



Legal Division.

Notice of Public Hearing

Notice is hereby provided that in accordance with G.L. c. 30A § 2, the Massachusetts Gaming Commission ("Commission") will convene a public hearing for purposes of gathering comments, ideas, and information relative to the proposed adoption of 205 CMR 105; 205 CMR 143.00; 205 CMR 243.00; 205 CMR 244.00; and 205 CMR 146.28. The proposal was developed pursuant to G.L. c. 23K, §§2, 4(37), and 5; and G.L. c. 23N § 4, as part of the Commission's regulation promulgation process, and concerns the following regulations:

205 CMR 105: INVESTIGATIONS AND ENFORCEMENT BUREAU.

This regulation has been amended to extend the authority of the IEB to potential and licensed sports wagering operators in accordance with G.L. c. 23N.

205 CMR 143.00: GAMING DEVICES AND ELECTRONIC GAMING EQUIPMENT. This regulation governs the technical standards for gaming devices and electronic gaming equipment, specifically as they relate to kiosks and has been amended to include an updated reference to a more recent version of the technical standards cited within the regulation.

205 CMR 243.00: SPORTS WAGERING EQUIPMENT. This regulation governs and adopts the GLI technical standards required for sports wagering equipment.

205 CMR 244.00: APPROVAL OF SPORTS WAGERING EQUIPMENT AND TESTING LABORATOIRES. This regulation governs the process for the technical approval and testing of sports wagering equipment to be utilized in all sports wagering activities.

205 CMR 146.28: PONTOON 21 TABLE; PHYSICAL CHARACTERISTICS. This regulation codifies the physical characteristics of the table game, Pontoon 21, as a regulation within 205 CMR.

Tuesday, January 31st, 2023, at 9:15am

Given the unprecedented circumstances, Governor Charles Baker issued an order to provide limited relief from certain provisions of the Open Meeting Law to protect the health and safety of the public and individuals interested in attending public meetings during the global Coronavirus pandemic. In keeping with the guidance provided, the Commission will conduct this hearing utilizing remote collaboration technology

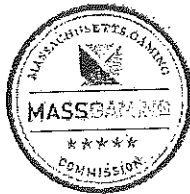
CONFERENCE CALL NUMBER: 1-646-741-5293
PARTICIPANT CODE: 111 054 5528

A complete copy of the draft regulations referenced above may be downloaded by visiting www.massgaming.com, clicking on 'Regulations and Compliance' and selecting the 'Proposed Rulemaking' section. Anyone wishing to offer comments on this regulation can email judith.young@massgaming.gov and request the virtual hearing link to appear and speak. Alternatively, written comments may also be submitted to that same email address with 'Regulation Comment' in the subject line. Comments must be received by 9:15 a.m. on Tuesday, January 31st, 2023.

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Massachusetts Gaming Commission

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Legal Division

SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission ("Commission") hereby files this Small Business Impact Statement in accordance with G.L. c. 30A, §2 relative to the proposed amendment of 205 CMR 105: INVESTIGATIONS AND ENFORCEMENT BUREAU.

This regulation was amended as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and is primarily governed by G.L. c. 23K, §5 and G.L. c. 23N, §4.

The amendment of 205 CMR 105 applies to potential sports wagering operators and the Commission. Accordingly, this regulation is unlikely to have an impact on small businesses. Under G.L. c.30A, §2, the Commission offers the following responses to the statutory questions:

1. Estimate of the number of small businesses subject to the proposed regulation:

This regulation is unlikely to have an impact on small businesses.

2. State the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulation:

There are no projected reporting, recordkeeping, or other administrative costs required for small businesses to comply with this regulation.

3. State the appropriateness of performance standards versus design standards:

No standards applicable to small businesses are set forth. Provided standards are performance standards.

4. Identify regulations of the promulgating agency, or of another agency or department of the Commonwealth, which may duplicate or conflict with the proposed regulation:

There are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

5. State whether the proposed regulation is likely to deter or encourage the formation of new businesses in the Commonwealth:

This amendment is unlikely to have any impact on the formation of new businesses in the Commonwealth.

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Massachusetts Gaming Commission

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Massachusetts Gaming Commission
By:

/s/ Caitlin W. Monahan
Caitlin W. Monahan, Deputy General Counsel

Dated: November __, 2022



Legal Division

SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission ("Commission") hereby files this Small Business Impact Statement in accordance with G.L. c. 30A, §2 relative to the proposed adoption of 205 CMR 143.00 GAMING DEVICES AND ELECTRONIC GAMING EQUIPMENT; most notably 205 CMR 143.07, KIOSKS.

These regulations were developed as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and are primarily governed by G.L. c. 23N, §4.

The modification of 205 CMR 143 applies to potential sports wagering operators, sports wagering vendors, and the Commission. Accordingly, this regulation is unlikely to have an impact on small businesses. Under G.L. c. 30A, §2, the Commission offers the following responses to the statutory questions:

1. Estimate of the number of small businesses subject to the proposed regulations:

These regulations are unlikely to have an impact on small businesses.

2. State the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulations:

There are no projected reporting, recordkeeping or other administrative costs required for small businesses to comply with these regulations.

3. State the appropriateness of performance standards versus design standards:

205 CMR 243 contains largely design standards, which are necessary in this case because it is important that the parties know what the specifications will be and the process for improvement. Further, it is important that a uniform process be in place.

