



Internet Gaming Business Entity Application

MGCU - 3000

****Before Moving Foreword Please Complete The Below Section****

1. Name of Associated Company: _____

2. Please indicate which Internet Gaming license you are applying for:

Internet Gaming – Operator License

Internet Gaming – Management Services License

Internet Gaming – License Supplier License

Maine Gambling Control Unit

Department of Public Safety
Maine Gaming Control Unit
87 State House Station
45 Commerce Drive, Suite 5
Augusta, Maine 04333-0087
(207) 626-3900 - Office
(207) 287-4356 - Fax

NOTE: The MGCU - 3000 and 3100, along with all attachments, are submitted in an electronic format; i.e., thumb drive with each document being clearly labeled. For investigative efficiency, document dumps will not be accepted. For any required document not submitted with the application, provide an explanation and time frame for compliance.

APPLYING FOR YOUR Internet Gaming License

Applications can be obtained from: Maine Gambling Control Unit.

Items you must provide:

- Application forms (*completed & signed*)
- Supporting documentation as specified on 4. below “Attach the following information”
- Application Fee

NOTE: The MGCU-3000 and 3100’s, along with all attachments, are submitted in an electronic format; i.e., thumb drive with each document being clearly labeled. For investigative efficiency, document dumps will not be accepted. For any required document not submitted with the application, provide an explanation and time frame for compliance.

Mail or deliver to:

Department of Public Safety
Maine Gambling Control Unit
87 State House Station
45 Commerce Drive, Suite 5
Augusta, Maine 04333-0087
(207) 626-3900 – Office
(207) 287-4356 – Fax

Make check or money order payable to: Treasurer, State of Maine

INTERNET GAMING LICENSES REQUIRED

INTERNET GAMING LICENSE is available and required for four federally recognized Indian tribes in the state of Maine.

INTERNET GAMING LICENSE is available and required for each of the four federally recognized Indian tribes in the state of Maine.

MANAGEMENT SERVICES LICENSE is required for applicants with sufficient knowledge and experience in the business of operating Internet Gaming to effectively conduct Internet Gaming by law and rule in the state of Maine.

SUPPLIER LICENSE is required for lawful authority to sell or to lease Internet Gaming equipment, systems or services to operators in the State within the terms and conditions of the license and any rules adopted under this chapter.

Instructions

1. APPLICATION FULLY COMPLETED IN BLUE INK

Type or clearly print an answer to every question. If a question does not apply to you, indicate so with an N/A. If you are unsure if a question applies to you or what information the form is asking you to provide, contact the Maine Gambling Control Unit office to seek clarification. If the available space is insufficient, continue on a separate sheet and precede each answer with the appropriate title and question number. The separate sheets are to be submitted as attachments and are not to be inserted between pages of the application and require initials and the date created.

2. ALL FORMS SIGNED & ATTACHED

The following accompanying forms must be signed and returned with the application:

Affirmation & Consent

Investigation Authorization/Authorization to Release Information

Applicant's Request to Release Information (leave top line of form blank)

Provide Internet Gaming Individual Employee applications MGCU-3100 for those individuals under section 1404 (2.).

3. ALL REQUESTED INFORMATION

The application, as well as other documents submitted to the Gambling Control Unit by or on behalf of the applicant for purposes of determining the qualifications of the applicant shall be sworn to or affirmed before a notary public in accordance with 8 M.R.S.A. §1017. If any form or document is signed by an attorney for the applicant, the signature shall certify that the attorney has read the forms or documents and that, to the best of his or her knowledge, information, and belief, based on diligent inquiry, the contents of the form or documents so supplied are true.

To the extent, if any, that the information in the application for a license or renewal or the supplemental information provided by the applicant becomes, outdated, inaccurate or incomplete, the applicant shall give the director written notice within 30 days that the information is outdated, inaccurate or incomplete, and shall at that time supply the information necessary to make the application or supplementary information current, accurate and complete.

