

## **RESOLUTION 2010-174**

### **FINDINGS OF GOOD FAITH EFFORT IN MEETING WOMEN BUSINESS ENTERPRISE EXPENDITURE GOALS**

The Indiana Gaming Commission ("Commission") adopts the following resolution pursuant to the authority granted to it under IC 4-33, IC 4-35-11 and 68 IAC 3-3.

The Commission has considered the following factors:

1. Pursuant to IC 4-33-14-5, in 2007 the Commission conducted an industry-wide disparity study to assist the Commission in setting appropriate goals for expenditures by a casino licensee to certified minority and women business owned enterprises. As a result of that study, the Commission established a goal which requires each casino licensee to spend 10.9% of its total construction expenditures with a woman-owned business enterprise.
2. Pursuant to IC 4-33-14, IC 4-35-11, and 68 IAC 3, a casino licensee who fails to meet the established goal must either become compliant or must exhibit a good faith effort to meet the goal.
3. In 2009, four casino licensees failed to meet the established goal. As required by IC 4-33-14, IC 4-35-11, and 68 IAC 3, each casino submitted to the Commission information regarding its effort to meet the goal. As provided in 68 IAC 3-3-10(b), the Commission considered a number of factors in determining whether the casino licensee exhibited a good faith effort.
4. Upon review of the information submitted by each casino licensee that did not meet the established goal, the Commission finds that the following three casino licensees who failed to meet the goal have demonstrated a good faith effort in meeting the goal: Ameristar, Blue Chip, and Horseshoe Southern Indiana.

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

#### **SECTION 1: SCOPE**

This resolution applies to the Indiana Gaming Commission and casino licensees under IC 4-33 and IC 4-35.

#### **SECTION 2: DEFINITIONS**

The definitions set forth in IC 4-33, IC 4-35, and 68 IAC apply to this resolution.

#### **SECTION 3: FINDING OF GOOD FAITH EFFORT**

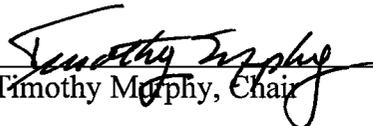
Pursuant to IC 4-33-14, IC 4-35, and 68 IAC 3, the Commission finds that Ameristar, Blue Chip, and Horseshoe Southern Indiana have demonstrated a good faith effort in meeting the goals established by the Commission for construction related expenditures to women-owned business enterprises.

**SECTION 4: EFFECTIVE DATE**

This resolution is effective September 16, 2010.

**ADOPTED THIS THE 16<sup>th</sup> DAY OF SEPTEMBER, 2010.**

THE INDIANA GAMING COMMISSION:

  
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Timothy Murphy, Chair

ATTEST:

  
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Marc Fine, Secretary