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Regulatory Analysis Form

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INDEPENDENT REGULATORY REVIEW COMMISSION

(1) Agency

Pennsylvania Gaming Control Board

(2) I.D. Number (Governor's Office Use)

125 - 84

IRRC Number: #2691

(3) Short Title

Releases

(4) PA Code Cite

58 PA. Code
Chapters 405a, 407a, 421a, 433a and 435a

(5) Agency Contacts & Telephone Numbers

Primary Contact: Richard Sandusky
717-214-8111 / rsandusky@state.pa.us

(6) Type of Rulemaking (check one)

- ☐ Proposed Rulemaking
- ☒ Final Order Adopting Regulation
- ☐ Final Order, Proposed Rulemaking Omitted

(7) Is a 120-Day Emergency Certification Attached?

- ☒ No
- ☐ Yes: By the Attorney General
- ☐ Yes: By the Governor

(8) Briefly explain the regulation in clear and nontechnical language.

These amendments implement the requirement that applicants for a principal or key employee license execute releases that will enable the Board to receive information pursuant to a request for information under the Federal Freedom of Information Act (FOIA). They also clarify that the Bureau of Investigations and Enforcement (Bureau) may request applicants for or holders of a license, permit, certification or registration to also execute FOIA releases.

(9) State the statutory authority for the regulation and any relevant state or federal court decisions.

§ 1202(b)(30) of the Act (4 Pa.C.S. § 1202(b)(30)) provides the Board with general authority to promulgate regulations the Board deems necessary to carry out the policy and purposes of the Act.

§§ 1311, 1311.1, 1311.2, 1317, 1317.1, 1318 and 1517 provide more specific authority for the amendments.

Regulatory Analysis Form

(10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action.

No.

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

The Board's existing regulations at § 421a.1 contain a general requirement that applicants execute any releases requested by the Board. These amendments add more specific language that requires applicants for principal or key employee licenses to execute releases that will enable the Board to receive information pursuant to a request for information under the Federal Freedom of Information Act.

The amendments also clarify that the Board or the Bureau may require applicants for or holders of a license, permit, certification or registration to also execute a release that will enable the Bureau and Board to receive information pursuant to a request for information under the Federal Freedom of Information Act.

(12) State the public health, safety, environmental or general welfare risks associated with nonregulation.

There are no public health, safety, environmental or general welfare risks associated with this regulation.

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

Applicants for licenses, permits or registration will have a clearer understanding concerning the types of releases they will or may be required to complete as part of the application process.

Approximately 700 to 800 applications for principal and key employee licenses or renewals are received annually.

The Board receives approximately 3000 applications for permits or renewals annually and about 4000 applications for registrations. However the Board expects less than a dozen of these applicants may be asked to execute FOIA releases.

Regulatory Analysis Form

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

Applicants for principal and key employee licenses will have to execute additional releases when completing their applications. However, these forms should only take a few minutes to complete.

Applicants for permits, certification or registration may also be required to complete these releases, but the Board does not anticipate that many of these applicants will be required to do so.

The annual number of applicants is listed in the response to Question #13.

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

All applicants for principal and key employee licenses or renewals will have to execute additional releases.

A small number of applicants for permits or renewals, certification or registration may also be required to complete releases.

The annual number of applicants is listed in the response to Question #13.

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

No specific public input was solicited prior to the proposal of these amendments.

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

The Board anticipates that there will be some minor costs to applicants who are required to complete these additional releases. These would include the time required to complete the release and investigation costs related to the review of information received.

Overall, the Board does not expect the cost increases to exceed $75,000 annually.

Regulatory Analysis Form

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required.

The Board anticipates that there will be no costs or savings to local governments as a result of these amendments.

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required.

The Board is the only state agency affected by the amendments. The Board estimates that there will be no significant costs or savings to the Board associated with these amendments.

