

RESOLUTION 1993-7

A RESOLUTION ESTABLISHING INTERIM GUIDELINES GOVERNING EX PARTE COMMUNICATIONS BETWEEN MEMBERS OF THE INDIANA GAMING COMMISSION AND APPLICANTS FOR LICENSURE UNDER IC 4-33

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, in order to effectively maintain the public trust while executing the Riverboat Gambling Law, the Commission believes comprehensive and restrictive guidelines regarding ex parte communications between members of the Commission and all applicants for licensure under IC 4-33 must be provided;

WHEREAS, the Commission finds that the Commission should act promptly to ensure to the public and to all applicants for licensure that ex parte communications will not be tolerated;

NOW, THEREFORE, BE IT RESOLVED BY THE INDIANA GAMING COMMISSION, THAT THE FOLLOWING INTERIM GUIDELINES ARE ADOPTED:

SECTION 1. SCOPE.

These interim guidelines apply to members of the Indiana Gaming Commission and to any applicant for licensure under IC 4-33 and those representing an applicant before the Commission.

SECTION 2. DEFINITIONS.

The definitions set forth in IC 4-33-2 apply to those interim guidelines.

SECTION 3. DEFINITION OF "APPLICANT" FOR CERTAIN PURPOSES.

For purposes of these interim guidelines, "applicant" shall be defined as any individual or business entity who directly or

indirectly has applied, or may apply or has any commercial interest in a license issued by the Commission under IC 4-33 and those representing an individual or business entity before the Commission.

SECTION 4. DEFINITION OF "EX PARTE COMMUNICATION" FOR CERTAIN PURPOSES.

For purposes of these interim guidelines, "ex parte communication" shall be defined as any communication, direct or indirect, regarding an issue the Commission has or may have before it.

SECTION 5. PROHIBITION OF EX PARTE COMMUNICATIONS.

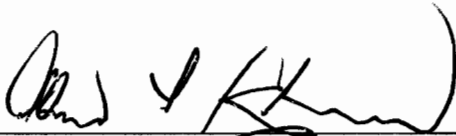
An applicant may not engage in ex parte communications with a Commission member.

SECTION 6. EFFECTIVE DATE AND EXPIRATION.

These guidelines are effective immediately and expire on the earlier of the following:

- (1) the date that rules are adopted under IC 4-33-4-2; or
- (2) July 1, 1994.

ADOPTED, THIS THE 7th DAY OF SEPTEMBER, 1993:



Alan I. Klineman, Chair

ATTEST:



Secretary to the Commission

RESOLUTION 1993-7

**NUNC PRO TUNC AMENDMENT TO RESOLUTION
1993-7 TO REVOKE THE JULY 1, 1994
EXPIRATION DATE OF THE RESOLUTION**

WHEREAS, pursuant to RESOLUTION 1993-7, the Indiana Gaming Commission (the "Commission") prohibited any applicant for licensure under IC 4-33 from having ex parte communication with any Commission member;

WHEREAS, SECTION 6 of RESOLUTION 1993-7 currently reads as follows:

SECTION 6. EFFECTIVE DATE AND EXPIRATION.

These guidelines are effective immediately and expire on the earlier of the following:

- (1) the date that rules are adopted under IC 4-33-4-2; or
- (2) July 1, 1994.

WHEREAS, the Commission has not yet adopted rules regarding the prohibition of ex parte conduct;

NOW, THEREFORE, RESOLUTION 1993-7 IS AMENDED TO READ AS FOLLOWS:

SECTION 6. EFFECTIVE DATE AND EXPIRATION.

These guidelines are effective immediately and expire on the date that the Commission votes to send rules governing the prohibition of ex parte communication to the Indiana Register, and the Commission adopts those rules pending final promulgation.