The applicant shall cooperate fully with the Gambling Control Unit and any 3rd party contracted with the unit to complete any background investigation of the applicant. The applicant, upon request of the Gambling Control Unit, any 3rd party contracted with the unit, shall make any and all of its books and records available for inspection.

AFFIRMATION & CONSENT

Name of Authorized Agent

I, _____, as authorized agent of the applicant, state the following:

- A. That the statements made in the application and any documents made a part of the application are true and correct:
- B. That the applicant understands that the information provided on application forms required by the Maine Gambling Control Unit is used by the Unit, 3rd party contractor, along with other information, in judging the applicant's suitability and that this information may be cause for refusal to issue a license: and
- C. That the applicant understands that knowingly making a false statement in the application, during the application process or in a document made a part of the application is among the grounds for refusal to issue a license or other disciplinary action, up to and including revocation or suspension of a license.

I understand that I/the Applicant may be subject to criminal prosecution for making false statements on my application, based on the following:

- A. Making a false statement under oath or affirmation constitutes false swearing in violation of 17-A M.R.S.A. § 452 (Class D) provided that I do not believe the statement to be true and that I make the statement with the intent to mislead a public servant performing his/her official duties.
- B. Making a written false statement that I do not believe to be true on my application constitutes unsworn falsification in violation of 17-A M.R.S.A. § 453 (Class D).
- C. Making a false written statement that I do not believe to be true with the intent to deceive a public servant in the performance of his/her official duties constitutes unsworn falsification in violation of 17-A M.R.S.A. § 453 (Class D).

I further consent to any background investigation necessary to determine the present and continuing suitability of the Applicant and that this consent continues as long as the Applicant holds a Maine gaming license or certification, and for 90 days following the expiration or surrender of such gaming license or certification. I understand that further information may be requested of the Applicant in regard to this application, and that the Applicant agrees to supply such information upon request.

I understand that the information provided in this form along with other information will be used by the Unit to judge my suitability and that this information may be cause for the refusal to issue a license.

Applicant's Business Name	Trade Name (DBA)
Printed Full Legal Name of Agent (First, Middle, Last)	Title
Signature	Date
NOTARY USE ONLY	
State of: _____)	
County of: _____)	
Subscribed and sworn to before me by: _____	
this ____ day of _____, 20 ____	
My commission expires: _____	

Signature (Notary Public)

INVESTIGATION AUTHORIZATION AUTHORIZATION TO RELEASE INFORMATION

Company Name _____

Authorized Name (President/CEO) _____

On behalf of _____, I, _____, hereby authorize the Maine Gambling Control Unit, Maine Gambling Control Board, any 3rd party contractor, its agents, or employees to conduct a complete investigation into the background of _____, using whatever legal means they deem appropriate.

Company Name

I, on behalf of the applicant, it's legal representatives and assigns, understand and acknowledge that by submitting this application, an investigation to include a full range of criminal history checks, may be performed with regard to persons identified in 8 M.R.S.A., Chapter 39, §1404(2), to include key executives, directors, officers, partners, shareholders, creditors, owners, and associates of _____

Company Name

The Unit / Board reserves the right to investigate all relevant information and facts to its satisfaction. I understand that the Unit / Board may conduct a complete and comprehensive investigation to determine the accuracy of all information gathered. However, the State of Unit / Board, 3rd party contractor, and other agents or employees of the State of Maine shall not be held liable for the receipt, use, or dissemination of inaccurate information from any source.

I, on behalf of the applicant, its legal representatives and assigns, consent to the disclosure of information on the applicant and any person subject to investigation under 8 M.R.S.A., Chapter 39, §1404(2) by the Unit / Board, 3rd party contractor, to any law enforcement or any regulatory agency of this or any other state, the government of the United States, any foreign country, or any Indian Tribe.