Regulatory Analysis Form

(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
SAVINGS:	$	$	$	$	$	$
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government	N/A	N/A	N/A	N/A	N/A	N/A
State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Savings	N/A	N/A	N/A	N/A	N/A	N/A
COSTS:	N/A	N/A	N/A	N/A	N/A	N/A
Regulated Community	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000
Local Government	N/A	N/A	N/A	N/A	N/A	N/A
State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Costs	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000
REVENUE LOSSES:	N/A	N/A	N/A	N/A	N/A	N/A
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government	N/A	N/A	N/A	N/A	N/A	N/A
State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Revenue Losses	N/A	N/A	N/A	N/A	N/A	N/A

(20a) Explain how the cost estimates listed above were derived.

The costs to the affected applicants shown above reflect estimated costs of completing the release forms and investigation of the information received by the Board.

Regulatory Analysis Form

(20b) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY -3	FY -2	FY -1	Current FY
Board Budget	$13,200,000	$26,400,000	$29,984,000	$33,300,000

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

The benefit from this regulation will be improved access to information concerning applicants for licenses, permits, certification or registration.

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

The Board considered just relying on the existing language in § 421a.1(c)(3). However, the Board believes that these amendments provide greater clarity to applicants concerning the types of releases they will be required to execute.

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

No other regulatory schemes were considered.

Regulatory Analysis Form
(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation. There are no corresponding Federal requirements.
(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states? Nothing in these amendments will put Pennsylvania at a competitive disadvantage with other states.
(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations. These regulations will amend existing provisions in Chapters 405a, 407a, 421a, 433a and 435a in 58 PA. Code.
(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available. No additional hearings or meetings have been scheduled.

Regulatory Analysis Form

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports which will be required as a result of implementation, if available.

The Board is revising its current application forms for principals and key employees.

Attached are the waiver and information request forms that will be used for Freedom of Information Act requests filed with the FBI.

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

No special provisions have been added.

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

These regulations will be effective upon publication as a final rule in the *Pennsylvania Bulletin.*

It is anticipated that final regulations will be adopted in the third quarter of 2008.

(31) Provide the schedule for continual review of the regulation.

No formal review schedule has been established. Instead, the Board will be constantly reviewing its regulations and proposing amendments as the need arises.

CDL-1

FACE SHEET FOR FILING DOCUMENTS WITH THE LEGISLATIVE REFERENCE BUREAU

(Pursuant to Commonwealth Documents Law)

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INDEPENDENT REGULATORY REVIEW COMMISSION

DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to form and legality. Attorney General

By: _____
(Deputy Attorney General)

_____
DATE OF APPROVAL

☐Check if applicable
Copy not approved. Objections attached.

Copy below is hereby certified to be true and correct copy of a document issued, prescribed or promulgated by:

Pennsylvania Gaming Control Board

FISCAL NOTE NO. : 125-84

DATE OF ADOPTION: 8-28-08

BY: _____
Mary DiGiacomo Colins, CHAIRMAN

Copy below is hereby approved as to form and legality Executive or Independent Agencies

BY: _____
R. Douglas Sherman, Acting Chief Counsel

8-28-08
DATE OF APPROVAL

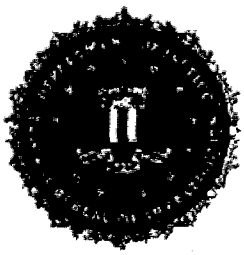
(Deputy General Counsel)
(Chief Counsel - Independent Agency)
(Strike inapplicable title)

☐Check if applicable. No Attorney General Approval or objection within 30 days after submission.

FINAL-FORM RULEMAKING
COMMONWEALTH OF PENNSYLVANIA

58 PA. CODE, SUBPART A & B
CHAPTERS 405a, 407a, 421a, 433a and 435a

Complete, sign, and mail (original signature needed)



U.S. Department

Federal Bureau

Privacy Waiver and Certification of Identity

Full Name: _____

Aliases used: _____

Current Address: _____

Date of Birth: _____ Place of Birth: _____

Social Security Number (optional): _____

(Optional: Prior addresses, employments, etc., which may assist the FBI in locating the requested information)

_____

_____

_____

_____

I hereby waive my right to privacy, and I authorize the FBI to release any and all information relating to me to:

(Name, address & phone of attorney or other designee)

_____

_____

_____

Under penalty of perjury, I hereby declare that I am the person described above and understand that any falsification of this statement is punishable under the provisions of Title 18, United States Code (U.S.C.), Section 1001 by a fine of not more than $10,000 or by imprisonment of not more than five years, or both; and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of Title 5, U.S.C., Section 552a (i)(3) as a misdemeanor and by a fine of not more than $5,000.

