



MASSACHUSETTS GAMING COMMISSION MEETING

December 18, 2014

10:30 a.m.

Boston Convention and Exhibition Center

415 Summer Street, Room 102B

Boston, MA



Massachusetts Gaming Commission



NOTICE OF MEETING and AGENDA

December 18, 2014

Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, notice is hereby given of a meeting of the Massachusetts Gaming Commission. The meeting will take place:

**Thursday, December 18, 2014
10:30 a.m.**

**Boston Convention and Exhibition Center
415 Summer Street, Room 102B
Boston, MA**

PUBLIC MEETING - #141

1. Call to order
2. Approval of Minutes
 - a. December 4, 2014
3. Administration – Rick Day, Executive Director
 - a. General Update
 - b. Central Management System RFR – D. Lennon, CFAO and J. Glennon, CIO
4. Ombudsman Report – John Ziemba
 - a. Gaming Policy Advisory Committee (GPAC) Report
 - b. Mitigation Fund Application and Process – VOTE
5. Legal Division – Catherine Blue, General Counsel
 - a. Racing Delegated Authority – VOTE
 - b. Section 61 Findings – Springfield Gaming Redevelopment - VOTE
 - c. Small Business Impact Statements – VOTE
 - i. Internal Controls (138)
 - ii. Race Horse Development Fund (149)
 - iii. Supplemental License (14)
 - iv. Licensing (134)
 - d. Department of Revenue Request for Interpretation of Reporting and Taxing Thresholds – T. Grossman, Deputy General Counsel - VOTE
6. Investigations and Enforcement Bureau – Karen Wells, Director
 - a. Qualifiers Report - VOTE
 - b. Internal Controls Financial Reporting Regulations – 1st Draft –D. Lennon, CFAO and T. Grossman, Deputy General Counsel
 - c. Sportec Temporary License - VOTE



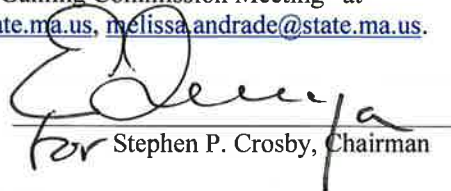
Massachusetts Gaming Commission

7. Research and Responsible Gaming – Mark Vander Linden, Director
 - a. Responsible Gaming Branding – GameSense – L. George, Penn National Gaming and M. Warner, MA Council on Compulsive Gambling – VOTE
 - b. Play Management Revised Recommendations - VOTE
 - c. Research Recommendations with GPAC Comments – VOTE

8. Other business – reserved for matters the Chair did not reasonably anticipate at the time of posting.

I certify that on this date, this Notice was posted as “Gaming Commission Meeting” at www.massgaming.com and emailed to: regs@sec.state.ma.us, melissa.andrade@state.ma.us.

12/16/14
(date)


for Stephen P. Crosby, Chairman

Date Posted to Website: December 16, 2014 at 10:30 a.m.



Massachusetts Gaming Commission



Meeting Minutes

Date/Time: December 4, 2014 – 10:30 a.m.

Place: Boston Teacher's Union Hall
180 Mt. Vernon Street
Boston, Massachusetts.

Present: Chairman Stephen P. Crosby
Commissioner Gayle Cameron
Commissioner James F. McHugh
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

Call to Order

See transcript page 2

10:36 a.m. Chairman Crosby called to order the 140th Commission Meeting.

Approval of the Minutes

See transcript page 2-3

10:37 a.m. *Commissioner McHugh moved for the approval of the November 20, 2014 minutes. Motion seconded by Commissioner Cameron. Commissioner Stebbins abstained. Motion passed unanimously.*

Administration

See transcript pages 3-59

10:38 a.m. Director Day presented the Commission with an administrative update.

10:38 a.m. Director Wells presented an update from the Investigation and Enforcement Bureau on the suitability of the Wynn license. Commissioner Crosby was recused from this discussion.

10:44 a.m. Director Banda presented an update on employee diversity within the Commission.

- 10:50 a.m. Director Lennon and Agnes Beaulieu presented on Commission spending related to minority, women, and veteran-owned businesses.
- 11:06 a.m. Commission took a short recess.
- 11:13 a.m. Meeting resumed
- 11:13 a.m. Director Day, Director Lennon, and Doug O'Donnell presented a request for reimbursement by Sterling Suffolk Racecourse, LLC from the Running Horse Promotional Trust Fund.
- 11:17 a.m. *Commissioner Cameron moved to approve the Promotional Trust Fund request from Suffolk Downs as detailed in the memorandum of December 4, 2014. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*
- 11:18 a.m. Director Lennon and Doug O'Donnell presented an update on the CHRIMS system, a review by the Racing Division with KPMG on the legacy FRS system, and the review done by the Finance and Racing Divisions.
- 11:36 a.m. Director Day presented on the Suffolk Workers Letter and the license condition on Wynn MA, LLC to give employment preferences to employees who will lose employment with Suffolk Downs.

Workforce, Supplier and Diversity Development

See transcript pages 59-80

- 11:43 a.m. Director Griffin presented an update on the diversity efforts of the Commission related to monitoring of licensees and ensuring the transparency of the information.
- 12:00 p.m. Director Griffin presented a proposal to create an Access and Opportunity Committee.
- 12:08 p.m. *Commissioner Stebbins moved that the Commission approve the Access and Opportunity Committee as proposed by Director Griffin. Motion seconded by Commissioner Cameron. Motion passed unanimously.*
- 12:09 p.m. Commission recessed for lunch.
- 12:52 p.m. Meeting reconvened.

Research and Problem Gaming

See transcript pages 80-194

- 12:52 a.m. Director Vander Linden presented a recommendation for Play Management.

2:55 p.m. *Commissioner McHugh moved that, subject to the promulgation of regulations in the normal course, the Commission adopts the fifteen recommendations contained in the document entitled play management recommendation that is part of the December 4 Commission Packet and subject to the changes to those recommendations discussed during the course of this meeting as principals of a play management system that the Commission endorses. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

2:57 p.m. Commission took a short recess.

3:07 p.m. Meeting resumed.

Ombudsman Report

See transcript pages 194-226

3:07 p.m. Ombudsman Ziemba and Dennis DiZoglio, Chair of the Gaming Policy Advisory Committee, presented a draft Community Mitigation Fund Policy and draft application.

3:41 p.m. *Commissioner Cameron made a motion to adjourn the meeting. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

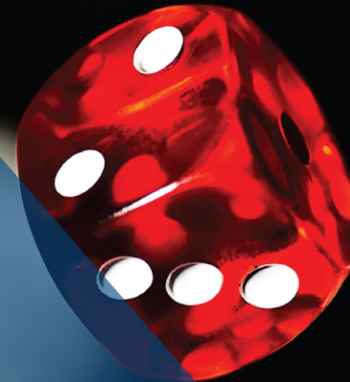
List of Documents and Other Items Used

1. Massachusetts Gaming Commission December 4, 2014 Notice of Meeting and Agenda.
2. Massachusetts Gaming Commission November 20, 2014 Meeting Minutes.
3. OSD FY2015 Benchmark Calculation Form.
4. Massachusetts Gaming Commission December 4, 2014 Memorandum regarding Running Horse Promotional Trust Fund Request for Consideration.
5. Massachusetts Gaming Commission December 4, 2014 Memorandum regarding Reconciliation of Racing Revenues January 2013- June 2014.
6. Massachusetts Gaming Commission December 4, 2014 Diversity Report.
7. Massachusetts Gaming Commission Access and Opportunity Committee Rules of Procedure.
8. Massachusetts Gaming Commission December 4, 2014 Memorandum regarding Play Management Recommendation.
9. Massachusetts Gaming Commission 2015 Community Mitigation Fund Guidelines DRAFT.

/s/ Catherine Blue
Catherine Blue
Assistant Secretary

DRAFT

No Documents



CMS Procurement Management Team

Central Management System (CMS)-
a digital regulatory operating model

CENTRAL MANAGEMENT / MONITORING SYSTEM CHRONOLOGY

- **January – September 2014** - Procurement Management Team (PMT) representing Finance and Accounting, Licensing, and Information Technology conducts due diligence into the options for a technology based regulatory model for MGC.
- **October – December 2014** – PMT (with added resources from finance) conducts a formal procurement process, issuing a request for response on October 24. 5 vendors responded with proposals by the November 17th deadline.
- **December 3rd** – Top 2 vendors presented to the procurement team and provided best and final offers (BAFO).
- **December 5th** - PMT deliberates and selects GTECH to partner with presenting to the Commission
 - 50% Cost
 - 15% Past Similar Experience
 - 20% Return on Investment
 - 10% Project Management Methodology
 - 5% Proposed approach

CENTRAL MONITORING SYSTEM



GTECH



INTELLIGEN™



Who We Are

GTECH is a leading commercial operator and provider of technology in regulated worldwide gaming markets. We deliver best-in-class products and services with a commitment to the highest levels of integrity, responsibility, and shareholder value creation.



GTECH

€3 billion in revenues

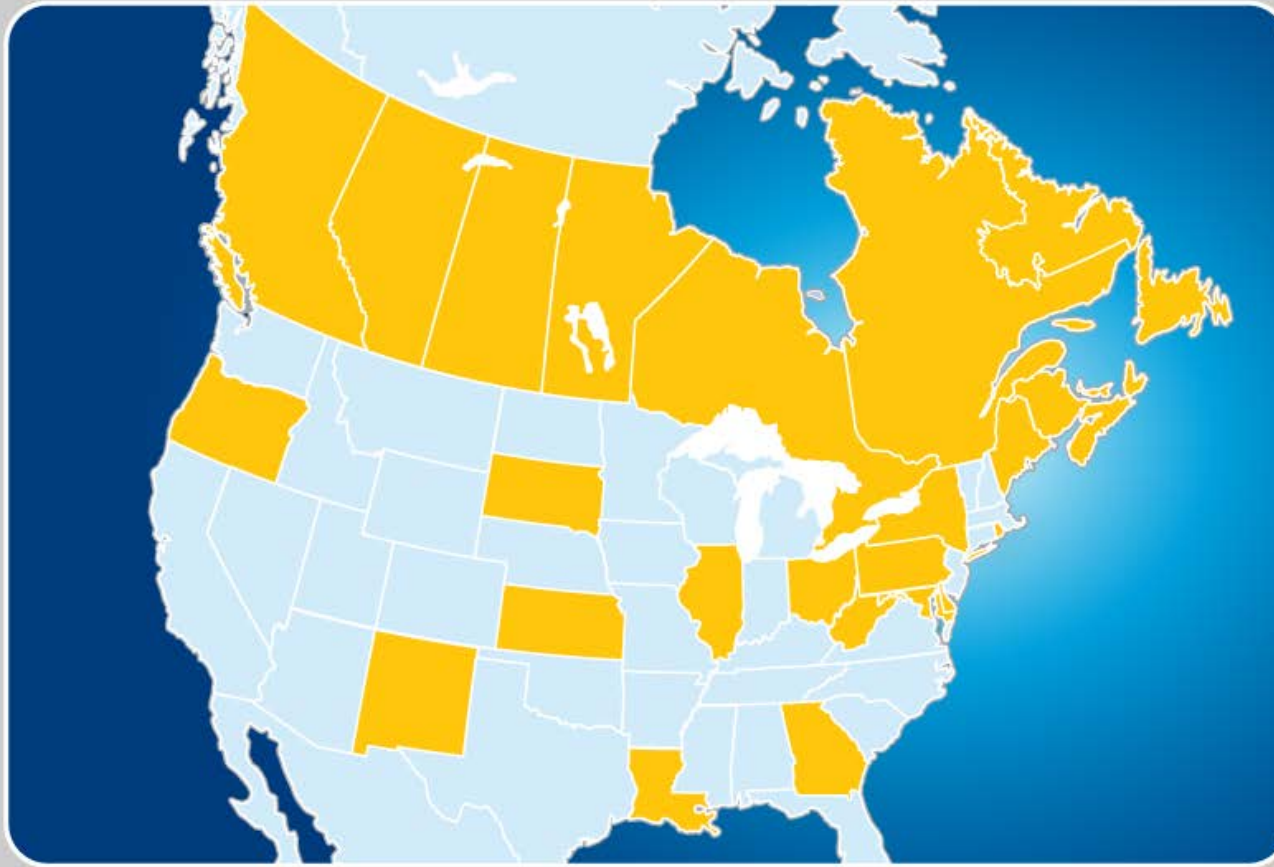
and **8,600** employees

offering **products and services**

in approximately **100** countries

in **2013**

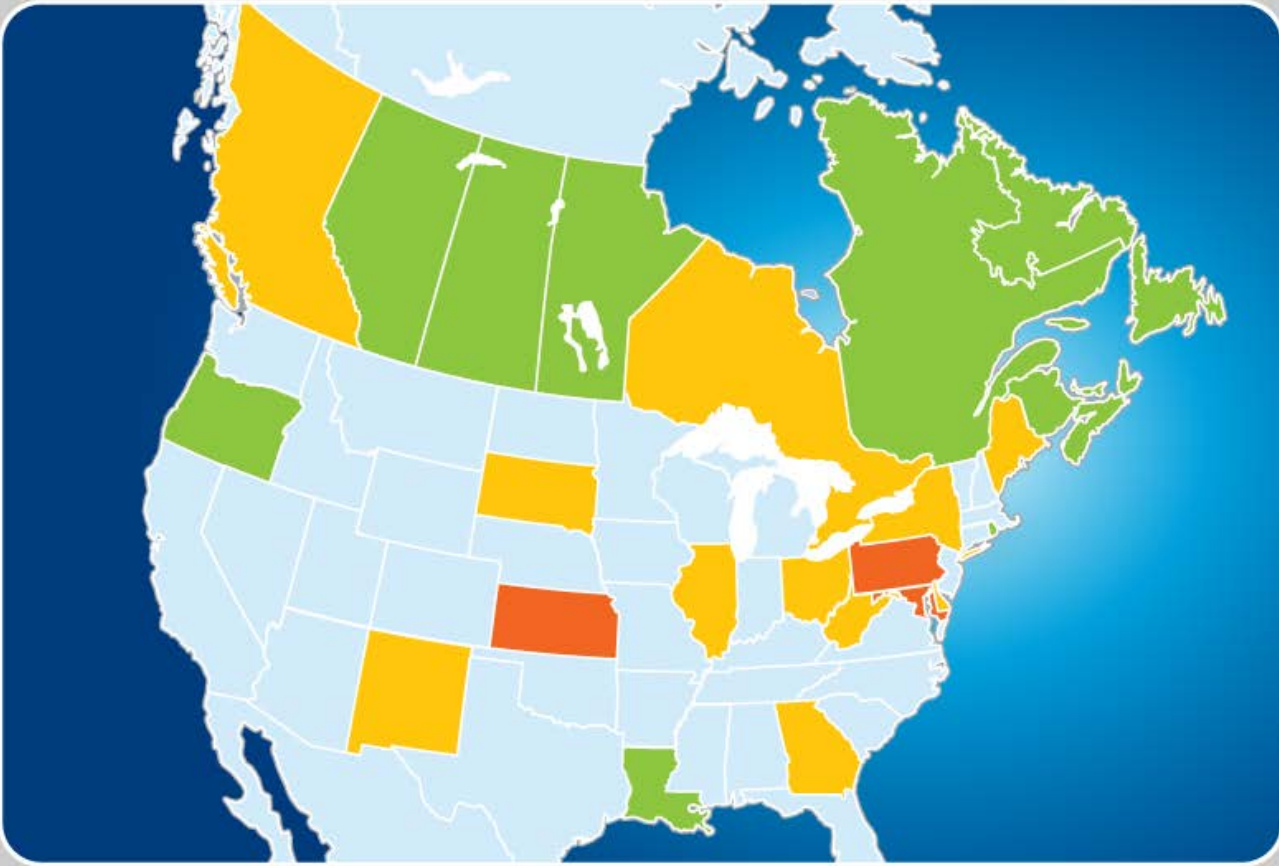
JURISDICTIONS REQUIRING CMS CONNECTION



Gaming Systems

 CMS CONNECTION REQUIRED

GTECH SYSTEM EXPERIENCE



Gaming Systems

-  FULL GAMING SYSTEM
-  MONITORING GAMING SYSTEM
-  CMS CONNECTION REQUIRED



GTECH

INTELLIGEN™

igt

ARISTOCRAT

KONAMI

Bally
TECHNOLOGIES

MULTIMEDIA GAMES™

WMS®
A SCIENTIFIC GAMES COMPANY

ECONOMIC BENEFIT AND RETURN ON INVESTMENT

MGC's reputation and integrity is the very backbone of the gaming program in Massachusetts

INTELLIGEN CMS provides the capabilities to:

- Regulate, manage and report on EGD data received in near real time.
- Detect illegal activity, such as **money laundering** at the EGDs, as it occurs, and intervene immediately.
- Invoice casinos for tax revenue on daily intervals.
- Immediately detect any tampering with an EGD and automatically shut down.
- Immediately revoke and disable EGD software before experiencing any negative impact.

