

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	10/14/2014	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 11/14/2014

2. COMAR Codification

Title Subtitle Chapter Regulation

36 05 02 16

3. Name of Promulgating Authority

Maryland State Lottery and Gaming Control Agency

4. Name of Regulations Coordinator

James B Butler

Telephone Number

410-230-8781

Mailing Address

1800 Washington Blvd., Ste. 330

City State Zip Code

Baltimore MD 21230

Email

jbutler@maryland.gov

5. Name of Person to Call About this Document

James B. Butler

Telephone No.

(410) 230-8781

Email Address

jbutler@maryland.gov

6. Check applicable items:

- New Regulations
 - Amendments to Existing Regulations
 - Date when existing text was downloaded from COMAR online: October 3, 2014.
 - Repeal of Existing Regulations
 - Recodification
 - Incorporation by Reference of Documents Requiring DSD Approval
 - Reproposal of Substantively Different Text:
 - : Md. R
 - (vol.) (issue) (page nos) (date)
- Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

- Yes No

If yes, corresponding proposed text published in:

- same issue
 - future issue
 - previous issue; it appeared in
 - : Md. R
 - (vol.) (issue) (page no's) (date)
- Under Maryland Register docket no.: --E.

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

- OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.
- OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Robert T. Fontaine, Assistant Attorney General, (telephone #(410) 230-8781) on September 25, 2014. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Stephen L. Martino

Title

Director

Telephone No.

(410) 230-8790

Date

October 14, 2014

Title 36
MARYLAND STATE LOTTERY AND GAMING
CONTROL AGENCY
Subtitle 05 TABLE GAMES

36.05.02 Table Game Equipment

Authority: 36.05.02: State Government Article, §§9-1A-02(b) and 9-1A-04(d),
Annotated Code of Maryland

Notice of Proposed Action

[]

The Maryland Lottery and Gaming Control Agency proposes to amend Regulation .16 under COMAR 36.05.02 Table Game Equipment

This action was considered at the Maryland State Lottery and Gaming Control Commission open meeting held on September 25, 2014, notice of which was given pursuant to State Government Article, § 10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to update the Regulations of the State Lottery and Gaming Control Agency to incorporate provisions that better clarify the duties and responsibilities of a table games supervisor.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to James B. Butler, Director of Legislative and Policy Affairs, Maryland Lottery and Gaming Control Agency, 1800 Washington Blvd, Suite 330, Baltimore, MD 21230, or call (410) 230-8781, or email to jbutler@maryland.gov, or fax to (410) 230-8727. Comments will be accepted through December 15, 2014. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 15

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

Special (Gaming Proceeds)

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

update the Regulations of the State Lottery and Gaming Control Agency to incorporate provisions that better clarify the duties and responsibilities of a table games supervisor.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

update the Regulations of the State Lottery and Gaming Control Agency to incorporate provisions that better clarify the duties and responsibilities of a table games supervisor.

G. Small Business Worksheet:

Attached Document:

(October 3, 2014)

36.05.02 Table Game Equipment

Authority: State Government Article, §§9-1A-02(b) and 9-1A-04(d), Annotated Code of Maryland

.16 Cards — Receipt, Storage, Inspection, and Removal.

A. (text unchanged)

B. Storage. The Commission-approved storage area must have two separate locks, to which access shall be controlled as follows:

(1) – (2) (text unchanged)

(3) If the facility operator has a separate [Poker] *poker* storage area, an employee below a [poker shift manager] *poker supervisor* in the organizational hierarchy may not have access to the gaming operations department key to the poker storage area.

C. Distribution.

(1) (text unchanged)

(2) The floorperson or above and the security department employee who removed the decks shall distribute sufficient decks to the pit managers or above and, if applicable, to the [poker shift manager] *poker supervisor*.

(3) (text unchanged)

(4) Decks of cards in the pit stand shall be placed in a locked compartment, the keys to which shall be in the possession of the pit managers or above or the [poker shift manager] *poker supervisor* or above.

D. Inspection.

(1) If the decks are to be inspected at open gaming tables under §F of this regulation, the pit manager or above shall distribute the decks to the dealer at each table or the [poker shift manager] *poker supervisor* shall transport the decks to the poker pit stand for subsequent distribution to the dealer at each poker table either directly by the [poker shift manager] *poker supervisor* or through the floorperson assigned to supervise the dealer.

