

**HOUSE . . . . . No. 330**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act Authorizing The State Lottery Commission to Implement a wide area network system of video lottery terminals..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           it enacted by the Senate and House of Representatives in the General Court assembled,  
2 and by the authority of same, as follows:

3           Section 1. Chapter 10 of the General Laws, as appearing in the 2002 Official Edition, is  
4 amended by adding after Section 27A the following new section:

5           Section 27B. (a) The lottery commission is hereby authorized and directed to implement  
6 a wide area network system of video lottery gaming on a statewide basis. A license to operate a  
7 video lottery terminal shall be issued by the commission only, and subject to the approval of the  
8 commission, may be issued to any licensee who is licensed pursuant to section 12 of chapter one  
9 hundred and thirty-eight, and any licensee who is licensed by the state racing commission  
10 pursuant to section three of chapter one hundred and twenty-eightA to conduct a racing meeting,  
11 excluding those licensed to conduct a racing meeting at a state or county fair; provided however,  
12 that such licensee does not owe a financial obligation to the commonwealth and such licensee  
13 has not been convicted of a felony. A license to operate one or more video lottery terminals

14 within said wide area network system shall not be issued to any person, business, corporation, or  
15 other entity, except as provided herein.

16 (b) The commission shall issue a request for proposals to implement a statewide wide  
17 area network of video lottery terminals. The request for proposals shall include, but not be  
18 limited to, the following:

19 (1) any qualifying proposal must employ electronic gaming machines that each  
20 incorporate networked interactive digital technology that embodies the use of a card to begin  
21 individual game play and in support of a responsible gaming context provides a suite of play safe  
22 options, including play time limits, wager limits and self-exclusion at the players own choosing;  
23 (2) that any proposal must provide a central computer technology to which individual gaming  
24 machines will be networked, be capable of accommodating and tracking individual game play,  
25 individual player play safe selections, player self-exclusion and individual player account data  
26 such as wagers, wins and losses and reporting same to the individual player on command; (3)  
27 any proponent or principal of a proponent's business shall not have been convicted of a felony;  
28 and (4) any proponent must be operating within a wide area network system in at least one other  
29 jurisdiction at the time that proposals are due. The commission shall award a contract to operate  
30 a statewide wide area network for a video lottery terminal gaming system no later than June  
31 thirtieth of two-thousand nine.

32 (c) A license to operate one or more video lottery terminals shall be granted to any  
33 licensee pursuant to section 12 of chapter 138 provided that not less than twenty-one days before  
34 issuing any such license to operate a video lottery terminal, said chairman of said commission or  
35 his designee shall send a notification by certified mail to the mayor or the board of selectmen,

36 whichever is applicable, of the municipality in which such facility to be licensed to operate a  
37 video lottery terminal is so located and shall publish, in newspaper of general circulation in the  
38 area including the municipality where said video lottery terminal will operate, notice that an  
39 application for such license has been filed with said commission. Said notice shall include the  
40 name and business address of said video lottery terminal applicant; and the address wherein said  
41 video lottery terminal applicant will operate. No such license shall be issued by said chairman of  
42 said commission or his designee to which the local licensing authority, as defined pursuant to  
43 section one of chapter one hundred and thirty-eight, has objected in writing as a result of an  
44 official action of said authority, except after a hearing under chapter thirty A and unless said  
45 chairman of said commission or his designee thereafter determines in writing, after considering  
46 all relevant circumstances, that such license to operate a video lottery terminal is in the public  
47 interest and approves in writing the issuance of such license, notwithstanding the objection of the  
48 local licensing authority.

49 (d) A license to operate one or more video lottery terminals shall be granted to any  
50 licensee licensed pursuant to section three of chapter one hundred and twenty eight A, except  
51 those licensed to conduct a racing meeting at a state or county fair, provided that not less than  
52 twenty-one days before issuing any such license to operate a video lottery terminal, said  
53 chairman of said commission or his designed shall send a notification by certified mail to the  
54 mayor or the board of selectmen, whichever is applicable, of the municipality in which such  
55 facility to be licensed to operate one or more video lottery terminals is so located and shall  
56 publish, in newspaper of general circulation in the area including the municipality where said  
57 video lottery terminals will operate, notice that an application for such license has been filed with  
58 said commission. Said notice shall include the name and business address of said video lottery

59 terminal applicant; and the address wherein said video lottery terminal applicant will operate.  
60 No such license shall be issued by said chairman of said commission or his designee to which the  
61 local licensing authority, as defined pursuant to section one of chapter one hundred and thirty-  
62 eight, has objected in writing as a result of an official action of said authority, except after a  
63 hearing under chapter thirty A and unless said chairman of said commission or his designee  
64 thereafter determines in writing, after considering all relevant circumstances, that such license to  
65 operate one or more video lottery terminals is in the public interest and approves in writing the  
66 issuance of such license, notwithstanding the objection of the local licensing authority.

67           The commission and the racing commission shall enter into an agreement in writing  
68 and filed with the Attorney General designating the area of the premises licensed pursuant to  
69 section three of chapter one hundred and twenty eightA, which shall be dedicated to one or more  
70 video lottery terminals, and the number of terminals to be placed on the premises. In the event  
71 that the license issued pursuant to section three of chapter one hundred and twenty-eight A for  
72 the premises is suspended, revoked or not renewed by the racing commission, the lottery  
73 commission shall suspend, revoke or not renew the license for one or more video lottery  
74 terminals on the premise.

75           All revenues generated by the implementation of a statewide wide area network of video  
76 lottery terminals, after payout of prizes and the cost of operation and administration shall be  
77 distributed pursuant to section (c) of section thirty-five. The payout structure and cost of  
78 operation and administration of the wide area network of video lottery terminals shall be  
79 consistent with current industry standards as of January first two-thousand nine at the time of  
80 implementation. Said payout structure and cost of operation and administration shall be updated  
81 every two years.