

PROPOSED RULEMAKING

DEPARTMENT OF ENVIRONMENTAL PROTECTION

[25 PA. CODE CH. 302]

Comment Period Extended for the Proposed Rulemaking on the Administration of Water and Wastewater Systems Operator Certification Program

The proposed rulemaking regarding 25 Pa. Code Chapter 302 (relating to administration of Water and wastewater systems operator certification program) was published at 39 Pa.B. 3591 (July 11, 2009). The e-mail address to submit electronic comments was published incorrectly. The correct email address is: regcomments@state.pa.us.

To allow the public the opportunity to provide written comments the Department of Environmental Protection (Department) is extending the public comment period to September 9, 2009. The proposed rulemaking is available by going to the Department's web site at www.depweb.state.pa.us, Keyword: Public Participation, and then selecting Proposals Currently Open for Comment.

Written Comments. Interested persons are invited to submit comments, suggestions or objections regarding the proposed rulemaking to the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477 (express mail: Rachel Carson State Office Building, 16th Floor, 400 Market Street, Harrisburg, PA 17101-2301). Comments submitted by facsimile will not be accepted. The Environmental Quality Board (Board) must receive any comments, suggestions or objections by September 9, 2009. Interested persons may also submit a summary of their comments to the Board by September 9, 2009. The one-page summary will be provided to each member of the Board in the agenda packet distributed prior to the meeting at which the final-form regulation will be considered.

Electronic Comments. Comments may be submitted electronically to the Board at regcomments@state.pa.us and must also be received by the Board by September 9, 2009. A subject heading of the proposal and a return name and address must be included in each transmission. If the sender does not receive an acknowledgement of electronic comments within 2 working days, the comments should be retransmitted to ensure receipt.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1556. Filed for public inspection August 18, 2009, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

[34 PA. CODE CH. 13]

Propane and Liquefied Petroleum Gas

An error occurred in a proposal to amend 34 Pa. Code § 13.54(a) at 39 Pa.B. 4340, 4350 (July 25, 2009). The correct version appears in Annex A.

Annex A

TITLE 34. LABOR AND INDUSTRY

PART I. DEPARTMENT OF LABOR AND INDUSTRY

CHAPTER 13. [GAS, LEAD AND NITRO AMIDO COMPOUNTS] PROPANE AND LIQUEFIED PETROLEUM GAS REGULATIONS

[VAPORIZERS]

Subchapter D. ADMINISTRATION

§ 13.54. [Liquid discharge] Municipal preemption.

[Vaporizers shall be provided with suitable automatic means to prevent liquid passing from the vaporizers to the gas discharge piping] The Department has the sole right and ability to regulate all matters related to the operation of the LPG industry under section 15 of the act (35 P.S. § 1329.15).

(1) No municipality or other political subdivision may adopt or enforce an ordinance or regulation which differs from or conflicts in whole or in part with the act or this chapter regarding permits, licensing standards, fees, construction, installation, maintenance, operation, inspection, location or placement of LPG containers or LPG facilities or other matters related to this industry within this Commonwealth.

(2) A municipality may not prohibit placement of an LPG container in an existing yard setback area except to establish an absolute setback of 10 feet from a residential property line.

(3) A municipality may retain the right, under local zoning ordinances, to require an LPG facility to locate within approved residential, industrial commercial or other zones and to require an LPG facility to obtain zoning permits, pay zoning fees and undergo inspections related to the zoning of the LPG facility. A building at an LPG facility must comply with the municipal standards applied to primary structures.

[Pa.B. Doc. No. 09-1320. Filed for public inspection July 24, 2009, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 171]

Intent to Amend Regulations

The Department of Transportation (Department) hereby gives notice of its intent to amend 67 Pa. Code Chapter 171 (relating to school bus and school vehicle equipment standards). The Department has identified the following sections within Chapter 171 that are inconsistent with the Federal Motor Vehicle Safety Standards (FMVSS) for school buses and require immediate clarification:

- In 67 Pa. Code § 171.50(b) (relating to doors and emergency exits), the first sentence states that “Each school bus shall comply with FMVSS No. 217.” This defines the Department’s original intent; however, § 171.50(b) goes on to recite the minimum requirements to the incorrect subsection (49 CFR 571.217 S.5.2.1) that applies to all buses except school buses. It is the Department’s intent to amend § 171.50(b) to adopt the minimum requirements for school buses outlined in 49 CFR 571.217 S5.2.3.

- In 67 Pa. Code § 171.68(b) (relating to seat belts), for the driver and all other designated seating positions, the first sentence states that “Every Type A school bus shall be equipped with an integral Type 2 seat belt assembly at the driver’s designated seating position and at the right front passenger’s designated seating position, if any.” At the time this regulation was amended, it was the Department’s intent to recite the minimum requirement outlined in FMVSS No. 208, which only requires Type A1 school buses (GVWR < 10,000 pounds) to be equipped with an integral Type 2 seat belt assembly. It is the Department’s intent to amend § 171.68(b) to adopt the minimum requirements for school buses outlined in 49 CFR 571.208 S.4.4.3.3.

- In 67 Pa. Code § 171.69(6) (relating to seats and crash barriers), the regulation states that “Each school bus passenger seat shall have a minimum seat back height of 24 inches measured from the top of the seat cushion.” This requirement is not consistent with FMVSS No. 222 because the Federal standard begins the measurement of the seat back height from the Seating Reference Point (SRP), not the top of the seat cushion. To eliminate any unnecessary confusion relating to whether an acceptable school bus seat is used, it is the Department’s intent to amend § 171.69(6) to adopt the minimum requirements outlined in 49 CFR 571.222 S.5.1.2.

- In 67 Pa. Code § 171.74a(3) (relating to the crossing control arm), the regulation states that “The crossing control arm shall extend a minimum of 60 inches from the front bumper when in the extended position.” To eliminate any unnecessary confusion relating to whether the length of the crossing control arm meets the minimum standards, it is the Department’s intent to amend § 171.74a(3) to include language to clarify that the measurement of the crossing control arm should begin at the pivot point.

The Department is developing a proposed rulemaking to formally effectuate these amendments. It is anticipated that the proposed rulemaking will be published for formal public comment in the fall of this year. The purpose of this notice is to provide outreach to the regulated and affected communities during the development of the rulemaking. The contact person for questions or concerns

relating to this notice of intent to amend Chapter 171 is R. Scott Shenk, Manager, Driver Safety Division, Bureau of Driver Licensing, 1101 South Front Street, 4th Floor, Harrisburg, PA 17104, (717) 787-2977.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 09-1557. Filed for public inspection August 21, 2009, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CHS. 139 AND 141]

Seasons and Bag Limits and Hunting and Trapping

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed the following rulemaking at its July 9, 2009, meeting:

Amend §§ 139.4, 141.43 and 141.44 (relating to seasons and bag limits for the license year; deer; and bear) to resume restrictions on crossbow usage during archery deer and archery bear seasons to only persons possessing a valid disabled persons permit, reauthorize the lawful use of crossbows during the muzzleloading deer seasons and create a 2-week crossbow deer season that is shorter but runs concurrent with the early deer archery season.