I, on behalf of the applicant, its legal representatives and assigns understand information could include any information contained within the application filed by _____ within any financial or personnel record, and information obtained from any source, or any information maintained by the Unit / Board, 3rd party contractor, unless otherwise designated confidential by law.

I, on behalf of the applicant, its legal representatives and assigns, hereby release, waive, discharge, and agree to hold harmless, and otherwise waive liability as to the State of Maine, the Unit / Board, 3rd party contractor, and other agents or employees of the State of Maine for any damages resulting from any use, disclosure, or publication in any manner, other than a willfully unlawful disclosure or publication of any material or information acquired during inquiries, investigations, or hearings, and hereby authorize the lawful use, disclosure, or publication of this material or information.

Applicant's Business Name	Trade Name (DBA)
Printed Full Legal Name of Agent (First, Middle, Last)	Title
Signature	Date
NOTARY USE ONLY	
State of: _____)	
County of: _____)	
Subscribed and sworn to before me by: _____	
this ____ day of _____, 20 ____	
My commission expires: _____	

Signature (Notary Public)

APPLICANT'S REQUEST TO RELEASE INFORMATION

Applicant's Name _____

ON BEHALF OF THE APPLICANT: _____

TO: _____
 (Do Not Write Above This Line – For Gaming Control Unit Use Only)

1. I hereby authorize and request full disclosure and release of any and all information, materials, and documents concerning the applicant requested by the Maine Gambling Control Unit, 3rd party contractor, its agents, or employees, whether the information, materials, and documents are of a public, private, or confidential nature and whether the information, materials, and documents would otherwise be protected from disclosure by any constitutional, statutory or common law privilege.
2. I understand that my application will result in a financial records check. I authorize the person named above to release to the Unit, 3rd party contractor, its agents, or employees, a complete and accurate record of the applicant's financial transactions, including but not limited to internal banking memoranda, past and present loan applications, checking account records, savings deposit records, safe-deposit box records, securities transactions, and any other documents relating to the applicant's personal or business financial records in whatever form and wherever located.
3. I authorize the Unit, 3rd party contractor, its agents, or employees to determine the person or entity to which this request is to be presented and to insert that person or entity's name in the appropriate location in this request.
4. I understand that the Unit, 3rd party contractor, its agents, or employees will conduct a complete and comprehensive investigation to determine the validity of all information gathered. The Unit, the State of Maine, and the agents and employees of either will not be held liable for inaccurate information.
5. If this request is not sufficient to obtain access to certain records, I understand that I or another authorized representative of the applicant may be asked to sign another appropriate authorization or release and that any failure to do so may be taken into consideration by the Unit, 3rd party contractor, its agents, or employees in reviewing the application.
6. I understand that I may revoke this request in writing at any time and that the Unit, 3rd party contractor, its agents, or employees may take the revocation into consideration in reviewing the application.
7. This request is valid for a period not to exceed 18 months from the date of execution.
8. I, for the applicant and its agents, administrators, successors, and assigns, hereby release the providers of the information collected pursuant to this request, and their agents and employees, from any and all liability arising out of or by reason of complying with this request.
9. A photocopy of this request will be considered as valid and effective as the original.

Applicant's Business Name	Trade Name (DBA)
Printed Full Legal Name of Agent (First, Middle, Last)	Title
Signature	Date

4. ATTACH THE FOLLOWING INFORMATION

The Maine Gambling Control Unit licensing investigation starts with the Ultimate Parent Company. Any applicant desiring to obtain a license to act as a Internet Gaming Management Service Provider Internet Gaming Operator or Internet Gaming Supplier shall apply on forms specified by the Director. In addition to any information required by statute, application forms require the applicant to provide the following:

