

Mr. Bastien of Gardner moves to amend H.3702 by striking lines 1240-1241 and inserting the following:

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- (1) region A: Suffolk, Middlesex, Essex and Norfolk counties;
 - (2) region B: Hampshire, Hampden, Franklin, Berkshire and Worcester counties; and”

Mr. Hill of Ipswich moves that House bill 3702 be amended by inserting, after SECTION XX, the following:

“SECTION XX. Notwithstanding any general or special law to the contrary, the Massachusetts gaming commission shall analyze and develop model legislation and regulations with respect to the restructuring and possible merger of the state lottery commission with the Massachusetts gaming commission. The commission shall report its findings and recommendations, together with drafts of legislation necessary to carry those recommendations into effect, by filing the same with the clerks of the senate and house of representatives, the house and senate chairs of the joint committee on economic development and emerging technologies, and the office of the treasurer and receiver general of the commonwealth not later than July 1, 2012.”.

Mr. Hill of Ipswich and Mr. Webster of Pembroke move that House bill 3702 be amended by inserting, after SECTION XX, the following:

“SECTION AA. Notwithstanding any special or general law to the contrary, the state lottery commission, established in section 23 of chapter 10, shall be dissolved and cease to exist, and all of its powers and responsibilities shall be transferred to the Massachusetts gaming commission, which thereafter shall have and exercise all lawful authority which is otherwise invested in the commission by way of chapter 10 and which is not inconsistent with chapter 23K.

SECTION BB. Section AA shall take effect 180 days after the passage of this act.”.

Mr. Hill of Ipswich moves that House bill 3702 be amended by inserting, after SECTION XX, the following:

“SECTION XX. Notwithstanding any special or general law to the contrary, 180 days after the Massachusetts gaming commission awards the first gaming license issued under this chapter, the commission shall be dissolved and cease to exist, and all of its powers and responsibilities shall be transferred to the Lottery commission, which thereafter shall have and exercise all lawful authority which is otherwise invested in the commission by way of chapter 23K and which is not inconsistent with chapter 10.”.

Mr. Conroy of Wayland moves to amend the bill in Chapter 23K, Section 1 by adding the following paragraph: “(11) applicants for gaming licenses and gaming licensees shall demonstrate their commitment to supporting the right of all employees to organize, to paying all employees prevailing wages as scheduled by the Massachusetts Division of Occupational Safety, and to offering all part time and full time employees health insurance that meets or exceeds the Massachusetts minimum creditable coverage standards, paid sick days, retirement benefit plans and on-site, subsidized child care services”;

in Chapter 23K, Section 9 in line 801 by striking the word “employees” and inserting in place thereof the following: “both full and part time employees in each functional job category, including on-site subsidized child care services and associated hourly rates for such services, health insurance rates, paid sick days and retirement benefit plans and expected owner/operator contribution levels.”;

in Chapter 23 K, Section 10 in line 833 by inserting after the word “hotel” the words; “a child care center”;

in Chapter 23K, Section 15 in line 1020 by adding, after the word “development” the first time it appears, the following: “including collaborating with organized labor, supporting the right of employees to organize, showing their commitment to paying employees prevailing wages as scheduled by the Massachusetts Division of Occupational Safety, and committing to offering both part time and full time employees health insurance that meets or exceeds the minimum creditable coverage standards, paid sick days, retirement benefit plans and on-site, subsidized child care services”;

in Chapter 23K, Section 16 by adding the following two clauses: “(v) does not have a history of collaboration with organized labor or is not currently operating a gaming facility with organized labor within its employee base; (vi) has not clearly demonstrated in its application that it shall hire employees from organized labor unions.”;

in Chapter 23 K, Section 18 by striking subsection (4) and inserting in place thereof the following:

(4) implementing a workforce development plan to utilize the existing labor force in the Commonwealth and to offer fair wages and robust benefits, which includes:

(A) supporting the right of employees to organize;

(B) collaborating with organized labor;

(C) paying all employees prevailing wages as scheduled by the Massachusetts Division of Occupational Safety;

(D) offering all part time and full time employees health insurance that meets or exceeds the minimum creditable coverage standards;

(E) offering all part time and full time employees a robust benefits package including paid sick days, subsidized on-site childcare, retirement benefit plans and expected owner-/operator contribution levels;

(F) developing workforce training programs that serve the unemployed;

(G) estimating the number of permanent jobs and temporary construction jobs a proposed gaming establishment will generate and the mean and median wage for such jobs;

(H) making employment at the gaming establishment accessible;”;