The proposed rulemaking will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the July 9, 2009, meeting of the Commission. Comments can be sent to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, until September 25, 2009.

1. Purpose and Authority

The use of crossbows in the archery seasons has been a difficult issue for the Commission to address. The open use of crossbows was recently included in all archery seasons for the first time on January 27, 2009. Since that time, the composition of the Commission’s Board of Commissioners has changed and some Commissioners believe the vote in January does not reflect the views of the current Board. As a result, the Commission is proposing to amend §§ 139.4, 141.43 and 141.44 to resume restrictions on crossbow usage during archery deer and archery bear seasons to only persons possessing a valid disabled persons permit, reauthorize the lawful use of crossbows during the muzzleloading deer seasons and create a 2-week crossbow deer season that is shorter but runs concurrent with the early deer archery season.

Section 2102(d) of the code (relating to regulations) authorizes the Commission to “promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used.” Section 2102(a) of the code provides that “The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations

relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to §§ 139.4, 141.43 and 141.44 were proposed under this authority.

2. Regulatory Requirements

The proposed rulemaking will amend §§ 139.4, 141.43 and 141.44 to resume restrictions on crossbow usage during archery deer and archery bear seasons to only persons possessing a valid disabled persons permit, reauthorize the lawful use of crossbows during the muzzleloading deer seasons and create a 2-week crossbow deer season that is shorter but runs concurrent with the early deer archery season.

3. Persons Affected

Persons wishing to utilize a crossbow while hunting deer during the 2009-2010 hunting license year will be affected by the proposed rulemaking.

4. Cost and Paperwork Requirements

The proposed rulemaking should not result in any additional cost or paperwork.

5. Effective Date

The proposed rulemaking will be effective upon final-form publication in the Pennsylvania Bulletin and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding the proposed rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

CARL G. ROE, Executive Director

Fiscal Note: 48-290. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 139. SEASONS AND BAG LIMITS

§ 139.4. Seasons and bag limits for the license year.

(SEASONS AND BAG LIMITS TABLE)

2009-2010 OPEN HUNTING AND FURTAKING SEASONS, DAILY LIMIT, FIELD POSSESSION LIMIT AND SEASON LIMIT OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED

* * * * *

WHITE-TAILED DEER

| Species | First Day | Last Day | Season Limit |
|--|-----------|----------|--|
| Deer, Crossbow (Antlered and Antlerless) ² (Statewide) | Oct. 3 | Oct. 16 | One antlered and an antlerless deer with each required antlerless license. |
| | * * * * * | | |

CHAPTER 141. HUNTING AND TRAPPING

Subchapter C. BIG GAME

§ 141.43. Deer.

(a) Archery deer season.

(1) Permitted devices. [It] Except as otherwise provided in paragraph (2), it is lawful to hunt deer during the archery deer season with any of the following devices:

* * * * *

(2) Prohibitions. While hunting deer during the archery deer season, it is unlawful to:

* * * * *

(iii) Except in Wildlife Management Units 2B, 5C and 5D, hunt or take deer with a crossbow without a valid disabled persons permit.

(b) Crossbow deer season.

(1) Permitted devices. It is lawful to hunt deer during the crossbow deer season with any of the following devices:

(i) A bow and arrow. A bow must have a peak draw weight of at least 35 pounds. An arrow must be equipped with a broadhead that has an outside diameter or width of at least 7/8 inch with at least two cutting edges located on the same plane throughout the length of the cutting surface, and may not exceed 3 inches in length.

(ii) A crossbow and bolt. A crossbow must have a peak draw weight of at least 125 pounds. A bolt must be equipped with a broadhead that has an outside diameter or width of at least 7/8 inch with at least two cutting edges located on the same plane throughout the length of the cutting surface, and may not exceed 3 inches in length.

(2) Prohibitions. While hunting deer during the crossbow deer season, it is unlawful to:

(i) Use or possess a firearm, except a person may possess certain firearms during the crossbow deer season under the authorizations of section 2525 of the act (relating to possession of firearm for protection of self or others).

(ii) Use a device not provided for in the act or in this subsection.

(c) *Flintlock muzzleloading deer season.*

(1) *Permitted devices.* It is lawful to hunt deer during the flintlock muzzleloading deer season with [a flintlock muzzleloading firearm. The firearm must be an original or similar reproduction of muzzleloading firearm manufactured prior to 1800. The firearm's ignition mechanism must consist of a hammer containing a naturally occurring stone that is spring propelled onto an iron or steel frizzen which, in turn, creates sparks to ignite a priming powder. The firearm must have open sights and be a .44 caliber or larger single-barrel long gun or a .50 caliber or larger single-barrel handgun that propels single projectile ammunition.] any of the following devices:

(i) *A muzzleloading firearm.* The firearm must be an original or similar reproduction of muzzleloading firearm manufactured prior to 1800. The firearm's ignition mechanism must consist of a hammer containing a naturally occurring stone that is spring propelled onto an iron or steel frizzen which, in turn, creates sparks to ignite a priming powder. The firearm must have open sights and be a .44 caliber or larger single-barrel long gun or a .50 caliber or larger single-barrel handgun that propels single projectile ammunition.

(ii) *A crossbow and bolt.* A crossbow must have a peak draw weight of at least 125 pounds. A bolt must be equipped with a broadhead that has an outside diameter or width of at least 7/8 inch with at least two cutting edges located on the same plane throughout the length of the cutting surface, and may not exceed 3 inches in length.

* * * * *

[(c)] (d) *Muzzleloading deer season.*

(1) *Permitted devices.* It is lawful to hunt deer during the muzzleloading deer seasons with [a muzzleloading firearm. The firearm's ignition mechanism must consist of a percussion cap, primer or flintlock fired design. The firearm must be a .44 caliber or larger single-barrel long gun or a .50 caliber or larger single-barrel handgun that propels single projectile ammunition.] any of the following devices:

(i) *A muzzleloading firearm.* The firearm's ignition mechanism must consist of a percussion cap, primer or flintlock fired design. The firearm must be a .44 caliber or larger single-barrel long gun or a .50 caliber or larger single-barrel handgun that propels single projectile ammunition.

(ii) *A crossbow and bolt.* A crossbow must have a peak draw weight of at least 125 pounds. A bolt must be equipped with a broadhead that has an outside diameter or width of at least 7/8 inch with at least two cutting edges located on the same plane throughout the length of the cutting surface, and may not exceed 3 inches in length.