Signature: _____ Date: _____

U.S. Departmen

Federal Bureau

FOIA Request Instructions

ONLINE USERS:

- If your request is for information concerning an organization, business, investigation, historical event, or incident, you may submit your request online
- FOIA Request Form
  By clicking on "send", your request will be submitted to julia.eichhorst@ic.fbi.gov

OTHER REQUESTERS:

- Provide your complete name and mailing address.

  (Telephone, fax, and e-mail addresses are optional.)

- If your request is for information about a third party, you **must** submit his/her notarized authorization, or you may use:
- Privacy Waiver and Certification of Identity Form

  Provide the complete name, date and place of birth, social security number, and any other identifying data that will help locate the information concerning the subject of your request.

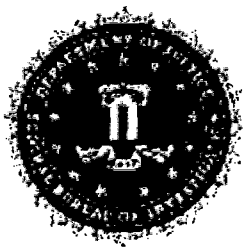
  Mail your request to the address listed below.

- If your request is for information concerning a deceased individual, you must provide his/her proof of death in the form of an obituary or Social Security Index page. You should also provide his/her complete name, date and place of birth, social security number, and any other identifying data that will help locate the information.

  This request may be mailed or sent by facsimile (fax) to (540) 868-4995.

- State how much you are willing to pay for duplication fees if any are assessed.
- Mail your request to: Federal Bureau of Investigation

Record Information/Dissemination Section
170 Marcel Drive
Winchester, VA 22602-4843



U.S. Department

Federal Bureau

FOIA Request Form

Requester's Name:

Address:

Phone Number (optional):

Fax Number (optional):

E-Mail (optional):

Subject:

In order to help to determine status to assess fees, select:

- ○ **An individual seeking information for personal use**
- ○ **Affiliated with an educational or noncommercial institution, and this request is made for a scholarly purpose**
- ○ **Affiliated with a private corporation and seeking information for use in the company's business**
- ○ **A representative of the news media and this request is made part of news gathering and not for commercial use**

Enter media name:

Select type of Media:

- ○ **Newspaper**
- ○ **Magazine**

○ **Television Station**
○ **Other**

Purpose:

Enter maximum amount you are willing to pay: $

Explanation for a request for a waiver of fees:

Additional Comments:

PRINT **This form cannot be used for Privacy Act requests or requests for information about a third party.** SEND

RULES AND REGULATIONS

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA.CODE CHAPTERS 405a, 407a, 421a, 433a AND 435a]

Releases

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. §§ 1311, 1311.1, 1311.2, 1317, 1317.1, 1318 and 1517, amends Chapters 405a, 407a, 421a, 433a and 435a to read as set forth in Annex A.

Purpose of the Final-form Rulemaking

This final-form rulemaking implements the requirement that applicants for a principal or key employee license execute releases that will enable the Board to receive information pursuant to a request for information under the Freedom of Information Act (5 U.S.C. § 552). It will also clarify that the Bureau of Investigations and Enforcement (Bureau) may request applicants for or holders of licenses, permits, certifications or registrations to also execute such a releases and that information received from as a result of any release will be treated as confidential.

Explanation of Amendments to Chapters 405a, 407a, 421a, 433a and 435a

Currently, as part of the application process, applicants for principal or key employee licenses are required to execute a number of releases that allow the Board to conduct an investigation of the applicant. These releases include items such as tax information from the Departments of Revenue and Labor and Industry, military records and information from past employers.

This final-form rulemaking amends the general language related to releases in Chapter 421a to clarify that it includes releases that will enable the Board to receive information pursuant to a request for information under the Freedom of Information Act in addition to the other releases required in the application.

