

RESOLUTION 1994-38

**A RESOLUTION ADOPTING THE FINAL PUBLICATION OF  
ARTICLE 1, RULES 1 AND 6; ARTICLE 2, RULES 1, 2,  
3, 4, AND 5; ARTICLE 6 AND ARTICLE 7.**

**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**, under IC 4-33-4-2, the Commission is to adopt rules to administer the Riverboat Gambling Law; establish conditions under which riverboat gambling may be conducted; provide for the prevention of practices detrimental to the public interest and providing for the best interests of riverboat gambling; inspect riverboats and the permits or licenses necessary to operate riverboats; and impose penalties for noncriminal violations of the Riverboat Gambling Law;

**WHEREAS**, the Commission has begun promulgation of these rules pursuant to IC 4-21.5, and these rules were published in the Indiana Register, Volume 17, Number 9, pages 2087 - 2127 on June 1, 1994;

**WHEREAS**, the Commission held a public hearing on these rules on June 28, 1994, and accepted written comments on the same;

**WHEREAS**, the verbal comments from the public hearing has been transcribed, and the transcript as well as the written comments have been provided to the Commission members for review;

**WHEREAS**, the promulgation process for the final promulgation of these rules will take up to six (6) additional months;

**WHEREAS**, the Commission has reviewed the rules, and undergone a prereview process with the Attorney General's office;

**WHEREAS**, the Commission has made certain changes to the rules that were published on June 1, 1994, as a result of the review of the written comments, the public hearing, and the prereview process;

**WHEREAS**, the Commission has been duly advised in the matter and finds that the Commission should act promptly to adopt the rules that will be published as final rules in the November 1, 1994 Indiana Register and apply them on an interim basis until the promulgation process is complete.

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

**SECTION 1. SCOPE.**

These guidelines apply to each applicant, each licensee, any person who does business with an applicant or licensee, an institution of higher education, and any person who is a patron of a Riverboat Gambling Operation.

**SECTION 2. DEFINITIONS.**

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

**SECTION 3. ADOPTION OF THE RULES THAT WILL BE PUBLISHED AS FINAL RULES IN THE NOVEMBER 1, 1994 INDIANA REGISTER.**

The Commission adopts the following rules pending the promulgation process:

Article 1 General Provisions

- Rule 1 Definitions
- Rule 6 Appearances by Attorneys

Article 2 Licenses

- Rule 1 Riverboat Owner Licenses
- Rule 2 Supplier Licenses
- Rule 3 Occupational Licenses
- Rule 4 Felony Conviction Waiver
- Rule 5 Occupational Training Schools

Article 6 Exclusion of Persons

Article 7 Hearings on Notice of Denial, Nonrenewal and Placement on Exclusion List

The Commission adopts the rules which are being forwarded to Legislative Services Agency on October 7, 1994, for publication as final rules and further adopts any stylistic, grammatical, typographical, or other nonsubstantive changes which the Commission or the Legislative Services Agency may make by November 1, 1994.

**SECTION 4. EFFECTIVE DATE.**

This RESOLUTION is effective immediately.

**SECTION 5. EXPIRATION DATE.**

This RESOLUTION expires on the date that the rules are fully promulgated pursuant to IC 4-22-2.

ADOPTED, THIS THE 7TH DAY OF OCTOBER, 1994:

THE INDIANA GAMING COMMISSION:



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Alan I. Klineman, Chair

ATTEST:



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Gilmer Gene Hensley, Secretary