(2) If the decks are to be preinspected and reshuffled at a closed gaming table as permitted under §R of this regulation, the pit manager or above or [Poker shift manager] *poker supervisor* shall deliver the decks to the dealer and the floorperson or above at the closed gaming table where the preinspection and reshuffling shall be performed.

(3) – (4) (text unchanged)

E. Removal.

(1) If the decks of cards to be used for poker are removed from the poker storage area, the [poker shift manager] *poker supervisor* or above and a security department employee shall, at times as may be necessary, remove the appropriate number of decks from the [Poker] *poker* storage area and distribute the decks under §D(1), (2) or (3) of this regulation.

(2) The number of decks distributed must include extra decks that shall be placed in the pit stand for the card reserve.

(3) Decks of cards in the pit stand shall be placed in a locked compartment, the keys to which shall be in the possession of the [poker shift manager] *poker supervisor* or above.

F. (text unchanged)

G. Unsuitable or Missing Card. If, while inspecting the cards in accordance with §F of this regulation, the dealer finds that a card is unsuitable for use, a card is missing from the deck or an extra card is found, the following procedures shall be observed:

(1) A supervisor or above or a [poker shift manager] *poker supervisor* shall bring a replacement deck of cards or card from the card reserve in the pit stand.

(2) (text unchanged)

(3) The pit manager or above or a [poker shift manager] *poker supervisor* shall maintain the envelope or container in a secure place within the pit until collection by a security department employee.

H. (text unchanged)

I. Damaged Cards.

(1) (text unchanged)

(2) If after inspection, the floorperson or above determines that the card is damaged and needs to be replaced, the floorperson shall notify the pit manager or above or the [poker shift manager] *poker supervisor*.

(3) The pit manager or above or the [poker shift manager] *poker supervisor* shall:

(a) – (g) (text unchanged)

(4) At least once each gaming day, the replacement decks of cards shall be collected and placed in an envelope or container and sealed. A label shall be attached to each envelope or container which identifies the deck as a replacement deck and signed by the pit manager or above or the [poker shift manager] *poker supervisor*.

(5) The pit manager or above or the [poker shift manager] *poker supervisor* shall maintain the sealed envelopes or containers in a secure place within the pit until collection by a security department employee in accordance with §M of this regulation.

(6) (text unchanged)

J. Decks of cards that were used for play shall be put into envelopes or containers when removed from active use at the table.

(1) (text unchanged)

(2) The [poker shift manager] *poker supervisor* or pit manager or above shall maintain the sealed envelopes or containers in a secure place within the pit until collection by a security department employee.

K. – M. (text unchanged)

N. When the envelopes or containers of used cards and reserve cards with broken seals are returned to the security department, the cards shall be inspected for tampering, marks, alterations, missing or additional cards, or anything that might indicate unfair play:

(1) – (4) (text unchanged)

(5) Upon completion of the inspection procedures required under §N(2) of this regulation, each deck of cards used in [Poker] *poker* that is determined suitable for continued use shall be placed in sequential order, repackaged and returned to the approved or poker storage area for subsequent use.

(6) – (9) (text unchanged)

O. – P. (text unchanged)

Q. Reused Deck.

(1) If a deck of plastic cards has been determined to not be suitable for reuse by the individual performing the inspection procedures required under subsection §N(3) of this regulation, the deck shall be placed in a sealed envelope or container with a label attached which identifies the date and time the deck was placed in the envelope or container and that shall be signed by the [Poker shift manager] *poker supervisor* or floorperson.

(2) (text unchanged)

R. If a facility operator elects to preinspect and reshuffle cards at a closed gaming table prior to the delivery of the cards to an open gaming table, a dealer and supervised by a floorperson or above with no concurrent supervisory responsibility for open gaming tables shall perform the procedures required under this section.

(1) – (10) (text unchanged)

(11) The sealed containers of cards shall be transported by:

(a) A pit manager or above or [poker shift manager] *poker supervisor* to the gaming pit of the gaming tables where the cards will be utilized and locked in the pit stand; or

(b) An assistant table games shift manager or above and a security department employee to the approved storage area or [Poker] *poker* storage area where the cards shall be placed back into the card inventory and segregated from cards that have not been preinspected and reshuffled.

(12) – (15) (text unchanged)