BENEFITS OF CENTRAL SYSTEM MONEY LAUNDERING DETECTION

Constant monitoring of financial and security activity of every EGD

Algorithms are defined on the CMS which will identify specific activity related to:

- Monetary activity at the EGD

- Game play activity at the EGD

- Additional data collected from the EGD

At the moment the money laundering activities are identified:

- Alerts are produced on the CMS

- Notifications are sent to MGC personnel

“Facility X, Location X, EGD XXX – Money Laundering Condition Detected”

MGC Investigators would then work with Facility staff to investigate the activity

BENEFITS OF CENTRAL SYSTEM (CONTINUED)

Managed Startup / Shutdown of EGD's

- Manage one or more EGDs across the jurisdiction
- Actively monitor all EGDs on-line, real-time

System Wide Reporting

- Available by venue, user, vendor, etc...
- Support of daily invoicing
- Meter Reports
- EGD Event Reports
- Audit Reports

Provide Auditing/Accountability for all user access

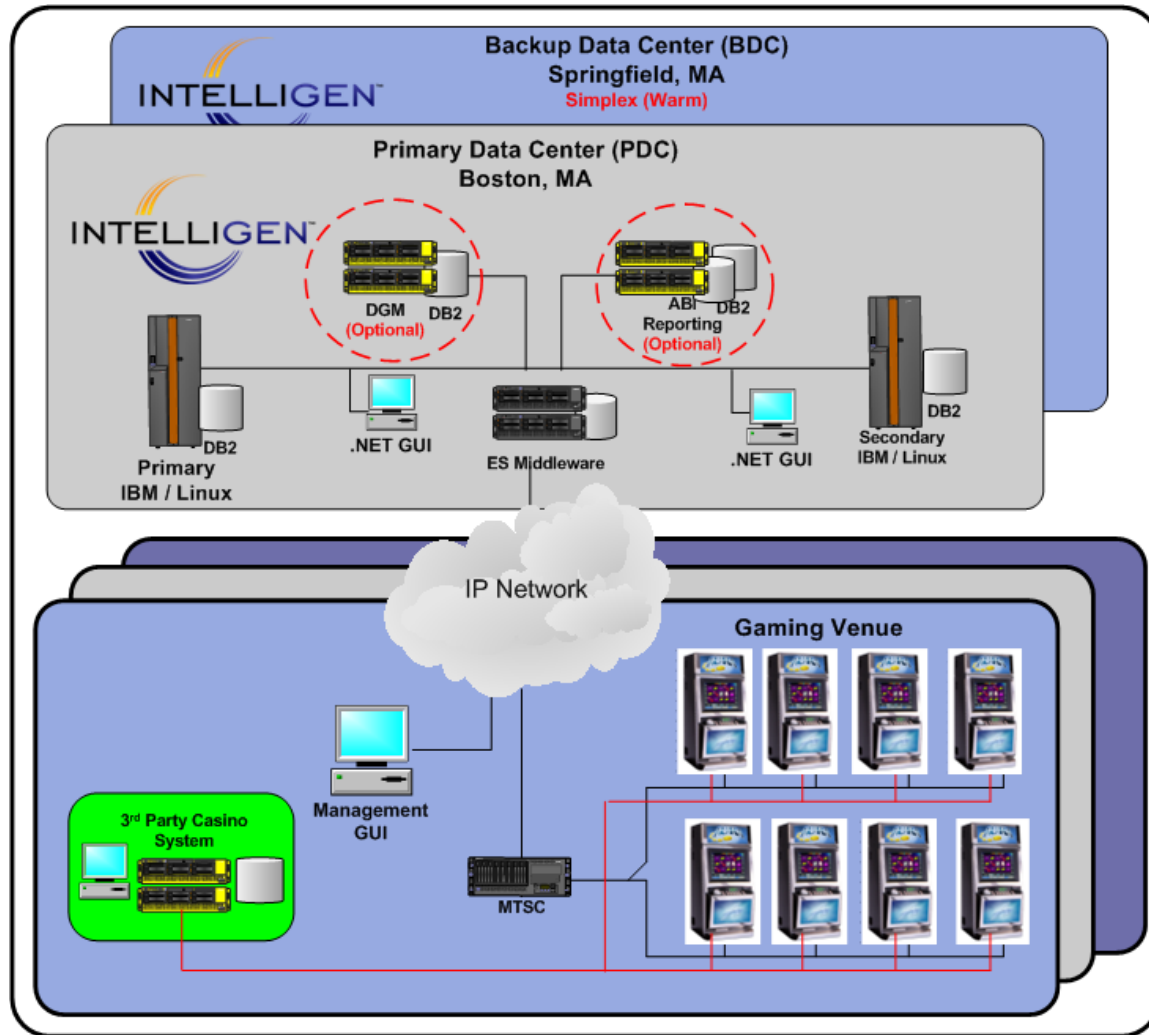
- Validate EGD Meters (Cash in , cash played, cash won)
- Up to the minute meter collection
- Event monitoring and collection centrally

BENEFITS OF CENTRAL SYSTEM (CONTINUED)

License / Operator Capabilities

- Assigned by Venue, Manufacturer, EGD, User
- EGD license configured with start/end times
- Can be configured to automatically disable EGD when license expires

INTELLIGEN SYSTEM TOPOLOGY



RETURN ON INVESTMENT

Estimated Annual Savings

Eliminate unnecessary EGD down time and recapture lost revenue opportunity

- Average Net Profit of \$325 could lead to \$360k in new revenue each year

Staffing burden shifted from MGC to CMS vendor

Additional Saving Opportunities

In a Manual Auditing environment, the following items are heavily influenced by factors such as employee availability, employee experience, availability of information

- EGD Investigation and Analysis
- EGD Moves
- Reconciliation Cost
- Hours Gained by Gaming Agent

Transparency of Revenue and Tax Information

CENTRAL MONITORING SYSTEM

Savings Analysis of a Manual Process Verse Central Monitoring System

| Category | #/yr | Description/Calculation | Hrs Manually | Hrs CMS | Variance | Hrly Rate | Total HRLY Savings | Annual Savings | 10 year HRLY Savings | 10 Year Contract Savings |
|--|------------------|-------------------------------|-----------------|--------------|--------------|---------------|--------------------------|-------------------|----------------------------|--------------------------------|
| Jackpots | 80.00 | 20/facility | 0.50 | 0.08 | 0.42 | 42.67 | 33.33 | 1,422.33 | 333.33 | 14,223.33 |
| New Installations | 1,000.00 | 10% of total EGDs annually | 0.75 | - | 0.75 | 42.67 | 750.00 | 32,002.50 | 7,500.00 | 320,025.00 |
| Moves/Changes of Games | 3,000.00 | 30% of total EGDs annually | 0.50 | - | 0.50 | 42.67 | 1,500.00 | 64,005.00 | 15,000.00 | 640,050.00 |
| Audit of Physical Location | 10,000.00 | 100% of floor throughout Year | 0.17 | - | 0.17 | 42.67 | 1,666.67 | 71,116.67 | 16,666.67 | 711,166.67 |
| Revocation | 200.00 | 2% of total EGDs | 0.75 | - | 0.75 | 42.67 | 150.00 | 6,400.50 | 1,500.00 | 64,005.00 |
| Audit of CPU Unit | 3,333.33 | 1/3 of gaming floor | 0.67 | - | 0.67 | 42.67 | 2,222.22 | 94,822.13 | 22,222.20 | 948,221.27 |
| Meter Reads vs. Actual Counts | 1,000.00 | 10% check by Gaming Agents | 1.00 | 0.17 | 0.83 | 42.67 | 833.33 | 35,558.33 | 8,333.33 | 355,583.33 |
| Formal Complaint of Hold % | 400.00 | 100/ facility /year | 1.00 | 0.50 | 0.50 | 42.67 | 200.00 | 8,534.00 | 2,000.00 | 85,340.00 |
| Financial Investigator on Site QA annually | 4.00 | 5 days per facility /year | 37.50 | 7.50 | 30.00 | 42.67 | 120.00 | 5,120.40 | 1,200.00 | 51,204.00 |
| Inter-facility Balances for Wide Aare Jackpots | | | 40.00 | 8.00 | 32.00 | 42.67 | - | - | - | - |
| TOTALS | 19,017.33 | | 82.83 | 16.25 | 66.58 | 384.03 | 7,475.55 | 318,981.86 | 74,755.53 | 3,189,818.61 |

Based on these calculations, we predict an additional Gross Gaming Revenue of \$101,231 per year.

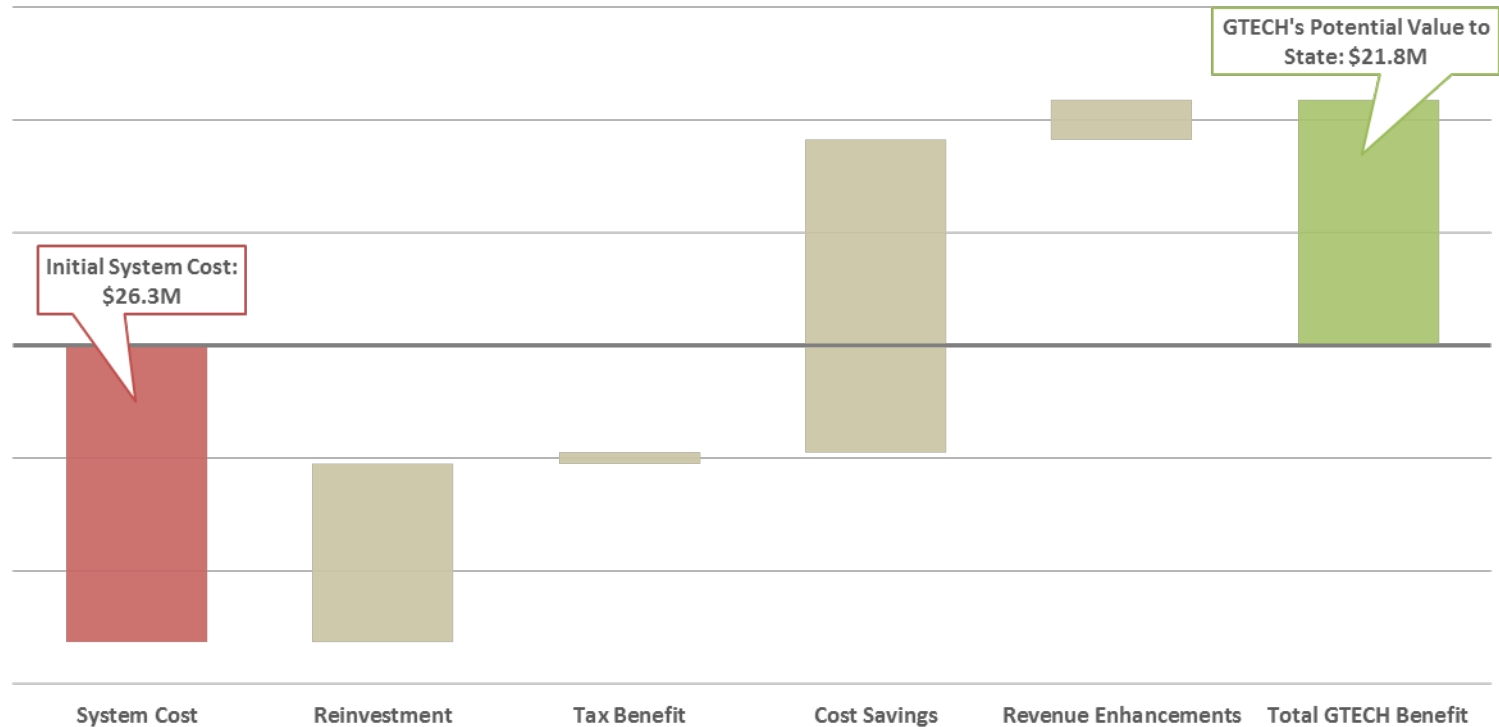


CMS STAFFING MODEL COMPARISON

| FTE | Non Central Monitoring Staff | Salary Per Year | Cost Per Year | Fringe @ 28.86 | Total Cost |
|---|-----------------------------------|-----------------|------------------|------------------|------------------|
| 8 | Auditors | 65,000 | 520,000 | 150,072 | 670,072 |
| 4 | IT Technical Staff | 70,000 | 280,000 | 80,808 | 360,808 |
| 64 | Gaming Agents | 65,000 | 4,160,000 | 1,200,576 | 5,360,576 |
| 76 | Total Salaries without CMS | 200,000 | 4,960,000 | 1,431,456 | 6,391,456 |
| | | | | | |
| FTE | Central Monitoring Staff | Salary Per Year | Cost Per Year | Fringe @ 28.86 | Total Cost |
| 1 | Auditors | 65,000 | 65,000 | 18,759 | 83,759 |
| 2 | IT Technical Staff | 70,000 | 140,000 | 40,404 | 180,404 |
| 40 | Gaming Agents | 65,000 | 2,600,000 | 750,360 | 3,350,360 |
| 43 | Total Salaries with CMS | 200,000 | 2,805,000 | 809,523 | 3,614,523 |
| | | | | | |
| Annual Payroll Savings with system | | | | | 2,776,933 |

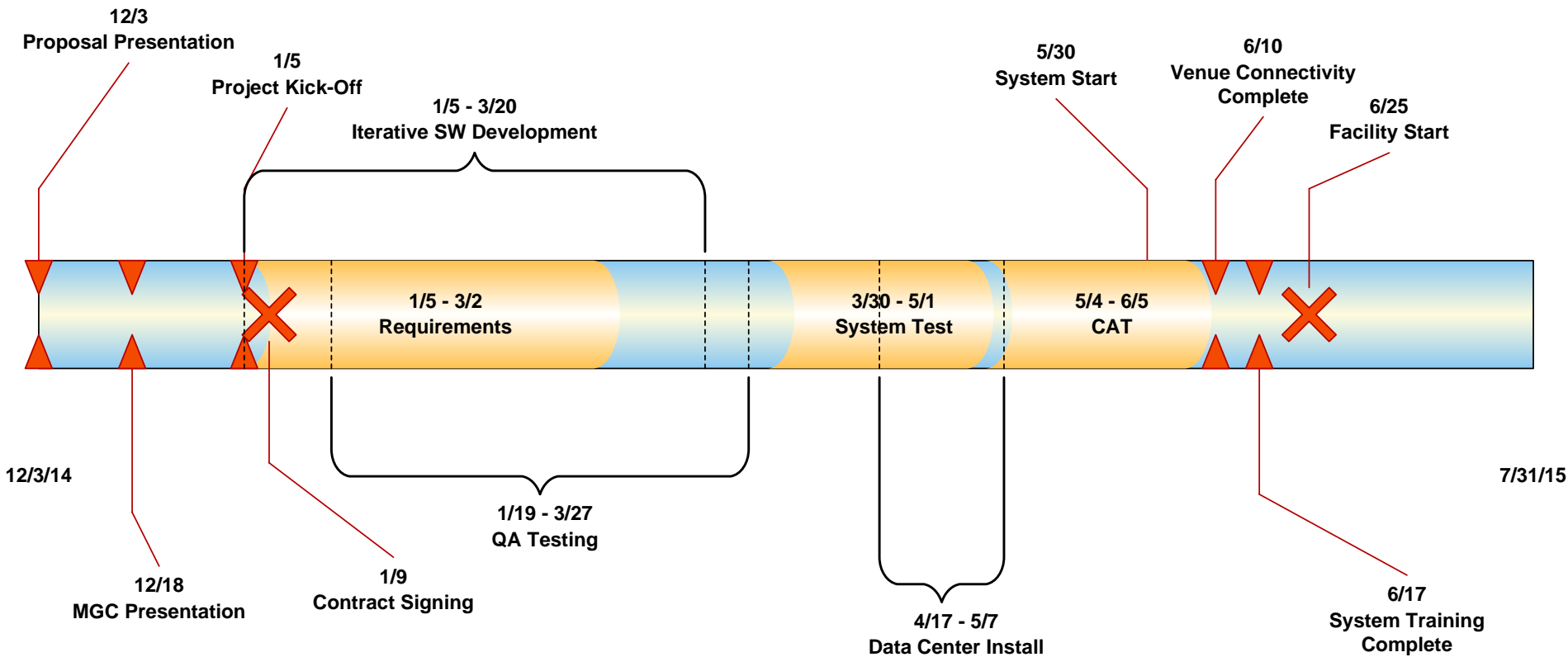


CMS BENEFIT TO MASSACHUSETTS



Utilizing the GTECH CMS could lead to a positive economic benefit to Massachusetts of \$21.8 Million over 10 years.

CMS SYSTEM TIMELINE DIAGRAM - PLAINRIDGE



Conclusions and Closing Remarks

Hourly NTI Report

This report displays net terminal income (NTI) and NTI per VLT statistics sorted by trait type for a specified date range. The data includes VLT cash in and cash out adjustments.

Report example

```
04/10/2024 14:48:00                               Page 1
                               Video KaseTime 1
                               Hourly NTI Report
                               By Jurisdiction
                               For Retailer Non-Ten MTRC 1
                               04/01/2024 03:00:00 through 04/10/2024 03:00:00
```

| Non-Ten MTRC 1 | Cash In | TITO In | Total In | Cash Out | NTI |
|----------------|---------|---------|----------|----------|--------|
| All | 0.00 | 0.00 | 0.00 | 47.40 | -47.40 |
| KaseTime 1 | 0.00 | 0.00 | 0.00 | 47.40 | -47.40 |
| Total | 0.00 | 0.00 | 0.00 | 94.60 | -94.60 |

End of Report

Meter Check Report

The Meter Check report is intended to identify gaming devices that were not monitored fully and any that have had a memory clear performed.

Report example

| Location - VLT | | Period | Number | Delta | Cash In | Cash Out |
|-----------------------------|-----------------------|-----------|-----------|---------|----------|--------------|
| Snapshot Date | Received Control Date | Cash In | Cash Out | Cash In | Cash Out | Cash In Diff |
| 677777 - 677777-677777 | Sep 05 2003 12:00 | 304203.42 | 241302.20 | 304.55 | -432.20 | -303400.07 |
| | Sep 05 2003 12:04 * | | | | | -241500.00 |
| 677777 - 677777-688888 | Sep 05 2003 15:20 | -7.58 | -10.00 | 788.34 | 50.00 | 794.52 |
| | Sep 05 2003 15:21 | | | | | 100.00 |
| Monoton GS 1 - 191914-DGS 5 | Sep 05 2003 15:25 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | Sep 05 2003 15:52 * | | | | | 0.00 |
| Monoton GS 1 - 101010-DXS 5 | Sep 05 2003 06:00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | Sep 05 2003 07:15 * | | | | | 0.00 |
| Monoton GS 1 - 101010-DXS 5 | Sep 05 2003 06:00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | Sep 05 2003 07:15 * | | | | | 0.00 |
| Monoton GS 1 - 101010-SLVOL | Sep 05 2003 15:20 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | Sep 05 2003 15:20 * | | | | | 0.00 |
| Monoton GS 1 - 191914-SLVOL | Sep 05 2003 15:00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | Sep 05 2003 15:00 * | | | | | 0.00 |
| Monoton GS 1 - 191914-SLVOL | Sep 06 2003 05:00 | 100.00 | 95.00 | 100.00 | 95.00 | -5.00 |
| | Sep 06 2003 05:00 * | | | | | -5.00 |

NOTE: * Indicates Memory Clear Performed.

VLTs Reporting Future Dated Monitors

| Monitor | VLT | Snapshot Time | Received Control |
|--------------------------|-----|---------------|------------------|
| No Future Dated Monitors | | | |

End of Report

Net Balance Report

The Net Balance report is used by Accounting to balance EOD meters with cash outs. The report has the capability of showing all meters or just meters that do not balance. Adjustments are included in the report. It also has the capability of including/excluding cash outs that have been deemed corrupt by the system.

Report example

| Video GameLine Net Balance Report 09/01/2015 Through 09/09/2015 | | | | | | | | | | | |
|---|-------------|-------------|----------------------|------------|------------|------------|-----------|-----------|---------|---------|------------|
| VLT | Description | Cash Played | Cash Won | Set1 | Cash In | Cash Out | Set2 | Diff. | Credits | Tickets | Diff. |
| Gaming Site: | | 100001 | Wanston NTSC 1 | | | | | | | | |
| 100001-SMAY | | 6.20 | 2.60 | 2.60 | 160.00 | 172.40 | -12.40 | 20.00 | 0.00 | 177.40 | 0.00 |
| 100001-SMAY | | 12.00 | 2.25 | 2.25 | 60.25 | 41.50 | -18.75 | 33.00 | 0.00 | 41.50 | 0.00 |
| Gaming Site: | | 101010 | Wanston GS 1 | | | | | | | | |
| 101010-AL1 | | 146.00 | 100.00 | 87.00 | 207.00 | 117.00 | 90.00 | -2.00 | 0.00 | 117.00 | 0.00 |
| 101010-ALC3 | | 0.00 | 0.00 | 0.00 | 20.00 | 30.00 | -10.00 | 10.00 | 0.00 | 30.00 | 0.00 |
| 101010-ALC4 | | 0.00 | 0.00 | 0.00 | 12.00 | 10.00 | 2.00 | 2.00 | 0.00 | 10.00 | 0.00 |
| 101010-2XS 0 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 101010-1611 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 101010-340 3 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 25.00 | 25.00 |
| 101010-SLV01 | | 223.20 | 107.50 | 115.70 | 500.00 | 476.00 | 23.50 | 22.75 | 0.00 | -22.00 | 14.00 |
| 101010-SLV03 | | 13.00 | 0.00 | 13.00 | 21.00 | 20.00 | 1.00 | 12.00 | 0.00 | 12.00 | -3.00 |
| Billing Site: | | 270000 | MS_MSL_Daily_Invoice | | | | | | | | |
| 270000-SLV02 | | 0.00 | 0.00 | 0.00 | 20.00 | 20.00 | 1.00 | 1.00 | 0.00 | 0.00 | -20.00 |
| Billing Site: | | 877777 | 877777 | | | | | | | | |
| 877777-877777 | | 100,002.10 | 230,020.31 | 101,200.00 | 104,373.42 | 241,022.20 | 62,421.13 | 10,780.00 | 0.00 | 0.00 | 241,022.20 |
| 877777-868888 | | -10.00 | -8.00 | -2.00 | -2.88 | -10.00 | 2.00 | -4.00 | 0.00 | 0.00 | 10.00 |
| End of Report | | | | | | | | | | | |

Unplayable Devices Report

The Unplayable Devices report summarizes all gaming devices that are expected to be playable, but currently not playable for the current CDC date. This report includes devices in PVD.

