

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	09/07/2016	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 10/14/2016

2. COMAR Codification

Title Subtitle Chapter Regulation

36 07 01 03

3. Name of Promulgating Authority

Maryland State Lottery and Gaming Control Agency

4. Name of Regulations Coordinator Telephone Number
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Title 36
MARYLAND STATE LOTTERY AND GAMING CONTROL
AGENCY

Subtitle 07 INSTANT BINGO MACHINES IN ANNE ARUNDEL AND CALVERT
COUNTIES

36.07.01 General

Authority: 36.07.01: Criminal Law Article, §§12-301.1 and 12-308; State Government Article, §9-110; Annotated Code of Maryland

Notice of Proposed Action

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The Maryland State Lottery and Gaming Control Agency proposes to amend Regulation .03 under COMAR 36.07.01 General.

This action was considered at the Maryland Lottery and Gaming Control Commission open meeting held on August 17, 2016, notice of which was given pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to provide details on the process to request a repair or replacement of instant bingo machines.

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 November 14, 2016. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2017

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:
General (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:
To provide details on the process to request a repair or replacement of instant bingo machines.

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

To provide details on the process to request a repair or replacement of instant bingo machines.

G. Small Business Worksheet:

Attached Document:

(September 7, 2016)

36.07.01 General

Criminal Law Article, §§12-301.1 and 12-308; State Government Article, §9-110; Annotated Code of Maryland

.03 Repair and Replacement.

A. A facility license holder may repair and replace its *instant* bingo machines provided *that documentation has been provided to the Commission, that evidences, to the satisfaction of the Commission that:*

[A.] (1) The machines operate in the same manner as [those] any that were in operation by that licensee on February 28, 2008; and

[B.] (2) The licensee does not operate more than the number of instant bingo machines the licensee had in operation on February 28, 2008.

B. *Documentation submitted under §A of this regulation may consist of:*

- (1) *Manufacturer invoices;*
- (2) *Independent testing laboratory reports;*
- (3) *Records from county licensing authorities; or*
- (4) *Other records deemed acceptable by the Commission.*

C. A determination by the Commission on the sufficiency of documentation provided under §B of this regulation is final and not appealable.

D. Instant bingo machines that are repaired or serve as a replacement shall comply with the technical standards as provided under COMAR 36.07.06.

E. An instant bingo machine serving as a replacement under §A of this regulation may operate in the same manner as any instant bingo machine that was in operation by the licensee on February 28, 2008.