

| Section of Gaming Law | Subject Area | Summary of the Section |
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| 16.02 | Definitions | <p>Definition Section of the law includes: Category 1 license: table games and slot machines Category 2 license: no table games and not more than 1,250 slot machines “Gaming Establishment” – the premises approved under a gaming license which includes a gaming area and any other nongaming structures related to the gaming areas and may include, but shall not be limited to, hotels restaurants or other amenities.</p> |
| 16.08 | Licensing Process | <p>Provides that Mass. Gaming Commission (MGC) shall issue a request for application (RFA) for Category 1 (Resort Casino) and Category 2 (Slot Parlor) licenses. MGC must issue an RFA for Category 2 licenses first.</p> |
| 16.10 | Capital Investment – Category 1 | <p>The MGC must set the minimum capital investment for each region for a Category 1 License at or above \$500,000,000 (\$500M). If a license is awarded, the licensee will be required to deposit 10% of that minimum investment with the MGC in an interest bearing account. That amount will be held in escrow by the MGC until the final stages of construction of the gaming establishment. The MGC may also allow a licensee to post a deposit bond in lieu of payment. This amount will be forfeited to the Commonwealth if the applicant is unable to complete the Gaming Establishment.</p> <p>A licensee who fails to begin gaming operations within 1 year of the date specified in its construction timeline is subject to license suspension or revocation and a \$50,000,000 fine.</p> <p>In addition, the MGC must set a minimum licensing fee of not less than \$85,000,000 to be paid to the MGC by the licensee within 30 days after award of a license. The MGC must also set renewal fees based on the costs of fees associated with evaluation of the licensee.</p> |
| 16.15 | Mandatory Criteria for Gaming License | <p>Establishes mandatory criteria for awarding gaming license, including:</p> <ol style="list-style-type: none"> (1) Licensed state lottery sales agent (2) Capital investment (3) Land ownership or acquisition (4) Licensee deposit (5) Gaming licensing fee (6) Impact mitigation and community MOU |

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| | | <ul style="list-style-type: none"> (7) Infrastructure costs and community mitigation plan (8) Signed agreement with host community with community impact fee and stipulations (9) Signed agreements with surrounding communities with conditions, community impact fee and stipulations (10) Signed agreements with impacted live entertainment venues (11) Minimum nonrefundable application fee of \$400,000 (not less than \$50,000 to reimburse host and surrounding municipalities) (12) Compliance with building codes, ordinances and bylaws, and MEPA (13) Certified and binding vote on ballot question at an election in the host community (14) Community impact fee to the host community (15) Marketing program with minority, women and veteran business enterprises as contractors (16) Affirmative action program of equal opportunity for minorities, women and veterans on construction <p>Establishes process for election in host community and agreements with host and surrounding communities.</p> |
| 16.18 | Licensing Objectives | <p>In evaluating application and issuing decision, MGC must evaluate and issue findings as to the following objectives:</p> <ul style="list-style-type: none"> (1) Protecting the lottery (2) Promoting local businesses in host and surrounding communities (3) Realizing maximum capital investment (4) Implementing a workforce development plan (5) Building a high caliber gaming establishment (6) Addressing problem gambling (7) Providing a market analysis (8) Utilizing sustainable development principles (9) Establishing funding and maintain skilled and diverse workforce (10) Contracting with local business owners (11) Maximizing revenues received by the commonwealth |

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| | | <ul style="list-style-type: none"> (12) Providing a high number of quality jobs in the gaming establishment (13) Offering the highest and best value to create secure and robust gaming market (14) Mitigating potential impacts on host and surrounding communities (15) Purchasing domestically manufactured slot machines (16) Implementing a marketing program with specific goals (17) Implement a workforce development plan (18) Contracting with organize labor and assuring labor harmony (19) Gaining public support in the host and surrounding communities |
| 16.21 | Form of Gaming License | <p>Establishes the minimum conditions that must be included in a gaming license and authorizes the MGC to require further conditions. Minimum conditions include:</p> <ul style="list-style-type: none"> (1) Affirmative obligation to abide by every statement (2) Comply with all laws, rules and regulations (3) Pay daily to the commission the gross gaming revenue payment (4) Make required capital expenditures (5) Not changes its business governing structure without notification and approval (6) Not operate, invest in or own another gaming license or gaming establishment (7) Cooperate with the commission and the AG in gaming investigations (8) Cooperate with the commission and the AG in criminal investigations (9) Allow warrantless searches (10) Inform the commission of any violations (11) Provide office for commission and state police unit (12) Annually report on jobs (13) Employ only persons licensed or registered by the commission (14) Do business only with vendors licensed or registered by the commission (15) Provide aggregate demographic information on customers (16) Provide complimentary space for counseling and establish a training program (17) Post contact notice for problem gambling assistance (18) Provide process to exclude names and contact info for marketing (19) Institute public health strategies as required by the commission (20) Abide by an affirmative action program |