Report example

On-Demand Report Catalog

08/10/2013 19:47:37 Page 1

Video BaseLine
Unplayable Devices Report
06/02/2013 through 08/10/2013

| G.S. ID | Gaming Site Name | VLT ID | Position | G.D. Model | Down Time |
|---------------------|----------------------|--------|----------|-------------|---------------------|
| 100000 | Marlton MISC 1 | 1100 | 1 | prod01i Vnc | 05/10/2013 13:41:55 |
| 101010 | Marlton GS 1 | 1013 | 4 | prod01i Vnc | 05/31/2013 08:15:10 |
| | | 1227 | 4 | DGT GDS | 05/05/2013 18:20:32 |
| | | 1284 | 6 | prod01i Vnc | 05/06/2013 13:06:13 |
| | | 1274 | 10 | prod01i Vnc | 06/04/2013 15:03:29 |
| 210001 | Baseline/ GS | 1001 | 1 | prod01i Vnc | 05/10/2013 13:41:55 |
| 278000 | GS AGI Daily Invoice | 1277 | 1 | prod01i Vnc | 05/29/2013 13:00:10 |
| 442222 | Sed Panda Lounge | 1178 | 4 | prod01i Vnc | 05/06/2013 10:28:22 |
| 526422 | GIS GS | 1142 | 4 | prod01i Vnc | 07/11/2013 15:51:07 |
| | | 1143 | 7 | prod01i Vnc | 07/11/2013 15:49:06 |
| | | 1141 | 1 | prod01i Vnc | 07/11/2013 15:49:06 |
| | | 1179 | 5 | prod01i Vnc | 07/11/2013 15:51:06 |
| Total VLTs Down: 12 | | | | | |

VLT Events Report

The VLT Events report lists the logging information of alarm events for each gaming device and site controller for a specific period of time.

Report example

2014-09-10 14:32:08 Page 1

Video BaseLine 1
VLT Events Report
09/10/2014 through 09/10/2014

| Event ID | Event Type Description | Event Time | VLT ID | GS ID |
|---------------|------------------------------------|---------------------|---------------------|--------|
| 41 | Main Door Accessed (Open) | 09/10/2014 12:02:28 | 100007-SLV02 (1719) | 100007 |
| 513 | Cabinet Device Disabled by DDI | 09/10/2014 12:02:28 | 100007-SLV02 (1719) | 100007 |
| 777 | Stacker Removed | 09/10/2014 12:02:31 | 100007-SLV02 (1719) | 100007 |
| 41 | Main Door Accessed (Closed) | 09/10/2014 12:02:39 | 100007-SLV02 (1719) | 100007 |
| 520 | Cabinet Device Not Disabled by DDI | 09/10/2014 12:02:39 | 100007-SLV02 (1719) | 100007 |
| 524 | VLT Cabinet Health Cleared | 09/10/2014 12:02:39 | 100007-SLV02 (1719) | 100007 |
| 778 | Stacker Inserted | 09/10/2014 12:02:43 | 100007-SLV02 (1719) | 100007 |
| Total Records | | 7 | | |
| Total Devices | | 1 | | |

No Documents

DRAFT



MASSACHUSETTS GAMING COMMISSION **2015 COMMUNITY MITIGATION FUND GUIDELINES**

What is the Community Mitigation Fund?

The Expanded Gaming Act, MGL c. 23K, created the Community Mitigation Fund to help entities offset costs related to the construction and operation of a gaming establishment.

When Is the Application Deadline?

February 1, 2015. MGL c. 23K, § 61 states that “parties requesting appropriations from the fund shall submit a written request for funding to the Commission by February 1 of each year.”

Who Can Apply?

MGL c. 23K, § 61 states the Commission shall expend monies in the fund to assist the host and surrounding communities ... “including, but not limited to, communities and water and sewer districts in the vicinity of a gaming establishment, local and regional education, transportation, infrastructure, housing, environmental issues and public safety, including the office of the county district attorney, police, fire, and emergency services.” The Commission may also distribute funds to a governmental entity or district other than a single municipality.

Private non-governmental parties may not directly apply for Community Mitigation Funds. However, governmental entities may apply to the Commission on behalf of private parties provided that the governmental entity provides a program that ensures that funding will be made only to remedy impacts and provided that the governmental entity will be responsible for overseeing such funding.

The Community Mitigation Fund may be used to offset costs related to both Category 1 full casino facilities (MGM Springfield and Wynn Everett) and the state’s Category 2 slots-only facility (Plainridge Park).



Massachusetts Gaming Commission

84 State Street, 10th Floor, Boston, Massachusetts 02109 | TEL 617.979.8400 | FAX 617.725.0258 | www.massgaming.com

Does a Community Need to Be a Designated Host or Surrounding Community to Apply?

No. The Commission’s regulations and MGL c. 23K, § 61 do not limit use of Community Mitigation Funds to only host or surrounding communities. The Commission’s regulation, 205 CMR 125.01(4), states that “[a]ny finding by the commission that a community is not a surrounding community for purposes of the RFA-2 application shall not preclude the community from applying to and receiving funds from the Community Mitigation Fund established by MGL c. 23K, § 61....”

One-Time 2015 Reserve

In recognition that Communities may not be able to demonstrate many significant impacts by February 1, 2015 and in recognition of the Commission’s emphasis on proper local planning, the Commission has established a one-time local reserve for the 2015 Community Mitigation Fund program. The Commission has reserved \$X for each designated surrounding community, each community which entered into a nearby community agreement with a licensee, and any community that petitioned to be a surrounding community to a gaming licensee.

This reserve can be used to cover impacts that may arise in 2015 or thereafter. It may also be used for planning, either to determine how to achieve further benefits from a facility or to avoid or minimize any adverse impacts.

Communities that choose to utilize the reserve in 2015 should simply check the “Check Box If Requesting the Creation of a Mitigation Reserve Fund for a Community” box on the application. No other description is required by the February 1, 2015 deadline. Commission staff will follow-up with each community to get the community's description of planned uses. Funds will be distributed as the needs are identified. Communities that utilize the reserve are not prohibited from applying for funding for any specific mitigation request.

Although no specific description as to use needs to be included in an application for the 2015 reserve, communities must apply by February 1, 2015 to get the reserve.



Massachusetts Gaming Commission

What are the Reserve amounts?

Can communities apply both for the reserve and for a specific impact?

Yes. However, if a specific impact application is successful, a portion of the reserve will be used as an offset against amounts requested for the specific impact. The reserve amount will be reduced by \$X assuming the specific impact request is at least that amount.

What Specific Impacts Can Be Funded?

In recognition that no gaming facility will be operational by February 1, 2015, the Commission has determined that the 2015 Community Mitigation Fund is available only to mitigate impacts related to the construction of gaming facilities. This limitation does not apply to planning activities funded under the 2015 one-time reserve fund.

The Commission's regulation 205 CMR 125.07 defines construction period impacts as:

"The community will be significantly and adversely affected by the development of the gaming establishment prior to its opening taking into account such factors as noise and environmental impacts generated during its construction; increased construction vehicle trips on roadways within the community and intersecting the community; and projected increased traffic during the period of construction."

Although this definition includes the types of construction period impacts that may be funded, it is not limited to those. The determination will be made by the Commission after its review.

The Fund may be used only to mitigate impacts that either have occurred or are occurring as of the February 1, 2015 application date. Although the definition in the Commission's regulations (for the purpose of determining which communities are surrounding communities) references projected impacts, the 2015 program is limited to only those impacts that are being experienced by the time of the February 1, 2015 application date.

The Commission has determined that the funding of unanticipated impacts will be a priority under the Annual Mitigation Fund. Thus the Commission will review funding



Massachusetts Gaming Commission

requests in the context of any host or surrounding community agreement to help determine funding eligibility.¹ The Community Mitigation Fund is not intended to fund the mitigation of specific impacts already being funded in a host or surrounding Community Agreement. Please note that impacts determined through any look back review likely are unanticipated impacts.

What Cannot Be Funded?

2015 Community Mitigation Funds may not be used for the mitigation of:

- any operational related impacts;
- impacts that are projected or predicted but that are not occurring or have not occurred by February 1, 2015;
- impacts that are the responsibility (e.g. contractual, statutory, regulatory) of parties involved in the construction of gaming facilities (such as damage caused to adjoining buildings by construction equipment, spills of construction-related materials outside of work zones, personal injury claims caused by construction equipment or vehicles); and
- Other impacts determined by the Commission.

Please note that the Commission may determine to expand the eligible uses of funds for the 2016 program when impacts are more clearly identifiable. The Commission will also consult with mitigation advisory committees established in MGL c. 23K in determining such uses.

How Much Funding Is and Will Be Available?

As a result of the license fees paid by MGM Springfield and Wynn MA LLC, \$7.5 million for each facility will be deposited to the Community Mitigation Fund. As a result of these deposits and the state's slots licensee Penn National's one-time \$2.5 million deposit in March 2014, the Community Mitigation Fund will have a balance of \$17.5 million.

¹ The Commission is aware of the difference in bargaining power between host and surrounding communities in negotiating agreements and will take this into account when evaluating funding applications.



No further contributions will be made to the Community Mitigation Fund until either MGM Springfield or Wynn Everett become operational and generate revenues.² MGM Springfield currently projects to be operational in the second quarter of 2017. Wynn Everett currently projects to be operational by the fourth quarter of 2017. Once operational, MGL c. 23K, § 59 specifies that 6.5% of the revenues from the tax on gross gaming revenues from Category 1 (full casino) licensees shall be deposited in the Community Mitigation Fund.

Once the MGM Springfield and Wynn Everett facilities are operational, approximately \$18.0 million generated by these two facilities will be annually deposited into the Community Mitigation Fund using a conservative estimate provided by the Commission's financial consultants.

What Should Be Included in the Applications?

- Applicants are required to complete the 2015 Community Mitigation Fund Application and may also submit additional supporting materials of a reasonable length.
- Applicants will need to describe how the specific mitigation requested will address any claimed impacts and provide justification of any funds requested. Unlike existing surrounding community agreements which were based on anticipated impacts, any community mitigation award will be based on impacts that have occurred or are occurring, as noted previously.
- Applicants will need to describe if and how such impacts were addressed or not addressed in any host or surrounding community agreements.
- Applicants may include a letter of support from the applicable gaming licensee. However, this is not necessary, as the Commission will request the licensee's opinion regarding each application.

How Will the Commission Decide on Applications?

- Similar to the Commission's surrounding community review process, the Commission will ask each licensee to review and comment on any requests for funding.

² These guidelines do not describe revenue estimates from or the participation of a Region C facility, as the Region C application deadlines have not yet been reached. Further, after the initial deposit, no further contributions from the Slots licensee will be made to the fund.



- The Commission will evaluate the submittal by the community, any input received from the community and interested parties (such as Regional Planning Agencies), the responses of the licensee, Commission consultant reviews, and any other sources determined by the Commission.
- The Commission will evaluate any funding requests in the context of any host or surrounding community agreements.
- The Commission may ask applicants for supplementary materials, may request a meeting with applicants, and reserves the ability to host a hearing or hearings on any application.
- The Commission's deliberations on Community Mitigation Fund policies will also be aided through input from the Gaming Policy Advisory Committee, the Community Mitigation Subcommittee, and any Local Community Mitigation Advisory Committees, as established pursuant to MGL c. 23K.
- The Commission reserves the ability to determine a funding limit, as additional contributions to the Community Mitigation Fund will not be made until Category 1 gaming facilities are operational.

When Will the Commission Make Decisions?

The Commission anticipates making funding decisions on any requests for mitigation of specific impacts approximately by July 2015, after a comprehensive review and any additional information requests.

Is There a Deadline for the Use of the 2015 Reserve?

There is no deadline. Funds may be used on a rolling basis when specific impacts are determined or the specific planning activity is determined. Once known, communities should contact the Ombudsman's Office, which will assist the community in providing the needed information. Communities with specific impacts will, at the time the impacts are known, complete the grayed sections of the 2015 Community Mitigation Fund Application (the grayed boxes 1-4 beginning on page 3). Communities with requests for planning funds will provide similar information to the Commission: a description of the planning activity, how the planning activity relates to the development or operation of the gaming facility, how the planning funds are proposed to be used, consultation with the Regional Planning Agency, other funds being used, and how planning will help the community determine how to achieve further benefits from



Massachusetts Gaming Commission

a facility or to avoid or minimize any adverse impacts. **Each Community applying for planning funds will also need to provide detail on *what it will contribute to the planning project such as in-kind services or planning funds.***³ Please note that such details do not need to be determined by the February 1, 2015 application date. Communities must only check the box on the first page of the application to establish the reserve. Commission approvals of the use of the 2015 reserve funds will also be on a rolling basis corresponding to the rolling determinations of use by communities.

Who Should Be Contacted for Any Questions?

As the 2015 Community Mitigation Fund program is the inaugural program for the Commission, communities and other parties may have a number of questions. They are encouraged to contact the Commission's Ombudsman with any questions or concerns. The Commission's Ombudsman will regularly brief the Commission regarding the development of Community Mitigation Fund policies.

The Commission's Ombudsman, John Ziemba, can be reached at 617-979-8423 or via e-mail at john.s.ziemba@state.ma.us.

³ Provision added at 12/4/2014 Commission meeting





DRAFT

Massachusetts Gaming Commission

2015 COMMUNITY MITIGATION FUND APPLICATION

**CHECK BOX IF REQUESTING THE CREATION OF A
MITIGATION RESERVE FUND FOR A COMMUNITY**

APPLICATIONS DUE NO LATER THAN FEBRUARY 1, 2015.

For anyone with specific impacts, please complete the gray boxes 1-4 beginning on page 2. If you are not applying for mitigation of specific impacts by February 1, 2015, you do not need to complete grayed boxes 1-4.

1. NAME OF MUNICIPALITY/GOVERNMENT ENTITY/DISTRICT
2. DEPARTMENT RECEIVING FUNDS
3. NAME AND TITLE OF INDIVIDUAL RESPONSIBLE FOR HANDLING OF FUNDS
4. ADDRESS OF INDIVIDUAL RESPONSIBLE FOR HANDLING OF FUNDS
5. PHONE # AND EMAIL ADDRESS OF INDIVIDUAL RESPONSIBLE FOR HANDLING OF FUNDS
6. NAME AND TITLE OF INDIVIDUAL AUTHORIZED TO COMMIT FUNDS ON BEHALF OF MUNICIPALITY/GOVERNMENTAL ENTITY
7. ADDRESS OF INDIVIDUAL AUTHORIZED TO COMMIT FUNDS ON BEHALF OF MUNICIPALITY/GOVERNMENTAL ENTITY
8. PHONE # AND EMAIL ADDRESS OF INDIVIDUAL AUTHORIZED TO COMMIT FUNDS ON BEHALF OF MUNICIPALITY/GOVERNMENTAL ENTITY
9. NAME OF GAMING LICENSEE

1. IMPACT DESCRIPTION

Please describe in detail the impact that is attributed to the construction of a gaming facility. Please provide support for the determination that the construction of the gaming facility caused or is causing the impact.

2. PROPOSED MITIGATION

Please identify below the manner in which the funds are proposed to be used. Please provide documentation (e.g. - invoices, proposals, estimates, etc.) adequate for the Commission to ensure that the funds will be used for the cost of mitigating the impact from the construction of a proposed gaming establishment. Please describe how the mitigation request will address the specific impact indicated. Please attach additional sheets/supplemental materials if necessary.

3. IMPACT CONTROLS/ADMINISTRATION OF IMPACT FUNDS

Please provide detail regarding the controls that will be used to ensure that funds will only be used to address the specific impact. If non-governmental entities will receive any funds, please describe what reporting will be required and how the applicant will remedy any misuse of funds.

4. RELEVANT EXCERPTS FROM HOST OR SURROUNDING COMMUNITY AGREEMENTS

Please describe and include excerpts from any relevant sections of any Host or Surrounding Community Agreement. Please explain how this impact was either anticipated or not anticipated in that Agreement.

CERTIFICATION BY MUNICIPALITY/GOVERNMENTAL ENTITY

On behalf of the aforementioned municipality/governmental entity I hereby certify that the funds that are requested in this application will be used solely for the purposes articulated in this Application.

**Signature of Responsible Municipal
Official/Governmental Entity**

Date

APPROVAL OF THE MASSACHUSETTS GAMING COMMISSION

On behalf of the Massachusetts Gaming Commission, the Commission hereby authorizes the payment from the Community Mitigation Fund in accordance with M.G.L. c. 23K as outlined in this Application.

Executive Director

Date

Ombudsman

Date



Massachusetts Gaming Commission

INSTRUCTION FOR FILING FOR 2015 COMMUNITY MITIGATION FUND APPLICATION

If a Community is filing for a mitigation reserve fund only, **please check the box on page 1** and fill out all the boxes in blue. **Skip grayed boxes 1-4. Detail regarding the use of the reserve fund can be provided to the Commission on a rolling basis upon consultation with the Commission (See Guidelines on page __).**

If a Community or other Applicant has a specific impact, **please fill out entire application form.**

If a Community or other Applicant is requesting both a reserve fund and has a specific impact, **please fill out the entire application form.**

**Any questions contact: John S. Ziemba, Ombudsman
75-101 Federal Street, 23rd Floor, Boston, MA 02110
(617) 979-8423
john.s.ziemba@state.ma.us**



MASSACHUSETTS GAMING COMMISSION

MEMORANDUM

To: Chairman Crosby; Commissioners McHugh, Cameron, Stebbins and Zuniga
From: Catherine Blue, General Counsel
Date: December 18, 2014
Re: Delegation of Authority to Commissioner Cameron to handle racing matters

Request: The Massachusetts Gaming Commission delegates to Commissioner Cameron the authority to approve racing licenses for occupational licensees pursuant to G.L. 128A, §9A, when there are no judges or stewards currently seated; to issue rulings involving occupational licensees when there are no judges or stewards seated; to grant “stays” from rulings when there are no judges or stewards seated.

Discussion:

The judges and stewards of the racetracks are only seated during the live racing meets. There are times when issues arise that require Commission action when there are no judges or stewards seated.

Occupational licenses currently expire at the end of the calendar year. These include the licenses of the pari-mutual tellers. In order to continue simulcasting after the first of the year, it is necessary for the Commission to approve license applications of the pari-mutual clerks. In the past these licenses have been “conditionally approved” by the licensing office staff upon recommendation by the Racing Unit of the State Police. The licenses were fully approved after review by the Judges and Stewards when they were seated. Most of these licenses are renewals from the previous year. The denial of a license is appealable to the hearing officer.

Additionally, in order to prevent a backlog of occupational license applications when the judges and stewards are seated, in past years applications have been “conditionally approved” by the licensing staff upon recommendation by the Racing Unit of the State Police. These licenses were conditioned upon the review and approval of the judges and



Massachusetts Gaming Commission

stewards. Typically licenses that are conditionally approved are from applicants that were licensed the preceding year and had no new infractions. The denial of a license is appealable to the hearing officer.

It would be beneficial to the Commission to grant the authority to approve or deny an occupational license to Commissioner Cameron in order to prevent the confusion that arises with conditional licenses and to ensure the continuity of operations when there are no judges and stewards seated.

There are also incidents that arise when it is necessary to having a ruling issued involving an occupational licensee and there are no judges or stewards seated. One circumstance where these issues arise is instances where drug tests are still being processed at the testing lab. If the tests return with a positive result a ruling against the licensee by the Commission. It is important due to the multiple penalty policy as embodied in our regulations and for uniformity between jurisdictions that these ruling are not put off until the following live racing season. These rulings are appealable to the hearing officer.

Lastly, there may be times where an occupational licensee has requested a “stay” of their ruling to be granted by the Commission. A “stay” of a ruling effectively stops the effect of the ruling until the licensee is able to attend a hearing on the matter. In the past, stays have been granted by the Director of Racing.

I am requesting that the Commission grant to Commissioner Cameron the authority to approve or deny license applications, issue rulings, and grant stays during times when there are no judges or stewards seated at the racetracks.



