

RESOLUTION 2006-25

A RESOLUTION ASSIGNING TO THE EXECUTIVE DIRECTOR THE RIGHT TO EXERCISE ALL CHARITY GAMING POWERS AND DUTIES CONFERRED UPON THE COMMISSION BY SENATE ENROLLED ACT 100

The Indiana Gaming Commission ("Commission") adopts the following resolution pursuant to the authority granted to it under Senate Enrolled Act 100 ("SEA 100"), to be codified at IC 4-32.2.

The Commission has considered the following factors:

1. IC 4-32.2-3-1(b) states, "The commission may by resolution assign to the executive director any duty imposed upon the commission by this article."
2. IC 4-32.2-3-1(c) states, "The executive director shall perform the duties assigned to the executive director by the commission. The executive director may exercise any power conferred upon the commission by this article that is consistent with the duties assigned to the executive director under subsection (b)."
3. Currently, throughout the State of Indiana, various qualified organizations hold a total of approximately 2,600 charity gaming licenses. The Commission has been advised by the Department of Revenue that the day-to-day regulation of such a vast number of licensees requires the ability to be responsive to emergent issues. Due in part to the vast number of licenses at issue and to the nature of charity gaming regulation itself, the Commission finds that a regulatory framework which assigns a significant amount of sole authority with the Commission would be burdensome, unresponsive, and an inefficient use of resources. SEA 100 clearly states the legislature's intent to allow the Commission to grant to the Executive Director all powers necessary to ensure efficient and responsive operation of the Division. As a result, it is in the best interest of the Commission and its Charity Gaming licensees to assign the right to perform all duties conferred upon the Commission in IC 4-32.2.

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

SECTION 1: SCOPE

This resolution applies to the Indiana Gaming Commission and the Executive Director of the Indiana Gaming Commission.

SECTION 2: DEFINITIONS

The definitions set forth in IC 4-33 and future IC 4-32.2 apply to this resolution. Any definitional conflict that may exist will be resolved by giving preference to the definitions in IC 4-32.2.

SECTION 3: ASSIGNMENT OF AUTHORITY TO THE EXECUTIVE DIRECTOR


The Indiana Gaming Commission hereby assigns to the Executive Director the right to exercise all powers and duties conferred upon the Commission by IC 4-32.2 until July 1, 2007.

SECTION 4: EFFECTIVE DATE

This resolution is effective immediately.


ADOPTED THIS THE 7TH DAY OF JUNE, 2006.

THE INDIANA GAMING COMMISSION:



Harold Calloway, Chair

ATTEST:



Donald R. Vowels, Vice Chair