1. All applicable information requested on pages 4 through 17 of the application.
2. Trade Name Registration
3. The physical address of the applicant's principal place of business and designated contact person for the applicant.
4. A notarized affirmation and consent and authorization to release information about the applicant necessary to complete a background check.
5. Certificate of authority to do business in the State of Maine, if incorporated outside Maine
6. Articles of Organization, including amendments
7. Bylaws
8. Organizational minutes and/or other corporate records reflecting ownership and election of officers and the last three annual Board of Directors meeting minutes, unredacted, if applicable.
9. Partnership Agreement, including amendments
10. Trust Agreement, including amendments
11. If a corporation, biennial reports, and SEC filings, if any, for past 3 years.
12. If partnership, list of the amount and date of each capital contribution of any partner to the applicant.
13. Certified copies of the applicant's charter, articles of incorporation, partnership agreement, including amendments, restated articles, and other documents that explain the legal organization of the applicant.
14. Copies of the applicant's audited financial statements for the preceding three (3) fiscal years and a copy of internally prepared financial statements for the current fiscal year as at the close of the most recent fiscal quarter.
15. Copies of the applicant's State and Federal tax returns for a period of three (3) fiscal years.
16. Copies of the declaration pages of all insurance policies insuring the applicant or the premises.
17. The ten (10) largest unsecured creditors which are not publicly traded entities or accounting firms or legal firms of the applicant who are owed more than \$25,000 by the applicant for a period in excess of sixty days.
18. For the applicant and each person disclosed in the application, a record of previous issuances and denials of or any adverse action taken against a gambling-related license or application under this Title or in any other jurisdiction both foreign and domestic. For purposes of this paragraph, "adverse action" includes, but is not limited to, a condition resulting from an administrative, civil, or criminal violation, a suspension or revocation of a license or a voluntary surrender of a license to avoid or resolve a civil, criminal, or disciplinary action.
19. A copy of the final order of all civil judgments against the applicant, partners, and investors.
20. A full copy of the applicant's most recent SOC-2 Type II Report.
21. Internal Controls.
22. Organizational chart listing key applicants and positions being held for Internet Gaming operations, along with their duties and responsibilities.
23. A completed Gambling Control Unit form MGCU-3100 for each board member.
24. Contracts affiliated with the management services provided for Internet Gaming activity of the applicant, if applicable.
25. Any additional information requested by the director by rule.

5. APPLICATIONS FOR KEY EXECUTIVES ATTACHED

Submit Personal History Disclosure forms MGCU-3100 for persons who are employed by the applicant and who are “key executives” as defined by 8 M.R.S.A. § 1404(2). (Note: These individuals are determined by the Maine Gambling Control Unit based on the submitted Organizational Charts and provided job descriptions.) However, all Presidents and Vice Presidents meet the requirements.

The Director may require that additional persons submit applications.

6. APPLICATION FEES AND BACKGROUND INVESTIGATION DEPOSIT

Submit appropriate license, application, and background fees.

*Background Investigation Deposit Required: \$5,000 nonrefundable fee – Internet Gaming operators

Internet Gaming Operator: \$50,000 nonrefundable license fee.

Internet Gaming Management Services: \$10,000 nonrefundable license fee.

Internet Gaming Supplier License: \$10,000 nonrefundable license fee.

*Background Investigation Deposit Required: \$10,000 nonrefundable fee - mobile, management and suppliers.

A license granted or renewed under this section is valid for 1 years unless sooner revoked by the director or the commissioner under section 1405.

***Pursuant to 8 M.R.S. §1403,2. (A) and §1404, 3.(E) Internet Gaming Operators must include a\$5,000 background investigation fee and a \$10,000 background investigation fee for Internet Gaming management provider and suppliers’ applications to cover the projected cost of processing the application and performing any background investigations.**

If the actual cost exceeds the projected cost, an additional fee may be charged to meet the actual cost.

