

## RESOLUTION 1993-10

### A RESOLUTION TO ADOPT INTERIM WRITTEN GUIDELINES CONCERNING ENDORSEMENTS AND EVALUATIONS OF AN APPLICANT FOR AN OWNER'S LICENSE BY A LOCAL GOVERNMENT

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, the Commission is required under IC 4-33-4-5 to adopt standards for the licensing of persons regulated under the Riverboat Gambling Law;

WHEREAS, the Riverboat Gambling Law is intended to benefit the people of Indiana, and states that the public's confidence and trust in the Riverboat Gambling Law will be maintained only through comprehensive law enforcement supervision and strict regulation of facilities, persons, associations, and gambling operations under the Law.

WHEREAS, the Commission has the authority under the Riverboat Gambling Law, based on full consideration of all relevant factors, to determine whether or not an owner's license will be granted and whether or not any application will be granted within the jurisdiction of a local government, subject to the pertinent restrictions set forth in the Law and the Commission's determination that any applicant for an owner's license within a jurisdiction is properly eligible under the Law;

WHEREAS, the Commission has the power and duty under IC 4-33-4-1(5) to "select among competing applicants the applicants that promote the most economic development in a home dock area and that best serve the interests of the citizens of Indiana";

WHEREAS, the Commission has required an application fee of Fifty Thousand Dollars (\$50,000) to thoroughly evaluate the personnel and financial standing of each applicant for a riverboat owner's license;

**WHEREAS**, the Commission recognizes that local governments have an important role to play under the Riverboat Gambling Law by fully evaluating the economic development potential of all applicants for an owner's license within the jurisdiction of the local government;

**WHEREAS**, the Commission recognizes that due to intense public interest within a community, applicants who have received endorsements and local governments who have endorsed applicants have done so in good faith, but before the Commission has established a deadline for filing applications for that site;

**WHEREAS**, endorsements or evaluations of applicants made by a local government before the deadline for filing applications has passed might preclude an analysis of future applicants for that site;

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

**SECTION 1. EVALUATIONS AND ENDORSEMENTS BY LOCAL GOVERNMENTS.** Evaluations and endorsements of all of the applicants made by a local government after the deadline for filing applications will be an important factor in the Commission's economic development evaluation process. Evaluations and endorsements of applicants made before the deadline for filing applications are premature and will receive little, if any, consideration in the Commission's evaluation process.

**SECTION 2. LOCAL GOVERNMENT EVALUATION PROCESS.** After the deadline for filing applications at a site has passed, the Commission will request that local government evaluate all of the applicants for a site within the local government's jurisdiction. In the request for evaluation, the Commission will ask, among other things, for the local government's ranking, and the basis for the ranking, of all the applicants.

**SECTION 3. EFFECTIVE DATE AND EXPIRATION.**

These guidelines are effective immediately and expire on the date rules are adopted under IC 4-33-4-2.

ADOPTED, THIS THE 8<sup>th</sup> DAY OF October, 1993:

**THE INDIANA GAMING COMMISSION:**



/s/ Alan I. Klineman, Chair

ATTEST:



/s/ Gene Hensley,  
Secretary to the Commission