Mr. Conroy of Wayland moves to amend the bill in Chapter 23K, Section 56 in line 2319 by adding the following sentences: "The commission shall also assess an amount equal to a CPI-adjusted growth in Massachusetts lottery funds distributed to municipalities, less the amount of gross gaming revenue dedicated to local aid in Section 59, subsections (e) and (f). The CPI-adjusted growth in Massachusetts lottery funds distributed to municipalities shall be calculated in the first year in which a licensee under this bill shall commence operation with a baseline of lottery distribution to localities equal to the average of the previous 5 years of distributed funds, and a CPI adjustment as calculated for the same year licensee operations have commenced. Such assessed fees shall be deposited into the Gaming Local Aid Fund established pursuant to section 63.";

Representatives Jones of North Reading, Peterson of Grafton, Hill of Ipswich and Poirier of North Attleboro, move to amend H3702 by inserting after "source.", in line 2466, the following sentence:-
"Funds shall be distributed to cities and towns in accordance with the formula used to determine the distribution of Unrestricted General Government Aid under section 3 of the general appropriations act."

Mr. Jones of North Reading, Mr. Peterson of Grafton, Mr. Hill of Ipswich, and Ms. Poirier of Attleboro move to amend House bill 3702 by inserting, in line 373, after the word “commission”, the following:

“or at any time up to 2 years prior to serving on the commission”.

Mr. Jones of North Reading, Mr. Peterson of Grafton, Mr. Hill of Ipswich, and Ms. Poirier of Attleboro move to amend House bill 3702 by inserting, after section XX, the following section:

“SECTION XX. Notwithstanding any general or special law to the contrary, the 5 commissioners appointed under subsection (a) of section 3 of chapter 23K shall be appointed within 90 days of the passage of this act.”.

Mr. Jones of North Reading, Mr. Peterson of Grafton, Mr. Hill of Ipswich, and Mrs. Poirier of North Attleboro move to amend House Bill 3702 by inserting, in line 2463, after the word “maintenance” the following:- “; provided however, not less than 50 per cent of such expenditures shall be dedicated for the purpose of supplementing, and not offsetting, any expenditures made for the construction and reconstruction of municipal ways as described in clause (b) of the second paragraph of section 4 of chapter 6C of the General Laws.”

Mr. Jones of North Reading, Mr. Peterson of Grafton, Mr. Hill of Ipswich, and Ms. Poirier of Attleboro move to amend House bill 3702 by inserting, in line 44, after the words “necessary to staff the unit”, the following:

“; provided, further, that the code of ethics established in subsection (m) of section 3 of chapter 23K shall apply to all investigators and employees of the unit”;

and, further, by inserting, in line 112, after the words “chapter 23K”, the following:

“; provided, further, that the code of ethics established in subsection (m) of section 3 of chapter 23K shall apply to all officers and employees of the unit”;

and, further, by inserting, in line 698, after the words “deputy director of investigations and enforcement” the following:

“; provided, further, that the code of ethics established in subsection (m) of section 3 of chapter 23K shall apply to all employees of the bureau”.

Mr. Jones of North Reading, Mr. Peterson of Grafton, Mr. Hill of Ipswich, and Mrs. Poirier of North Attleboro move to amend House Bill 3702, in SECTION 16, by striking, in line 2396, the proposed clause (h) of section 59 of chapter 23K and inserting in place thereof the following clause: -

“(h) 10 per cent shall be transferred to the Massachusetts Community Preservation Trust Fund, established in section 9 of chapter 44B;

Mr. Jones of North Reading, Mr. Peterson of Grafton, Mr. Hill of Ipswich, and Ms. Poirier of Attleboro move to amend House bill 3702 by inserting, in line 2402, after the words “debt portfolio”, the following:

“; provided, further, that this program shall use these monies to set forth and fund a process through which the operating costs of any state agency, including, but not limited to, full-time personnel expenses and expenses incurred by the agency as part of its normal operations, currently paid for through bond proceeds shall be transferred to that agency’s operating budget”.

Mr. Jones of North Reading, Mr. Peterson of Grafton, Mr. Hill of Ipswich, and Ms. Poirier of Attleboro move to amend House bill 3702 by striking, in line 459, the word “may”, and inserting, in place thereof, the following: “shall”.