* * * * *

[(d)] (e) *Regular and special firearms deer seasons.*

(1) *Permitted devices.* It is lawful to hunt deer during the regular and special firearms deer seasons with any of the following devices:

* * * * *

(iv) A muzzleloading firearm as permitted under subsection [(b)(1)] (c)(1) or [(c)(1)] (d)(1).

* * * * *

[(e)] (f) *Cooperating while hunting during any deer season.* Holders of any of the appropriate licenses or stamps may cooperate while hunting antlered or antlerless deer if pertinent provisions of the act and this section are met.

[(f)] (g) *.22 caliber or less rimfire required for furbearers.* When using a firearm only a rimfire rifle or handgun .22 caliber or less may be used to dispatch legally trapped furbearers during the regular or special firearms deer seasons.

§ 141.44. Bear.

(a) *Archery bear season.*

(1) *Permitted devices.* [It] **Except as otherwise provided in paragraph (2),** it is lawful to hunt bear during the archery bear season with any of the following devices:

* * * * *

(2) *Prohibitions.* While hunting bear during the archery bear season, it is unlawful to:

* * * * *

(v) **Except in Wildlife Management Units 2B, 5C and 5D, hunt or take bear with a crossbow without a valid disabled persons permit.**

* * * * *

[Pa.B. Doc. No. 09-1558. Filed for public inspection August 21, 2009, 9:00 a.m.]

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CHS. 435a, 461a, 463a, 465a AND 501a]

Employees; Slot Machines; Accounting and Internal Controls; and Compulsive and Problem Gambling

The Pennsylvania Gaming Control Board (Board), under its general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. §§ 1207(3), (5) and (7), 1321 and 1322 (relating to regulatory authority of the Board; additional licenses and permits and approval of agreements; and slot machine accounting controls and audits), proposes to amend Chapters 435a, 461a, 463a, 465a and 501a to read as set forth in Annex A.

Purpose of the Proposed Rulemaking

The proposed rulemaking contains a number of amendments that are designed to clarify various reporting

requirements, add some additional flexibility and conform the Board's regulations to industry practice.

Explanation of Amendments to Chapters 435a, 461a, 463a, 465a and 501a

In § 435a.1 (relating to general provisions), subsection (i) has been amended by adding the phrase "of a slot machine licensee" after "employee" to clarify that the bar on wagering at a licensed facility does not apply to employees of vendors who work at the licensed facility if the employees are not required to obtain a gaming permit or nongaming registration.

Subsection (m) in § 461a.4 (relating to submission for testing and approval), has been amended to require that the notification of any known or suspected defect or malfunction in any slot machine or associated equipment be made to the Bureau of Gaming Laboratory Operations and the casino compliance representatives at the licensed facility instead of to the "Board." Similarly, the Bureau of Gaming Laboratory Operations, not the Board, will provide the direction to the slot machine licensee regarding the continued operation of the slot machine or associated equipment.

A similar amendment has been made in subsection (o) in § 461a.8 (relating to gaming vouchers) which will require that the notification of any malfunction in a gaming voucher system be provided to the Bureau of Gaming Laboratory Operations and the casino compliance representatives at the licensed facility within 24 hours of the malfunction instead of being provided to the Board.

Sections 461a.7(y), 461a.10(b) and 461a.22(b) (relating to slot machine minimum design standards; automated gaming voucher and coupon redemption machines; and automated jackpot payout machines), have been amended to allow the Bureau of Gaming Operations to approve alternate sizes for the signs that are required on the top and front of these machines. This will allow slot machine licensees some additional flexibility concerning the signs to accommodate the particular location or design of these machines.

In § 461a.25 (relating to disputes), the phrase "concerning the payment of alleged winnings" has been deleted to broaden the application of this provision to any dispute between a patron and a slot machine licensee. This change recognizes the fact that the Board's casino compliance representatives work with patrons and the slot machine licensees to resolve a wide range of potential disputes.

In § 463a.5 (relating to slot machine master list), subsection (a) has been amended to replace "Office" with "Bureau" to reflect the name change from the Office of Gaming Operations to the Bureau of Gaming Operations.

In § 465a.2 (relating to internal control systems and audit protocols), a new subsection (a)(9) has been added which requires slot machine licensees to include procedures to ensure that their employees comply with the requirements in Chapter 435a (relating to employees) in their internal controls. This provision has been added to clarify that the slot machine licensees are expected to be proactive about having their employees comply with the various reporting requirements.

In § 465a.8 (relating to licensed facility), subsection (c) has been amended to allow the Bureau of Gaming Operations to designate additional doors which must be alarmed instead of just the emergency exits from the gaming floor. Because the design of each licensed facility is unique, this is needed to ensure both patron safety and for security reasons.

In § 465a.9 (relating to surveillance system; surveillance department control; surveillance department restrictions), subsection (c)(5)(iv) has been amended to require slot machine licensees to include photographs of individuals who are on the self-exclusion list in surveillance system's photo library. Most, if not all, of the slot machine licensees already do this so that their employees will be able to identify self-excluded individuals and prevent them from engaging in any gaming activities. Additionally, subsection (e)(7) has been amended to require that surveillance recordings be made of the entrances and exits to the main bank, vault and satellite cages in addition to the gaming floor, cashiers' cage and count room to monitor access to these sensitive areas.

In § 465a.15 (relating to cashiers' cage), subsection (c) has been revised to incorporate provisions for the use of computerized access systems for the double entry and exit system. As this technology has improved, more slot machine licensees are shifting away from keys and implementing electronic access systems.

In § 465a.16 (relating to accounting controls for the cashiers' cage) three changes have been made. First, the term "slot cashier" has been replaced with "cage cashier" in various subsections, since "cage cashier" is the more generally used term. Next, the issuance of gaming vouchers has been added as a function of cage cashiers. At some of the licensed facilities, patrons may request the cage cashier to issue a gaming voucher instead of cash as a matter of convenience. Lastly, the responsibility for the issuance, receipt and reconciliation of cash and gaming vouchers to and from automated bill breaker, automated gaming voucher and coupon redemption and automated jackpot payout machines, and preparation of related documentation has been moved from the list of responsibilities of cage cashiers to the list of responsibilities of main bank cashiers. This reflects current practice in the licensed facilities.

In § 465a.31 (relating to gaming day), the general language stating that the gaming day will be uniform and determined by the Board has been replaced with the actual time being used, which is 6 a.m. to 5:59.59 a.m.

In § 501a.5 (relating to signage requirements), subsection (a)(2) has been amended by replacing the requirement that the gambling problem toll free assistance message be posted within 50 feet of each ATM, cash dispensing or change machine in each facility with the requirement that the message be above or below the cash dispensing opening on all ATMs, automated gaming voucher and coupon redemption machines and any other machine that dispenses cash to patrons in the licensed facility. Having the information posted within 50 feet was not an effective way to provide this information to patrons.

Affected Parties

Slot machine licensees will be required to comply with the revised requirements contained in this rulemaking.