The amendments to Chapters 433a and 435a specifically require applicants for principal or key employee licenses to execute releases that will enable the Board to receive information pursuant to a request for information under the Freedom of Information Act in addition to the other releases required in the application.

The amendments to Chapter 405a clarify that the Bureau may require applicants for or holders of a license, permit, certification or registration to also execute a release that will enable the Bureau and Board to receive information pursuant to a request for information under the Freedom of Information Act. The decision to require an individual to execute a release will be made on a case by case basis depending on the nature of the job the individual will be performing and results of the review of the other information provided by the individual.

Chapter 407a is being amended to clarify that all information received by the Board as a result of the execution of any release will be treated as confidential information.

Comment and Response Summary

Notice of proposed rulemaking was published at 38 Pa.B. 2054 (May 3, 2008).

The Board received comments from Sands Casino Resort Bethlehem, Washington Trotting Association, Inc., Aristocrat Technologies, Inc., Aristocrat Australia Pty. Ltd., Shuffle Master, Inc., WMS Gaming, Inc., Modern Gaming Pennsylvania, LLC, GTECH Corporation and Spielo Manufacturing ULC. By letter dated July 2, 2008, the Independent Regulatory Review Commission (IRRC) also submitted comments. All of these comments were reviewed by the Board and are discussed in detail below.

All of the commentators and IRRC expressed concerns about whether the information obtained through the execution of a release would be treated as confidential information.

It was always the Board's intent to treat this information as confidential information. To further clarify this intent, the Board has added a new paragraph (8) to subsection (a) of § 407a.3 (relating to confidential information) which states that any information obtained as the result of the execution of a release at the request of the Board will be considered to be confidential information. Additionally, §§ 421a.1, 433a.8 and 435a.2 have been further amended to clarify that the information

requested as the result of a release under the Freedom of Information Act is to be provided to the Board.

IRRC also noted that information available under the Pennsylvania Right-to-Know Law (65 P.S. §§ 66.1 - 66.4) does not require a release. The Board agrees with IRRC's observation and accordingly has deleted the references to the Pennsylvania Right-to-Know Law in the final-form version of the regulation.

Affected Parties

All applicants for a principal or key employee license will be required to execute releases that will enable the Board to receive information pursuant to a request for information under the Freedom of Information Act. The Board receives approximately 700 to 800 principal and key employee applications annually.

Fiscal Impact

Commonwealth

Applicants are responsible for paying the costs associated with the review of their applications. Therefore, these amendments will have no fiscal impact on the Board or other agencies of the Commonwealth.

Political Subdivisions

This final-form rulemaking will have no fiscal impact on political subdivisions of this Commonwealth.

Private Sector

Applicants who are required to execute these releases will be responsible for reimbursing the Board for any costs associated with the filing of the requests for information and time spent reviewing the information that is received.

General Public

This final-form rulemaking will have no fiscal impact on the general public.

Paperwork requirements

The Board is in the process of amending its existing applications to include the release related to requests for information under the Freedom of Information Act. These releases are not lengthy and should only take a few minutes for an applicant to complete.

Effective Date

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

Contact Person

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

Regulatory Review

Under section 5(a) of the Regulatory Review Act (act)(71 P.S. § 745.5(a), on April 21, 2008, the Board submitted a copy of the proposed rulemaking, published at 38 Pa.B. 2054 (May 3, 2008), and a copy of the Regulatory Analysis Form to IRRC and the Chairpersons of the House Gaming Oversight Committee and the Senate Committee on Community, Economic and Recreational Development.

Under section 5(c) of the act (71 P.S. § 745.5(c)), IRRC and the Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered all comments received from IRRC, the House and Senate Committees and the public.

Under section 5.1(j.2) of the act (71 P.S. § 745.5a(j.2)), the final-form rulemaking was deemed approved by the House Gaming Oversight Committee and the Senate Committee on Community, Economic and Recreational Development **on , 2008**. Under section 5.1(e) of the Regulatory Review Act (71 P.S. § 745.5a(e)) IRRC met **on , 2008** and approved the final-form rulemaking.