Massachusetts Gaming Commission



MASSACHUSETTS GAMING COMMISSION

MEMORANDUM

To: Chairman Crosby; Commissioners Cameron, McHugh, Stebbins and Zuniga
From: Catherine Blue
Date: December 18, 2014
Re: Section 61 findings – Springfield Gaming and Redevelopment LLC

Pursuant to M.G.L. c.23K §15(12) and 205 CMR 120.02(1) (b) the Commission is required to issue findings regarding a licensee's compliance with MEPA and incorporate those findings into the gaming license. These are called section 61 findings after the statute, M.G.L. c.30 §61 which mandates that the agency taking action on a project issue these findings. The Commission's draft section 61 findings are included in the Commission packet. MassDOT also issued section 61 findings for the project and they are incorporated by reference into these findings.

The process for the Commission to issue its section 61 findings is as follows:

1. The Commission considers its proposed section 61 findings at a public meeting;
2. If the Commission is comfortable with the section 61 findings, the Commission votes to authorize staff to file the section 61 findings with the MEPA office;
3. The MEPA office publishes the Commission's section 61 findings for comment in the Environmental Monitor for 60 days;
4. At the end of the 60 day period, if any comments are received, the MEPA office will send them to Springfield Gaming and Redevelopment, MassDOT and copy the Commission;
5. The Commission will review the comments at a public meeting and determine whether the comments require revision of the Commission's section 61 findings. If the Commission revises the section 61 findings, it may vote to make the



Massachusetts Gaming Commission

revisions and to file the final document with the MEPA office. The MEPA office will republish the revised findings in the Environmental Monitor for completeness.

6. If there are no comments or if the comments received do not require revision of the Commission's section 61 findings, the Commission may vote to approve the final section 61 findings and to incorporate them into SGR's category 2 license as license conditions.



Massachusetts Gaming Commission

**MASSACHUSETTS GAMING COMMISSION
FINDINGS PURSUANT TO M.G.L. CHAPTER 30, SECTION 61**

PROJECT NAME: Plainridge Park Casino
PROJECT LOCATION: Plainville, Washington Street (Route 1)
PROJECT PROPONENT: Springfield Gaming and Redevelopment, LLC (SGR)
EOEEA NUMBER: 11431
APPROVAL SOUGHT: Category 2 Gaming License

The Massachusetts Gaming Commission makes the following Section 61 Findings for the proposed Plainridge Park Casino (Executive Office of Energy and Environmental Affairs (EOEEA) No. 11431). These Section 61 Findings summarize the Project Proponent's environmental mitigation commitments relative to the addition of a "Category 2" license facility at the existing Plainridge Racecourse in Plainville, MA.

PROJECT SITE

The project site is an 88.9-acre parcel located in northeastern Plainville adjacent to Route 1 (Washington Street) and Route 495. It is bounded by Route 1 to the west, the southeastern quadrant of the intersection of Route 1 and Route 495 to the northwest, Rabbit Hill Brook and Lake Mirimichi to the east, and a residential area and Mirimichi Street, Haynes Road, and Harness Path to the south. Commercial areas are located along Route 1 to the west and south of the site. Access to the site is provided via a right-in, right-out driveway from Route 1.

The site currently includes a 53,400-sf building, four barns, a paddock, racetrack, surface parking, and an access drive. The building houses a Simulcast Theatre, Track Clubhouse, and Grandstand seating. A three-story parking garage is under construction and a 71,000 square foot building addition that was previously permitted is slated for construction this year. The stormwater management system includes hydrodynamic separators, a sediment basin, an extended detention basin, and a wet meadow in the center of the track.

The site contains wetland resource areas and, according to the 13th Edition of the Natural Heritage Atlas, the southeastern corner of the site includes mapped habitat of rare species.

PROJECT DESCRIPTION

Currently, the site includes a multi-media harness (horse) racing and simulcast facility that has been in operation since 1999. The Project Proponent proposes to add a Category 2 gaming establishment to the existing facility. Pursuant to Chapter 194 of the Acts of 2011 and M.G.L. Chapter 23K (the legislation allowing expanded gaming in the Commonwealth), the gaming establishment requires a license from the Massachusetts Gaming Commission (MGC). If approved, up to 1,250 slot machines will be added to the facility.

MEPA HISTORY

An Environmental Notification Form (ENF) for the Project Location was submitted and reviewed in 1998. The original project consisted of the construction of a racecourse facility, including the 53,400-square foot (sf) building, four barns, a paddock, racetrack, surface parking, and an access drive. The building houses a Simulcast Theatre, Track Clubhouse, and Grandstand seating. A Certificate on the ENF was issued on February 4, 1998 and indicated that an Environmental Impact Report (EIR) was not required.

A Notice of Project Change (NPC) was filed in 2010 and proposed a 71,000 sf addition to the main building, changes to parking areas, a three-story parking garage, a service drive providing access to the new structures, and additional stormwater management controls. A Certificate on the NPC was issued on April 9, 2010 indicating that no additional MEPA review was required.

A second NPC was filed in June 2012 describing the effort to secure a Category 2 Gaming License. A Certificate on the second NPC, including the Scope for the DEIR, was issued on July 6, 2012. The Scope was limited to issues associated with traffic generation and greenhouse gas (GHG) emissions.

The Draft Environmental Impact Report (DEIR) was filed in December 2012 and a Certificate on the DEIR was issued on January 25, 2013. The Scope for the FEIR was limited to issues associated with traffic generation and revised mitigation measures.

In November 2013, the Project Proponent submitted the Final Environmental Impact Report (FEIR) for the Project. The FEIR identified changes proposed since the filing of the DEIR. These included a change in the Project Proponent and project name¹, a 29,492 sf increase in the size of the building addition for a total of 100,492 sf, an increase in parking and the addition of a 650 kilowatt (kW) photovoltaic on-site system to generate renewable energy. The FEIR included a limited operation proposal that would include 500 slots within the existing racecourse building while the remainder of the project, including traffic mitigation, is under construction. The FEIR indicated that this limited operation will not exceed any traffic thresholds included in the MEPA regulations.

On December 27, 2013, the Secretary issued a Certificate confirming that the FEIR for the Project adequately and properly complies with MEPA and its implementing regulations. However, because the access plan for the Project was likely to be revised during project permitting, the Secretary required the Project Proponent to provide the MEPA Office with revised Draft Section 61 Findings for publication in the Environmental Monitor prior to issuance of a permit by MassDOT. On October 7, 2014, MassDOT issued a Section 61 Finding for the Project addressing traffic and parking impacts (the "MassDOT Finding"). The MassDOT Finding is incorporated herein by reference.

¹ In September 2013, the previous proponent, Ourway Realty, LLC, entered into a Purchase and Sale Agreement transferring the property to SGR.

PROJECT IMPACTS

Environmental impacts associated with the Project include an increase in traffic generation and parking demand, as described in the MassDOT Finding, and GHG emissions.

The project will generate an additional 4,878 average daily traffic (ADT) trips for a total of 6,512 ADT trips. The project includes 1,620 parking spaces within the existing surface parking and proposed garage. The project will not increase land alteration, create new impervious surfaces, alter wetland resource areas, affect mapped rare species habitat or increase water use or wastewater generation.

Measures to avoid, minimize, and mitigate impacts will include roadway and signal improvements, development of a Transportation Demand Management (TDM) program, and measures to reduce GHG emissions.

PROJECT MITIGATION MEASURES

Mitigation Agreements

Pursuant to G.L. c.23K §§15(8) - (10), the Project Proponent executed mitigation agreements with the following:

1. The Host Community, Town of Plainville, dated July 8, 2013;²
2. All designated Surrounding Communities including:
 - a. Attleboro, dated October 31, 2013;
 - b. Foxborough, dated December 30, 2013;
 - c. Mansfield, dated October 31, 2013;
 - d. North Attleborough, dated October 24, 2013;
 - e. Wrentham, dated November 5, 2013; and
3. All Impacted Live Entertainment Venues including Massachusetts Performing Arts Coalition, dated September 30, 2013; and
4. The Massachusetts State Lottery effective as of the date of the MGC's award of a final Category 2 License for the Project.

The provisions of these mitigation agreements are incorporated by reference in these Section 61 Findings.³

² This agreement was executed between Ourway Realty, LLC and the Town of Plainville. The Project Proponent has agreed to assume all of Ourway Realty, LLC's obligations under the agreement. See FEIR, p. 5.

³ Nothing in these Section 61 Findings shall prevent the parties to any mitigation agreement from reopening the agreement to the extent permitted pursuant to 205 CMR 127.

In addition, the elements of the Project's environmental mitigation program, documented in the November 2013 FEIR prepared for the Project, are as follows:

Transportation Mitigation Measures

The transportation mitigation measures described in the MassDOT Finding and the following additional transportation mitigation measures described below will be implemented as and to the extent permitted by MassDOT and other applicable federal, state or local agencies

Infrastructure Improvements

Pursuant to G.L. c. 23K, § 11(a), the Commission determines that the following infrastructure improvements identified in the MassDOT finding will be completed before the Project Proponent will be authorized to operate a slot machine at the gaming establishment:

- Route 1/Plainridge Site Driveway Intersection Reconstruction;
- I-495 Southbound Ramp/Route 1 Reconstruction;
- Proposed Route 1 Median Break;
- Route 1/Route 152 Intersection Reconstruction;
- Route 1 Jughandle/Route 152 Intersection Safety Improvements;

Signal Timing Modifications

Pursuant to G.L. c. 23K, § 11(a), the Commission determines that the following traffic signal timing modifications described in the MassDOT Finding, which are intended to optimize the operations of intersections and to offset the impacts of the Project, will be completed before the Project Proponent will be authorized to operate a slot machine at the gaming establishment :⁴

- Route 1/Plainridge Site Driveway;
- I-495 Southbound Ramp/Route 1;
- Route 1/Route 152;
- Route 1 Jughandle/Route 152;
- Route 152/Plainville Commons Drive/Edgewood Drive;

⁴ In its Draft Section 61 Findings accompanying the FEIR, the Project Proponent also proposed signal modifications for the Route 1 (Washington Street)/Route 106 (East Bacon Street) traffic signal. This intersection is not referenced in the MassDOT Finding. If and to the extent MassDOT requires completion of those proposed modifications, they should also be completed before the Project Proponent will be authorized to operate a slot machine at the gaming establishment pursuant to G.L. c. 23K, § 11(a).

Wayfinding

As described in the MassDOT Finding, the Project Proponent will provide an extensive wayfinding signage program on the Project site and in the Route 1 corridor south of the interchange.

Bicycle Improvements

As described in the MassDOT Finding, the Project Proponent will provide bicycle improvements on Route 1 in the vicinity of the Project, including five-foot bicycle lanes and four-foot bicycle tolerant roadway shoulders.

Public Transportation

As described in the MassDOT Finding, the Project Proponent will encourage the use of alternative modes of transportation. Pursuant to G.L. c. 23K, § 11(a), the Commission determines that the following measures will be completed before the Project Proponent will be authorized to operate a slot machine at the gaming establishment:

- Providing on-site bus and passenger accommodations within the entry court of the Plainridge Park Casino; and
- Providing a bus circulation lane within the entry court.

Transportation Demand Management (TDM)

The Project Proponent has committed to supporting TDM to reduce single occupancy vehicle (SOV) trips, and to encourage the use of alternative modes of transportation to the site. In addition to the TDM measures described in the MassDOT Finding, the following TDM efforts have already been implemented by Plainridge Racecourse:

- Link exchange established with the Massachusetts Office of Travel and Tourism website to promote tourism.
- Coordination with MassRIDES to promote events.
- Encouraging employers nearby to implement appropriate TDM measures.
- Holding promotional events for motorcyclists.
- Annual Transportation Information Day coordination with MassRIDES- April 29, 2013.
- Participation in MassRIDES Bike to Work Week - May 11-19, 2013.

The Project Proponent has also committed to the following additional TDM efforts, in addition to those in the TDM program currently being provided by the owner, and those described in the MassDOT Finding:

- Developing a Parking Management Program; and
- Developing an employee wellness program, where bicyclists get credit for their sustainable commute and potentially developing a partnership with a local sporting goods

store to provide rewards as commuters accumulate miles using their own power to commute to work.

The Project Proponent is also coordinating with local and regional transit authorities, such as the Greater Attleboro Taunton Regional Transit Authority (GATRA), Southeastern Regional Planning & Economic Development District (SRPEDD), MassRIDES, and other private carriers, to develop possible additional TDM efforts.

Additional Town of Plainville Mitigation Measures

The Project Proponent agreed to implement the following traffic related mitigation measures during the Plainville Planning Board process for the Amended Special Permit, and these measures were included as conditions of the 2013 approved Amended Special Permit. These measures are to be completed in accordance with the requirements of that Amended Special Permit and any other applicable conditions required by the Town of Plainville.

- Replacement of existing signs with new signs
- Warning signs, including turn ahead and speed limit
- Centerline pavement markings
- Electronic speed radar sign
- Additional brackets for electronic speed radar signs.

The following intersections are not under MassDOT jurisdiction and are therefore not specifically addressed by the MassDOT Finding; however, Section 5 of the Host Community Agreement dated July 8, 2013, between the Town of Plainville and the Project Proponent's predecessor (which the Project Proponent has assumed, see note 2 above) requires the applicant to "mitigate traffic impacts associated with the Project, as required by the [Plainville] Planning Board and/or the Commission." Therefore, the Project Proponent will implement such additional traffic mitigation measures for the following intersections as may be required by the Plainville Planning Board, the Town of Plainville or the Commission:

- Route 152/Cowell Street
- Route 152/ George Street
- Route 152/ Shepard Street
- Route 152/Mirimichi Street
- Rout 152/Route 106

Transportation Monitoring Program

The Project Proponent will conduct an annual traffic monitoring program as described in the MassDOT Finding.

GHG Mitigation Measures

The following GHG mitigation measures will be implemented. In addition, the Project Proponent has provided or will provide a certification to the MEPA Office signed by an

appropriate professional (e.g., engineer, architect, general contractor) indicating that all of the GHG mitigations measures, or equivalent measures that are designed to collectively achieve the proposed stationary source GHG emission reduction committed to in the FEIR, have been incorporated into the project.

Site Design Mitigation Measures

All reasonable and feasible site design mitigation measures will be adopted by the Project. Along with others mentioned in this section, the Project Proponent has committed to the following site mitigation measures:

- Sustainable Development Principles - The Project promotes compact development and conserves land by building on an existing commercially-zoned site, and incorporating structured parking, thereby protecting open space.
- Design Water Efficient Landscaping - The Project design includes water efficient landscaping such as stormwater re-use for irrigation and drought tolerant landscaping.
- Design Project to Support Alternative Transportation to the Site - The Project Proponent is coordinating with GATRA and SRPEDD to bring public transportation to the site.
- Minimize Energy Use Through Building Orientation -The largest portion of the building expansion will face south and will capture natural light in the winter months.
- Stormwater Design - The stormwater design incorporates best management practices including structural pre- treatment, treatment, conveyance, and infiltration.

Building Design and Operation Mitigation Measures

All reasonable and feasible building design and operational mitigation measures will be adopted by the Project. Along with others mentioned above, the Project Proponent has committed to the following building mitigation measures:

- Installation and operation of a 650 kilowatt (kW) photovoltaic on-site system to generate renewable energy.
- Energy Efficient Building Envelope- The current Energy Code for steel-framed buildings require R-20 roof insulation above the deck, wall insulation of R-13 + R7.5ci, and double- pane windows with a U=0.55. The new building will increase the wall insulation to R-21 and the roof insulation to R-30. Window glass type will be better than Code for the new building: double-pane, low-e glass with a lower U value= 0.30.
- Demand Control Ventilation (DCV) - DCV controls for Outside Fresh Air will be used in all areas of the building addition. Packaged equipment will be Variable Air Volume (VAV) type, with exception of the units serving the gaming floor, which will be constant-volume type.
- Energy Recovery Ventilation- The building uses an Energy Recovery Ventilation (ERV) to pre-heat or pre-cool the fresh air drawn into the HVAC system where applicable.
- Interior Day Lighting - Day lighting controls will be provided where required by local energy code. Electronic dimmers will reduce electric lighting.

- Install High-Efficiency DX Roof Equipment - The current Energy Code for a DX roof equipment is an EER=10.0. Project DX roof units will achieve an EER 10% better than Code, e.g. EER=11 for a 15-ton unit.
- High-Efficiency Heating Boilers - The heating for all buildings will have an efficiency of 85%, which exceeds the Code value of 80%.
- Seal, Test and Insulate HVAC Supply Ducts - HVAC supply ducts will be sealed, leak tested, and insulated to reduce energy losses.
- Energy Management Systems - The buildings will utilize highly efficient energy management systems (EMS) to track and control energy use. Energy needs will be closely monitored and the use of heat, cooling, and lighting will be minimized. The Base Case set points for occupied and unoccupied time periods equal the eQUEST default values: Occupied (cool=76°, heat=70°), Unoccupied (cool=82°, heat=64°). The EMS mitigation measure consists of a slight downward shift in the heating set point for the Mitigation Case during Occupied Hours: heat=68°.
- Energy Efficient Interior Lighting - The building addition will have a Light Power Density (LPD) that equals the Code value of 1.20 W/SF. The Project Proponent will achieve a LPD goal 10% below Code, where possible, in the building addition. Consistent with recent MassDOER comments on previous projects, the plug load values used in the eQUEST model are COMNET average values.
- Energy Efficient Exterior Lighting - Energy efficient HID Metal Halide fixtures will be used to light the parking lots.
- High-Efficiency Refrigeration System - The food service refrigeration system design will achieve an overall 25% energy savings (220 MWhr/yr) through the following design features: (1) condensers are equipped with variable frequency drives (VFDs); (2) compressors are electronically controlled for precise energy control; (3) all equipment is designed for floating head pressure to save compressor energy; (4) evaporator fan motors utilize electronically commutated motors (ECMs); (5) vertical doors are used for the frozen food and ice cream cases, while nighttime covers are used on all refrigerated cases; (6) Cases use high-efficiency fans and electric defrost; and (7) LED is used in glass door cases.
- Occupancy Controls for Lighting - The Project Proponent will install occupancy controls for restrooms and offices in the new building.
- Energy STAR Appliances - The Project Proponent will install refrigerators, computers, and other appliances Energy STAR rated for high efficiency.
- Use Building Materials with Recycled Content, Building Materials that are Manufactured Within the Region, Use Rapidly Renewable Building Materials, and Use Low-VOC Building Materials - Whenever practical, the Project Proponent will use environmentally friendly building materials, including materials with recycled content, rapidly renewable building materials, and low-VOC materials. Also, when practical, the Project Proponent will purchase building materials that are manufactured within the region.
- Use of Cool Roofing Materials - A reflective cool roof is included in the building addition design.
- Water Conserving Bathroom Fixtures -The building addition will have water conserving bathroom fixtures: sensor-activated toilets and faucets.

Findings

The Massachusetts Gaming Commission finds that the environmental impacts resulting from the proposed project are those impacts described in the Final Environmental Impact Report, which will be updated as necessary in permit applications submitted for compliance with federal, state, and local laws. Further, the Massachusetts Gaming Commission finds that, with implementation of the mitigation measures described herein, all feasible means and measures will have been taken to avoid or minimize adverse impacts to the environment relating to construction and operation of the Project. Appropriate conditions will be included in the final gaming license issued for the project to ensure implementation of the mitigation measures.

Massachusetts Gaming Commission

Stephen Crosby, Chair

Gayle Cameron

James McHugh

Bruce Stebbins

Enrique Zuniga

Date: _____



SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this small business impact statement in accordance with G.L. c.30A, §2 relative to the proposed new regulations in 205 CMR 138.00: Uniform Standards of Accounting Procedures and Internal Controls; notice of which was filed this day with the Secretary of the Commonwealth. These regulations were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. The proposed regulations are largely directed by G.L. c.23K, §4(28), 5, and 25(d).

