

Resolution #2002-04 (Adopted 08/13/02) - Waiving Requirements that Occupational Licenses and Identification Badges Contain and Display the Applicant's Job Title

STATE OF MICHIGAN

MICHIGAN GAMING CONTROL BOARD

BOARD RESOLUTION NO. 2002-04

A Board Resolution Waiving the Requirements in Board Rules 339(2)(a) and (11)(a)(iii), MR 432.1339(2)(a), (11)(a)(iii), that Occupational Licenses and License Identification Badges Contain and Display the Applicant's Job Title

WHEREAS, the Michigan Gaming Control Board (Board) is empowered and authorized by the Michigan Gaming Control and Revenue Act, as amended, 1997 PA 69, MCL 432.201 et seq. ("the Act"), to promulgate rules as may be necessary to implement, administer and enforce the Act [MCL 432.204(17)(d)]; and to adopt standards for the licensing of persons participating in the conduct of casino gaming under the Act [MCL 432.204a(1)(e)]; and,

WHEREAS, the Board has previously promulgated Rules 339(2)(a) and (11)(a)(iii), MR 432.1339(2)(a)(11)(a)(iii), which require that occupational licenses and license identification badges issued by the Board contain or display the applicant's job title; and,

WHEREAS, the requirement in Rules 339(2)(a) and (11)(a)(iii) that occupational licenses and license identification badges issued by the Board contain or display the applicant's job title has become impractical and overburdensome, because of the large number of licenses issued by the Board, wide variety of different job titles for similar licensed positions from employer to employer, and the frequency with which both employers and applicants change their job titles; all of which, in turn, requires continual updating of occupational licenses and license identification badges and related computer systems and records by Board licensing staff, and results in impractical, unnecessary, costly and time consuming procedures and inefficient, impractical and unnecessary use of staff time and other limited Board resources; and,

WHEREAS, it is also unnecessary to include or display an applicant's job title on the applicant's occupational license or license identification badge, because licensed casino and supplier employers generally require each of their employees to wear identification badges, which display the employee's specific job title, and also require most employees to wear a specific type of uniform for their particular job title; and,

WHEREAS, the Board has promulgated Rule 223, MR 432.1223, which authorizes the Board to waive, restrict, or alter any licensing requirement or procedure set forth in the Board's Administrative Rules, if the Board determines that the requirement or procedure is impractical or burdensome; that the waiver, restriction, or alteration is in the best interest of the public and the gaming industry; and that the waiver, restriction, or alteration is not outside the technical requirements necessary to serve the purpose of the requirement or procedure to be waived; and,

WHEREAS, the Board's occupational licensing staff has requested and recommended that the Board waive the requirement in Rules 339(2)(a) and (11)(a)(iii) that occupational licenses and license identification badges issued by the Board contain or display the applicant's job title, because it has proved to be an impractical, unnecessary, inefficient and overburdensome requirement; and, also, because waiver of this requirement will increase the Board's administrative efficiency in processing and issuing

occupational licenses, without compromising the public interest or undermining the Board's ability to effectively administer and enforce the other licensing requirements of the Act and Board rules; and,

WHEREAS, the Board has carefully considered the request and recommendation of the Board's occupational licensing staff and determined: (1) that the requirement in Rules 339(2)(a) and (11)(a)(iii) that occupational licenses and license identification badges contain or display the applicant's job title is impractical and overburdensome and not necessary to protect the public interest or accomplish the policies and purposes of the Act; (2) that waiver of the requirement is, accordingly, in the best interest of the public and the gaming industry in Michigan; and (3) that waiver of the requirement does not undermine or prevent the Board from accomplishing the purpose of the requirement, since the applicant's job title and position can be readily ascertained in other ways for both regulatory and enforcement purposes; now therefore,

IT IS RESOLVED AND ORDERED that the requirement in Rules 339(2)(a) and (11)(a)(iii) that occupational licenses and license identification badges issued by the Board contain or display the applicant's job title shall be and is hereby waived, pursuant to Rule 223 of the Board's Administrative Rules.

IT IS SO ORDERED.

ADOPTED AND ISSUED THIS 13TH DAY OF AUGUST 2002.

Roman S. Gribbs, Chair

Attest:

Received and Filed:

Patricia S. James
Board Secretary