Findings

The Board finds that:

(1) Public notice of intention to adopt these amendments was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240)(45 P.S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The final-form rulemaking is necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II (relating to gaming).

Order

The Board, acting under 4 Pa.C.S. Part II, orders that:

(a) The regulations of the Board, 58 Pa. Code Chapters 405a, 407a, 421a, 433a and 435a are amended by amending §§ 405a.2, 407a.3, 421a.1, 433a.8 and 435a.2 to read as set forth in Annex A.

(b) The Chairman of the Board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall take effect upon publication in the *Pennsylvania Bulletin.*

MARY DIGIACOMO COLINS,
Chairman

Annex A

Title 58. RECREATION

PART VII. GAMING CONTROL BOARD

SUBPART A. GENERAL PROVISIONS

CHAPTER 405a. BUREAU OF INVESTIGATIONS AND ENFORCEMENT

* * * * *

§ 405a.2. Information.

(a) An applicant for or holder of a license, permit, certification or registration shall provide all information, data and documents requested by the Bureau under section 1517(a) of the act (relating to enforcement). **The Bureau may also request the execution of [any releases] A RELEASE which would enable the Bureau and the Board to receive information pursuant to a request for information under the ~~act of June 21, 1957 (P.L. 390, No. 212) known as the Right-to-Know Law (65 P.S. §§ 66.1 — 66.4) or the~~ Freedom of Information Act (5 U.S.C. § 552).**

* * * * *

CHAPTER 407a. PUBLIC ACCESS TO BOARD FILES

* * * * *

§ 407a.3. Confidential information.

(a) Confidential information may include background investigation information, including information provided under section 1310(a) of the act (relating to slot machine license application character requirements), submitted in connection

with an application required for the issuance of any license, permit, certification or registration under this part, discovery procedures, or cross-examination or that is provided as a courtesy to a party in a formal proceeding received by the Board or the Department as well as records obtained or developed by the Board or the Department as part of an investigation related to an applicant **FOR** or holder of a license, permit, certification or registration containing any of the following:

* * * * *

(8) INFORMATION OBTAINED ABOUT AN APPLICANT FOR OR HOLDER OF A LICENSE, PERMIT, CERTIFICATION OR REGISTRATION AS A RESULT OF A RELEASE EXECUTED BY THE INDIVIDUAL AT THE REQUEST OF THE BUREAU OR THE BOARD.

* * * * *

SUBPART B. LICENSING, PERMITTING, CERTIFICATION AND REGISTRATION

CHAPTER 421a. GENERAL PROVISIONS

§ 421a.1. General requirements.

* * * * *

(c) By filing an application for a license, permit, certification or registration issuance, renewal or other approval from the Board, an applicant agrees to:

* * * * *

(3) Execute all releases requested by the Board, **including releases whereby the applicant consents to the release**

of information THAT MAY BE requested by ~~an~~ THE individual under ~~the act of June 21, 1957 (P.L. 390, No. 212) known as the Right-to-Know Law (65 P.S. §§66.1 — 66.4) or~~ the Freedom of Information Act (5 U.S.C. § 552) TO THE BOARD.

* * * * *

CHAPTER 433a. PRINCIPAL LICENSES

* * * * *

§ 433a.8. Principal applications.

(a) An individual required to be licensed as a principal, unless otherwise directed by the Board, shall file: [a completed Multi Jurisdictional Personal History Disclosure Form and the Pennsylvania Supplement to the Multi-Jurisdictional Personal History Disclosure Form and submit the applicable application fee posted on the Board's website (www.pgcb.state.pa.us).]

(1) An original and three copies of a completed Multi-Jurisdictional Personal History Disclosure Form.

(2) An original and three copies of a completed Principal/Key Employee Form - Pennsylvania Supplement to the Multi-Jurisdictional Personal History Disclosure Form.

(3) Executed releases requested by the Board, including releases whereby the applicant consents to the release of information THAT MAY BE requested by ~~an~~ THE individual pursuant to ~~the Right-to-Know Law or~~ the Freedom of Information Act (5 U.S.C. § 552) TO THE BOARD.