These new regulations apply to the casinos, and in some instances, patrons of the casinos. The Commission does not anticipate any impacts on small businesses resulting from these regulations. Accordingly, there are no expected projected reporting or recordkeeping requirements created by these regulations that would affect small businesses; there are no design or performance standards established that impact small businesses, although the commission did make efforts to incorporate performance standards where possible; there are no conflicting regulations in 205 CMR; and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

G.L. c.23K was enacted to create a new industry in the Commonwealth and to promote and grow local small businesses and the tourism industry, including the development of small businesses such a lodging, dining, retail, cultural, and social facilities. These regulations, as part of the overall process, are designed to effectuate those intentions.

Massachusetts Gaming Commission
By:

Danielle Holmes
Attorney

Dated:



Massachusetts Gaming Commission



SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this small business impact statement in accordance with G.L. c.30A, §2 relative to the proposed new regulations in 205 CMR 149.00: Race Horse Development Fund; notice of which was filed this day with the Secretary of the Commonwealth. These regulations were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth and the distribution of funds established in G.L. c.23K. The proposed regulations are largely directed by G.L. c.23K, §60.

These new regulations apply to the licensed racing meetings within the Commonwealth, and to various horsemen and horse breeders’ organizations. Many of the beneficiaries of this fund may be small businesses. The Commission has identified the following groups of small businesses that may be impacted: licensed racehorse trainers, thoroughbred and standardbred racehorse owners, licensed jockeys and drivers, and thoroughbred and standardbred racehorse breeders. However, there are no expected projected reporting or recordkeeping requirements created by these regulations that would impact small businesses, there are no design or performance standards established, there are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

G.L. c.23K was enacted to create a new industry in the Commonwealth and to promote and grow local small businesses and the tourism industry, including the development of small businesses such a lodging, dining, retail, cultural, and social facilities. These regulations, as part of the overall process, are designed to effectuate those intentions.

Massachusetts Gaming Commission
By:

Danielle Holmes
Attorney

Dated:



Massachusetts Gaming Commission



Massachusetts Gaming Commission

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SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this small business impact statement in accordance with G.L. c.30A, §2 relative to the proposed amendments in 205 CMR 14.00: Supplemental Licensure Procedures; notice of which was filed this day with the Secretary of the Commonwealth. These amendments were developed as part of the process of promulgating regulations governing horse racing in Massachusetts. These regulations are largely governed by G.L. c.128A, §2.

These new regulations apply solely to the applicant for a horse racing license in Massachusetts. To the extent that an applicant is a small business, these regulations may have an impact on small businesses. Currently, there are three applications for a running horse racing license in Massachusetts, and all three may be considered small businesses.

The regulations set forth the supplemental procedures for licensure for a racing meeting license. The regulations give the Commission the flexibility to waive the filing deadlines under specific circumstances, to deem a license complete as of the date of the first filing, notwithstanding supplemental information provided at a later time, and the ability to hold the required certified checks or bank drafts in escrow for thirty days after the award of a license. These regulations are intended to assist the applicants for a horse racing license within the Commonwealth, allowing for more flexibility in the application process. Accordingly, the regulations do not have any additional reporting or recordkeeping requirements that would affect small businesses, there are no design or performance standards established, there are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

Massachusetts Gaming Commission
By:

Danielle Holmes
Attorney

Dated:



Massachusetts Gaming Commission



SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this small business impact statement in accordance with G.L. c.30A, §2 relative to the proposed amendments in 205 CMR 134.00: Licensing; notice of which was filed this day with the Secretary of the Commonwealth. These amendments were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. These specific amendments pertain to the process and standards governing the licensing of gaming vendors. The proposed amendments are largely directed by G.L. c.23K, §16, 30, and 31. To the extent that a vendor is a small business, these proposals will impact small businesses

Assuming the issuance of one Category 2 (slots only) gaming license and three Category 1 (full resort casino) gaming licenses, it is estimated that approximately 500 vendor licenses and registrations will be issued, including gaming and non-gaming vendors. Of the 500 total, approximately 400 will be to small businesses. In generating this estimate, the term ‘small business’ was generally considered to be an entity, including all of its affiliates combined that has its principal place of business in Massachusetts, employs a combined total at all locations of 50 or fewer full-time employees, has been in business at least one year, has gross revenues of \$15 million or less based on a three year average, and meets all legal obligations for tax status and required registration in the Commonwealth.

These proposals amend the continued reporting requirements of gaming vendors and the procedure for the licensure of a gaming vendor-secondary. There are no projected additional reporting or recordkeeping requirements associated with these amendments.

Although by its nature, licensing and registration regulations must be prescriptive, these amendments do not implicate a design or performance standard.

The Commission is unaware of any conflicting regulations in 205 CMR, or any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

G.L. c.23K was enacted to create a new industry in the Commonwealth and to promote and grow local small businesses and the tourism industry, including the development of small businesses such a lodging, dining, retail, cultural, and social



Massachusetts Gaming Commission

facilities. These regulations, as part of the overall process, are designed to effectuate those intentions.

Massachusetts Gaming Commission
By:

Danielle Holmes
Attorney

Dated:



Massachusetts Gaming Commission

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No Documents



December 15, 2014

Stephen P. Crosby, Chairman
Gayle Cameron, Commissioner
James McHugh, Commissioner
Bruce Stebbins, Commissioner
Enrique Zuniga, Commissioner

RE: Qualifier: Anton David Nikodemus

Applicant: Blue Tarp/MGM

Dear Chairman Crosby and Commissioners,

The Investigations and Enforcement Bureau has completed a probity background investigation on Anton David Nikodemus, a qualifier for Blue Tarp/MGM. The recommendation of the IEB on suitability can be found below and all findings of fact relative to the investigation are in the attached report.


Recommendation by the Investigations and Enforcement Bureau:

- Suitable
- Suitable with conditions
- Unsuitable
- Hearing recommended to determine suitability

If applicable, the proposed conditions of suitability include:

- None
- Detailed below:
 1. _____
 2. _____
 3. _____

Respectfully submitted,


Karen Wells
Director
Investigations and Enforcement Bureau
Massachusetts Gaming Commission



Massachusetts Gaming Commission



INVESTIGATION REPORT- INDIVIDUAL QUALIFIER

Qualifier Name: Anton David Nikodemus
Qualifier Position: Chief Operating Officer of Regional Operations, MGM Resorts International Operations, Inc.
Qualifier Entity: Blue Tarp redevelopment, LLC c/o MGM Resorts International, Inc.

Primary Investigator: Trooper Brian Talbot

Financial Investigator: Edward Jay

The Investigations and Enforcement Bureau (IEB) of the Massachusetts Gaming Commission (MGC) has completed a probity background investigation for Anton D. Nikodemus. In June of 2014, Mr. Nikodemus was promoted to be the Chief Operating Officer of Regional Operations of MGM Resorts International Operations, Inc., a direct subsidiary of MGM Resorts International located in Las Vegas, NV. As such, Mr. Nikodemus will be responsible for all of MGM's U.S. operations outside of Nevada (other than New Jersey). Prior to that appointment, Mr. Nikodemus was the President and Chief Operating Officer of Casino Marketing at MGM Resorts International Operations, Inc. As a result of Blue Tarp redevelopment, LLC's project in Springfield, MA and Mr. Nikodemus's position and connection to the project, he was determined to be an individual qualifier for the MGM Springfield application.

On Thursday, November 20, 2014, an in-person interview of Mr. Nikodemus was conducted by Trooper Brian Talbot, Lieutenant Kevin Condon and Financial Investigators Edward Jay and Paul McGrath relative to his application and subsequent background investigation to that date. Attorney Patrick Madamba, Jr. of Fox Rothschild, LLP, was also present representing MGM/Blue Tarp. This interview was conducted at the Massachusetts Gaming Commission at 84 State Street, Boston, MA. This interview was voice recorded with Mr. Nikodemus's approval.

1. Qualifier's Name and Verified Information

The investigation, including documents and information provided by Mr. Nikodemus, has verified the following information:

Name: Anton David Nikodemus

Address: [REDACTED]

Date of Birth: [REDACTED]

Social Security Number: [REDACTED]



Massachusetts Gaming Commission

The investigation confirmed that this social security number [REDACTED] is listed and has been verified. Pursuant to a supplemental document request, Mr. Nikodemus provided a birth certificate indicating that he was born in Arizona.

Mr. Nikodemus disclosed in his MJPHD (Question #3), and the investigation has confirmed, the following residential addresses for him since 1985:

[REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]

[REDACTED]

2. Employment History

Mr. Nikodemus was promoted in June 2014 to the position of Chief Operating Officer of Regional Operations at MGM Resorts International Operations, Inc. The chart below represents the information Mr. Nikodemus submitted and which the investigation has confirmed:

| Company Name | Address | Dates | | Title/ Position | Supervisor | Reason for Leaving |
|--|--|------------|----------|--|-----------------|--------------------|
| | | From Mo/Yr | To Mo/Yr | | | |
| MGM Resorts International Operations, Inc. | 3600 Las Vegas Blvd. So. Las Vegas, NV 89109 | 06/2014 | Present | Chief Operating Officer Of Regional Operations | Corey Sanders | N/A |
| MGM Resorts International Operations, Inc. | 3600 Las Vegas Blvd. So. Las Vegas, NV 89109 | 08/2012 | 06/2014 | President & COO of Casino Marketing | Bill Hornbuckle | Promoted |
| Monte Carlo Resort & Casino | 3770 Las Vegas Blvd. So. Las Vegas, NV 89109 | 10/2007 | 08/2012 | President & COO | Bobby Baldwin | Promoted |
| Bellagio Resort & Casino | 3600 Las Vegas Blvd. So. Las Vegas, NV 89109 | 04/2007 | 10/2007 | Sr. Vice President Hotel Operations | Bill McBeath | Promoted |
| MGM Grand Hotel | 3799 Las Vegas Blvd. So. Las Vegas, NV 89109 | 05/2005 | 04/2007 | Sr. Vice President Hotel Operations | Gamal Aziz | Promoted |



Massachusetts Gaming Commission

| | | | | | | |
|--------------------------|--|---------|---------|----------------|-------------|-------------------------------|
| Boca Raton Resort & Club | 501 East Camino Real Boca Raton, FL 33431 | 09/1999 | 05/2005 | Resort Manager | David Feder | Resigned New Management |
|--------------------------|--|---------|---------|----------------|-------------|-------------------------------|

3. Criminal Record



4. Education

Mr. Nikodemus disclosed in his MJPHD (Question #11), and the investigation has confirmed, that he attended Arizona State University where he was awarded a Bachelor of Science Degree in Business Management upon graduation in 1987.

5. Professional and Gaming Licenses

Mr. Nikodemus disclosed in his MJPHD (Question #24) the he was granted a Liquor and Gaming License by the Nevada Gaming Commission. He disclosed that he has a pending application with the Maryland Lottery and Gaming Control Agency, Michigan Gaming Control Board and Mississippi Gaming Commission. Licensing inquiries were conducted with Maryland and Mississippi, which confirmed that they had a pending license status and Nevada and Michigan had the following:

| Licensing Agency | Type | Date of License | | Status | License or Permit Number |
|--|----------------------------|---------------------|---------|------------------|--------------------------|
| | | Issued | Expires | | |
| Nevada Gaming Control Board | Registered Gaming Employee | Applied 07/06/09 | | Active | N08-0268 |
| Michigan Gaming Control Board | Qualifying Individual | 11/12/14 | | In Good Standing | |
| Mississippi Gaming Commission | Qualifying Individual | Applied 07/2014 | | Pending | |
| Maryland Lottery & Gaming Control Agency | Qualifying Individual | Applied 07/2014 | | Pending | |

6. Directorships and Stockholdings

Mr. Nikodemus disclosed in his MJPHD (Question #12), and the investigation has confirmed, that he has held the follow Director positions.



Massachusetts Gaming Commission

| Dates | | Title of Office or Position Held | Name & Address of Firm, Corp., Assoc., Partnership or Other Business Entity | Compensation Received |
|------------|----------|--------------------------------------|---|-----------------------|
| From Mo/Yr | To Mo/Yr | | | |
| 06/2014 | Present | COO of Regional Operations | MGM Resorts International Operations, Inc. | [REDACTED] |
| 06/2014 | Present | Director, President & COO | MGM Grand Detroit, Inc. | [REDACTED] |
| 06/2014 | Present | Director | Beau Rivage Resorts, Inc. | [REDACTED] |
| 06/2014 | Present | Director | MGM Resorts Mississippi | [REDACTED] |
| 06/2014 | Present | Manager | Blue Tarp reDevelopment | [REDACTED] |
| 06/2014 | Present | Manager | MGM Springfield | [REDACTED] |
| 06/2014 | Present | Manager | MGM National Harbor, LLC | [REDACTED] |
| 06/2014 | Present | Manager | MGM National Harbor Holdings | [REDACTED] |
| 08/2012 | 06/2014 | President & COO | MGM Resorts Int. Operations | [REDACTED] |
| 10/2007 | 08/2012 | President & COO | Monte Carlo Resort & Casino | [REDACTED] |
| 08/2005 | 10/2007 | Director | Nevada Hotel & Lodging Assoc. | [REDACTED] |
| 01/2000 | 02/2005 | President, Vice President & Director | Palm Beach County Hotel & Lodging Assoc. | [REDACTED] |
| 2004 | 2005 | Executive Committee | Palm Beach County Hotel & Lodging Assoc. | [REDACTED] |

[REDACTED]

7. Civil Litigation Records

Mr. Nikodemus disclosed in his MJPHD (Questions #34 and #35), and the investigation has confirmed, that he has not been personally named in any civil records, judgments, liens, and UCC filings in the United States.

8. Bankruptcy

Mr. Nikodemus disclosed in his MJPHD (Question #40), and the investigation has confirmed, that he has never been adjudicated bankrupt or filed a petition for any bankruptcy.

9. Property Ownership

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]

10. Financial Suitability Evaluation

We conducted an evaluation of Anton Nikodemus’s financial integrity, responsibility and stability by focusing on two areas, namely, his net worth statement as disclosed in his MJPHD filed with the Massachusetts Gaming Commission as of July 29, 2014, and through a review of his sources of income as reported in the MJPHD and his income tax returns [REDACTED]
[REDACTED]

Income Analysis

Below is a summary of key income and deductions reported on tax returns submitted for the years 2009 – 2013.

| | | | | | |
|------------|------------|------------|------------|------------|------------|
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |



Discussion:

[REDACTED]

(a) Salaries and Wages

[REDACTED]

(b) Capital Gains/Losses

[REDACTED]

(c) Total Itemized Deductions

[REDACTED]

(d) Federal Income Tax

[REDACTED]

Net Worth Analysis

Mr. Nikodemus submitted a statement of assets and liabilities dated July 17, 2014 [REDACTED]

| | | | | |
|------------|------------|------------|------------|------------|
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |

| | | | |
|--|--|--|--|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Discussion:

A review of the individual components of Mr. Nikodemus’s net worth statement was conducted with reference to his tax filings, supporting documents, and credit checks. As a result of this review, the following comments can be made:

Assets

(a) Cash on hand/in bank

[REDACTED]

(b) Securities

[REDACTED]

(c) Real Estate Interests

[REDACTED]

(d) Furniture and Clothing



Massachusetts Gaming Commission

[REDACTED]

(e) Vehicles

[REDACTED]

| | | | |
|------------|------------|------------|------------|
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |

[REDACTED]

Liabilities

(f) Notes Payable

[REDACTED]

| | | | |
|------------|------------|------------|------------|
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |



Massachusetts Gaming Commission

(g) Loans and Other Payables

[REDACTED]

(h) Mortgages on Real Estate

[REDACTED]

11. Applicant's Financial Condition

[REDACTED]

12. Credit

Financial Analysis

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Massachusetts Gaming Commission

[REDACTED]

13. Conclusion as to Applicant's Financial Stability and Integrity

Mr. Nikodemus is a qualifier for Blue Tarp redevelopment, LLC due to his position as Chief Operating Officer of Regional Operations of MGM Resorts International Operations, Inc. As such, he is not expected to make any capital contribution to MGM regarding the operation of MGM Springfield. No information was uncovered which would negatively impact his suitability. He was found to possess the requisite financial integrity, responsibility and financial stability to be found suitable to participate in the proposed project.

14. Qualifier References

| Name | Address | Telephone |
|------------|------------|------------|
| [REDACTED] | [REDACTED] | [REDACTED] |

The above-named references were contacted and queried regarding the character and integrity of Mr. Nikodemus. All three references advised that Mr. Nikodemus was of good character and integrity. All references stated Mr. Nikodemus has no [REDACTED] issues that would reflect negatively on the Commonwealth of Massachusetts or the Massachusetts Gaming Commission. References did not provide any derogatory information pertaining to Mr. Nikodemus. [REDACTED]

15. Political Contributions

Research of Mr. Nikodemus's political donations was conducted through available on-line sources. All identified contributions appear to be in compliance with 205 CMR 108.00. Research revealed no record of Mr. Nikodemus making political contributions to any Massachusetts State or local officials. During Mr. Nikodemus's interview with investigators on November 20, 2014, he reiterated that he has not made any contributions to any Massachusetts politician or campaign.

16. Media Coverage

Research of available online and print media did not reveal any derogatory or adverse items relative to Mr. Nikodemus.



17. Significant Investigative Issues

There are no significant investigative issues pertaining to Mr. Nikodemus and his application for licensure.

18. Conclusion

Based on our investigation there were no known facts that would disqualify Mr. Nikodemus for licensure based on any of the criteria listed in the gaming laws or regulations of the Commonwealth of Massachusetts.



Massachusetts Gaming Commission

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205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 139.00: CONTINUING DISCLOSURE AND REPORTING OBLIGATIONS OF
GAMING LICENSEES AND QUALIFIERS

Section

- 139.01: Records regarding company ownership
- 139.02: Accounting system
- 139.03: Standard financial and statistical reports
- 139.04: Monthly and quarterly financial statements
- 139.05: Financial stability filings by a gaming licensee
- 139.06: Annual audited financial statements and other reports
- 139.07: Tax return filings
- 139.08: Minutes of meetings of board and committees
- 139.09: Governing documents
- 139.10: Compliance plan
- 139.11: Securities filings
- 139.12: Audit of gaming licensee operations by commission
- 138.13: Capital expenditure plan
- 138.14: Access to premises and production of records

139.01: Records regarding company ownership

A gaming licensee and its holding companies shall maintain up to date records regarding the equity structure and ownership of the gaming licensee, including, at a minimum:

- (1) Certified copies of incorporation and formation documents and any amendments thereto.
- (2) By-laws, shareholders agreements, operating agreements, partnership agreement and other relevant corporate documents.
- (3) Current listing of officers, directors, members, partners.
- (4) Minutes of all meetings of shareholders, directors or members.
- (5) Current list of all equity owners, stockholders and stockholders of affiliates.
- (6) Detailed records regarding all capital contributions.
- (7) Detailed records regarding distributions to all equity holders.
- (8) Detailed records regarding all remuneration paid to officers, directors, partners and members.
- (9) Detailed records regarding any equity transfers.

- (10) Detailed records regarding all record holders of any or all classes of publicly traded securities issued by any holding company or by any other affiliated entity which is required to qualify as a financial source in connection with the gaming licensee's gaming license.
- (11) Any other records as the commission deems appropriate.

