

RESOLUTION CONCERNING EMERGENCY AMENDMENT TO RULE 3

WHEREAS, Section 9 of Article XVIII of the Colorado Constitution requires the Colorado Limited Gaming Control Commission (“Commission”) to promulgate all necessary rules and regulations relating to the licensing of limited gaming including performing an annual review of existing licensing fees; and

WHEREAS, pursuant to section 12-47.1-302, C.R.S., and the regulations promulgated thereunder, the Colorado Division of Gaming (“Gaming”) performs an annual comprehensive fee analysis, the data for which is not available in time for compliance with all of the requirements of section 24-4-103, C.R.S., and the start of the state fiscal year on July 1, 2016; and

WHEREAS, the adoption of emergency amendments to Rule 3 is imperatively necessary to ensure adequate resources are available for the thorough and timely investigation of new licensees and to perform the necessary criminal and financial investigations as required by the Colorado Limited Gaming Act, and compliance with the requirements of section 24-4-103, C.R.S., would be contrary to public interest; and

WHEREAS, the annual comprehensive fee analysis reveals that the current license background fees do not cover enough of the total direct and indirect costs associated with the licensing and investigation into an applicant’s background and as of July 1, 2016, the current fee schedules need to be in place to maintain consistency among all license applicants; and

WHEREAS, the proposed increases in licensing fees, effective July 1, 2016, will allow the Division to recoup its costs so that it can continue to adequately and thoroughly investigate the backgrounds of licensees and remain in compliance with the legislative declarations set forth in the Colorado Limited Gaming Act of 1991; and

WHEREAS, the amendments to Rule 3 are necessary to carry out the purposes of the Colorado Limited Gaming Act, Article 47.1 of Title 12, C.R.S.

WHEREAS, a permanent change in the regulations could be achieved no sooner than July 15, 2016, given the process for notice and promulgation of the rule change pursuant to the provisions of section 24-4-103, C.R.S.; and

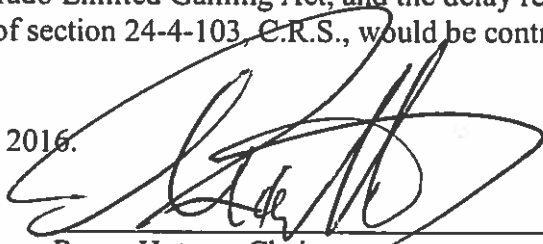
WHEREAS, published notice of the rulemaking hearing regarding Rule 3 was given on April 14, 2016 in the Colorado Register pursuant to section 24-4-103(6), C.R.S. and a full and public rule-making hearing was held on May 26, 2016, whereafter the permanent identical changes were adopted.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Colorado Limited Gaming Control Commission, based on the facts recited above, as follows:

The immediate adoption of the amendments to Rule 3, Regulation 47.1-305 as an emergency rule, effective July 1, 2016, is imperatively necessary to comply with state law and fiscal policy and for the preservation of the public health safety and welfare by ensuring

adequate resources are available for the thorough and timely criminal and financial investigation of new licensees as required by the Colorado Limited Gaming Act, and the delay resulting from strict compliance with the requirements of section 24-4-103, C.R.S., would be contrary to the public interest.

Resolved this 26 day of May, 2016.

A large, stylized handwritten signature in black ink, appearing to read 'R. Hutson', is written over a horizontal line.

Roger Hutson, Chairman
Colorado Limited Gaming Control Commission