

RESOLUTION 2007-55

A RESOLUTION ADOPTING MARINE STRUCTURAL AND LIFE SAFETY STANDARDS

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. In 2005, Indiana Code 4-33-6 was amended by the Indiana General Assembly to read as follows: “A riverboat that operates in a county described in IC 4-33-1-1(1) or IC 4-33-1-1(2) must ... have either (A) a valid certificate of inspection from the United States Coast Guard for the carrying of at least five hundred (500) passengers; or (B) a valid certificate of compliance with marine structural and life safety standards determined by the Commission....”
2. The United States Coast Guard has determined that newly constructed Indiana riverboat casino vessels shall be classified as permanently moored vessels and the Coast Guard will not grant a Certificate of Inspection to such vessels.
3. Horseshoe Hammond, LLC and the Indiana Gaming Company, LP (Argosy) are currently constructing new gaming vessels which will not be granted a Certificate of Inspection from the United States Coast Guard.
4. Given the policies of the United States Coast Guard, it is imperative that the Commission provide alternative standards for newly constructed vessels seeking a Certificate of Compliance under Indiana Code 4-33-6 instead of a Certificate of Inspection.

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

SECTION 1: SCOPE

This resolution applies to Indiana Riverboat Licensees operating a riverboat in a county described in IC 4-33-1-1(1) or IC 4-33-1-1(2).

SECTION 2: DEFINITIONS

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

SECTION 3: ADOPTION OF MARINE STRUCTURAL AND LIFE SAFETY STANDARDS

The Commission hereby adopts the attached marine structural and life safety standards developed pursuant to Indiana Code 4-33-6. This adoption of these standards does not supersede, restrict or diminish the authority granted to the Executive Director under Resolution 2005-45.

SECTION 5: APPLICATION OF THE STANDARDS

In accordance with Indiana Code 4-33-6, the marine structural and life safety standards herein adopted shall be the measure by which Indiana's alternate certification of riverboat gaming vessels will be judged in order to receive a certificate of compliance.

SECTION 5: EFFECTIVE DATE

This resolution is effective immediately.

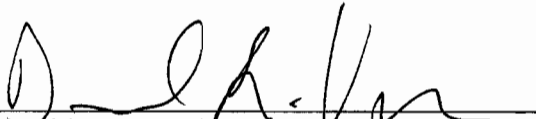
ADOPTED THIS THE 7th DAY OF JUNE, 2007.

THE INDIANA GAMING COMMISSION:



William W. Barrett, Chair

ATTEST:



Donald R. Vowels, Secretary