

Resolution #2002-02 (Adopted 4/09/02) - Delegation of Authority to the Executive Director to Approve or Deny Requests for Occupational License Renewal

RESOLUTION NO. 2002-02

A Board Resolution Regarding Delegation of Authority to the Executive Director to Approve or Deny Requests for Occupational License Renewal.

Pursuant to Board Administrative Rule 341, MR 432.1341

The Michigan Gaming Control Board (Board) is authorized under section 4(17)(d) of the Michigan Gaming Control and Revenue Act, as amended, 1997 PA 69; MCL 432.201 et seq. (Act) to promulgate rules necessary to implement, administer, and enforce the Act.

The Act, at section 4(8), provides for the appointment of an Executive Director to perform any and all duties that the Board shall assign to him or her.

The Act, at section 4a(1)(r), authorizes the Board to delegate its authority for the purpose of administering enforcing the Act and Board Administrative Rules [see MR 432.1101 et seq.] (Rules).

The Board has adopted and promulgated Rule 223, MR 432.1223, which authorizes the Board to waive, in writing, any requirement or procedure set forth in its rules.

The Board has adopted and promulgated Rule 341(1), MR 432.1341(1), which requires biennial renewal of all occupational licenses. Rule 341(4), MR 432.1341(4), requires the Executive Director to investigate an occupational licensee's application for renewal and report to the Board, in writing, his/her findings related to the applicant's eligibility and suitability for licensure. Rule 341(6), MR 432.1341(6), requires the Board to review and consider each renewal application and to decide renewal requests at a public meeting.

The Board concludes that in the interest of administrative efficiency, it is appropriate to delegate authority to the Executive Director to approve or deny occupational license renewals.

Limited Delegation of Authority:

By this limited delegation of authority, the Executive Director is authorized to approve or deny occupational license renewals, for and on behalf of the Board, in the following manner:

All requests for renewal shall be submitted to the Executive Director, in accordance with MR 432.1341(2).

The Executive Director shall decide whether to approve or deny occupational license renewal applications and requests, for and on behalf of the Board, pursuant to MR 432.1341(3-9) and this Resolution, after completing his/her required investigation, review and report on each renewal application and request.

3. The Executive Director shall not be required to submit his written report to the Board regarding any renewal application and request, unless requested by the Board.

4. The Board reserves the authority to reverse the decision of the Executive Director on its own motion.

5. In the event a request for an occupational license renewal is denied by the Executive Director, the applicant may pursue administrative remedies in accordance with MR 432.1341(10), (11) and (12).

ADOPTED AND ISSUED THIS 9TH DAY OF APRIL 2002

Roman S. Gibbs, Chair

Attest:

Received and filed:

Patricia S. James
Board Secretary