§ 1321-j. Siting evaluation. In determining whether an applicant shall be eligible for a gaming facility license, the board shall evaluate and make a determination of how each applicant proposes to advance the following objectives with consideration given to the differences between proposed projects related to whether it is a conversion of an existing video lottery gaming facility or new facility construction, and the proposed location. The board shall also conduct an analysis of the revenue impact of each applicant's proposed gaming facility on existing facilities and potential new facilities.

1. The decision by the board to select a gaming facility license applicant shall be weighted by seventy percent based on economic activity and business development factors including:

(a) realizing capital investment exclusive of land acquisition and infrastructure improvements;

(b) maximizing revenues received by the state and localities;

(c) providing the highest number of quality jobs in the gaming facility;

(d) building a gaming facility of the highest caliber with a variety of quality amenities;

(e) offering the highest and best value to patrons to create a secure and robust gaming market in the region and the state;

(f) detailing the benefits of the site location of the gaming facility and the estimated recapture rate of gaming-related spending by residents travelling to an out-of-state gaming facility;

(g) offering a reasonable and feasible construction schedule to completion of the full gaming facility;

(h) demonstrating the ability to fully finance the gaming facility; and

(i) demonstrating experience in the development and operation of a quality gaming facility;

2. The decision by the board to select a gaming facility license applicant shall be weighted by ten percent based on local impact siting factors including:

(a) mitigating potential impacts on host and nearby municipalities which might result from the development or operation of the gaming

facility;

(b) operating in partnership with and promoting local hotels, restaurants and retail facilities so that patrons experience the full diversified regional tourism industry; and

(c) establishing a fair and reasonable partnership with live entertainment venues that may be impacted by a gaming facility under which the gaming facility actively supports the mission and the operation of the impacted entertainment venues;

3. The decision by the board to select a gaming facility license applicant shall be weighted by ten percent based on workforce enhancement factors including:

(a) implementing a workforce development plan that utilizes the existing labor force, including the estimated number of construction jobs a proposed gaming facility will generate, the development of workforce training programs that serve the unemployed and methods for accessing employment at the gaming facility;

(b) taking additional measures to address problem gambling including, but not limited to, training of gaming employees to identify patrons exhibiting problems with gambling;

(c) utilizing sustainable development principles including, but not limited to:

(1) having new and renovation construction certified under the appropriate certification category in the Leadership in Energy and Environmental Design Green Building Rating System created by the United States Green Building Council;

(2) efforts to mitigate vehicle trips;

(3) efforts to conserve water and manage storm water;

(4) demonstrating that electrical and HVAC equipment and appliances will be Energy Star labeled where available;

(5) procuring or generating on-site ten percent of its annual electricity consumption from renewable sources; and

(6) developing an ongoing plan to submeter and monitor all major sources of energy consumption and undertake regular efforts to maintain and improve energy efficiency of buildings in their systems;

(d) establishing, funding and maintaining human resource hiring and training practices that promote the development of a skilled and diverse

workforce and access to promotion opportunities through a workforce training program that:

(1) establishes transparent career paths with measurable criteria within the gaming facility that lead to increased responsibility and higher pay grades that are designed to allow employees to pursue career advancement and promotion;

(2) provides employee access to additional resources, such as tuition reimbursement or stipend policies, to enable employees to acquire the education or job training needed to advance career paths based on increased responsibility and pay grades; and

(3) establishes an on-site child day care program;

(e) purchasing, whenever possible, domestically manufactured slot machines for installation in the gaming facility;

(f) implementing a workforce development plan that:

(1) utilizes the existing labor force in the state;

(2) estimates the number of construction jobs a gaming facility will generate and provides for equal employment opportunities and which includes specific goals for the utilization of minorities, women and service-disabled veterans on those construction jobs;

(3) identifies workforce training programs offered by the gaming facility; and

(4) identifies the methods for accessing employment at the gaming facility; and

(5) incorporates a workforce diversity framework, which is scored under subdivision four of this section.

(g) demonstrating that the applicant has an agreement with organized labor, including hospitality services, and has the support of organized labor for its application, which specifies:

(1) the number of employees to be employed at the gaming facility, including detailed information on the pay rate and benefits for employees and contractors in the gaming facility and all infrastructure improvements related to the project; and

(2) detailed plans for assuring labor harmony during all phases of the construction, reconstruction, renovation, development and operation of the gaming facility.

4. The decision by the board to select a gaming facility license

applicant shall be weighted by ten percent based on a diversity framework. Diversity framework factors shall include, but not be limited to, the following:

(a) workforce demographics including current employment of minorities, women and service-disabled veterans in permanent and part-time jobs at the applicant's gaming facilities;

(b) diversity in the ownership and leadership of the corporate entity;

(c) efforts the applicant is currently undertaking to ensure diversity at its facilities and plans to undertake at this proposed facility including:

(1) establishing mentorship opportunities and other business development programs;

(2) incorporating an affirmative action program of equal opportunity by which the applicant guarantees to provide equal employment opportunities to all employees qualified for licensure in all employment categories, including minorities, women and persons with disabilities;

(3) providing specific goals for the inclusion of minorities, women and veterans on construction jobs;

(4) ensuring that any contractors or subcontractors to any contractor make good faith efforts to provide minorities, women and veterans an opportunity to participate in the workforce;

(5) working and partnering with minority-owned businesses;

(6) developing a plan of action that shall promote diversity in its business model, financing, employment goals, and other social and economic equity roles in the gaming industry; and

(7) any such further criteria as the board shall see fit for inclusion after consultation with the division of minority and women's business development in the department of economic development.