Mr. Jones of North Reading, Mr. Peterson of Grafton, Mr. Hill of Ipswich, and Ms. Poirier of Attleboro move to amend House bill 3702 by inserting, in line 1120, after the words “surrounding communities”, the following:

; provided, that if, after a further 30 days, an agreement is not reached, and the commission determines that the applicant has made a good faith effort to enter into a surrounding community memorandum of understanding with the community, the commission may waive this requirement”;

and, further, in line 1133, by inserting, after the words “live entertainment venues”, the following:

; provided, that if, after a further 30 days, an agreement is not reached, and the commission determines that the applicant has made a good faith effort to enter into an agreement with an impacted live entertainment venue, the commission may waive this requirement”.

Mr. Jones of North Reading, Mr. Peterson of Grafton, Mr. Hill of Ipswich, and Ms. Poirier of Attleboro move to amend House bill 3702 by inserting, in line 473, after the words “application to the commission”, the following:

“; provided, further, that the commission shall not knowingly employ any alien in the commonwealth, who is a student or visitor or, who has not been admitted to the United States for permanent residence, except those who are admitted under a work permit, or unless the employment of such alien is authorized by the attorney general of the United States. The commission shall verify the work eligibility status of each newly hired employee through the federal electronic employment authorization verification program known as E-Verify or any successor program created pursuant to 8 U.S.C. 1324a”;

and, further, in line 1741, after the word “current.”, the following:

“Section 30A. It shall be unlawful for any gaming licensee to employ knowingly any alien in the commonwealth, who is a student or visitor or, who has not been admitted to the United States for permanent residence, except those who are admitted under a work permit, or unless the employment of such alien is authorized by the attorney general of the United States. A gaming licensee shall not be deemed to have violated this section if he has made a bona fide inquiry whether a person hereafter employed or referred by him is a citizen or an alien, and if an alien, whether he is lawfully admitted to the United States for permanent residence, or admitted under a work permit, or is authorized by the attorney general of the United States to accept employment. An inquiry into the employment status and identity of an alien shall be deemed bona fide if a gaming licensee verifies the work eligibility status of each newly hired employee through the federal electronic employment authorization verification program known as E-Verify or any successor program created pursuant to 8 U.S.C. 1324a.

Any gaming licensee who violates any provision of this section shall be punished by a fine of not more than \$10,000 nor less than \$5,000. A gaming licensee convicted of a second or subsequent offence shall be punished by imprisonment in state prison for not less than 5 years.”.

Mr. Jones of North Reading, Mr. Peterson of Grafton, Mr. Hill of Ipswich, and Ms. Poirier of Attleboro move to amend House bill 3702 by striking, in line 2506, the words “the president’s designee; the speaker of the house of representatives or the speaker’s designee”, and inserting, in place thereof, the following:

“the president’s designee; the senate minority leader or the senate minority leader’s designee; the speaker of the house of representatives or the speaker’s designee; the house minority leader or the house minority leader’s designee”.

Mr. Jones of North Reading, Mr. Peterson of Grafton, Mr. Hill of Ipswich, and Mrs. Poirier of North Attleboro move to amend House Bill 3702, in SECTION 16, by striking, in line 2384, the figure “10” and inserting in place thereof the following:- “12”

; and further, in said SECTION 16, by striking, in line 2382, the proposed clause (d) of section 59 of chapter 23K;

and further, in SECTION 18, by striking, in lines 2678 to 2681, the proposed Section 2EEEE of chapter 29;

and further, in subsection (a) of SECTION 91, by striking clauses (3) to (8), contained in lines 3217 to 3225, and inserting in place thereof the following:-

“(3) 5 per cent shall be remitted to the comptroller for deposit into the Local Aid Stabilization Fund, established in section 2CCCC of chapter 29 of the General Laws.

(4) 69 per cent shall be remitted to the comptroller for deposit into the Commonwealth Stabilization Fund, established in section 2H of chapter 29 of the General Laws.”

; and further, by striking SECTIONS 96, 97, and 99 in their entirety.

Mr. Jones of North Reading, Mr. Peterson of Grafton, Mr. Hill of Ipswich, and Ms. Poirier of Attleboro move to amend House bill 3702 by inserting, in line 1568, after the figure “21”, the following:

“; provided, further, that such regulations shall include requirements relative to alcohol training certification for any gaming service employee or other gaming employee determined by the commission, in consultation with the alcoholic beverages control commission, to be involved with the serving of alcoholic beverages, including, but not limited to, training through an approved certification program or classroom training”

Representatives Jones of North Reading, Peterson of Grafton, Hill of Ipswich and Poirier of North Attleboro, move to amend H3702 by inserting the following sections:-

“SECTION _____. Subsection (b) of section 2 of chapter 64L of the General Laws, as added by section 60 of chapter 27 of the Acts of 2009, shall be amended by inserting after the word ‘town’, the second time it appears, the following:

, except as provided in subsection (e)

SECTION _____. Section 2 of chapter 64L, as so appearing, shall be amended by adding after subsection (d), the following:

(e) Seventy-five per cent of the sum received from the sale of restaurant meals at a gaming establishment, as defined in chapter 23K, shall be distributed to the host community, as defined in chapter 23K, and the remaining 25 per cent shall be distributed equally to surrounding communities, as defined in chapter 23K; provided, the host community and surrounding communities have accepted this section.”.