Fiscal Impact

Commonwealth

This proposed rulemaking will have no fiscal impact on the Board or other Commonwealth agencies.

Political Subdivisions

This proposed rulemaking will have no fiscal impact on political subdivisions of this Commonwealth.

Private Sector

Slot machine licensees may incur some slight costs to comply with the revised requirements. However, because most of these revisions simply clarify existing requirements or reflect current practices, the Board does not anticipate that slot machine licensees will experience any significant expense.

General Public

This proposed rulemaking will have no fiscal impact on the general public.

Paperwork requirements

This proposed rulemaking will not create or eliminate any paperwork requirements for slot machine licensees or the Board.

Effective Date

The proposed rulemaking will become effective upon final-form publication in the Pennsylvania Bulletin.

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking, within 30 days after the date of publication in the Pennsylvania Bulletin to Richard Sandusky, Director of Regulatory Review, Pennsylvania Gaming Control Board, P.O. Box 69060, Harrisburg, PA 17106-9060, Attention: Public Comment on Regulation #125-103.

Contact Person

The contact person for questions about this proposed rulemaking is Richard Sandusky, Director of Regulatory Review at (717) 214-8111.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on August 10, 2009, the Board submitted a copy of this proposed rulemaking and a copy of the Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee. A copy of this material is available to the public upon request and is available on the Board's web site at www.pgcb.state.pa.us.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

GREGORY C. FAJT,
Chairperson

Fiscal Note: 125-103. No fiscal impact; (8) recommends adoption.

Annex A
TITLE 58. RECREATION
PART VII. GAMING CONTROL BOARD
CHAPTER 435A. EMPLOYEES

Subpart B. LICENSING, PERMITTING, CERTIFICATION AND REGISTRATION

§ 435a.1. General provisions.

* * * * *

(i) A registrant or employee of a slot machine licensee who is not required to obtain a license or permit may not wager at the licensed facility in which the registrant or employee is employed.

* * * * *

Subpart E. SLOT MACHINES AND ASSOCIATED EQUIPMENT

CHAPTER 461a. SLOT MACHINE TESTING AND CONTROL

§ 461a.4. Submission for testing and approval.

* * * * *

(m) A slot machine licensee shall immediately notify the [Board] Bureau of Gaming Laboratory Operations and the casino compliance representatives at the licensed facility of any known or suspected defect or malfunction in any slot machine or associated equipment installed in its licensed facility. The slot machine licensee shall comply with instructions issued by the [Board] Bureau of Gaming Laboratory Operations with regard to the continued operation of the slot machine or associated equipment.

* * * * *

§ 461a.7. Slot machine minimum design standards.

* * * * *

(y) A slot machine on the gaming floor must have a label on the top of the slot machine and on the front of the slot machine near the bill validator that displays the asset number and the gaming floor plan location number of the slot machine. The labels must have white lettering on a black background or other color combination approved by the [Office] Bureau of Gaming Operations, may not be easily removed and must be easily visible to the surveillance department. The label on the top of the slot machine must be at least 1.5 inches by 5.5 inches and the label on the front of the slot machine must be at least 1 inch by 2.5 inches or other sizes approved by the Bureau of Gaming Operations.

§ 461a.8. Gaming vouchers.

* * * * *

(o) A gaming voucher system must be configured to alert a slot machine licensee to any malfunction. Following a malfunction of a system, a slot machine licensee shall notify the [Board] Bureau of Gaming Laboratory Operations and the casino compliance representatives at the licensed facility within 24 hours of the malfunction and may not utilize the system until the malfunction has been successfully eliminated. Notwithstanding the foregoing, the [Board] Bureau of Gaming Laboratory Operations may permit a slot machine licensee to utilize the system prior to its being successfully restored, for a period not to exceed 72 hours, provided that:

* * * * *

§ 461a.10. Automated gaming voucher and coupon redemption machines.

* * * * *

(b) Automated gaming voucher and coupon redemption machines may be located on or proximate to the gaming floor of a licensed facility and must be subject to surveillance coverage under § 465a.9 (relating to surveillance system; surveillance department control; surveillance department restrictions). Each automated gaming voucher

and coupon redemption machine must have a label on the top of the automated gaming voucher and coupon redemption machine and on the front of the automated gaming voucher and coupon redemption machine that displays the asset number of the automated gaming voucher and coupon redemption machine. The labels must have white lettering on a black background or other color combination approved by the [Office] Bureau of Gaming Operations and may not be easily removed. The label on the top of the automated gaming voucher and coupon redemption machine must be at least 1.5 inches by 5.5 inches and the label on the front of the automated gaming voucher and coupon redemption machine must be at least 1 inch by 2.5 inches or other sizes approved by the Bureau of Gaming Operations.

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§ 461a.22. Automated jackpot payout machines.

* * * * *

(b) An automated jackpot payout machine must have a label on the top of the automated jackpot payout machine and on the front of the automated jackpot payout machine that displays the asset number of the automated jackpot payout machine. The labels must have white lettering on a black background or other color combination approved by the [Office] Bureau of Gaming Operations, may not be easily removed and must be easily visible to the surveillance department. The label on the top of the automated jackpot payout machine must be at least 1.5 inches by 5.5 inches and the label on the front of the automated jackpot payout machine must be at least 1 inch by 2.5 inches or other sizes approved by the Bureau of Gaming Operations.

* * * * *

§ 461a.25. Disputes.

(a) If a dispute arises with a patron [concerning payment of alleged winnings], the slot machine licensee shall attempt to resolve the dispute. If the dispute can not be resolved, the slot machine licensee shall notify the casino compliance representatives at the licensed facility who will attempt to resolve the dispute. If the dispute is not resolved, the casino compliance representative will provide the patron with a Board Patron Dispute/Complaint Form and Instructions for Submitting a Patron Dispute/Complaint and assist the patron in completing the Board Patron Dispute/Complaint Form.

* * * * *

CHAPTER 463a. POSSESSION OF SLOT MACHINES

§ 463a.5. Slot machine master lists.

(a) Prior to the commencement of operations at a licensed facility, a slot machine licensee shall file the following with the Bureau of Gaming Laboratory Operations and the [Office] Bureau of Gaming Operations, in an electronic format approved by the Bureau of Gaming Laboratory Operations:

* * * * *

CHAPTER 465a. ACCOUNTING AND INTERNAL CONTROLS

§ 465a.2. Internal control systems and audit protocols.

(a) An applicant for, or holder of, a slot machine license shall submit to the Board and the Department a written description of its initial system of administrative and

accounting procedures, including its internal control systems and audit protocols (collectively referred to as its "internal controls") at least 90 days before gaming operations are to commence. A written system of internal controls must include:

* * * * *

(9) Procedures to ensure that the slot machine licensee's employees comply with Chapter 435a (relating to employees).

(10) Other items the Board may request in writing to be included in the internal controls.

* * * * *

§ 465a.8. Licensed facility.