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| | | <p>(21) Abide by affirmative marketing program for minority, women, and veteran business enterprises</p> <p>(22) Abide by an affirmative action program for equal opportunity whereby for minorities, women and veteran on construction jobs</p> <p>(23) Provide quarterly report on hires</p> <p>(24) Annually report on total dollar amounts contracted with and actually paid to minority women and veteran business enterprises</p> <p>(25) Require regular checks on parking areas for minors left in motor vehicles.</p> <p>Cannot transfer or hypothecate gaming license without the notification to and approval by the MGC.</p> |
| 16.25 | Gaming Operations Certificate | <p>Provides for MGC issuances of gaming operations certificate and minimum requirements for such a certificate, including for example:</p> <ol style="list-style-type: none"> (1) Implementation of management controls on accounting, wagering and auditing (2) Implementation of security precautions (3) Up to date listing of all gaming employees (4) Licensing or registering of all gaming employees (5) Provision of office space for commission employees (6) Hours of operation (7) Efficient and prepared personnel and procedures <p>Applicant for a gaming license shall submit to the commission for approval:</p> <ol style="list-style-type: none"> (1) System of internal procedures and administrative and accounting controls for gaming and any simulcast wagering operations (2) Certification by chief legal officer that procedures conform to gaming law and regulations (3) Certification by chief financial officer that procedures are adequate, effective, consistent and conform to GAAP and any additional standards required by the commission <p>Requirements of advanced approval for security plans and submission of emergency plans to local safety officials.</p> |
| 16.24 | Live Racing | As applicant for a license who holds a live racing license under G.L. c. 128A shall maintain an |

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| | Extension | existing racing facility but must increase the number of live racing days to a minimum of 125 days pursuant to the schedule set forth in this section |
| 96 | Host Community Expedited Permitting | <p>Provides that a host community that has accepted GL c. 43D (governing expedited permitting) must file a proposal with the interagency permitting board to designate the site proposed for a Category 1 establishment a priority development site.</p> <p>In a community which has not accepted GL c. 43D, the planning board must designate a local permitting “ombudsman” from among its members or its professional staff, to help coordinate and expedite local permitting of the Category 1 establishment.</p> |
| 10© | Opening Requirements | <p>An applicant for a Category 1 (resort casino) license shall submit its proposed capital investment with its application to the MGC and application must include: Stages of construction of the gaming establishment and the deadline by which the stages and overall construction and any infrastructure improvements will be completed. The MGC shall determine at what stage of construction a licensee shall be approved to pen for business.</p> <p>Casino must complete the gaming area and other ancillary entertainment services and non-gaming amenities, as required by the MGC before opening (and they must be of superior quality).</p> <p>Total infrastructure improvements onsite and around the vicinity of the gaming establishment, including projects to account for traffic mitigation as determined by the commission, shall be completed before the gaming establishment shall be approved for opening.</p> |
| 16.68 | Advisory Committees | <p>Establishes a Gaming Policy Advisory Committee, including the Chair of the MGC to examine community mitigation, compulsive gambling and gaming impacts on cultural facilities and tourism. The Committee shall meet at least annually. Its recommendations are advisory and not binding on the MGC.</p> <p>Under this committee, there shall be a Subcommittee for Community Mitigation, Addiction services and Public Safety, each with a member of the MGC, to advise the MGC on these issues. In the case of the Community Mitigation Subcommittee, the MGC may promulgate regulations proposed by that</p> |

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| | | <p>subcommittee and must submit the proposed regulations to the subcommittee at least 30 days before promulgation.</p> <p>Each region may also establish a Local Community Mitigation Advisory Committee, 4 members of which would be appointed by the MGC. These regional committees would study gaming in that region and may advise the MGC.</p> |