

RESOLUTION 1994-3

**A RESOLUTION CONCERNING THE ACCEPTABILITY OF THE SUBMITTALS OF
FRED COLLINS dba\FRED COLLINS GAMING CO.
AND
MOUNT ALBANY GRAND CASINOS, INC.
OF FEBRUARY 2, 1994**

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 and 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 Commission has previously adopted Part I of the Indiana Riverboat Owner License Application Form (Resolution 1993-5) and has made the form available to all potential applicants;

WHEREAS, on December 10, 1993, at its public meeting held in the City of Gary, the Commission publicly established and published Resolution 1993-15, which, in pertinent part, reads as follows:

For those applicants pursuing an Indiana riverboat owner's license to be utilized for the sites passing the November 2, 1993, referendum, more specifically: the counties of Dearborn, Ohio, Switzerland and Vanderburgh on the Ohio River and the county of LaPorte on Lake Michigan and the cities of East Chicago and Hammond, the deadline for filing Part 1 of the Indiana Riverboat Owner License Application form is 12:00 noon (Indianapolis time) February 2, 1994.

WHEREAS, pursuant to previously adopted Resolutions 1993-4, 1993-9 and 1994-1, the Commission required twelve (12) copies, nine (9) bound and three (3) unbound, of Part I or a docksite amendment as applicable, along with a cashier's or certified check in the amount of fifty thousand (\$50,000.00) dollars or ten thousand (\$10,000.00) dollars, as applicable;

WHEREAS, the Commission's staff has advised the Commission that the submittals of Fred Collins dba/Fred Collins Gaming Co. and Mount Albany Grand Casinos, Inc. neither met the deadline nor were submitted in a manner which substantially complied with the statute and Resolutions of the Commission;

WHEREAS, the Chairman of the Commission directed the staff to advise Fred Collins dba/Fred Collins Gaming Co. and Mount Albany Grand Casinos, Inc. as well as all applicants for East Chicago and Rising Sun to submit in writing any reasons each may have as to why the Commission should or should not allow the submittals to be filed;

WHEREAS, the staff has advised the Commission that all parties were so notified and the information received as a result of the notification has been put before the Commission for its consideration in the matters;

WHEREAS, the Commission intends to promptly begin the process of evaluating applicants for sites passing the referendum and award an owner's license upon the full evaluation of all applications submitted for those sites.

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

SECTION 1. DEFINITIONS.

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

SECTION 2. FRED COLLINS dba/FRED COLLINS GAMING CO.

Upon full consideration by the Commission, the February 2, 1994 submittal of Fred Collins dba/Fred Collins Gaming Co. without the payment of the Fifty Thousand Dollar (\$50,000) application fee for Rising Sun, Indiana ~~(is)~~ (is not) accepted by the Commission.

SECTION 3. MOUNT ALBANY GRAND CASINOS, INC.

Upon full consideration by the Commission, the February 2, 1994 submittal of Mount Albany Grand Casinos, Inc. for East Chicago, Indiana ~~(is)~~ (is not) accepted by the Commission.

SECTION 4. EFFECTIVE DATE.

This resolution is effective immediately.

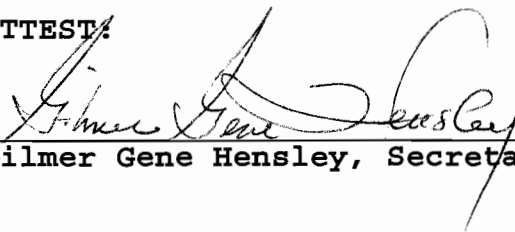
ADOPTED, THIS THE 11th DAY OF FEBRUARY, 1994:

THE INDIANA GAMING COMMISSION:



Alan I. Klineman, Chair

ATTEST:



Gilmer Gene Hensley, Secretary