139.02: Accounting records

- (1) Each gaming licensee shall maintain and submit to the commission for approval, in accordance with 205 CMR 138.02, a system of financial accounting that results in the licensee accurately reporting its assets, liabilities, equity, income and expenses.
- (2) The system of financial accounting shall comply with generally accepted accounting principles and shall provide adequate detail so as to allow the commission to fully understand the gaming licensee's statement of condition and results of operations. To this extent, the gaming licensee shall submit a proposed chart of accounts which shall represent the gaming licensee's minimum accounts for financial reporting purposes.
- (3) The gaming licensee's system of financial accounting shall provide a level of detail so as to allow it to accurately compute gross gaming revenue in accordance with 205 CMR 140.02 and to report the gaming licensee's drop, win, and hold percentage for each form of gaming activity, the value of complimentary goods or services and promotional play issued during the accounting period, and any other information necessary to allow the commission to understand the licensee's results of operations.
- (4) The gaming licensee shall maintain detailed information and documentation to support all amounts reported to the commission as being the gaming licensee's assets, liabilities, equity, income and expenses.

139.03: Financial and statistical reports

- (1) Each gaming licensee shall file the following reports electronically, on a set of standard reporting forms to be prescribed by the commission, or in any other manner prescribed by the commission:
 - (a) Pursuant to G.L. c. 23K, § 21(a)(12), a detailed annual statistical report on the number, job titles, benefits and salaries of employees hired and retained in employment at the gaming establishment.
 - (b) Pursuant to G.L. c. 23K, § 21(a)(24), a detailed annual statistical report on the total dollar amounts contracted with and actually paid to minority business enterprises, women business enterprises and veteran business enterprises in:
 - 1. Design contracts;
 - 2. Construction contracts; and

3. Contracts for every good and service procured by the gaming establishment.

The annual statistical report shall also identify the amounts so contracted as a percentage of the total dollar amounts contracted with and actually paid to all firms.

- (c) Pursuant to G.L. c. 23K, § 21(a)(23), on a quarterly basis, a detailed statistical report, on the number, gender and race of individuals hired to perform labor as part of the construction of the gaming establishment.
- (d) Pursuant to G.L. c. 23K, § 21(a)(15), on an annual basis, and at other times as directed by the commission, aggregate demographic information with respect to the gaming licensee's customers in a format provided by the commission.
- (e) Reports prescribed in accordance with 205 CMR 138.05(2) relative to registered and licensed employees;
- (f) The Disbursement Report relative to vendors in accordance with 205 CMR 138.06(2);
- (g) Counter check and slot counter check information maintained in accordance with 205 CMR 138.43(2)(l)-(n).
- (h) Pursuant to St. 2011, c. 194, §97, as directed by the commission, customer tracking data collected or generated by loyalty programs, player tracking software, player card systems, online gambling transactions or any other information system.

(2) The reports shall be attested to by any of the following: the Chief Executive Officer, Chief Gaming Executive, Chief Financial Officer, Treasurer, Financial Director, Controller, or their functional equivalent.

(3) Annual reports to the commission shall be based on a calendar year, beginning January 1, and ending December 31; Quarterly reports shall be based on calendar quarters ending March 31, June 30, September 30, and December 31 and Monthly reports shall be based on calendar months.

(4) Each report to the commission shall be made in a format acceptable to the commission and electronically filed not later than the following applicable filing date unless the gaming licensee makes a written request for an extension and the extension is granted to the gaming licensee in writing by the commission. The commission may request that any report be provided at any time notwithstanding any specific timing requirement. Any filing date that falls on a Saturday, Sunday, or Federal or State holiday shall be extended until the next business day. The filing dates shall be as follows:

- (a) Monthly gross gaming revenue tax reports shall be due not later than 9:00 a.m. on the 10th calendar day following the end of the month.

- (b) All quarterly reports for the quarters ended March 31, June 30, and September 30 shall be due not later than the 15th calendar day of the second month following the end of the quarter.
- (c) All quarterly reports for the quarter ended December 31 shall be due not later than March 31 of the following year.
- (d) All annual reports shall be due not later than March 31 of the following year.

(5) To the extent possible, any adjustments resulting from the annual audit required in accordance with 205 CMR 139.06 shall be recorded in the accounting records of the year to which the adjustment relates. In the event the adjustments were not reflected in the licensees' quarterly report for the quarter ended December 31 and the commission concludes the adjustments are significant, a revised quarterly report for the quarter ended December 31 may be required from the gaming licensee. The revised filing shall be due within 30 calendar days after notification to the licensee, unless an extension is granted by the commission.

139.04: Monthly and quarterly financial statements

- (1) Each gaming licensee shall submit monthly internal financial statements that at a minimum provide detailed income and expense statements within five days of completion and in no event later than the end of the subsequent month.
- (2) Each gaming licensee shall submit quarterly unaudited financial reports of the gaming licensee when prepared and in no event later than the 15th calendar day of the second month following the end of the quarter.

139.05: Financial stability filings by a gaming licensee

- (1) Each gaming licensee shall file with the commission a statement that the gaming licensee is in compliance with 205 CMR 139.05(1)(a) through (e); which statement shall accompany each quarterly financial report filed pursuant to 139.04(2):
 - (a) Maintenance of a gaming bankroll or equivalent provisions adequate to pay winning wagers to gaming patrons when due. A gaming licensee shall be deemed to have met this standard if it maintains, on a daily basis, a gaming bankroll, or a gaming bankroll and equivalent provisions, in an amount which is at least equal to the average daily minimum gaming bankroll or equivalent provisions, calculated on a monthly basis, for the corresponding month in the previous year. For any gaming licensee which has been in operation for less than a year, such amount shall be determined by the commission based upon the gaming licensee's projections, which may take into consideration levels maintained by gaming licensee in comparable properties in other jurisdictions.
 - (b) Ability to achieve positive EBITDA, measured on an annual basis.

- (c) The ability to pay, as and when due, all local, state and federal taxes, including the tax on gross gaming revenues imposed by M.G.L. c.23K, §55 and any fees imposed under M.G.L. c.23K or 205 CMR.
 - (d) The ability to make annual capital expenditures to its gaming establishment in a minimum aggregate amount equal to 3.5 per cent of the net gaming revenues derived from the establishment or in accordance with a multi-year capital expenditure plan approved by the commission pursuant to 205 CMR 138.27.
 - (e) The ability to pay, exchange, refinance or extend debts, including long-term and short-term principal and interest and capital lease obligations, which will mature or otherwise come due and payable during the license term, or to otherwise manage such debts and any default with respect to such debts.
- (2) Prior to the end of each calendar year, a gaming licensee shall file with the commission financial projections for the upcoming calendar year in a format acceptable to the commission which will, at a minimum, provide a statement of income, balance sheet, and statement of cash flows.
- (3) At the end of each calendar year, each gaming licensee shall file with the commission a detailed analysis with respect to its compliance with subsection 205 CMR 139.05(1) (a) through (e) and provide such other information as the commission shall deem material to a showing of financial stability.
- (4) A gaming licensee shall file with the commission copies of any compliance certificates when provided to lenders pursuant to any loans or debt instruments of each gaming licensee, affiliate, or holding company thereof.
- (5) A gaming licensee shall file with the commission essential details of any loans, covenants, borrowings, installment contracts, guarantees, leases or capital contributions no later than 10 days after the end of the month in which the transaction or event occurs.
- (6) Any event of default, or potential default event, related to any debt obligation maintained by the gaming licensee, affiliate, or holding company thereof shall be immediately reported to the commission, in writing, along with any plans to address or cure such default.
- (7) In the event that the commission determines that a gaming licensee has failed to demonstrate financial stability, the commission may take such action as is necessary to protect the public interest, including, but not limited to:
- (a) establishing an appropriate cure period;
 - (b) imposing reporting requirements in excess of those otherwise mandated by M.G.L. c.23K and 205 CMR;
 - (c) placing such restrictions on the transfer of cash or the assumption of liabilities as is necessary to insure future compliance with the standards set forth in subsections 205 CMR 139.05(a)(1) through (5);

- (d) requiring the maintenance of reasonable reserves or the establishment of dedicated or trust accounts to insure future compliance with financial stability standards;
- (e) impose additional license conditions; and/or
- (f) revoking the gaming licensee's gaming license.

139.06: Annual audit and other reports

(1) A gaming licensee shall submit to the commission, at its own expense, an annual audit of its fiscal year prepared in accordance with generally accepted auditing standards within the United State by an independent certified public accountant attesting to the financial condition of the gaming licensee and disclosing whether the accounts, records and control procedures examined are maintained by the gaming licensee as required M.G.L. c.23K and 205 CMR. To ensure the independence of the annual audit, a gaming licensee shall rotate accounting firms/partners at least every five years.

(2) The annual financial statements shall be prepared on a comparative basis for the current and prior calendar year, and present the financial position and results of operations in conformity with generally accepted accounting principles in the United States.

(3) The annual financial statements shall include footnotes reconciling and explaining any differences between the financial statements included in the gaming licensee's quarterly financial report for the quarter ended December 31 and the audited financial statements, with such footnote, at a minimum, disclosing the effect of such adjustments on:

- (a) Gaming revenues.
- (b) Revenues net of complimentary services.
- (c) Total costs and expenses.
- (d) Income before extraordinary items.
- (e) Net income.

(4) The annual financial statements shall include a study of the gaming licensee's system of internal accounting control, as designed, conducted by the independent certified public accountant, for the purpose of expressing an opinion as to the adequacy of said internal controls, and for the purpose of conducting compliance tests to determine whether material aspects of the system of internal control are in place and being followed. The gaming licensee's independent certified public accountant shall issue a written report, or opinion, as to the adequacy of the licensee's system of internal accounting control, and as to the gaming licensee's level of compliance therewith. In the event that the gaming licensee's independent certified public accountant makes recommendations to improve the system of internal accounting control, or to increase the gaming licensee's level of compliance, the gaming licensee's Chief Financial Officer shall respond, in writing, to the recommendations of the independent certified public accountant and provide the commission with a copy of its response.

(5) One copy of the audited financial statements, together with the management letter or report prepared thereon by the gaming licensee's independent certified public accountant, shall be filed with the commission by either April 30 following the end of the calendar year or the end of the

quarter following the end of a fiscal year.

(6) In the event the gaming licensee's independent certified public accountant shall resign or be removed as the gaming licensee's principal accountant or auditor, the gaming licensee shall submit a written report to the commission within 20 days of such resignation or removal, signed by its Chief Financial Officer and Chairman of its Audit Committee, outlining the cause or nature of the resignation or removal, stating whether the resignation or removal was related to material differences between the parties as to financial statement presentation issues, disclosures, or the adequacy of the gaming licensee's system of internal accounting control and, if so, a complete and detailed description of the differences for consideration by the commission. The gaming licensee shall submit as an exhibit to this report a letter from the former independent certified public accountant stating whether he or she agrees with the statements made by the gaming licensee in the report submitted to the commission.

139.07: Tax return filings

If requested by the commission, a gaming licensee, holding company, intermediary company, qualifying subsidiary or entity qualifier thereof, shall provide the commission with copies of its Federal and/or State Tax Returns and any related forms.

139.08: Minutes of meetings of board and committees

(1) A gaming licensee or holding company thereof shall file with the commission copies of the minutes of all board of directors or equivalent governing authority meetings and committee meetings including, without limitation, the audit and compliance committee, by no later than 45 days of the meeting regardless of formal adoption and that upon formal adoption of previously-submitted board and committee minutes, a copy of such final minutes shall be filed with the commission.

(2) A gaming licensee or holding company thereof shall file, with the commission, the schedule for its board and committee meetings on an annual basis.

139.09: Governing documents

A gaming licensee or holding company thereof shall file with the commission copies of any amendments to, restatements of, or superseding versions of the governing documents of the gaming licensee or holding company within seven days of formal adoption.

139.10: Compliance plan

A gaming licensee or holding company thereof shall file with the commission copies of any amendments to its written compliance plan within seven days of formal adoption.

139.11: Securities filings

If requested by the commission, a gaming licensee, holding company, intermediary company, qualifying subsidiary and entity qualifier thereof, shall file with the commission copies of any securities filings submitted to Federal, State, or other domestic or foreign securities regulatory authorities, regarding any of the securities, either in existence or proposed, including, but not limited to, forms S-1, 8-K, 10-Q and 10-K, proxy or information statements and all registration statements filed at the time of filing with such authority.

139.12: Audit of gaming licensee operations by Commission

In accordance with M.G.L. c.23K, §65 the commission shall audit on an annual basis, and at other times the commission determines necessary the accounts, programs, activities, and functions of a gaming licensee and/or any aspect of the gaming establishment. To conduct the audit, authorized officers and employees of the commission shall be given access by the gaming licensee to such accounts at reasonable times and the commission may require the production of books, documents, vouchers and other records relating to any matter within the scope of the audit, except tax returns. All audits shall be conducted in accordance with generally accepted auditing standards established by the American Institute of Certified Public Accountants. In any audit report of the accounts, funds, programs, activities and functions of a gaming licensee issued by the commission containing adverse or critical audit results, the commission may require a response, in writing, to the audit results. The response shall be forwarded to the commission within 15 days of notification by the commission.

138.13: Capital expenditure plan

A gaming licensee shall make, or cause to be made, capital expenditures to its gaming establishment in a minimum aggregate amount equal to 3.5 per cent of the net gaming revenues derived from the gaming establishment; provided, however, that a gaming licensee may make capital expenditures in an amount less than 3.5 per cent per year as part of a multi-year capital expenditure plan approved by the commission. If the gaming licensee intends to make capital expenditures as part of a multi-year capital plan, the plan shall be submitted to the commission as part of its system of internal controls in accordance with 205 CMR 138.02. Provided, however, such plan shall provide for the establishment of and contribution to a capital reserve account.

138.14: Access to premises and production of records

- (1) No gaming licensee shall neglect or refuse to produce records or evidence or to give information relative to the gaming establishment upon proper and lawful demand by the commission, the IEB, or a designee, or shall otherwise interfere, or attempt to interfere, with any proper and lawful efforts by the commission, the IEB, or any designee to procure such information.
- (2) A gaming licensee shall immediately make available for inspection by the commission, IEB, or a designee all papers, books and records produced or maintained by the gaming licensee

and all portions of the gaming establishment and its systems. The commission, IEB, or designee shall be given immediate access to any portion of the gaming establishment for the purpose of inspecting or examining any records or documents required to be kept by such licensee in accordance with 205 CMR.

- (3) Access to the gaming establishment shall be granted to the commission, IEB, or a designee who displays proper commission issued credentials.

REGULATORY AUTHORITY

205 CMR 138: M.G.L. c. 23K, §§4(28), 4(37), 5

DRAFT

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 140.00: GROSS GAMING REVENUE TAX REMITTANCE AND REPORTING

Sections

- 140.01: Description of Tax and Assessment
- 140.02: Computation of gross gaming revenue
- 140.03: Remittance
- 140.04: Reports and reconciliation regarding gross gaming revenue tax
- 140.05: Examination of accounts and records for Certification of Gross Gaming Revenues

140.01: Description of Tax and Assessment

Pursuant to M.G.L. c.23K, §55 the following taxes and assessment shall be calculated and remitted to the commission on a daily basis:

- (1) A category 1 licensee shall pay a daily tax of 25 per cent on gross gaming revenue computed in accordance with 205 CMR 140.02.
- (2) A category 2 licensee shall pay:
 - (a) tax of 40 per cent on gross gaming revenue computed in accordance with 205 CMR 140.02; and
 - (b) assessment of 9 per cent of its gross gaming revenue computed in accordance with 205 CMR 140.02 which shall be credited by the commission to the Race Horse Development Fund.

140.02: Computation of gross gaming revenue

- (1) In accordance with M.G.L. c.23K, §2, gross gaming revenue shall be the *total of all sums actually received* by a gaming licensee for the gaming day from gaming operations less *the total of all sums paid out as winnings* to patrons during the gaming day. A gaming day shall be as set forth in a gaming licensee's approved system of internal controls in accordance with 205 CMR 138.28.
- (2) *The total of all sums actually received*, as the phrase is used in 205 CMR 140.02(1), shall include, but not be limited to, cash, slot tokens, prize tokens counted at face value, the value of electronic credits withdrawn from patron accounts, checks received by a gaming licensee, whether collected or not, gaming vouchers and coupons and documents evidencing credit and debit card chip transactions processed, regardless of validity.
- (3) *The total of all sums paid out as winnings*, as the phrase is used in 205 CMR 140.02(1), shall not include the cash equivalent value of any merchandise or thing of value included in a jackpot or payout.
- (4) *The total of all sums actually received*, as the phrase is used in 205 CMR 140.02(1), shall not include any amount received by a gaming licensee from simulcast wagering or from credit extended or collected by the gaming licensee for purposes other than gaming.

- (5) *The total of all sums actually received*, as the phrase is used in 205 CMR 140.02(1), shall not include amounts that the gaming licensee can demonstrate were issued to or wagered by patrons of a gaming establishment of any promotional gaming credit, as defined by M.G.L. c.23K, §2, in accordance with the licensee's policy approved in accordance with 205 CMR 138.13.
- (6) In calculating gross gaming revenue, no adjustments shall be allowed for any amounts that a gaming licensee is unable to collect pursuant to any credit issued to a patron to take part in gaming activity.

140.03: Remittance

- (1) A gaming licensee shall make daily deposits of the tax and assessment in accordance with 205 CMR 140.01 by 5 p.m. the day following each day of wagering, under such conditions, and in such depositories as shall be prescribed by the commission. If the day following a day of wagering is a legal holiday, the deposit shall be made on the next business day.
- (2) The deposits shall be deposited to the credit of the Gaming Control Fund established under M.G.L. c.23K, §55. A daily remittance report in a format prescribed by the commission setting forth the amount of gross gaming revenue upon which the daily tax payment is based shall be filed with the commission concurrently with the remittance to the Gaming Control Fund.
- (3) A gaming licensee may estimate slot machine drop provided that such estimates are calculated through a system of reading and recording slot machine meters, which methodology has been submitted by the gaming licensee and approved by the commission, and provided that the approved methodology is utilized for purposes of all daily remittances. Any gaming licensee that estimates slot machine drop pursuant to a methodology approved by the commission shall submit to the commission a daily slot machine drop estimate, calculated in accordance with such approved methodology, with each daily required tax deposit.
- (4) If a gaming licensee estimates slot drop in accordance with 205 CMR 140.03(3), a gaming licensee shall perform a monthly reconciliation with respect to slot machine gross gaming revenues actually received during the preceding month.

140.04: Reports and reconciliation regarding gross gaming revenue tax

- (1) On or before the 15th calendar day of each month, the gaming licensee shall file a quarterly gross gaming revenue report with the commission, in a format acceptable to the commission, which shall reflect the amount of gross gaming revenue actually derived on a daily basis during the preceding month, the amount of daily tax deposits required for that month, the amount of gross gaming revenue derived during the year to the end of the preceding month, and the tax liability for the year calculated to the end of the preceding month. In the event that the total amount of gross gaming revenue tax deposits made for the month is determined to be less than the daily gaming revenue tax liability for that month, the gaming licensee shall remit the requisite additional payment to the commission at the time of submission of the monthly report. In the event that the total amount of the deposit made by the gaming licensee for the

month is determined to be greater than the gross revenue tax liability due, the gaming licensee may reduce the amount of its daily deposits in the succeeding month by the amount of the overpayment, which adjustment must be reflected on the daily remittance reports. Nothing in 205 CMR 140.04(1) shall limit any authority of the commission to determine the insufficiency of any gross revenue tax deposit or deposits, to require payments of penalties and interest, or to allow or disallow any claim for refund due to overpayment as may be determined by the commission pursuant to any audits performed for the certification of gross gaming revenues.

- (2) Each gaming licensee shall file with the commission an annual report relative to its gross gaming revenues and the taxation and assessments due and remitted in accordance with 205 CMR 140.00. The report shall be filed no later than March 15 following the tax year. The annual gaming revenue tax report shall be in a format acceptable to the commission.

140.05: Examination of accounts and records for Certification of Gross Gaming Revenues

- (1) The commission or its designee may perform audits of the books and records of a gaming licensee, at such times and intervals as it deems appropriate, in order to certify gross gaming revenues.