* * * * *

(c) Emergency exits from the gaming floor and any other doors designated by the Bureau of Gaming Operations must be equipped with an audible alarm system that produces a loud, distinguishable warning sound, discernable in the vicinity of the exit, whenever the emergency door is opened. The alarm system shall be designed to require deactivation and reset by means of a key. The key is to be maintained by the security department.

* * * * *

§ 465a.9. Surveillance system; surveillance department control; surveillance department restrictions.

* * * * *

(c) The surveillance system required in this section must include the following:

* * * * *

(5) One or more monitoring rooms in the licensed facility which shall be staffed by employees of the slot machine licensee's surveillance department who shall at all times monitor the activities enumerated in paragraph (1). Each monitoring room shall be equipped with or serviced by:

* * * * *

(iv) An updated photo library, consisting of photographs that are no more than 4 years old, of all current employees of the slot machine licensee [, which] and photographs of individuals who are on the Board's self-exclusion list. This photo library shall be available to the Board and the State Police.

* * * * *

(e) A slot machine licensee's surveillance system must continuously record, during the times and in the manner indicated in this subsection, transmissions from cameras used to observe the following locations, persons, activities or transactions:

* * * * *

(7) The entrances and exits to the licensed facility, the gaming floor, the main bank, the vault, the cashiers' cage and any satellite cages and the count room.

* * * * *

§ 465a.15. Cashiers' cage.

* * * * *

(c) The cashiers' cage must be designed and constructed to provide maximum security for the materials

housed therein and the activities performed therein. Its design and construction must include:

* * * * *

(3) Separate manual locks on each door of the double door entry and exit system, the keys to which must be different from each other. **If a Board-approved computerized access system is used, the manual locks on each door shall be designed to function when the computerized access system is not functioning.**

(4) **If a Board-approved computerized access system is used, access for the first door shall be controlled by the security department or surveillance department and access for the second door shall be controlled by the cashiers' cage.**

* * * * *

§ 465a.16. Accounting controls for the cashiers' cage.

(a) The assets for which [slot] cage cashiers are responsible shall be maintained on an imprest basis. At the end of each shift, [slot] cage cashiers assigned to the outgoing shift shall record on a cashiers' count sheet the face value of each cage inventory item counted and the total of the opening and closing cage inventories and shall reconcile the total closing inventory with the total opening inventory. Each cashiers' count sheet shall be signed by the preparing cage cashier attesting to the accuracy of the information thereon.

(b) At the opening of every shift, in addition to the imprest funds normally maintained by [slot] cage cashiers, each slot machine licensee shall have in the cashiers' cage, a reserve cash bankroll sufficient to pay winning patrons.

(c) The cashiers' cage and any satellite cage shall be physically segregated by personnel and function as follows:

(1) [Slot] Cage cashiers shall operate with individual imprest inventories of cash and their functions include the following:

* * * * *

(viii) The issuance of [cash to automated bill breaker, gaming voucher, coupon redemption and jackpot payout machines in exchange for proper documentation] gaming vouchers.

(2) Main bank cashier functions include the following:

(i) The receipt of cash, cash equivalents, gaming vouchers, jackpot payout slips and personal checks received for gaming purposes from [slot] cage cashiers in exchange for cash.

* * * * *

(iii) The receipt of personal checks accepted for gaming purposes from [slot] cage cashiers for deposit.

* * * * *

(vii) The receipt from [slot] cage cashiers of documentation with signatures thereon, required to be prepared for the segregation of functions in the cashiers' cage.

* * * * *

(x) **The issuance, receipt and reconciliation of cash and gaming vouchers to and from automated bill breaker, automated gaming voucher and coupon redemption and automated jackpot payout machines and preparation of related documentation.**

pon redemption and automated jackpot payout machines and preparation of related documentation.

(d) At the end of the gaming day a copy of the cage cashiers' count sheets and related documentation shall be forwarded to the accounting department for agreement of opening and closing inventories, agreement of amounts thereon to other forms, records and documents required by this subpart and recording of transactions.

§ 465a.31. Gaming day.

(a) The beginning and ending times of the gaming day will be [determined by the Board and will be uniform for all slot machine licensees for the purposes of determining gross terminal revenue] 6:00 a.m. to 5:59.59 a.m.

* * * * *

Subpart I. COMPULSIVE AND PROBLEM GAMBLING

CHAPTER 501a. COMPULSIVE AND PROBLEM GAMBLING REQUIREMENTS

§ 501a.5. Signage requirements.

(a) Under section 1509(c) of the act (relating to compulsive and problem gambling program), each slot machine licensee shall post signs that include a statement that is similar to the following: "If you or someone you know has a gambling problem, help is available. Call (toll-free telephone number)." The complete text of the sign shall be submitted for approval to the Director of OCPG utilizing the process contained in § 501a.2(g)(relating to compulsive and problem gambling plan). The signs shall be prominently posted at the following locations:

* * * * *

(2) [Within 50 feet of each ATM, cash dispensing or change machine in each facility] Above or below the cash dispensing opening on all ATMs, automated gaming voucher and coupon redemption machines and other machines that dispense cash to patrons in the licensed facility.

* * * * *

[Pa.B. Doc. No. 09-1559. Filed for public inspection August 21, 2009, 9:00 a.m.]

**[58 PA. CODE CH. 465a]
Jackpot and Credit Meter Payouts**

The Pennsylvania Gaming Control Board (Board), under its general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. §§ 1207(3) and (5) and 1322 (relating to regulatory authority of the Board; and slot machine accounting controls and audits), proposes to amend Chapter 465a to read as set forth in Annex A.

Purpose of the Proposed Rulemaking

The proposed rulemaking contains a comprehensive rewrite of the Board jackpot payout regulations. It also expands the scope of these regulations to cover credit meter payouts as well as jackpot payouts.

Explanation of Amendments to Chapter 465a

Since the adoption of amendments to the Board's regulations governing jackpot payouts in October of 2008, the Board has been discussing the need for additional

revisions with slot machine licensees. The slot machine licensees argued that portions of the Board's regulations were not needed given the technological advances in slot monitoring systems and that greater flexibility was needed to improve the operational efficiency of jackpot payouts.

Based on the Board's analysis of the slot machine licensees' comments, a review of the technical advances in slot monitoring systems and the Board's experience gained through the oversight of slot machine licensees' current operations, the Board agrees that further amendments are in order.

First, the Board has expanded the scope of § 465a.26 (relating to jackpot and credit meter payouts) to include credit meter payouts as well as jackpot payouts. Credit meter payouts are the payment of the value of the credits on a slot machine. Usually, when a patron is done at a slot machine, they will cash out and receive a gaming voucher for the remaining balance on the slot machine. However, sometimes a voucher will not print because of a jam in the slot machine's printer or the printer may be out of paper. At other times, a slot machine may lock up with credits still on the slot machine. For example, slot machines may lock up when there is a power failure at the licensed facility. Whatever the cause, when this occurs, the slot attendants at the licensed facility use the existing jackpot payment procedures to pay the patron the value of the credits on the slot machine. Therefore, the Board has added credit meter payouts to this section of the Board's regulations.

