

RESOLUTION 1994-23

**A RESOLUTION CONCERNING THE
REQUEST OF AZTAR INDIANA GAMING CORPORATION
TO SUBSTANTIVELY AMEND PART I AND PART
II OF ITS INDIANA RIVERBOAT OWNER'S
LICENSE APPLICATION BY AMENDING THE
PROPOSED ECONOMIC DEVELOPMENT PROPOSAL**

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, an applicant for an owner's license is required under IC 4-33-5 and IC 4-33-6 to provide certain information to the Commission before the Commission may issue a license to that applicant;

WHEREAS, pursuant to IC 4-33-4-1(a)(4), the Commission has the power and duty to "investigate applicants and determine the eligibility of applicants for licenses";

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, pursuant to IC 4-33-4-17, the Commission is to "decide promptly and in reasonable order all license applications";

WHEREAS, pursuant to RESOLUTION 1993-16, the Commission adopted Part II of the Riverboat Owner's License Application;

WHEREAS, pursuant to RESOLUTION 1994-7, the Commission granted the Executive Director of the Commission the authority to amend Part II of the Riverboat Owner's License Application by March 23, 1994, and Part II of the application was so amended;

WHEREAS, pursuant to RESOLUTION 1994-5, the Commission adopted a policy governing amendments to Part II of the Riverboat Owner's License Application; and

WHEREAS, on August 3, 1994, Aztar Indiana Gaming Corporation, submitted a proposed amendment to its Riverboat Owner's License Application and a letter explaining the proposed amendment for Commission consideration. The primary purpose of the substantive changes proposed by the amendment is to incorporate a Project Agreement resulting from the selection of Aztar Indiana Gaming Corporation as the City of Evansville's, Vanderburgh County, exclusive endorsed applicant and to

incorporate economic data resulting from the Project Agreement into the application. (Copy of letter attached).

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

SECTION 1. SCOPE.

This guideline applies to Aztar Indiana Gaming Corporation.

SECTION 2. 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 3. ACTION ON THE REQUEST FOR AMENDMENT.

The requested amendment of Aztar Indiana Gaming Corporation which reflects the Project Agreement with the City of Evansville, Vanderburgh County, and economic data resulting therefrom as is more fully set out in the amendments and letter submitted August 3, 1994, is hereby

Accepted

ACCEPTED or REJECTED

SECTION 4. EFFECTIVE DATE.

This RESOLUTION is effective immediately.


ADOPTED, THIS THE 31ST DAY OF AUGUST, 1994:

THE INDIANA GAMING COMMISSION:



Alan I. Klineman, Chair

ATTEST:



Gilmer Gene Hensley, Secretary