

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 9—Internal Control System**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission (MGC) under section 313.805, RSMo Supp. 2014, the commission amends a rule as follows:

11 CSR 45-9.101 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* October 1, 2015 (40 MoReg 1283-1284). Changes have been made to the text of the proposed revision of the *Minimum Internal Control Standards* (MICS) as incorporated by reference in Chapter A, and those changes are explained below. Changes have been made to the text of the proposed rule, so it is reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** A public hearing was held on this proposed rule on November 4, 2015. No one attended the public hearing. Written comments were received from MGC staff.

**COMMENT #1:** A §1.02(A)—A staff member commented that §1.02(A) should be clarified to indicate that it means 33 percent of all of the employees in a given job position, not just 33 percent of the number of employees working that day.

**RESPONSE AND EXPLANATION OF CHANGE:** The staff revised A §1.02(A) to read—“(A) When employees in the cage, count room, slots, poker, table games, and security departments dual rate, no more than 33% of the employees in that department in any given job position shall be allowed to dual rate up to the higher position. The Class B Licensee shall maintain a current list of all employees who are allowed to dual rate by department;”

**COMMENT #2:** A §1.06—A staff member commented that this rule should include the Minimum Internal Control Standards for clarity, even though they are incorporated by reference in the Code of State Regulations.

**RESPONSE AND EXPLANATION OF CHANGE:** The staff revised A §1.06 to read—“Class B Licensees shall provide all employees with training regarding the Missouri Riverboat Gambling Act, Missouri Gaming Commission Rules and Regulations, Missouri Gaming Commission Minimum Internal Control Standards, the Class B Licensee’s Internal Control System and procedures in a brief outline or general description. Each employer shall ensure that employees, prior to performing the functions and duties of their jobs, are adequately trained as to the applicable statutes, regulations and internal controls that apply to their specific job functions. The Class B Licensee shall maintain a record of all mandatory training. A current copy of the Class B Licensee’s entire Internal Control System shall be readily accessible to all employees.”

COMMENT #3: A §1.09(B)—A staff member commented that §1.09(B) of this rule does not need to restate the requirements of 11 CSR 45-5.030 and 11 CSR 45-12.090.

RESPONSE AND EXPLANATION OF CHANGE: The staff revised A §1.09(B) to remove: “,which prohibit employees from playing any gambling game or receiving any intoxicating liquor while on the premises”.

COMMENT #4: A §4.06—A staff member commented that §4.06 should clarify the event which triggers the fifteen day submission deadline.

RESPONSE AND EXPLANATION OF CHANGE: The staff revised A §4.06 to state—“Changes required by the Commission shall be submitted to the Commission within fifteen days of the notice. Any changes which are required to be made as a result of an MGC compliance audit or an audit recommendation by an independent certified public accounting firm or an internal audit shall be submitted at the next submission date following the issuance of the auditor’s report.”

COMMENT #5: A §4.11—A staff member commented that §4.11 requires the cover page of each chapter to list the effective dates of prior revisions for the past four years, and noted this could require a great deal of work if it is applied retroactively. The staff member suggested rewording the rule to clarify that this standard should be applied forward to prevent that additional work.

RESPONSE AND EXPLANATION OF CHANGE: The staff revised A §4.11 to require only prior revisions after January 1, 2016 be listed. The staff revised A §4.11(A) to read—“(A) At a minimum, the cover page for each chapter shall include the effective date approved by the commission. The effective dates of each prior revision that occurred after January 1, 2016, shall be listed chronologically for the past four years in each chapter, either on the cover page or the last page(s) of the chapter.”

The staff also revised A §4.11(B) to read—“(B) The Rules of the Game for each game shall be submitted in a separate document with a cover page that includes the effective date approved by the commission. The effective dates of each prior revision that occurred after January 1, 2016, shall be listed chronologically for the past four years for each game, either on the cover page or the last page(s) of the rules for that game.”

### **11 CSR 45-9.101 Minimum Internal Control Standards (MICS)—Chapter A**

(1) The commission shall adopt and publish minimum standards for internal control procedures that in the commission’s opinion satisfy 11 CSR 45-9.020, as set forth in *Minimum Internal Control Standards (MICS) Chapter A—General and Administrative*, which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter A does not incorporate any subsequent amendments or additions as adopted by the commission on December 2, 2015.