- (2) The gaming licensee shall permit duly authorized representatives of the commission to examine the gaming licensee's accounts and records for the purpose of certifying gross gaming revenues. In the event that any records or documents deemed pertinent by a commission examiner are in the possession of another person or entity, the gaming licensee shall be responsible for making those records or documents available to the commission examiner within the time period provided by the commission.

- (3) The gross revenue certification process may incorporate audit work performed by a gaming licensee's internal audit department or its independent accountant or auditor provided that:

- (a) Such audit work is conducted in accordance with minimum standard internal audit procedures which have been submitted to and approved by the commission, including, at a minimum, a detailed description of the audit tests to be performed;
- (b) The gaming licensee submits to the commission by January 31 of each year a gross gaming revenue audit plan specifying the scheduled audit dates for that upcoming calendar year; and
- (c) The gaming licensee submits to the commission no later than March 15 of each year, copies of all internal audit reports and any other reports directly relating to the reporting of gross revenue for the preceding tax year.

- (4) The commission shall notify the gaming licensee of any gross gaming revenue tax deficiencies disclosed during the gross revenue certification process. Any additional amounts due by the gaming licensee shall be remitted within 15 days of completion of the audit, except that in the event the gaming licensee disagrees with the commission's audit results, the time for

payment shall be extended for an additional 30 days during which time the gaming licensee shall be provided an opportunity to respond to the commission's audit results.

DRAFT

No Documents

Proposal for the Massachusetts Gaming Commission to adopt



Strategy 2: Support Informed Player Choice

2.1 Informed Decision Making

Informed decision making requires that patrons have the information they need to make gambling decisions.

The Informed Decision Making (IDM) framework consists of three separate information strategies aimed at three different types of gamblers:

- **Casual Gamblers** may benefit from programs that enhance their gambling literacy – i.e., how gambling works and what are the key safeguards and minimize risk factors.
- **Frequent Gamblers** may benefit from a deeper understanding of how gambling works as well as information dispelling common gambling myths.
- **Intensive Gamblers** may benefit from information about their play activity, the use of self-assessment tools and the options available for help.

Information guided by the Informed Decision Making Framework should be made available through a variety of practices and methods including displaying materials throughout the gaming establishment, utilization of Play Information and Management Systems, and within the Responsible Gaming Information Centers.

Strategy 2: Support Informed Player Choice

2.3 Responsible Gaming Information Center

- Each gaming establishment is required by statute to provide on-site space for player education services staffed by third-party vendors contracted through the MGC.
- To receive maximum visibility, the Responsible Gaming Information Center (RGIC), should be located near the gaming area of the casino to serve as the patrons' central point of contact for inquiries and enrollment into voluntary responsible gaming programs and services, including self-exclusion programs; play information and management systems; and educational tools to assess play risks, provide responsible gaming tips, and increase players' knowledge of how games work while dispelling common gambling myths.
- Within the RGIC, patrons will have access to privacy controlled environments where they can log into their responsible gaming accounts and access computer assisted information and services.
- A responsible gaming professional will be available during peak hours and patrons will have access to a phone where they can call the 24 hour Massachusetts Problem Gambling Helpline.



- Commitment to Responsible Gaming
- Responsible Gaming Information Center – location
- Integration – look and feel

Lessons learned from

BRITISH COLUMBIA LOTTERY CORPORATION

Attention to responsible gaming

Similar to MGC, BCLC places a high priority on promoting responsible gaming.

“Responsible gaming is seen as the programming focused on educating consumers about gambling and supporting healthy choices about their gambling.”

-Paul Smith, BCLC Director of Corporate Social Responsibility

BCLC Responsible Gaming Information Centers



Want to know

HOW SLOT MACHINES WORK?

Slot machine payouts are **NOT** affected by:

- ▶ How long it's been since the last jackpot
- ▶ Pressing the button vs. pulling a lever
- ▶ Whether or not a BC Gold card is inserted
- ▶ The day of the week or the time of day
- ▶ The location of the machine

Want to find out more?...

Click 'Start' on bottom left hand side of computer screen
Click on 'Slot Tutorial'



19+
YEARS

No minors allowed.

BC Gaming Control Act (Section 89)

INFO

Responsible Play

INFORMATION CENTRE

**Time
Out**

It's up to you



1-866-815-0222

Voluntary Self-Exclusion

Problem

BCLC recognized there were issues in how it was presenting responsible gaming information and programming to patrons.

Interviews with casino patrons highlighted concerns:

- Gambling police
- Only intended for those who have a gambling problem
- Impersonal, overbearing and authoritative

Changing the strategy

BCLC brand positioning statement:

“We promote a positive approach to play with our customers and peace of mind with the general public.”

Want a responsible gaming brand that is:

- Trustworthy, proactive, effective and transparent
- Friendly, genuine and helpful
- An element of fun

GameSense

Branding standards





Online and social media

The screenshot shows the BCLC GameSense website. At the top, there is a navigation bar with 'bclc' logo, 'About Us', 'Playing Responsibly', 'Customer Support', 'Casino', 'Sports', and 'Live'. Below this is the 'GameSense' header with social media icons for Facebook, Twitter, and YouTube. A main navigation menu includes 'How Gambling Works', 'Tools & Resources', 'Kids & Gambling', 'Voluntary Self-Exclusion', and 'Finding Help'. The main content area features a large green banner with a man's portrait and the text: 'If you gamble, use your GameSense. GameSense combines responsible play education with information on the risks associated with gambling. Find out more'. Below the banner are several smaller sections: 'Voluntary Self-Exclusion: Head help staying away?', 'Problem Gambling Help Line: 1-800-553-3444: Find Help', 'Assess Yourself: Ever wonder what kind of player you are? Now's your chance to find out. Take the assessment', 'Kids & Gambling: Kids are gambling a lot faster than you might think. Find out how to be a positive influence. Learn more', and 'GameSense Tips: Plan how long you will play before you start. View All Tips'. At the bottom, there are 'Helpful Links' including 'BC Responsible Gambling of Responsible Gambling Council'.

The screenshot shows the BCLC GameSense Twitter profile. The profile name is 'BCLC GameSense' with a bio 'We're @BCLC_GS'. It shows 1,488 followers, 152 tweets, and 1,805 likes. The 'Who to follow' section lists accounts like '4 Gamblers Take', 'Mandatory Day Resort', and 'Jean Tweed Centre'. The 'Worldwide Trends' section lists hashtags like #CanadianOversize, #ResponsibleGaming, #Responsible, #ResponsibleGaming, and #ResponsibleGaming. The 'Tweets' section shows several tweets, including one from 'BC State Library' about social media use, one from 'Erica Inge' about 'responsible' for learners, one from 'Brenda Ling' about setting up a hashtag, one from 'Grand Villa Casino' about starting conversations, one from 'Babe Chilla' about not buying lottery tickets, one from 'Sarah Smith' about VSE, one from 'Starlight Casino' about not ending up as a turkey, and one from 'Vernon Furtastic' about the secret to winning.

The screenshot shows the BCLC Responsible Gambling website. The header includes the 'bclc playing it right' logo and the text 'BCLC on Responsible Gambling'. Below the header are three icons: a red circle with '1', an orange die, and green playing cards. The main content area features a dark navigation bar with 'Home', 'About BCLC', and 'Our Contributors'. Below this is a section titled 'New Horizons in Responsible Gambling Conference Early Bird Deadline Today!' with a sub-header '10 ways VSE is more than signing on the dotted line'. The main article is titled 'Chance Meeting: An Interview with GameSense Video Star, Gus the Prospector'. The article text reads: 'For those who may be a bit out of touch with the social media scene, a trending [new responsible gambling video](#) put together by BCLC's GameSense team is taking the world by storm. But while the educational clip has made a mark on'. To the right of the article is a search bar and a 'Categories' list: 'Around the World of Gambling', 'From the Experts', 'Gambling and the Media', 'New at BCLC', 'Online Gambling', 'Problem Gambling', 'The Nature of Responsible Gambling', and 'Youth Gambling'. Below the categories is a 'Our Authors' list: 'Paul W. Smith' and 'Eric Lowe'. At the bottom, there is a 'Popular Posts' section with 'Guest Post Impressions of Matter' and 'Playing the national lottery: what everyone needs to know'.

GameSense evaluation

Pre/post Internet-based survey (n=1,000)

Awareness of responsible gaming initiatives

- 18% compared to 12% had accessed at least one program
- 77% compared to 68% were aware of specific RG initiatives
- 25% compared to 14% believed RG programs were intended for them
- Moderate problem gamblers' awareness had doubled from 16% to 32%
- At-risk players' awareness had tripled from 9% to 27%

Public health perspective

- Population based approach
- Evidence of demonstrated effectiveness
- Cost effective
 - Do not have to start from scratch
 - Established responsible gambling platform for MA to build on
- Relates to the full continuum of care
 - Prevention, intervention, treatment
- Comprehensive
 - Responsible gaming information centers
 - Educational and media related activities
 - To be utilized by the MCCG

Proposal for the Massachusetts Gaming Commission to adopt



Recommendation: The Massachusetts Gaming Commission enter into a license agreement with BCLC to adopt GameSense as the brand to communicate and promote responsible gaming information, resources and programs in Massachusetts.

Recommendation: Procure services with an experienced marketing company to further develop the GameSense brand and implement a media strategy for Massachusetts.



GameSense

Graphic Standards Manual

Welcome to the GameSense brand.

This is a guide to the unique visual language that makes up **GameSense**. Have a look, it will help you get to know us a little better.

Table of Contents

1. Our Brand

2. Our Look

- a. Logo
- b. Typography
- c. Colour
- d. Photography
- e. Tone of Voice
- f. Graphic Devices
- g. Layout Principles

3. Our Brand Applications

4. Problem Gambling



**Our
Brand**

Our Brand.

The GameSense brand is BCLC's platform for promoting safe playing for our customers and peace of mind with the general public.



We are:
Trustworthy
Friendly
Proactive
Genuine
Effective
Helpful
Transparent



Welcome Clarity

Our Essence.

Welcome Clarity is the essence of GameSense. It encapsulates the way we do things. Our role is to educate people and help players make informed and responsible decisions. We aim to ensure playing stays fun and to promote peace of mind.



Our Look

Our **logo** is the most important element of our brand. Treat it with respect and it won't let you down.

GameSense

Our Logo

Created to reflect our essence of Welcome Clarity, our logo balances our respectable, trustworthy character displayed through the uniform typography, with our more approachable side represented through the rounded edges and use of green.

Our logo's legibility is crucial.
Give it space to breathe and don't
make it too small.



Protective Space

Protective Space

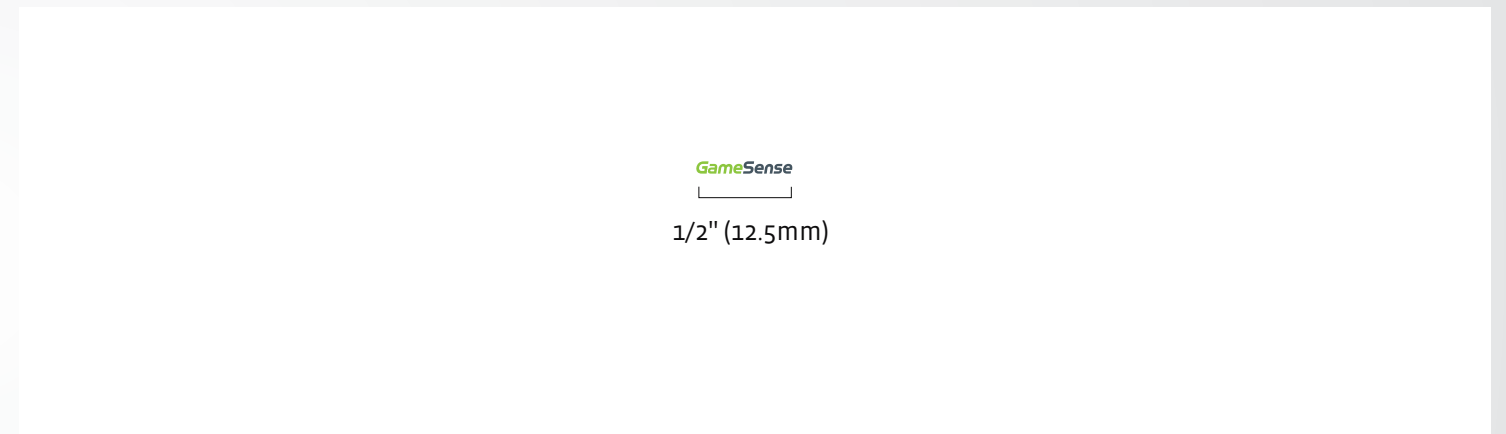
This protective space applies to the positioning of other graphic elements around the logo and is dictated by the height and width of one of the 'e's in the GameSense logo. This space is intended to protect the integrity of the logo and is required around all sides.

Minimum Size

To ensure legibility, the GameSense logo must never be reproduced smaller than 1/2" (12.5mm) in width. For web usage, the logo should never appear at a size where the width is less than 76 pixels.

Engage your GameSense.ca

When using the 'Engage your GameSense.ca' call to action, please ensure the approved artwork is used.



Minimum Size



Engage your GameSense.ca

There's a logo for every situation, but we prefer it when you use our full-colour version.

Full-Colour



One-Colour Greyscale



One-Colour Black



Full-Colour Reversed

One-Colour Greyscale Reversed

One-Colour Reversed

Full-Colour

The GameSense logo should appear in its full-colour version whenever possible.

Full-Colour Reversed

On black or dark backgrounds, the full-colour reverse version should be used.

One-Colour Greyscale

When printing specifications do not permit the use of colour printing, the one-colour greyscale version should be used. For this version, 'Game' is 40% of the GameSense Charcoal and 'Sense' is 100% of the GameSense Charcoal.

One-Colour Greyscale Reversed

On black or dark backgrounds, use the one-colour greyscale reversed version. For this version, 'Game' is 40% of the GameSense Charcoal and 'Sense' is reversed to white.

One-Colour Black

For single, solid colour applications, the one-colour black version should be used. For this version, all elements of the logo are 100% black.

One-Colour Reversed

On black or dark backgrounds, the one-colour reverse version should be used. All elements of this logo have been reversed to white.

Our logo is almost always in the same place — it's easier to find that way.



Positioning

GameSense Logo

As a rule of thumb, always ensure that the GameSense logo is placed at the bottom right of all communication material. Make sure the logo is 2x distance from the edge of the communication and the logo is positioned at a distance of 2x from the bottom (see diagram above).

BCLC Logo

The placement of the BCLC logo is at the bottom left of all communication material. Make sure the logo is 3x distance from the edge of the communication and the logo is positioned at a distance of 2x from the bottom.

Please refer to the BCLC Brand Guidelines for further information on BCLC logo use.



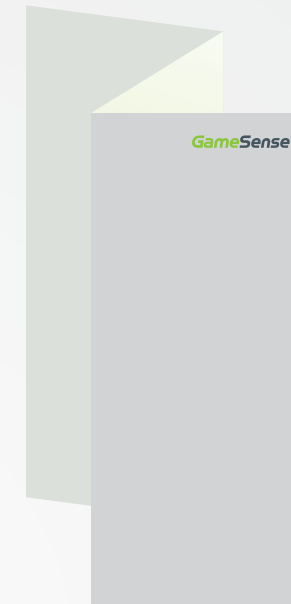
There are some exceptions when our logo needs to be placed differently.

Exceptions

There are special circumstances when the logo should be placed differently to ensure optimal visibility.

Here are some exceptions when the logo isn't positioned in the bottom right corner:

- Pamphlets that are held in dispensers as the logo may be obscured.
- Floor standing banners as the logo will be too low to the ground.
- In animated media as the logo should be centred.
- Websites as the logo may be acting as an element of navigation.



Some things to remember about our logo...

- Don't change its colour
- Don't make it too small
- Don't squash it
- Don't let things get too close
- Don't add an outline
- Don't change the typeface
- Don't adjust the spacing
- Don't transform it
- Don't add effects

If you're in doubt, just ask.

Typography is how we bring our voice to life visually. It helps us project our approachable and friendly personality.

Typography

Typography is a strong expression of our brand's personality and plays an important role in creating a consistent look across all communications and promotional materials.

Vista Sans has been selected for its personality, versatility and legibility. It is great for large amounts of body copy and has an undeniable personality in headlines. The many weights and styles selected provide a huge amount of design flexibility and will certainly accommodate all of our communications needs.

Vista Sans

AaBbCc0123

abcdefghijklmnopqrstuvwxyz

ABCDEFGHIJKLMNOPQRSTUVWXYZ

1234567890\$%&@'*(&#!?)

The Vista Sans family...

Vista Sans Light

abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,;:#!?)

Vista Sans Light Italic

*abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,;:#!?)*

Vista Sans Book

abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,;:#!?)

Vista Sans Book Italic

*abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,;:#!?)*

Vista Sans Regular

abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,;:#!?)

Vista Sans Regular Italic

*abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
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Vista Sans Medium

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ABCDEFGHIJKLMNOPQRSTUVWXYZ
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Vista Sans Medium Italic

*abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
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Vista Sans Bold

**abcdefghijklmnopqrstvwxyz
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Vista Sans Bold Italic

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Vista Sans Black

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ABCDEFGHIJKLMNOPQRSTUVWXYZ
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Vista Sans Black Italic

***abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,;:#!?)***

Sometimes our primary typeface is unavailable. But don't worry, we have a suitable replacement.

Alternative Typography

When our primary typeface, Vista Sans, is unavailable for use, use our alternative typeface. Arial is available on most computers so using it within word processing, spreadsheets, and presentation programs is simple. Common usage includes: letters, labels, memos, PowerPoint presentations, invoices, forms and binders.

Arial

AaBb
Cc01

Arial Regular

abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,.;:#!?)

Arial Regular Italic

*abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,.;:#!?)*

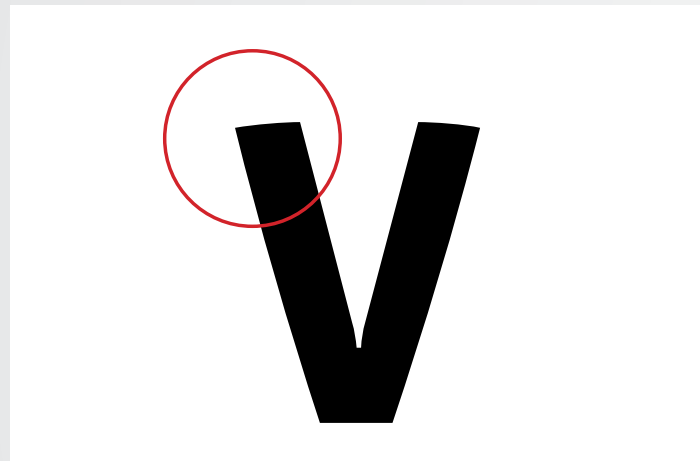
Arial Bold

**abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,.;:#!?)**

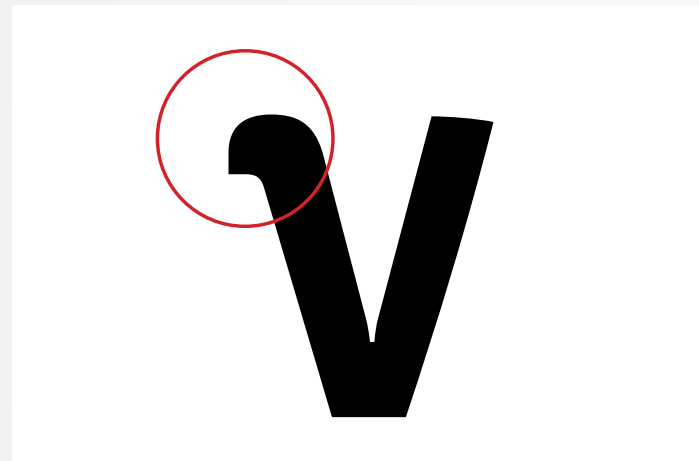
Arial Bold Italic

***abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,.;:#!?)***

We think there are a couple things you should know about using Vista Sans.