Mr. Pedone of Worcester moves to amend the bill striking out the following:

SECTION 23k, Section 2; line 268:

“Impacted live entertainment venue”, a not-for-profit or municipally-owned performance venue designed in whole or in part for the presentation of live concerts, comedy or theatrical performances, which the commission determines experiences, or is likely to experience, a negative impact from the development or operation of a gaming establishment.

SECTION 23k, Section 4(39), line 638:

(39) designate impacted live entertainment venues; provided, however, that, in making such designations, the commission shall consider factors including, but not limited to, the venue’s distance from the gaming establishment, venue capacity and the type of performance offered by that venue;

And also by striking out the following:

SECTION 23k, Section 15(10), line 1039; and inserting in its place “(10) provide to the commission a signed agreement between the Massachusetts Performing Arts Center Coalition, a Coalition whose members are for the avoidance of doubt the Symphony Hall in Springfield, The Hanover Theatre in Worcester, the Lowell Memorial Auditorium, the North Shore Musical Theatre in Beverly, the Lynn Memorial Auditorium, the South Shore Music Circus in Cohasset, the Cape Cod Melody Tent in Hyannis and the Citi Center in Boston, and the applicant setting forth the conditions by which the gaming establishment shall seek to minimize impact to live entertainment venues; provided, however, that the agreement shall include, but not be limited to, terms relating to cross marketing and coordination of performance schedules;

And also by striking out the following:

SECTION 23k, Section 17(b), line 1121; and inserting in its place “ (b) When necessary the commission may facilitate the negotiation of a fair and reasonable agreement between the applicant and the Massachusetts Performing Arts Center Coalition, a Coalition whose members are for the avoidance of doubt the Symphony Hall in Springfield, The Hanover Theatre in Worcester, the Lowell Memorial Auditorium, the North Shore Musical Theatre in Beverly, the Lynn Memorial Auditorium, the South Shore Music Circus in Cohasset, the Cape Cod Melody Tent in Hyannis and the Citi Center in Boston, as described in Section 15(10). A gaming licensee’s compliance with such agreement shall be considered upon a gaming licensee’s application for renewal of the gaming license.

Representative Atsalis of Barnstable moves to amend the bill in SECTION 18, Section 2DDDD by adding in line 2671 after the word “Fund;” the following: “funds to be administered by the existing workforce development system led by local Workforce Development Boards for retraining workers in contiguous counties negatively impacted by casino employment;”

Mr. Swan of Springfield move to amend House No. 3702 in Chapter 66, section 10 in line 869 by striking item (d) as it stands and inserting in place thereof the following: “(d) A category 1 licensee shall pay to the commission a fee of [not less than \$85,000,000] within 30 days of the final award of the license which sets forth the conditions to be satisfied by the licensee before the gaming establishment may be opened to the public.”

Mr. Wong of Saugus moves to amend House bill 3702 by inserting, after section XX, the following section:

“SECTION XX. Section 7A of chapter 271 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended, by inserting at line 36, after the word ‘bazaar’, the following:—

‘, except that the sponsoring organization may retain, at a reasonable fee, non-members to assist in the operation of such raffle or bazaar, including providing paid dealers and game supervisors to insure that the rules of the game are properly administered and complied with, so long as only qualified members of the sponsoring organization handle the funds collected and disbursed at the raffle or bazaar.’”.

Mr. Winslow of Norfolk moves to amend House bill 3702 by striking lines 344 through 347, inclusive, and inserting, in place thereof, the following:

“Surrounding communities”, municipalities in proximity to a host community which the commission determines experience or are likely to experience impacts from the development or operation of a gaming establishment, including municipalities from which the transportation infrastructure provides ready access to an existing or proposed gaming establishment; provided, however, that all communities that abut a host community and have a public way that crosses a municipal border into the host community or have dwelling units within a ¼ mile radius of the gaming establishment shall be deemed surrounding communities.’.