4. Identify regulations of the promulgating agency, or of another agency or department of the Commonwealth, which may duplicate or conflict with the proposed regulations:

There are no conflicting regulations in 205 CMR and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

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Massachusetts Gaming Commission

5. State whether the proposed regulations are likely to deter or encourage the formation of new businesses in the Commonwealth:

These regulations are unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission
By:

/s/ Todd M. Grossman
Todd M. Grossman, General Counsel

Dated: November 17, 2022



Legal Division

SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission ("Commission") hereby files this Small Business Impact Statement in accordance with G.L. c.30A, §2 relative to the proposed regulation: 205 CMR 146.28: *Pontoon 21 Table; Physical Characteristics*

This regulation was developed as part of promulgating regulations governing the operation of gaming establishments in the Commonwealth and is primarily governed by G.L. c.23K, §§2, 4(37), and 5. The proposed amendment to 205 CMR 146.28 places a minimum requirement that the Pontoon 21 table layout should include specific details including: the name of the gaming licensee offering the game; a designated wagering area for each patron; payout odds inscribed on the table and clarifying signage; card shuffling and storage requirements for money; and an approve progressive payout wagering system.

This regulation applies directly to gaming licensees. The Commission does not anticipate that the proposed amendment will not impact small businesses. Under G.L. c.30A, §2, the Commission offers the following responses:

1. Estimate of the number of small businesses subject to the proposed amendments to this regulation:

This regulation chiefly applies to the gaming licensees so we anticipate that no small business will be subject to this regulation.

2. State the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed amendments to this regulation:

There are no further projected reporting, recordkeeping, or administrative costs created by this regulation that would affect small businesses.

3. State the appropriateness of performance standards versus design standards:

This regulation imposes a performance standard, as it prescribes the layout and physical characteristics of Pontoon 21 tables in gaming establishments to provide clarity and to be consistent with the Commission's approved rules of the game of Pontoon 21.

4. Identify regulations of the promulgating agency, or of another agency or department of the Commonwealth, which may duplicate or conflict with the proposed amendments to this regulation:

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Massachusetts Gaming Commission

There are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

5. State whether the proposed amendments to this regulation are likely to deter or encourage the formation of new businesses in the Commonwealth:

We do not anticipate that this regulation will deter or encourage the formation of new business within the Commonwealth.

Massachusetts Gaming Commission
By:

/s/ Judith A. Young
Associate General Counsel

Dated: November 28, 2022



Legal Division

SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission ("Commission") hereby files this Small Business Impact Statement in accordance with G.L. c. 30A, §2 relative to the proposed adoption of 205 CMR 243.00 SPORTS WAGERING EQUIPMENT.

These regulations were developed as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and are primarily governed by G.L. c. 23N, §4.

The adoption of 205 CMR 243 applies to potential sports wagering operators, sports wagering vendors, and the Commission. Accordingly, these regulations are unlikely to have an impact on small businesses. Under G.L. c. 30A, §2, the Commission offers the following responses to the statutory questions:

1. Estimate of the number of small businesses subject to the proposed regulations:

These regulations are unlikely to have an impact on small businesses.

2. State the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulations:

There are no projected reporting, recordkeeping or other administrative costs required for small businesses to comply with these regulations.

3. State the appropriateness of performance standards versus design standards:

Provisions of 205 CMR 243 contain largely design standards, which are necessary in this case because it is important that the parties know what the specifications will be and the process for improvement. Further, it is important that a uniform process be in place.

4. Identify regulations of the promulgating agency, or of another agency or department of the Commonwealth, which may duplicate or conflict with the proposed regulations:

There are no conflicting regulations in 205 CMR and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

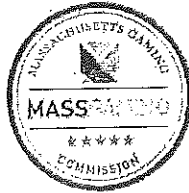
5. State whether the proposed regulations are likely to deter or encourage the formation of new businesses in the Commonwealth:

These regulations are unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission
By:

/s/ Todd M. Grossman
Todd M. Grossman, General Counsel

Dated: November 17, 2022



Legal Division.

SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission ("Commission") hereby files this Small Business Impact Statement in accordance with G.L. c. 30A, §2 relative to the proposed adoption of **205 CMR 244.00 APPROVAL OF SPORTS WAGERING EQUIPMENT AND TESTING LABORATORIES.**

These regulations were developed as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and are primarily governed by G.L. c. 23N, §4.

The adoption of 205 CMR 244 applies to potential sports wagering operators, sports wagering vendors, and the Commission. Accordingly, these regulations are unlikely to have an impact on small businesses. Under G.L. c. 30A, §2, the Commission offers the following responses to the statutory questions:

1. Estimate of the number of small businesses subject to the proposed regulations:

These regulations are unlikely to have an impact on small businesses.

2. State the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulations:

There are no projected reporting, recordkeeping or other administrative costs required for small businesses to comply with these regulations.

3. State the appropriateness of performance standards versus design standards:

205 CMR 244 contains largely design standards, which are necessary in this case because it is important that the parties know what the specifications will be and the process for improvement. Further, it is important that a uniform process be in place.

4. Identify regulations of the promulgating agency, or of another agency or department of the Commonwealth, which may duplicate or conflict with the proposed regulations:

There are no conflicting regulations in 205 CMR and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

5. State whether the proposed regulations are likely to deter or encourage the formation of new businesses in the Commonwealth:

These regulations are unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission
By:

/s/ Todd M. Grossman
Todd M. Grossman, General Counsel

Dated: November 17, 2022