

State Budget Office
Office of Regulatory Reinvention
111 S. Capitol Avenue; 8th Floor, Romney Building
Lansing, MI 48933
Phone: (517) 335-8658 FAX: (517) 335-9512

REQUEST FOR RULEMAKING (RFR)

Under the Administrative Procedures Act (APA), 1969 PA 306, the department/agency that has the statutory authority to promulgate the rules must file a request for rulemaking with the Office of Regulatory Reinvention before initiating any changes or additions to the rules. Please submit an electronic copy to the ORR at orr@michigan.gov.

1. Department:

Treasury

2. Division/agency/bureau:

Michigan Gaming Control Board

3. Name, address, e-mail, and phone number of agency contact person:

Wendy Harns 3062 W. Grand Blvd, L-700, Detroit, MI 48202
harnsw@michigan.gov (517) 335-2163

4. Title of proposed rule(s) or rule set:

Casino Gaming

5. Rule number(s) or rule set range of numbers:

R 432.1101-1108, 1136, 1204, 1210, 1212, 1214-1216, 1220, 1221, 1224, 1302-1304, 1306-1308, 1312, 1316, 1321-1327, 1330-1334, 1336-1341, 1402, 1405, 1406, 1501, 1504, 1506, 1508, 1509, 1511, 1701, 1702, 1704, 1706, 1707, 1712, 1713, 1715, 1803, 1804, 1811-1813, 1816, 1817, 1819-1823, 1824-1826, 1828-1836, 1838-1843, 1903-1905, 11001-11018, 11202, 11203, 11208, 11304, 11308, 11309, 11401, 11402, 11404, 11405, 11501-11503, 11601, and 11602

6. Estimated timetable for completion, or statutory deadline, if applicable:

March 31, 2018

7. Describe the general goal/purpose of these rules. Include a discussion of the problem(s) - the rule rescissions, additions, or amendments intended to address:

These rules will provide the regulatory framework for the licensing and operation of the three commercial casinos located in Detroit, their suppliers and employees. The rule set will eliminate the definitions of business or calendar day because the casinos operate 24 hours a day, 7 days a week; include standard industry acronyms for electronic gaming devices, random access memory, random number generator; remove the definition of public official because the term is not used in the rules; clarify persons authorized to carry weapons in casinos, and express permission to carry handcuffs by private casino security personnel is being eliminated; change the location of MGCB's principal office from Lansing to Detroit; revise the requirements relating to the

transfers of ownership, suspected criminal activity reporting, patron disputes procedures, application process, and revise exemptions from supplier licensing; modify the process to appeal a board decision; update the rules on surveillance, instruments of monetary value, conduct of gaming and gaming equipment, remove tokens, and movement of electronic gaming devices and live table games; revised parking space requirements; ensure processes are in place to prevent disassociated persons from participating in gaming activities.

8. Please cite the specific promulgation authority for the rule(s) (i.e. department director, commission, board, etc.), listing all applicable statutory references. Are the rule(s) mandated by any applicable constitutional or statutory provision? If so, please explain.

Section 4(17)(d) of Michigan Gaming Control and Revenue Act, as amended, states the MGCB's duties include: "Promulgating the rules as may be necessary to implement, administer, and enforce this act." MCL 432.204(17)(d) and MCL 24.231.

9. Please describe the extent to which the rule(s) conflict with or duplicate similar rules or regulations adopted by the state or federal government [include statutory references and public acts, as applicable]:

These rules do not conflict with or duplicate similar rules or regulations.

10. Is the subject matter of the rule(s) currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda?

The subject matter of these rules are not contained in any guideline, handbook, manual, instructional bulletin, or operational memoranda. The MGCB uses a number of forms with instructions. These forms include, but are not limited to, licensing applications, patron dispute form, surveillance alteration request, and transfer of interest forms.

11. Is the rule(s) listed on the department's annual regulatory plan as a rule to be processed for the current year?

Yes.

12. Will the proposed rule(s) be promulgated under Sections 44 or 48 of the Administrative Procedures Act, 1969 PA 306, as amended, being MCL 24.244 or 24.248? Will the rule(s) be promulgated under the full rulemaking process? Please explain.

No. These rules will be promulgated under the full rulemaking process.

Note: If this request for rulemaking applies to rules that will be promulgated pursuant to **Sections 44 or 48** of the Administrative Procedures Act, 1969 PA 306, as amended, MCL 24.244 or 24.248, you do not have to answer questions 13 to 18.

13. Please describe the extent to which the rule(s) exceed national or regional compliance requirements or other standards:

There are no national or regional compliance requirements or other standards.

14. Do the rule(s) incorporate the recommendations of any Advisory Rules Committee formed pursuant to Executive Order 2011-5? If yes, please explain.

These rules do not incorporate the recommendations of any Advisory Rules Committee formed pursuant to Executive Order 2011-5.

15. Do the rule(s) incorporate the recommendations received from the public regarding any complaints or comments regarding the rule(s)? If yes, please explain.

These rules address concerns expressed by licensees, in the areas of surveillance, supplier licensing, conduct of games, and transfers of ownership.

16. If amending an existing rule set, please provide the date of the last evaluation of the rule(s) and the degree, if any, to which technology, economic conditions, or other factors have changed the regulatory activity covered by the rule(s) since the last evaluation:

The rules were last amended in May 2008. The MGCB continually evaluates the applicability of the rules consistent with changes in technology, economic conditions, and regulatory needs.

17. Are there any changes or developments since implementation that demonstrate there is no continued need for the rule(s), or any portion of the rules?

The need for these rules exists.

18. Is there an applicable decision record (as defined in MCL 24.203(6) and required by MCL 24.239(2))? If so, please attach the decision record.

There is not an applicable decision record.

19. Reviewed by the following Departmental Regulatory Affairs Officer (RAO):

Margaret L. Patterson

↓ To be completed by the ORR ↓

Date RFR received:

12-01-2017

Based on the information provided in this RFR, the ORR concludes that there are sufficient policy and legal bases for approving the RFR.

ORR assigned rule set number:	2017-092 TY
Date of approval: 12/18/2017	Explanation: <i>This Request for Rulemaking satisfies the requirements of the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., and Executive Order 2011-5.</i>

Based on the information provided in this RFR, the ORR is not approving the RFR at this time.

Date of disapproval:	Explanation:
More information needed:	Explanation: