Resolution.

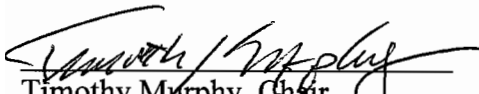
The Executive Director must report action taken under this resolution to the Commission at the next Commission for ratification or other action by the Commission.

SECTION 3: EFFECTIVE DATE

This resolution is effective immediately.

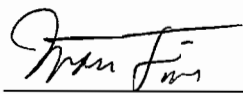
ADOPTED, THIS THE 15th DAY OF NOVEMBER, 2012.

THE INDIANA GAMING COMMISSION



Timothy Murphy, Chair

ATTEST:



Marc Fine, Vice-Chair