



For Immediate Release
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The Massachusetts Gaming Commission Seeks Public Comment Regarding the Rules and Regulations Governing Host Community Referendum

As part of an ongoing commitment to community engagement, the Massachusetts Gaming Commission (MGC) is seeking public comment on an emergency regulation related to the Host Community Referendum. On April 11, 2013, MGC decided to seek public comments on a draft emergency regulation that would prohibit the holding of voter referendum on a gaming facility prior to the determination of suitability of the gaming applicant by the Commission. The draft regulation provides an exception under which communities would be allowed to hold a referendum in advance of the Commission's suitability determination.

As a result of feedback from various constituents (including communities and gaming applicants) that adherence to the current regulation may unnecessarily delay the licensing process, the Massachusetts Gaming Commission is proposing an emergency regulation relative to host communities' ability to move forward prior to a determination of applicant suitability. The emergency regulation will allow for a host community to hold a referendum prior to a suitability determination provided:

- the community's governing body **formally approves** a pre-suitability referendum and;
- the community engages in **an awareness campaign** paid for by the applicant to educate voters on the suitability process still in progress by MGC

The commission is seeking public feedback on the following proposed regulation:

Proposed Emergency Regulation:

A host community may not hold an election in accordance with M.G.L. c.23, §15(13) until the commission has issued a positive determination of suitability to the applicant in accordance with 205 CMR 115.05(3) unless the following conditions are satisfied:

A.) Prior to the request by the applicant for an election in accordance with 205 CMR 124.02(1), the governing body of the community formally approves of holding the election prior to a positive determination of suitability having been issued to the applicant by the commission; and



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B.) at the expense of the applicant, the community has conducted a process for informing the community about the commission's determination of suitability standards and procedures, which shall include, but not be limited to, the provision of a notice designed to be received by voting households within the community informing such households that an election is to be held for which the applicant has yet to be issued a positive determination of suitability, that the commission will make its determination of suitability after completing a thorough background investigation of the applicant, its principal operating officers and investors, and that the commission will not permit the applicant or its principal operating officers or investors to proceed with the application unless it determines that they are suitable to operate a gaming facility in Massachusetts. The content of the notice shall be forwarded to the commission for approval prior to dissemination. A description of other methods to so inform the community about the commission's determination of suitability standards and procedures shall also be forwarded to the commission prior to holding of the election. Any failure to issue the notice to one or more voting households shall not be deemed by the commission to be a failure to meet the requirements of this section, provided that a community demonstrates reasonable efforts to comply with the requirements of this section.

Provide Us Your Feedback:

The Commission welcomes comments from interested parties which should be submitted by **April 17, 2013 at 1:00pm**, via e-mail to mgcccomments@state.ma.us with "Host Community Referendum" in the subject line. The Commission plans to vote on the emergency regulation at its April 18, 2013 meeting.

About MGC

The mission of the Massachusetts Gaming Commission is to create a fair, transparent, and participatory process for implementing the expanded gaming law passed by the Legislature and signed by the Governor in November, 2011. In creating that process, the Commission will strive to ensure that its decision-making and regulatory systems engender the confidence of the public and participants, and that they provide the greatest possible economic development benefits and revenues to the people of the Commonwealth, reduce to the maximum extent possible the potentially negative or unintended consequences of the new legislation, and allow an appropriate return on investment for gaming providers that assures the operation of casino-resorts of the highest quality. For more information on MGC, please visit MassGaming.com or connect and share on Twitter (@MassGamingComm) or Facebook (www.facebook.com/MAGamingComm).



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