

RESOLUTION 1994- 17

**A RESOLUTION ADOPTING THE RESULTS OF THE  
FEDERAL CENSUS AND ADOPTING THE  
DEFINITION OF A CITY FOR PURPOSES OF 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**, there are certain references in the Riverboat Gambling Law to the population of cities and counties;

**WHEREAS**, pursuant to IC 1-1-4-5(16) "'Population' refers to the population according to the most recent federal special or decennial census, special tabulation, or corrected population count effective under IC 1-1-3.5. This definition applies even if the reference is to the most recent federal decennial census."

**WHEREAS**, there are certain references in the Riverboat Gambling Law to the term city or cities; and

**WHEREAS**, the Commission finds that setting forth the proper decennial census and definition of the term city will prevent confusion of the issues.

**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 and 68 IAC 1-1 (adopted by RESOLUTION 1993-14) apply to this resolution.

**SECTION 2. ADOPTION OF THE RESULTS OF THE FEDERAL CENSUS.**

In accordance with IC 1-1-3.5; IC 1-1-4-5(16); and Executive Order 91-5, the results of the 1990 federal decennial census or the most recent federal special census, special tabulation or corrected population counts are appropriate figures to be utilized in the statutory provisions of the Riverboat Gambling Law that refer to population.

**SECTION 3. ADOPTION OF THE DEFINITION OF THE TERM CITY.**

Pursuant to IC 36-4-1-4, a municipality that has a population of two thousand (2,000) or more as of the 1990 federal decennial census or the most recent federal special census, special tabulation or corrected population count, and that


qualifies as a city under IC 36-4-1 is a city for purposes of the Riverboat Gambling Law.

**SECTION 4. EFFECTIVE DATE.**

This RESOLUTION is effective immediately.

**ADOPTED, THIS THE 8TH DAY OF JULY, 1994:**

**THE INDIANA GAMING COMMISSION:**



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Alan I. Klineman, Chair

**ATTEST:**



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Gilmer Gene Hensley, Secretary