Maine Gambling Control Unit Internet Gaming Business Entity Application

MGCU - 3000

Applicants Name: _____ DBA: _____

Business Address: _____ City: _____ State: _____ Zip: _____

Primary Contact Person: _____ Title: _____

Email: _____ Phone: _____ Fax: _____

Business Structure (example; Corporation, Partnership, LLC, etc.) _____ State of Incorporation _____

Date of qualification to conduct business in Maine _____ *Attach copy of certification*

List all parent or subsidiaries to the applicant. _____

- On a separate page list all principal places of business for the past 10 years, if different from above

ANY CHANGES IN OWNERSHIP OR BUSINESS STRUCTURE

Person who maintains applicant's business records	Title
Address	Phone Number
Person who prepares applicant's tax returns, government forms & reports	Title
Address	Phone Number
Location of financial books and records for applicant's business	
Applicant's Printed Name (Last name, First Name, Middle Name)	
Signature of Applicant	Date

OWNERSHIP STRUCTURE

Please list the individual applicant and each key employee, officer, director, partner, shareholder, creditor, associate, or owner of any legal or beneficial interest in the application, whether they have ownership interest or not. If an entity (corporation, partnership, LLC, etc.) has interest, list all persons affiliated with such entity; their ownership in the entity, and their effective ownership in the license. List all parent, holding or other intermediary business interests. A Internet Gaming PHDF MGCU-3100 application must be submitted for each person with a direct or indirect interest in the company, including officers, directors, equity security holders or shareholders of 10% or more, partners, general partners, limited partners, trustees, beneficiaries, key executives, and any other individuals who exert significant influence in the company. List any institutional investors as defined under Chapter 71: DEFINITIONS #14 with 10% or more that have no influence in the day-to-day operations. Attach a letter from the qualified investor attesting to that position. If a publicly traded corporation, submit recent shareholder list from your transfer agent for all shares of common and preferred stock. Make additional copies of this page, if necessary.

Name	Title	MGCU – 3100 Application Attached	Yes	No
Business Affiliated With (Parent business or sub-entity)		Percentage of ownership		
Name	Title	MGCU – 3100 Application Attached	Yes	No
Business Affiliated With (Parent business or sub-entity)		Percentage of ownership		
Name	Title	MGCU – 3100 Application Attached	Yes	No
Business Affiliated With (Parent business or sub-entity)		Percentage of ownership		
Name	Title	MGCU – 3100 Application Attached	Yes	No
Business Affiliated With (Parent business or sub-entity)		Percentage of ownership		
Name	Title	MGCU – 3100 Application Attached	Yes	No
Business Affiliated With (Parent business or sub-entity)		Percentage of ownership		
Institutional Investor – Name		Percentage of ownership	*Waiver Letter Attached	
Contact Person & Title		Phone		
E-mail address				
Institutional Investor – Name		Percentage of ownership	*Waiver Letter Attached	
Contact Person & Title		Phone		
E-mail address				
Institutional Investor – Name		Percentage of ownership	*Waiver Letter Attached	
Contact Person & Title		Phone		
E-mail address				

*For each institutional investor, include on the investor’s letterhead a certified/notarized letter indicating that the institution has nothing to do with the day-to-day operations of the applicant, if that is indeed the case. Institutional investors still will be a part of the background investigation of the applicant to the degree applicable.

LICENSING HISTORY

CHECK ANSWER

- | | | |
|--|-----|----|
| 1. Has the ultimate parent company or any other subsidiary intermediary affiliate of applicant ever applied for a gaming license in this or any other jurisdiction, foreign or domestic, whether or not the license was issued? If YES, provide details on a separate sheet, including jurisdiction, type of license, license number, and dates license held or applied for. | YES | NO |
| 2. Has the ultimate parent company, any other subsidiary or intermediary affiliate of applicant, or any of the persons identified in the ownership structure ever been denied a gaming license, withdrawn a gaming license or had any adverse action taken against any gaming license that they have held in this or any other jurisdiction, foreign or domestic? If YES, provide details on a separate sheet, including jurisdiction, type of action, and date of action. | YES | NO |
| 3. Is the ultimate parent company or any other subsidiary or intermediary affiliate of applicant in good corporate standing in Maine and in all other states where it is authorized to transact business? If YES, provide jurisdictions on a separate sheet. If NO, provide details on a separate sheet, including jurisdiction, type of action, and date of action. | YES | NO |
| 4. Has the ultimate parent company or any other subsidiary or intermediary affiliate of applicant ever been charged with, or convicted of, any illegal gaming activity in Maine or any other jurisdiction? If YES, provide details on a separate sheet, including jurisdiction, type of action, and date of action. | YES | NO |