(4) The nonrefundable application fee posted on the Board's web site (www.pgcb.state.pa.us).

* * * * *

CHAPTER 435a. EMPLOYEES

* * * * *

§ 435a.2. Key employee license.

(a) An applicant for a key employee license from the Board, **unless otherwise directed by the Board,** shall submit:

(1) An original and three copies of **[the] a completed [Multi-jurisdictional] Multi-Jurisdictional** Personal History **Disclosure** Form **[and the].**

(2) **An original and three copies of a completed** Principal/Key Employee Form--Pennsylvania Supplement to the **[Multi-jurisdictional] Multi-Jurisdictional** Personal History Disclosure Form **[unless otherwise directed by the Board].**

(3) Executed releases requested by the Board, including releases whereby the applicant consents to the release of information THAT MAY BE requested by ~~an~~ THE individual under ~~the act of June 21, 1957 (P.L. 390, No. 212) known as the Right-to-Know Law (65 P.S. §§66.1 — 66.4) or~~ the Freedom of Information Act (5 U.S.C. § 552) TO THE BOARD.

(4) The nonrefundable application fee posted on the Board's **[website] web site** (pgcb.state.pa.us).

COMMENTATORS WHO REQUESTED NOTICE OF THE FINAL-FORM REGULATION

FISCAL NOTE: 125-84

While § 5.1(a) of the Regulatory Review Act only requires the Board to provide a list of the commentators who have requested additional information and a copy of the final-form regulation, the PGCB sends a copy of the preamble, Regulatory Analysis Form and the final-form regulation to all commentators. These copies are sent by mail or emailed to the commentator if they request electronic delivery. For this rulemaking, copies of these materials have been sent to the following:

Sands Casino Resort Bethlehem
c/o Duane Morris LLP
30 South 17th Street
Philadelphia, PA 19103

Washington Trotting Association, Inc.
c/o Fox Rothschild
1301 Atlantic Avenue
Midtown Building, Suite 400
Atlantic City, NJ 08401

WMS Gaming, Inc.
c/o Fox Rothschild
1301 Atlantic Avenue
Midtown Building, Suite 400
Atlantic City, NJ 08401

Shuffle Master, Inc.
c/o Fox Rothschild
1301 Atlantic Avenue
Midtown Building, Suite 400
Atlantic City, NJ 08401

Modern Gaming Pennsylvania, LLC
c/o Fox Rothschild
1301 Atlantic Avenue
Midtown Building, Suite 400
Atlantic City, NJ 08401

GTECH Corporation
c/o Fox Rothschild
1301 Atlantic Avenue
Midtown Building, Suite 400
Atlantic City, NJ 08401

Aristocrat Technologies, Inc.
Aristocrat Australia Pty. Ltd.
c/o Fox Rothschild
1301 Atlantic Avenue
Midtown Building, Suite 400
Atlantic City, NJ 08401

TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE REGULATORY REVIEW ACT

I.D. NUMBER: 125-84 DATE: 8-28-08

SUBJECT: Subparts A & B - Chapters 405a, 407a, 421a, 433a and 435a

AGENCY: Pennsylvania Gaming Control Board

TYPE OF REGULATION

____	Proposed Regulation
X	Final-Form Regulation
____	Final Regulation with Notice of Proposed Rulemaking Omitted
____	120-day Emergency Certification of the Attorney General
____	120-day Emergency Certification of the Governor
____	Delivery of Tolled Regulation
	a. With Revisions b. Without Revisions

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INDEPENDENT REGULATORY REVIEW COMMISSION

RECEIVED

FILING OF REGULATION

DATE	SIGNATURE	DESIGNATION
1. 8/28/08	Michelle Armour (Rep. James)	**House** Gaming Oversight Committee
2. 8/28/08	Eileen Kuck (Rep. Clymer)	
3. 8/28/08	(Senator LaValle)	**Senate** Community, Economic & Recreational Committee
4. 8/28/08	(Senator Earll)	
5. 8/28/08	Kathy Cooper	Independent Regulatory Review Commission
6. ____	____	Legislative Reference Bureau