

RESOLUTION 2008-91

A RESOLUTION GRANTING THE EXECUTIVE DIRECTOR LIMITED AUTHORITY TO DENY APPLICATIONS FOR OCCUPATIONAL LICENSES

The Indiana Gaming Commission (“Commission”) adopts the following resolution pursuant to authority granted to it under IC 4-33, IC 4-35, and pursuant to 68 IAC 1-2-6. The following factors have been considered by the Commission:

1. IC 4-33-8-3, IC 4-33-8-11, IC 4-35-6.5-3, and IC 4-35-6.5-11 establish, among other things, that persons under the age of 18 and persons who have a felony conviction in Indiana or other jurisdictions (and do not obtain felony waiver) are not eligible for an occupational license.
2. In the vast majority of cases, verifying the age and felony record of applicants for occupational licensure does not require the judgment, discretion, or attention of the full Commission.
3. In order to achieve maximum efficiency for the Commission and for applicants, the Executive Director should be authorized to issue denial orders upon determining that an applicant is under the age of 18 or has a felony conviction.
4. Authorizing the Executive Director to act in this manner will not impinge upon the applicant’s right to appeal a denial under IC 4-21.5-3 and 68 IAC 7-1.

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

SECTION 1. SCOPE.

This resolution applies to all entities that fall under the Commission’s jurisdiction.

SECTION 2. DEFINITIONS.

The definitions set forth in IC 4-33, IC 4-35, and 68 IAC apply to this resolution.

SECTION 3. DELEGATION OF AUTHORITY.

The Commission hereby delegates to the Executive Director the authority to issue an order under IC 4-21.5-3-5, denying occupational license applications whenever the Executive Director or his designee determine that an applicant is under 18 years of age or the applicant has been convicted of a felony.

SECTION 4. EFFECTIVE DATE.

This resolution is effective immediately.

ADOPTED THIS THE 28th DAY OF AUGUST, 2008:

THE INDIANA GAMING COMMISSION:



William Barrett, Chair

ATTEST:



Thomas Swihart, Secretary