FINANCIAL HISTORY

CHECK ANSWER

- | | | |
|---|-----|----|
| 1. Is the ultimate parent company or any other subsidiary or intermediary affiliate of applicant delinquent in the payment of any judgments or tax liabilities due to any governmental agency anywhere? If YES, provide details on a separate sheet and attach any documents to prove settlement or resolution of the delinquency. | YES | NO |
| 2. Has the ultimate parent company or any other subsidiary or intermediary affiliate of applicant ever held a financial interest in a gambling venture, including but not limited to, a racetrack, dog track, racehorse, or dog, lottery, casino, bookmaking operation, internet casino, card room, bingo parlor or pull tabs, whether or not a license to hold such interest was applied for or received? If YES, provide details on a separate sheet. | YES | NO |
| 3. Has the ultimate parent company or any other subsidiary or intermediary affiliate of applicant ever filed a bankruptcy petition, had such a petition filed against it, or had a receiver, fiscal agent, trustee, reorganization trustee or similar person appointed for it? If YES, provide details on a separate sheet and attach any documents from the bankruptcy court. | YES | NO |
| 4. Has a complaint, judgment, consent decree, settlement or other disposition related to a violation of federal, state, or similar foreign antitrust, trade or security law or regulation ever been filed or entered against the ultimate parent company or any other subsidiary or intermediary affiliate of applicant? If YES, provide details on a separate sheet and attach any documents to prove the settlement of any of these issues. Include any items currently under formal dispute or legal appeal. | YES | NO |
| 5. Does the ultimate parent company or any other subsidiary or intermediary affiliate of applicant now own, has it ever owned, or does it otherwise derive a benefit from, assets held outside the United States, whether held in the business' name or another name, on its behalf or for another entity, or through other business entities, or in trust, or in any other fashion or status? If YES, provide details on a separate sheet. | YES | NO |
| 6. Is the ultimate parent company or any other subsidiary or intermediary affiliate of the applicant ever been a party to a lawsuit, either as a plaintiff or defendant, complainant, or respondent, or in any other fashion, in this or any other country? If YES, provide details on a separate sheet and attach any documents to prove the settlement of any of these issues. Include any items currently under formal dispute or legal appeal. | YES | NO |
| 7. Has the ultimate parent company or any other subsidiary or intermediary affiliate of applicant ever been a party to a lawsuit, either as a plaintiff or defendant, complainant, or respondent, or in any other fashion, in this or any other country? If YES, provide details on a separate sheet and attach any documents to prove the settlement of any of these issues. Include any items currently under formal dispute or legal appeal. | YES | NO |

FINANCIAL HISTORY (Continued)**CHECK ANSWER**

- | | | |
|--|-----|----|
| 8. Has the ultimate parent company or any other subsidiary or intermediary affiliate of the applicant filed a business tax return in the past three years? If YES, attach all business tax returns filed in the past three years. | YES | NO |
| 9. Is the business a prospective business or has it recently begun operations? If so, submit an estimated beginning balance sheet (proforma) and a statement of amount(s) and source(s) of funding for the business and specific documentation to support the declaration. | YES | NO |
| 10. Is the business a party to a lease? If YES, attach copies of all leases to which the business is a party | YES | NO |
| 11. Does the applicant have a compliance committee or compliance officer? If YES, attach a copy of compliance committee minutes or compliance officer reports from the past 12 months. | YES | NO |
| 12. Has any interest or share in the profits from gaming been pledged or hypothecated as security for a debt or deposited as a security for the performance of an act or to secure the performance of a contract? If YES, provide details on a separate sheet. | YES | NO |

