

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

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

The following factors have been considered by the Commission:

1. Pursuant to IC 4-33-6.5-1, "the Commission may enter into one (1) operating agent contract with a person to operate one (1) riverboat on behalf of the Commission in a historic hotel district."
2. Pursuant to IC 4-33-6.5-2(a), the Commission must determine the amount of the nonrefundable application fee to be paid by applicants seeking the contract as operating agent from the Commission.
3. Pursuant to IC 4-33-6.5-2(b), the Commission must provide forms for an applicant to apply for the contract to operate a riverboat on behalf of the Commission in a historic hotel district, and the applicant is required to provide certain information to the Commission before the Commission may issue a contract.
4. The Commission should act promptly to establish an application fee and prescribe an application form so that an applicant for the contract to operate a riverboat in a historic hotel district who wishes to pay the costs of the special election to be conducted in November 2003 may make payment to the Orange County Treasurer.

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

SECTION 1. SCOPE.

This resolution applies to any person that applies to the Commission to be the operating agent as defined in IC 4-33-2-14.5.

SECTION 2. DEFINITIONS.

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

SECTION 3. NONREFUNDABLE APPLICATION FEE ESTABLISHED.

The Commission herein determines that the nonrefundable application fee as described in IC 4-33-6.5-2(a) shall be the amount of \$50,000.00. The nonrefundable application fee shall be paid by cashier's or certified check.

SECTION 4. INDIANA OPERATING AGENT APPLICATION, PART I, FORM ADOPTED.

The Indiana Operating Agent Application, Part I, form is adopted. A copy of the form is incorporated into this Resolution by reference, and is attached to this Resolution and designated as "EXHIBIT A".

SECTION 5. ADOPTION OF A DEADLINE FOR FILING.

For those applicants pursuing the Indiana Operating Agent Contract to be utilized for a riverboat located in a historic hotel district, the deadline for filing Part I of the Indiana Operating Agent application form is 12:00 noon (Indianapolis time) September 19, 2003.

SECTION 6. PROCEDURE FOR FILING.

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.

SECTION 7. LOCATION FOR APPLICANT TO FILE.

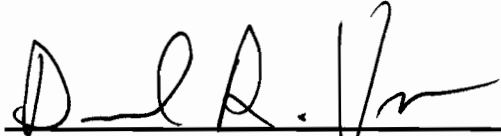
An applicant must deliver to the office of the Indiana Gaming Commission, South Tower, Suite 950, 115 West Washington Street, Indianapolis, IN 46204-3408, on or before the deadline, the documents described in SECTIONS 3 and 4 of this Resolution.

SECTION 8. EFFECTIVE DATE.

This RESOLUTION is effective immediately.

ADOPTED THIS THE 11th DAY OF JULY, 2003:

THE INDIANA GAMING COMMISSION:



Donald R. Vowels, Chair



Thomas Milcarek, Secretary