More specifically, subsection (a) has been amended by adding credit meter payouts and by deleting unnecessary language pertaining to pouch payments which are addressed in subsection (b)(7) and (8).

In subsection (b)(1), the requirement that both a manual and electronic jackpot/credit meter payout slip be prepared has been amended to delete the requirement for a manual form. Given the technical capabilities of today's slot monitoring systems and the verification requirements that will remain in this rulemaking, there simply is no need for the redundant manual form. Eliminating the requirement for the manual form will significantly reduce the workload of slot attendants related to jackpot and credit meter payouts and will result in quicker payments to patrons.

The existing requirement in subsection (b)(2) has been relocated to subsection (b)(6).

In subsection (b), former paragraphs (3), (4) and (5), which have been renumbered as paragraphs (2), (3) and (4), have been amended to give slot machine licensees greater flexibility as to who they may designate to act as a witness for jackpot or credit meter payouts of various amounts. This will allow slot machine licensees to make more efficient utilization of their personnel and reduce the potential for delays that could occur if there is a large volume of payouts and only a limited number of individuals who can act as a witness. Also, these revisions make it clear that no witness is required for jackpot or credit meter payouts of less than \$1,200.

Former paragraph (6) has been deleted because it does not reflect current practices or recognize advances in technology. Many slot machine licensees allow slot attendants to directly pay jackpots below a certain level from funds that the slot attendant carries in his payment wallet. This eliminates the need for the attendant to go to the cashiers' cage to get the cash to pay a jackpot or credit meter payout. Additionally, some slot machine

licensees have installed automated jackpot payout machines on their gaming floors which allow a slot attendant to process a jackpot and receive the cash to pay the patron without going to the cashiers' cage.

Former subsection (b)(7) has also been deleted. Because the Board is no longer requiring the use of the two-part manual jackpot payout slips, a provision listing the items that must be on that form is no longer needed.

Former subsection (b)(8), which is now subsection (b)(5), has been amended to slightly revise and clarify the listing of items that will be required to be printed on the electronically generated jackpot/credit meter payout slips.

As previously noted, subsection (b)(6) now contains the provision that was formerly in subsection (b)(2).

Subsection (b)(7), which was formerly subsection (b)(9), sets forth the requirements that will govern the payment of jackpot or credit meter payouts that are made directly from a slot attendant's impress funds. In the existing regulation, a detailed process was set forth, specifying each step in the payment process. However, the Board believes that that process was overly prescriptive and did not give slot machine licensees the flexibility to establish procedures to meet their individual needs. Accordingly, the Board has deleted these requirements and will allow the slot machine licensees to establish their own procedures as part of their internal controls which will be submitted to the Board for approval. What has been added to this subsection is the list of items that must be included on the manual jackpot/credit meter payout slip that must be completed by the slot attendant.

Similarly, the Board is deleting the current subsection (b)(11) which contains a detailed process for the payment of jackpots that are not made from a slot attendant's impress funds. While many of the slot machine licensees use these procedures, the Board believes that keeping these procedures in the Board's regulations is overly prescriptive and does not give slot machine licensees the flexibility to establish their own procedures. Instead the Board will allow slot machine licensees to establish their payment procedures as part of their internal controls.

Subsection (b)(9) and (10), which was subsection (b)(12) and (13), contains minor clarity changes and in subsection (b)(10), an explicit requirement that an override is required whenever the amount of a jackpot or credit meter payout does not match the amount sent to the slot monitoring system has been added.

Subsection (b)(11) and (12) add new requirements that slot machine licensees must include procedures for processing voided jackpot/credit meter payout slips and for processing unclaimed taxable jackpots in their internal controls. Additionally, slot machine licensees' procedures for processing unclaimed jackpot or credit meter payouts must include notice to the Board's casino compliance representatives.

Former subsection (b)(14) has been deleted because the procedures related to the internal controls for system overrides are addressed in new subsection (b)(10).

Subsection (b)(13), formerly subsection (b)(15), has been revised to include the list of items that must appear on the three-part manual jackpot or credit meter payout forms that are to be used when the slot machine licensee's slot monitoring system is down. This list is essentially the same as the list of items that must be on the two-part electronic and two part manual jackpot or credit meter payout forms in subsection (b)(5) and (7), but these forms must have preprinted serial numbers to provide an

audit trail. Additionally the language of this section has been amended to allow equivalent alternatives to using jackpot payout books. This would include the use of "wiz" machines that are currently used by some of the slot machine licensees.

In subsection (b)(14), which was formerly subsection (b)(16), revisions have been made to give slot machine licensees additional operating flexibility. More specifically, slot machine licensees will be able to assign control of the keys to the cabinets where manual jackpot payout books or their equivalent are stored to either the security department or the finance department and employees who have a greater level of authority than a slot supervisor will also be allowed to sign out the jackpot payout books or their equivalent.

Existing paragraphs (17)—(20) and (21) have all been deleted. These paragraphs contained detailed provisions governing the use of and procedures related to the manual jackpot payout books discussed previously. Again, the Board believes that slot machine licensees should be permitted to tailor their procedures to reflect their particular operations. Accordingly, slot machine licensees will be required to include these procedures in their internal controls.

Finally, subsection (b)(15), which was subsection (b)(22), has been revised to clarify that the notice to surveillance of jackpots or credit meter payout above a certain threshold is to be provided verbally. The threshold for providing this notice has also been increased from \$1,200 to \$5,000. Because of the large number of jackpots between \$1,200 and \$5,000, this requirement was imposing an unreasonable burden on both slot attendants and surveillance personnel. Increasing the threshold will allow the surveillance department to devote more time to its other surveillance duties.

Affected Parties

Slot machine licensees will benefit from the elimination of redundant reporting requirements and the greater operating flexibility provided by the revisions in this rulemaking. Patrons should experience faster payments of jackpot and credit meter payouts.

Fiscal Impact

Commonwealth

This proposed rulemaking will have no significant fiscal impact on the Board or other Commonwealth agencies.

Political Subdivisions

This proposed rulemaking will have no fiscal impact on political subdivisions of the Commonwealth.

Private Sector

Slot machine licensees will experience significant cost savings because the revised jackpot and credit meter payout procedures will require fewer forms, provide greater flexibility and eliminate some of the current requirements that are redundant and no longer needed.

General Public

This proposed rulemaking will have no fiscal impact on the general public.

Paperwork requirements

This proposed rulemaking eliminates the requirement that slot machine licensees fill out manual jackpot payout slips in addition to the electronic jackpot payout slips.

Effective Date

The proposed rulemaking will become effective 30 days after final-form publication in the *Pennsylvania Bulletin*.