STATEMENT OF PRE-OPENING CASH

Internet Gaming Business Entity Application

A. Funds Available Prior to Opening:	Total
1. Current investments (attach schedule providing detail as to who invested the money and what interest in the firm or entity they received for their investment.)	\$
2. Current loans from lending institutions (attach schedule identifying the institution date of each loan, the terms of each loan, and original and current balance).	\$
3. Current loans from individuals and other business entities (attach schedule identifying the individual or business, date of each loan, the terms of each loan, and original and current balance).	\$
4. Anticipated investments (attach schedule providing detail as to who will invest the money and what interest in the firm or entity they will receive for their investment).	\$
5. Anticipated loans from lending institutions (attach schedule certifying the institution and terms of the loan).	\$
6. Anticipated loans from individuals and other business entities (attach schedule identifying the individuals and other business entities and the terms of each loan).	\$
Total Funds Available Prior to Opening:	\$
B. Expenditure or Disposition of Available Funds Prior to Opening:	
1. Prepaid Gaming Taxes and Licenses:	
a. Federal Government Tax & Fees	\$
b. Application Fees	\$
c. Background Investigation Fee	\$
d. Other (describe)	\$
Total Prepaid Wagering Taxes and Licensing Related Fee:	\$
2. Other License Fees (Attach Schedule)	\$
3. Incurred Expenditures for:	
a. Building, Including Construction and Repair (Attach Schedule)	\$
b. Equipment (Attach Schedule)	\$
c. Supplies (Attach Schedule)	\$
d. Attach all Other Pre-Opening Expenditures (Salaries, Advertising, Deposits, Etc.) (Attach Schedule)	\$
4. Anticipated Expenditures for:	
a. Building, Including Construction and Repair (Attach Schedule)	\$
b. Equipment (Attach Schedule)	\$
c. Supplies (Attach Schedule)	\$
Total Pre-Opening Cash Used:	\$
C. Cash Available for Operation (A Minus B)	
Show in What Form This Cash Will Be:	\$
a. Bank	\$
b. Other Cash Register Funds	\$
c. Other (Describe)	\$
Total Opening Cash:	\$
Printed Full Legal Name of Agent (Last, First, Middle)	
Signature of Authorized Agent	Date

8. MANAGEMENT SERVICES LICENSE

Pursuant to 8 M.R.S.A. § 1408 (1), Management service applicants must include written facts that demonstrate that they have sufficient knowledge and experience in the business of Internet Gaming wagering to effectively conduct Internet Gaming in accordance with this chapter and the rules adopted by the director.

Per Rule Chapter 83, submit for director approval the contract with a licensed Internet Gaming operator for director approval. In the case of an Internet Gaming Management Services currently under a sports wagering contract, it may not receive more than 20% of the operator's adjusted gross Internet Gaming receipts. To warrant the increase above 20%, for those licensees that are currently under contract with sports wagering and are receiving 30% but not more than 40%. A written explanation of the capital investments of the management services provider to warrant the increase above 20%, but not more than 40%; and if any of those projections are not met, what the adjustment will be, if any; except that the director may approve a contract authorizing the management services licensee to receive up to 40% of the operator's adjusted gross Internet Gaming receipts if the director determines that the management services licensee has demonstrated that the fee is commercially reasonable given the management services licensee's capital investments and the operator's projected adjusted gross Internet Gaming receipts; and if the management services licensee contracts with more than one operator, the contract include a condition requiring the management services licensee to employ a method approved by the director for separately accounting for each operator's gross receipts from Internet Gaming and adjusted gross Internet Gaming receipts.

