

RESOLUTION 2003-36

A RESOLUTION READOPTING AN EMERGENCY RULE

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 Commission has considered the following factors:

1. Pursuant to IC 4-33-4-3 and IC 4-22-2-37.1, the Commission has the authority to adopt emergency rules. The Commission adopted Emergency Rule #03-210(E) on July 11, 2003. The rule was then filed with the Secretary of State's office on July 15, 2003, which is the date it became effective. The rule will remain in effect for ninety (90) days thereafter.
2. Pursuant to IC 4-33-4-3(b), the Commission shall begin rulemaking procedures to adopt the rule under the normal promulgation process within thirty days of the adoption of the emergency rule. To that end, the Commission staff submitted a notice of intent to adopt a rule to the Legislative Services Agency on or about August 11, 2003, for publication in the September 1, 2003 edition of the *Indiana Register*.
3. The Commission may file an extension of the emergency rule with the Secretary of State's office in order to extend the effectiveness of the rule for an additional ninety (90) days pending the formal promulgation process.

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

SECTION 1: SCOPE

This resolution applies to Commission members, employees and agents, each applicant for an operating agent contract, and each operating agent.

SECTION 2: DEFINITIONS

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

SECTION 3: READOPTION OF THE EMERGENCY RULE

Pursuant to IC 4-22-2-37.1, the Commission adopts the attached extension of Emergency Rule #03-210(E) and authorizes the staff to file the rule again with the Secretary of State's office for a ninety-day extension of the effectiveness of the rule. The Commission further adopts any stylistic, grammatical, typographical, or other nonsubstantive changes that the Commission or the Legislative Services Agency may make to this emergency rule. The Commission shall submit the rule to the Publisher of the *Indiana Register* and the *Indiana Administrative Code* for the assignment of a document control number and then shall submit the emergency rule to the

Secretary of State for filing. The Commission staff will work to expeditiously complete the process necessary to adopt the emergency rule as a final rule pursuant to the dictates of IC 4-22-2.

SECTION 4: EFFECTIVE DATE.

This resolution is effective immediately.

SECTION 5: EXPIRATION DATE.

This resolution shall expire after the subject matter of the attached emergency rule is fully promulgated pursuant to IC 4-22-2.

ADOPTED THIS THE 12TH DAY OF SEPTEMBER, 2003.

THE INDIANA GAMING COMMISSION:



Donald Vowels, Chair

ATTEST:



Thomas Milcarek, Secretary