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking, within 30 days after the date of publication in the *Pennsylvania Bulletin* to Richard Sandusky, Director of Regulatory Review, Pennsylvania Gaming Control Board, P. O. Box 69060, Harrisburg, PA 17106-9060, Attention: Public Comment on Regulation No. 125-105.

Contact Person

The contact person for questions about this proposed rulemaking is Richard Sandusky, Director of Regulatory Review at (717) 214-8111.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on August 12, 2009, the Board submitted a copy of this proposed rulemaking and a copy of the Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee. A copy of this material is available to the public upon request and is available on the Board's web site at www.pgcb.state.pa.us.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

GREGORY C. FAJT,
Chairperson

Fiscal Note: 125-105. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart E. SLOT MACHINES AND ASSOCIATED EQUIPMENT

CHAPTER 465a. ACCOUNTING AND INTERNAL CONTROLS

§ 465a.26. Jackpot and credit meter payouts.

(a) Prior to commencing gaming operations, a slot machine licensee shall establish a comprehensive system of internal controls addressing jackpot **and credit meter** payouts that are not paid directly from a slot machine. **[The internal controls may include procedures by which a slot attendant, in the presence of a member of the security department or another member of the slot operations department, utilizes an imprest inventory of funds secured in a pouch or wallet to pay a jackpot of less than \$1,200.]** The internal controls shall be submitted to and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols).

(b) The internal control procedures developed and implemented by the slot machine licensee under subsection (a) must, at a minimum, include:

(1) The use of a two-part [**manual jackpot payout receipt and a two-part**] electronically generated jackpot/credit meter payout slip created by a slot attendant or slot supervisor, [**evidencing the observation by the slot attendant or slot supervisor of**] verifying the winning combination of characters or a code corresponding to the winning combination of characters on the slot machine and [**a determination as to**] the [**appropriate**] amount of the jackpot or credit meter payout based on the observed winning combinations.

(2) [**A requirement that the electronically generated jackpot payout slip not be susceptible to any changes or deletion from the slot computer system by any personnel after preparation.**

(3) [**A requirement that if the jackpot [range] or credit meter payout is between \$1,200 [to] and \$9,999.99, [the witness on the two-part manual jackpot payout receipt and the two-part electronically generated jackpot payout slip be a lead slot attendant or above] a security department member or a slot operations member other than the preparer, shall sign the jackpot/credit meter payout slip verifying the winning combination of characters or a code corresponding to the winning combination of characters on the slot machine, the amount of the jackpot or credit meter payout and the payment of the jackpot or credit meter payout to the patron.**

[(4)] (3) A requirement that if the jackpot or credit meter payout is between \$10,000 and \$24,999.99, [the witness on the two-part manual jackpot payout receipt and the two-part electronically generated jackpot payout slip be a slot supervisor or above] a security department member, a slot supervisor or other employee holding the same or greater level of authority than a slot supervisor shall sign the jackpot/credit meter payout slip verifying the winning combination of characters or a code corresponding to the winning combination of characters on the slot machine, the amount of the jackpot or credit meter payout and the payment of the jackpot or credit meter payout to the patron.

[(5)] (4) A requirement that if the jackpot or credit meter payout amount is \$25,000 or more, a slot shift manager or [above shall sign the manual jackpot payout receipt attesting that the winning combination of characters or a code corresponding to the winning combination of characters on the slot machine and the amount to be paid match those which appear on the two-part manual jackpot payout receipt. The two-part manual jackpot payout receipt shall then be immediately returned to the preparer] other employee holding the same or greater level of authority than a slot shift manager shall sign the jackpot/credit meter payout slip verifying the winning combination of characters or a code corresponding to the winning combination of characters on the slot machine, the amount of the jackpot or credit meter payout and the payment of the jackpot or credit meter payout to the patron.

[(6) A requirement that if the amount is \$1,200 or more the slot attendant shall immediately transport the original of the manual jackpot payout receipt and the original of the electronically generated jackpot payout slip to the cashiers' cage.

(7) A requirement that the following information be on the two-part manual jackpot payout receipt:

(i) The date and time of the jackpot.

(ii) The asset number of the slot machine on which the jackpot was registered.

(iii) The winning combination of characters constituting the jackpot or a code corresponding to the winning combination of characters constituting the jackpot.

(iv) The amount of the jackpot payout.

(v) The method of payment requested by the patron (cash or slot licensee check).

(vi) The signature or identification code of the preparer.

(vii) The signature of the patron who received the jackpot payout.

(viii) If the slot machine or the progressive meter is reset prior to the patron being paid or if payment is made directly to the patron by a slot attendant, the following additional signatures or identification codes:

(A) The signature or identification code of a security department member or slot operations department member other than the preparer attesting to the winning combination of characters or a code corresponding to the winning combination of characters constituting the jackpot and the amount of the jackpot payout when the amount is below \$1,200.

(B) The signature or identification code of a lead slot attendant or above attesting to the winning combination of characters or a code corresponding to the winning combination of characters constituting the jackpot and the amount of the jackpot payout when the jackpot amount is between \$1,200 and \$9,999.99.

(C) The signature or identification code of a slot shift supervisor or above attesting to the winning combination of characters or a code corresponding to the winning combination of characters constituting the jackpot and the amount of the jackpot payout when the jackpot amount is between \$10,000 and \$24,999.99.

(D) The signature or identification code of a slot shift manager or above attesting to the winning combination of characters or a code corresponding to the winning combination of characters constituting the jackpot and the amount of the jackpot payout when the jackpot amount is \$25,000 or more.

(8) [(5) A requirement that the following information be on all two-part electronically generated jackpot/credit meter payout slips:

(i) The date [**on which the jackpot occurred**] and time of the jackpot or credit meter payout.

(ii) The asset number of the slot machine on which the jackpot or credit meter payout was registered.

* * * * *

(iv) The type of win (that is, [**Progressive or Jackpot**] **progressive, jackpot or credit meter payout**).

* * * * *

(vi) A unique number generated by the slot [**computer**] **monitoring system**.

* * * * *

(viii) The signature or identification code of the witness [**on the duplicate copy only**], when the amount is equal to or greater than \$1,200.

(ix) The signature or identification code of the cashier providing the funds to the preparer, **if applicable**.

(6) A requirement that the two-part electronically generated jackpot/credit meter payout slip not be susceptible to any changes or deletion from the slot monitoring system by any personnel after preparation.

[(9)] (7) A requirement that whenever a winning patron is paid directly by a slot attendant's imprest fund, [the following procedures shall be followed:

(i) A two-part electronic jackpot payout slip is generated and a two-part manual jackpot payout receipt is completed in accordance with paragraph (1).

(ii) Before payment is made to the winning patron, the manual jackpot payout receipt shall be signed by the patron in the presence of the slot attendant and a witness.

