

**STATE OF MICHIGAN
THE MICHIGAN GAMING CONTROL BOARD**

RESOLUTION NO. 1998-08

**A Board Resolution Regarding the Need for an Agreement or a Statement
Of Intent From a Casino Licensee, Casino License Applicant, or Holder of
Certificate of Suitability Prior to Processing a Supplier License Application**

WHEREAS, the Michigan Gaming Control Board ("the Board") is empowered by the Michigan Gaming Control and Revenue Act, as amended, Public Act 69 of 1997; MCL 432.201 et seq. ("the Act") to promulgate rules as may be necessary to implement, administer, and enforce the Act; and,

WHEREAS, the Board has adopted and promulgated administrative rules with respect to the licensing of persons providing goods and services to a casino licensee, casino license applicant or holder of certificate of suitability; and,

WHEREAS, the Board has adopted and promulgated Rule 432.1324 (2)(n), which provides that the Board shall not process an application for a supplier's license unless the person making the application has a written agreement with, or written statement of intent from, a casino licensee, casino license applicant, or holder of a certificate of suitability providing or stating that the applicant will be supplying certain types of goods and services to the casino licensee, casino license applicant, or holder of a certificate of suitability upon receiving a supplier license; and,

WHEREAS, the applicants and prospective providers of goods and services have inquired as to the Board's interpretation of the above rule provision; and,

WHEREAS, the Board, accordingly, believes it is necessary and appropriate to clarify the meaning and application of the above rule; **NOW THEREFORE**,

IT IS HEREBY RESOLVED, as follows:


1. Rule 432.1324 (2)(n) does not require that an applicant for a supplier license have or present to the Board a written contract or agreement to provide goods or services to a certain casino licensee, casino license applicant or holder of certificate of suitability, before the Board may process the applicant's application for a supplier license.
2. It shall be and is sufficient under Rule 432.1324 (2)(n) for the Board to process an application for a supplier license, if the applicant has and presents to the Board along with its license application a written statement from a casino licensee, casino license applicant or holder of a certificate of suitability stating that the

supplier license applicant has been selected as a potential supplier of goods or services to the casino licensee, casino license applicant or holder of a certificate of suitability for its casino or casino enterprise, subject to certain contingencies, including, but not limited to: obtaining a supplier license in timely fashion; final selection in a bid selection process; good faith negotiation and execution of a supplier contract; full compliance with the Act and administrative rules of the Board and all other applicable state and federal laws, rules and regulations; full compliance with directives, orders and rulings of the Board; and compliance with the certified casino development agreement.

3. The Executive Director or his or her designee shall have full authority to determine whether the written statement presented by an applicant for a supplier license is in compliance with Rule 432.1324(2)(n) and is sufficient to allow the Board to process the applicant's application for a supplier license.

RESOLUTION NUMBER 1998-08

ADOPTED, THIS THE 21ST DAY OF JULY, 1998.


Thomas G. Denomme, Chair

Attest:

