

205 CMR 104.00: DELEGATION OF AUTHORITY

Section

104.01: Delegation of Commission Authority

104.02: Delegation of Chair's Authority

104.01: Delegation of Commission Authority

(1) Subject to M.G.L. chs. 23K, ~~23N~~ and 30A, the commission may, in its discretion, delegate the authority of the commission to perform any of its functions under M.G.L. c. 23K, ~~23N~~ or 205 CMR 101.00, ~~et seq. through 131.00~~, with the exception of final decisions regarding Phase 1 and Phase determinations of qualification for gaming licenses, ~~and sports wagering operator licenses~~, to a commissioner or commissioners, or to the executive director, the bureau, the deputy director, or any other employee of the commission, on such terms and conditions as the commission may specify. Any action taken and determination made pursuant to such delegation shall not require further approval, ratification or other action by the commission.

(2) All delegations of commission authority made pursuant to 205 CMR 104.01(1) shall remain in effect until amended, suspended, modified or revoked by the commission.

(3) The commission may review, reconsider, amend, modify, suspend or revoke any action taken or determination made pursuant to such delegation.

(4) Whenever M.G.L. chs. 23K, ~~23N~~ or 205 CMR 101.00, ~~et seq. through 131.00~~ requires that the commission provide notice of an action taken or determination made, and such action is taken or determination is made pursuant to delegation pursuant to 205 CMR 104.01(1), such notice shall be provided by the individual or entity exercising delegated authority.

(5) In any delegation to the bureau, pursuant to M.G.L. c. 23K, § 4(32), the commission shall not place any restriction upon the bureau's ability to investigate or prosecute violations of M.G.L. chs. 23K, ~~23N~~ or 205 CMR.

104.02: Delegation of Chair's Authority

(1) The chair may, in ~~his or her~~ the chair's discretion, delegate to another commissioner or commissioners or to the executive director the authority of the chair to perform any of ~~his or her~~ the chair's duties and responsibilities under M.G.L. chs. 23K, ~~23N~~ or 205 CMR.

(2) All delegations of authority made pursuant to 205 CMR 104.02(1) shall remain in effect until amended, suspended, modified or revoked by the chair.

(3) The chair may, on ~~the chair's his or her~~ own initiative, review, reconsider, amend, modify, suspend or revoke any action taken or determination made pursuant to such delegation.

(4) Whenever M.G.L. ~~chs.~~ 23K, ~~23N~~ or 205 CMR 101.00, ~~et seq. through 131.00~~ requires that the chair provide notice of an action taken or determination made, and such action is taken or determination is made pursuant to delegation pursuant to 205 CMR 104.02(1), such notice shall be provided by the individual exercising delegated authority.