(iii) After the slot attendant determines that the required signatures verifying the winning combination of characters or a code corresponding to the winning combination of characters on the slot machine and the amount to be paid have been placed on the manual jackpot payout receipt, the slot attendant shall pay the winning patron in the presence of the witness.

(iv) Once payment has been made and all required signatures obtained, the slot operations department member or security department member witnessing the payment shall obtain the duplicate copy of the manual jackpot payout receipt and immediately deposit it into a locked accounting box.

(v) The slot attendant shall attach the original manual jackpot payout receipt to the original electronically generated jackpot payout slip and forward both forms, by the end of the slot attendant's shift, to the cashiers' cage for reimbursement. The duplicate of the electronically generated jackpot payout slip should be deposited into a locked accounting box immediately after obtaining the funds from the cashier's cage.] a two-part manual jackpot/credit meter payout slip is completed that contains the following information:

(i) The date and time of the jackpot or credit meter payout.

(ii) The asset number of the slot machine on which the jackpot or credit meter payout was registered.

(iii) The winning combination of characters constituting the jackpot or a code corresponding to the winning combination of characters constituting the jackpot.

(iv) The type of win (that is, progressive, jackpot or credit meter payout).

(v) The amount paid to the winning patron. This amount may, at the slot machine licensee's discretion, be rounded up to the nearest whole dollar.

(vi) The signature or identification code of the preparer.

(vii) The signature or identification code of the witness when the amount is equal to or greater than \$1,200.

[(10)] (8) When jackpot or credit meter payouts are made from slot attendants' imprest funds, procedures for the replenishment of the imprest funds and the reconciliation process to be used by the slot attendants.

[(11) A requirement that the two-part manual jackpot payout receipt and the two-part electronically generated jackpot payout slip be distributed as follows:

(i) Both the original and duplicate of the manual jackpot payout receipt shall be handed to the witnessing slot operations department member or security department member by the preparer for verification and signature.

(ii) The duplicate of the manual jackpot payout receipt shall be presented to the winning patron who shall be required to present the duplicate to the witness before being paid the jackpot.

(iii) The original of the manual jackpot payout receipt shall be attached to the original electronically generated jackpot payout slip and forwarded to the cashiers' cage for payment of the funds.

(iv) The duplicate of the manual jackpot payout receipt shall be placed into a secured lock box for slot accounting by the witness.

(v) The duplicate of the electronically generated jackpot payout slip shall be placed inside a secured lock box for slot accounting by the generating slot attendant.

(12)] (9) A requirement that the slot machine licensee's accounting department perform, at the conclusion of each gaming day, effective audit procedures over the issuance of jackpot and credit meter payouts including adequate comparisons to [gaming voucher system data] the slot monitoring system.

[(13)] (10) Detailed procedures on the processing of all system overrides or adjustments [in regards] to jackpot or credit meter payouts. All jackpot or credit meter payouts that do not match the payout amount electronically sent from the slot machine to the slot monitoring system require an override.

(11) Detailed procedures for the processing of all voided jackpot/credit meter payout slips.

(12) Detailed procedures for the processing of unclaimed taxable jackpot payouts. The procedures must include notice to the casino compliance representatives at the licensed facility when an unclaimed taxable jackpot payout or credit meter payout occurs.

[(14) A requirement that any person that witnesses a jackpot payout may not be permitted to override the jackpot payout.

(15) A requirement] (13) Back-up procedures that will be used when the slot [computer] monitoring system is offline or an electronic jackpot payout slip can not be created, including the use of a three-part manual jackpot or credit meter payout book [shall be utilized] or equivalent. The three-part manual jackpot payout book or equivalent must contain preprinted, serial numbered three-part manual jackpot/credit meter payout slips that include [all of] the following information [that is required on the two-part manual jackpot payout receipt in accordance with paragraph (7).]:

- (i) Preprinted serial numbers.
- (ii) The date and time of the jackpot or credit meter payout.
- (iii) The asset number of the slot machine on which the jackpot or credit meter payout was registered.
- (iv) The amount of the jackpot or credit meter payout.
- (v) The method of payment requested by the patron.
- (vi) The signature or identification code of the preparer.
- (vii) The signature or identification code of the witness when the amount is equal to or greater than \$1,200.

[(16)] (14) A requirement that the unused manual jackpot payout books or equivalent be maintained in a secured locked cabinet, that the key to the cabinet be controlled by the security department or the finance department and that the manual jackpot payout books or equivalent can only be signed out by [the] a slot [shift manager] supervisor or other employee holding a greater level of authority when the slot [computer] monitoring system is offline.

[(17) A requirement that a slot machine licensee maintain a manual jackpot payout book log for each gaming day or portion thereof that the slot computer system is offline that includes the following information:

- (i) The slot machine licensee's name preprinted on the top of the log.
- (ii) The gaming day.
- (iii) The signature and identification code of the slot attendant assigned the three-part manual jackpot payout book.
- (iv) The date and time of issuance of the three-part manual jackpot payout book.
- (v) The series of numbers preprinted on the three-part manual jackpot payout book.

(vi) The signature and identification code of the slot shift manager issuing the manual jackpot payout book.

(vii) The date and time the three-part manual jackpot payout book is returned.

(viii) The series of numbers preprinted on the three-part manual jackpot payout book that were completed by the slot attendant.

(ix) The signature and identification code of the slot shift manager receiving the returned manual jackpot payout book.

(18) A requirement that the three-part manual jackpot payout slips be distributed as follows:

(i) The original shall be given to the cashiers' cage to obtain the funds to pay the jackpot to the winning patron or to replenish the imprest funds of the slot attendant that paid the winning patron.

(ii) The second copy shall be retained by the witness of the payout. The witness shall immediately transport the second copy to a locked accounting box.

(iii) The third copy shall be maintained in the manual jackpot payout book. At the end of the slot attendant shift, the manual jackpot payout book shall be turned into the slot shift manager and the manual jackpot payout book log shall be completed.

(19) A requirement that the original manual jackpot payout book log be forwarded to the accounting department at the end of the gaming day and that the slot operations department retain a copy of the manual jackpot payout book log.

(20) A requirement that the manual jackpot payout books turned into the slot shift manager at the end of each slot attendant's shift be forwarded to the accounting department; that the accounting department ensure that all three copies of the manual jackpot payout slips contain the same information; and that any discrepancies between the three copies are researched, documented and reported.

(21) A requirement that the manual jackpot payout books are audited to the manual jackpot payout book log and that any discrepancies between the manual jackpot payout books and the manual jackpot payout book log are researched and documented.

(22)] (15) A requirement that the surveillance department [is] be verbally notified of all jackpot or credit meter payouts when the amount of the jackpot or credit meter payout is [\$1,200] \$5,000 or more. The surveillance department shall log all calls regarding jackpot or credit meter payouts in the surveillance log.

[Pa.B. Doc. No. 09-1560. Filed for public inspection August 21, 2009, 9:00 a.m.]