9. INTERNAL CONTROLS

Pursuant to 8 M.R.S.A. § 1403 (2) (L.), and rules chapter 73, Internet Gaming Operators, Internet Gaming management service providers and suppliers shall submit with this application, for approval internal controls that meet the requirements to ensure compliance with Title 8 M.R.S. Chapter 39 which shall provide for:

1. Wagering system user access controls for all Internet Gaming department or licensed employee personnel;
2. Segregation of duties;
3. Automated and manual integrity management general authorization procedures;
4. Risk management procedures, including procedures to govern emergencies. The procedures shall include the process for the reconciliation or repayment of an Internet Gaming account;
5. Procedures for identifying and reporting fraud, unusual/abnormal wagering activity and suspicious conduct;
6. Procedures for promptly sharing reporting information required in 4 above with each operator and disseminating all reports or unusual activity to all management service providers.
7. Procedures that prevent wagering by patrons prohibited from wagering;
8. Procedures that ensure a refund of any prohibited wager placed and reporting of the transaction to the Unit within 7 business days of the placement of the prohibited wager;
9. Detailed description of all types of wagers that will be offered by the applicant or the wagering system;
10. Description of federal and state anti-money laundering "AML" compliance standards;

11. The following requirements for facility Internet Gaming operators, where applicable;
 - a. A detailed procedure for reconciliation of assets and documents contained in a Internet Gaming areas;
 - b. A procedure to reconcile the total closing inventory with the total opening inventory;
 - c. System sufficient to ensure an audit-able trial that permits the review of wagers or reconstruction of transactions;
 - d. A process for maintain and tracking the custody of inventory, forms, tickets, documents, records and the exchange of currency and coin, utilized by Internet Gaming;
 - e. A detailed description of the process and system for continual video surveillance recording of all areas of Internet Gaming related activities i.e. live dealer scenarios...;
12. Procedures for issuance and acceptance of promotional funds and free bets for Internet Gaming in conjunction with requirements in Chapter 73 of these rules;
13. Procedures for the interception of Internet Gaming winnings according to §1415;
14. Description of all integrated third-party systems;
15. Description of all software applications that comprise the system;
16. Description of all types of wagers available to be offered by the system;
17. The process for identifying and restricting prohibited Internet Gaming participants;
18. Description for the retention of all transactional wagering data for Internet Gaming systems for a period of five (5)years;
19. A process to close out dormant accounts after one year of no wagers;
20. Detailed procedures that describe how a patron may make adjustments to their account, the method they can close out their patron account, and how patrons will be refunded after the closure of an account;
21. The method for verifying geolocation systems to reliably establish patrons' geographic locations are within the state.
22. Process and systems for using commercially reasonable methods for maintaining the security of patrons' identity and financial information, wagering data and other confidential information form unauthorized access and dissemination;
23. Detailed responsible wagering program according to Chapter 81 of the rules;
24. Method in the event a patron has a pending Internet Gaming wager and then requests being added to the unauthorized list;
25. Method for securely issuing, modifying, and resetting a patron's account password, Personal Identification Number (PIN), biometric login, two factor authentication or other approved security feature, when applicable;
26. Methods of patron notification including any password or security modification via electronic or regular mail, text message, or other manner approved by the Director;
27. System to guarantee all adjustments over \$250.00 must be authorized by supervisory personnel prior to being entered;
28. Detail the location of the Internet Gaming servers, including any third-party remote location servers, and what controls ensure the physical security and access to the Internet Gaming servers;
29. Terms and conditions for Internet Gaming shall be included as an appendix;
30. Method by which the Internet Gaming Operator will identify and cancel wagers, including defining "obvious error";
31. A process for voiding wagers;
32. Detailed procedures for addressing Game Interruption Recovery
33. Method for processing any pending wagers in accordance with the terms and conditions
34. Process for informing the Gaming and the Internet gaming agent immediately of the circumstances of the incident;
35. Procedure for disabling the game if the game is likely to be affected by the same failure.
36. Effect of schedule changes; and
37. Method of contacting the gaming operator for questions and complaint