Without 'Titling Alternates' activated



With 'Titling Alternates' activated

Vista Sans Open Type 'Titling Alternates'

Much of Vista Sans' personality comes from the detail found in flourishes which are revealed when the **'Titling Alternates' are activated** from the Open Type Menu. These flourishes add a unique, distinctive and fresh graphic character that reflects our brand's personality.

Headline should always be in Vista Sans bold.

Subheaders should be in Vista Sans medium. Make sure the 'titling alternates' are selected in the Open Type Menu.

For large quantities of body copy try using Vista Sans Book. You don't need to use the 'titling alternates' in this case.

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Some things to remember about our typography...

- Don't substitute other typefaces
- Don't make text too small, or too big
- Don't introduce other font styles
- Don't squash or stretch it
- Don't use too many colours
- Don't use too many styles at once
- Don't add drop shadows
- Don't make it hard to read

If you're in doubt, just ask.

Colour is what makes our brand unique. Our colour palette is bold, clear, approachable and trusted.

Primary Colour Palette

The primary colour palette is distinctive and strong, made up of 3 colours and 3 gradients. These colours represent the strength and trust in our personality. The consistent use of these colours helps define us.

We have enlisted the standards of the Pantone Matching System (PMS), which is a universally recognized colour matching system based on lithography printing inks. The colour palettes include specific spot colour references for both coated and uncoated paper stocks (please note that these numbers may differ due to the way inks appear on different stocks) and process match breakdowns (CMYK) for printing applications with limited budgets. Also included are RGB equivalents for use in word processing, spreadsheets, and presentation software as well as hexadecimal equivalents for emitted light and web applications.



Gradients give our applications punch. They help us express ourselves with more depth and dimension.

Gradients

The GameSense gradients have been created to bring added depth to our applications. These gradients reflect our personality and help communicate our approachable character.

Please refrain from creating new gradients. Stick to the ones illustrated here.

Dark Green

CMYK
50C/0M/100Y/30K

RGB
R102/G146/B46

HEXADECIMAL
#66952e

Green

CMYK
50C/0M/100Y/0K

RGB
R118/G185/B0

HEXADECIMAL
#76b900

Dark Grey

CMYK
8C/0M/0Y/37K

RGB
R158/G170/B177

HEXADECIMAL
#9eaab1

Light Grey

CMYK
5C/0M/0Y/17K

RGB
R202/G212/B218

HEXADECIMAL
#cad4da

Blue Grey

CMYK
23C/0M/0Y/77K

RGB
R65/G75/B86

HEXADECIMAL
#414b56

Dark Grey

CMYK
8C/0M/0Y/37K

RGB
R158/G170/B177

HEXADECIMAL
#9eaab1

Our colours help us communicate our personality, whether it be a friendly tone or a more serious tone.

Colour Usage

There are two primary colour combinations in the GameSense visual language.

Green Layout

The layouts use large hits of green and green gradients. These are used for more general GameSense messaging. The colour makes the communication more open, approachable, friendly and trusted.

Grey Layout

The grey layouts are used when specifically communicating about reference materials that can provide more help for those may be experiencing difficulty with their gambling. These layouts still portray an open, approachable and trusted personality, and use the same tone as all GameSense communications.

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GameSense

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GameSense

Some things to remember about our colours...

- Don't over complicate things
- Don't create new gradients
- Don't introduce new colours
- Don't use tints of the colour palette

If you're in doubt, just ask.

Our approach to **photography** is about being genuine and open. It helps us connect with our audience.

Photography attributes:

Eye Contact
Trustworthy
Direct
Personal
Relatable
Real



We know it's easier talking one-on-one and we apply that same principle when using photography.

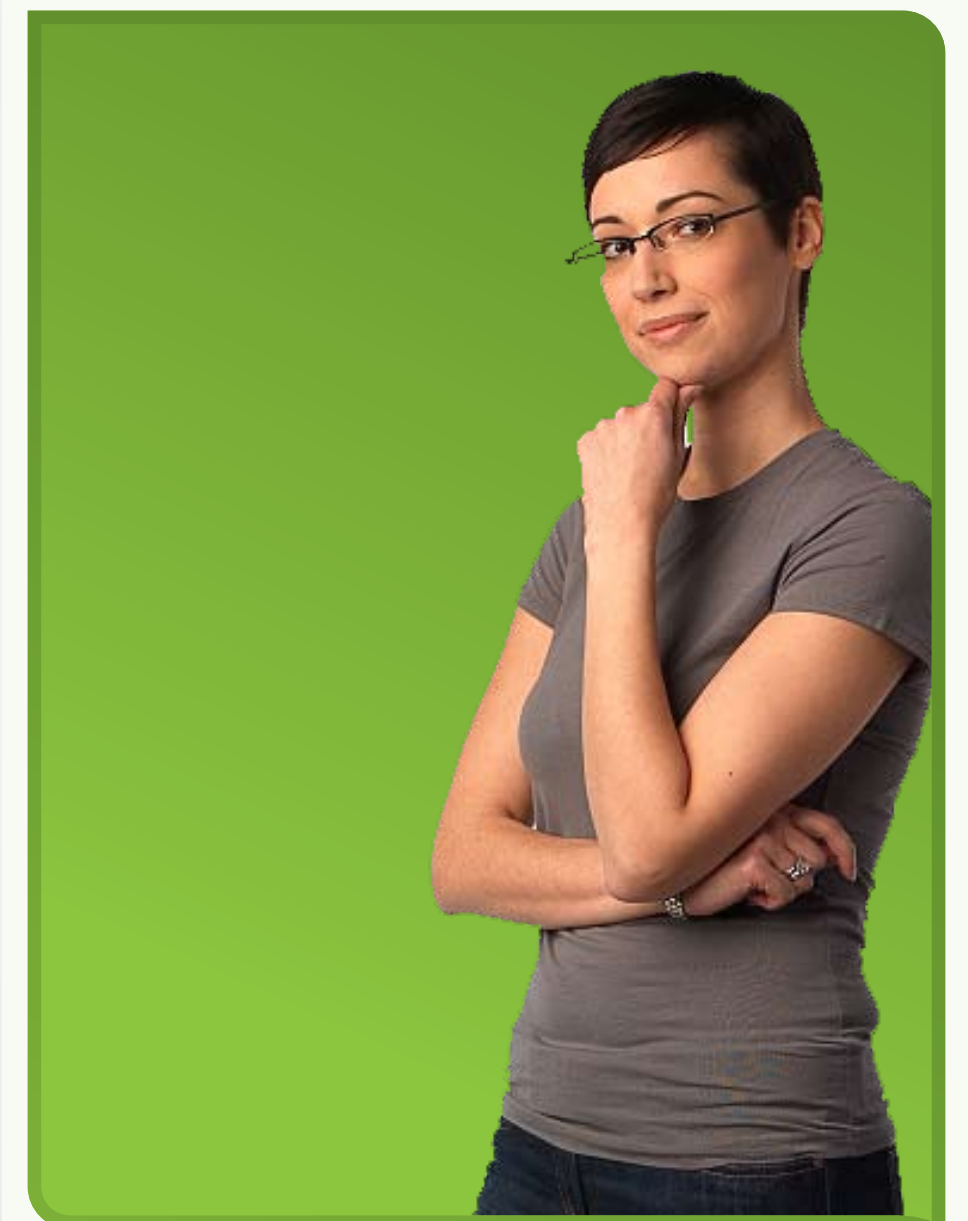
Photography Principles

The GameSense photography is about clarity, simplicity and honesty. There is no reason to have overbearing photography to communicate our message. Instead we rely on simple, real photography to send an authentic and clear message.



bclc
playing it right

GameSense



bclc
playing it right

GameSense

Some things to remember about our photography...

- Don't show insincere scenarios
- Don't recolour images to appear unnatural
- Don't use cluttered images
- Don't use overly complex images
- Don't try to fake it
- Don't be too abstract
- Don't portray unrealistic emotion

If you're in doubt, just ask.

Our **voice** is one of our most important traits. It allows us to openly communicate in a friendly and trusting tone.

Tone of Voice

GameSense's tone is the voice of reason. We strive to clarify the thousands of myths and messages around gambling. Our advice reflects our essence of Welcome Clarity; a fresh take offered by an open and inviting voice, like the one of a trusted friend. It is conversational, to encourage an open dialogue, but also clear and direct, offering facts for a clear perspective.

The Voice of Reason

Some things to remember about our tone of voice...

- Don't be aggressive
- Don't use jargon
- Don't sound authoritative
- Don't joke too much
- Don't try to fake it
- Don't sound distant

If you're in doubt, just ask.

Graphic devices are another unique way for our brand to communicate its personality, while creating a consistent and memorable look.

Graphic Devices

The GameSense graphic devices are made up of these three elements. These devices have been created to help bring both flexibility and consistency to our applications.

GameSense Speech Bubble

The GameSense Speech Bubble is a supporting device, created to house messaging. Its unique shape makes it easily identifiable.

GameSense Speech Frame

The GameSense Speech Frame's primary use is as a holding device around imagery or text. The pointed area at the base of the frame is where the GameSense logo is located. It acts as a makeshift 'speech bubble' to communicate that this message is from GameSense.

GameSense Frame

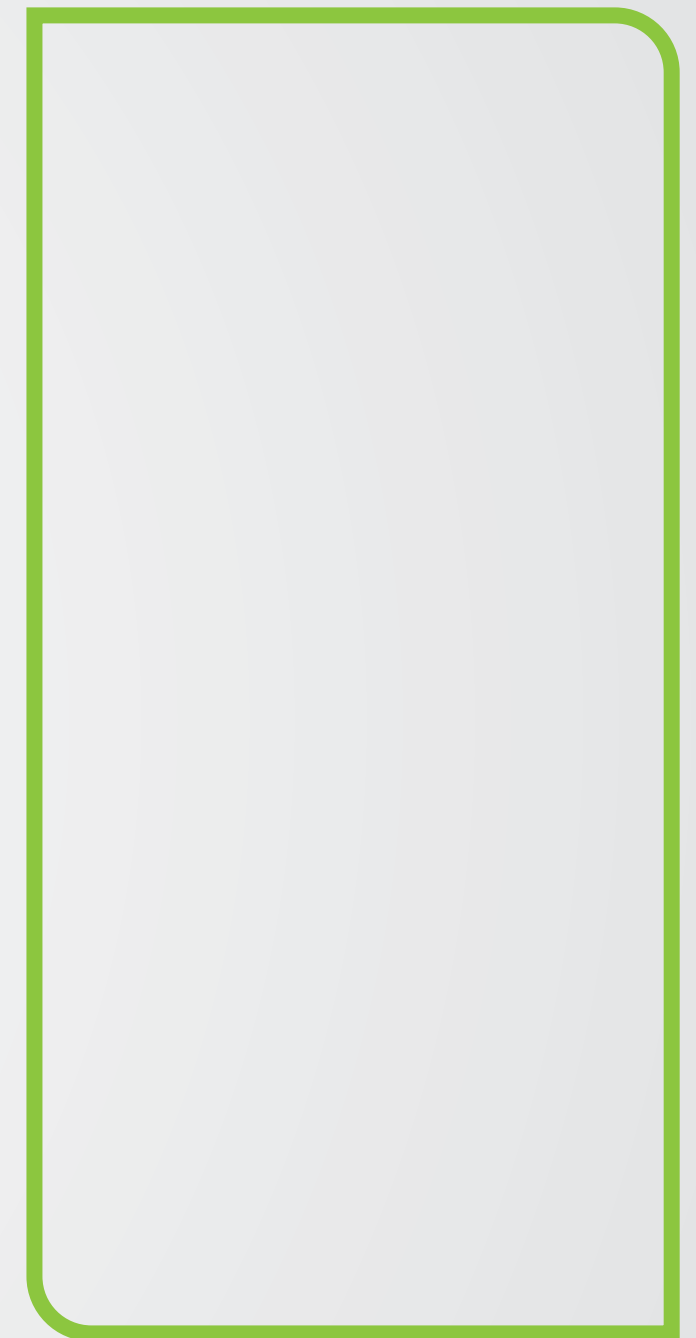
The GameSense Frame is a graphic shape based on the Speech Frame. This graphic was created to be used as a flexible element to help create visually distinctive layouts.



GameSense Speech Bubble



GameSense Speech Frame



GameSense Frame

With such distinctive graphic devices, it's important to use them confidently and simply to maintain clean and approachable layouts.

Graphic Device Principles

The basic rule of thumb here is to not use multiple elements on the same page. Keep it simple and use only what is necessary. Elements can be combined to create simple and strong layouts, however please be careful not to overcomplicate. Less is more with GameSense.



Some things to remember about our graphic devices...

- Don't introduce new kinds of shapes
- Don't create overly complex layouts
- Don't stretch or skew the graphics
- Don't add perspective
- Don't combine too many elements

If you're in doubt, just ask.

If our essence is about Welcome Clarity, it would make sense that our layouts follow this principle: Clarity.

Layout Principles

When combining typography, photography and graphic devices, it's important to maintain control. Remember that our essence is about clarity.

A good rule to live by is to not combine too many elements on one page. Use the elements in this document to create well balanced compositions. We don't need to use a whole host of shapes and images in every layout. The idea is to use our flexible graphic devices to build informative, engaging and clean communications.

Want to make Sense of it all ?

bclc playing it right **GameSense**

Your Knowledge

The more you know, the better equipped you are to keep it fun. Which is why visiting a GameSense Info Centre just makes sense.

There you'll find information about:

- strategies to keep gambling fun
- the odds of winning and losing
- how the games work
- the concept of randomness
- house advantage
- myths associated with gambling
- problem gambling support and referral

Find out more...

engage your **GameSense.ca**

Gambling with GameSense

- Play for entertainment, not to make money.
- Balance gambling with other types of leisure activities.
- Don't chase losses, accept them as the cost of entertainment.

engage your **GameSense.ca**

bclc playing it right **GameSense**

Some things to remember about our layout principles...

Don't make layouts too congested
Don't introduce arbitrary graphics
Don't forget the 'white' space
Don't forget to keep it simple

If you're in doubt, just ask.



Our Brand Applications

Brochures



The GameSense Guide to Slot Machines

bclc playing it right **GameSense**

Play more, pay more.

Slot machines are entertainment, and just like dinner and a movie, you should expect to pay for the entertainment. When your entertainment money is spent, it's time to call it a day. It's possible to get carried away and spend too much time or more money than planned or is affordable ... set a budget or time limit and stick with it!

Making Sense of the Odds.

What are my chances to win?
If you think you can beat the odds by gambling longer, think again. We're not saying you won't win; you may be one of the lucky few who do, but the odds always favour "the house."

Generally, as part of the "house advantage," slots on average keep about 8% of all the wagers played over the entire life of the game, so the machines always win in the long run. Chances of winning change depend on the game you choose, what denomination you select, or how many credits you decide to wager.

Here's an example of what you can expect:

On the Double Red, White & Blue 51 machine, the odds to win any prize are 1 in 5, but the odds to win the top prize are only 1 in 373,248.

Some slot games pay smaller prizes more often and have more bonus games, while others pay out more in the middle and top prize categories.

Chances of winning smaller prizes on slots are much greater than the chances of winning the top prize. When you put money in the machine, it shows as credits. As you play, your credits decrease when you lose or increase if you win.

When you play a slot with a 92% payout over the life of the machine, it does not mean that you will leave with 92% of the money you started with.

How do slot machines work?

A computer program (called an RNG, or Random Number Generator) ensures a random outcome on each play.

Percent payout is theoretical, and the outcome of each play is random. After thousands or millions of games, the laws of probability allow some players to win or break even, while most will lose. Slots are programmed to retain more money than is paid out in winnings, so in the end the slot machine will win.

GameSense vs. NonSense

There are lots of myths and misconceptions when it comes to slot machines. With a little GameSense, you can separate fact from fiction.

Nonsense: "If I play long enough on one machine, I'll win big."

GameSense: Persistence doesn't pay off. Each play is an independent event with the same odds of winning or losing as every other play on that game. The result of your last play or series of plays has absolutely no bearing on what happens on your next play. You can't predict a win. Slots are never "due for a win" and they don't "go cold" after a win.

Nonsense: "I just left a machine that paid out a jackpot. Had I stayed, that would have been me."

GameSense: A slot machine's Random Number Generator (RNG) is continuously cycling through numbers used to generate a play's result even when the machine is not being played. The RNG produces approximately 1000 different results every second. So even if you had continued playing the machine, it's highly unlikely you would have had the same result as the player who followed you.

Nonsense: "I feel lucky. I'm going to hit the slots and make some money."

GameSense: While you hope to win, don't expect to get your money back. Expect that you pay to play -- the odds are always in a slot machine's favour.

Nonsense: "The slots farthest away from the aisle pay out more because they're played less often."

GameSense: Nothing about where the machine is located, or the way you play, affects the outcome of a game. Slot machine wins and losses are always random, with no predictable pattern.

You win some, you lose some. Then eventually, you'll run out of money.

*Over the period of 1 hour your losses exceed your winnings in average over 000%.

For more information about slot machines ask to speak with a GameSense Advisor at your local casino, visit bclc.com, or call BCLC Consumer Services at **1-866-815-0222**.

Find out more...

engage your **GameSense.ca**



Voluntary Self-Exclusion

bclc playing it right **GameSense**

If you find yourself gambling too much, or if it no longer feels like a game, the Voluntary Self-Exclusion Program can be an important first step in helping you to control your gambling.

What is the Voluntary Self-Exclusion Program?

The program enables you to voluntarily exclude yourself from all venues with slot machines, commercial bingo halls, or from accessing BCLC's on-line gaming site, **PlayNow.com**, for a pre-determined amount of time.

Research has shown that when voluntary self-exclusion is combined with treatment, it can be one of the most effective means to stop gambling.

There are three different voluntary self-exclusion options to choose from. You can sign up for one, two, or all three.

- Self-exclusion from all venues with slot machines including casinos, community gaming centres with slot machines and the gaming floor of race tracks with slot machines.
- Self-exclusion from commercial bingo halls.
- Self-exclusion from gambling on **PlayNow.com**.

How do I sign up to be voluntarily self-excluded?

To access the program, visit a GameSense Info Centre and speak with a GameSense Advisor, or ask any staff member at any casino, community gaming centre or commercial bingo hall. You can also visit the BCLC offices in Kamloops or Richmond, or call BCLC's Consumer Services at **1-866-815-0222**.

What happens while I sign up?

When excluding from gaming facilities, no matter where you choose to sign up you will meet with a member of security staff, who has been trained to handle requests for self-exclusion.

When available, GameSense Advisors can also provide support to you during sign-up. They are trained professionals who understand the difficult decision you're making and will support you in any way they can.

You will be asked to show your government-issued identification that includes your signature and a photograph. This could be a driver's licence, a passport, or other identification. You will also be asked to sign the Voluntary Self-Exclusion Agreement and your photograph will be taken.

If you want to be excluded from playing and purchasing lottery products through BCLC's PlayNow website, go to bclc.com and fill out a form online. You will receive an automatically generated confirmation email once you finish.

Posters

Gambling with GameSense

- Play for entertainment, not to make money.
- Balance gambling with other types of leisure activities.
- Don't chase losses, accept them as the cost of entertainment.

engage your [GameSense.ca](https://www.gamesense.ca)

bclc playing it right **GameSense**

Voluntary Self-Exclusion

The Voluntary Self-Exclusion Program can be an important first step in helping you to control your gambling.

engage your [GameSense.ca](https://www.gamesense.ca)

bclc playing it right **GameSense**

Television



Know your limits.



Online



Other usage



Problem Gambling

BCLC works closely with the Government of British Columbia to encourage responsible gambling. This section shows the look that has been developed for communication relating specifically to Problem Gambling. This is a step beyond GameSense and has been included for reference only.

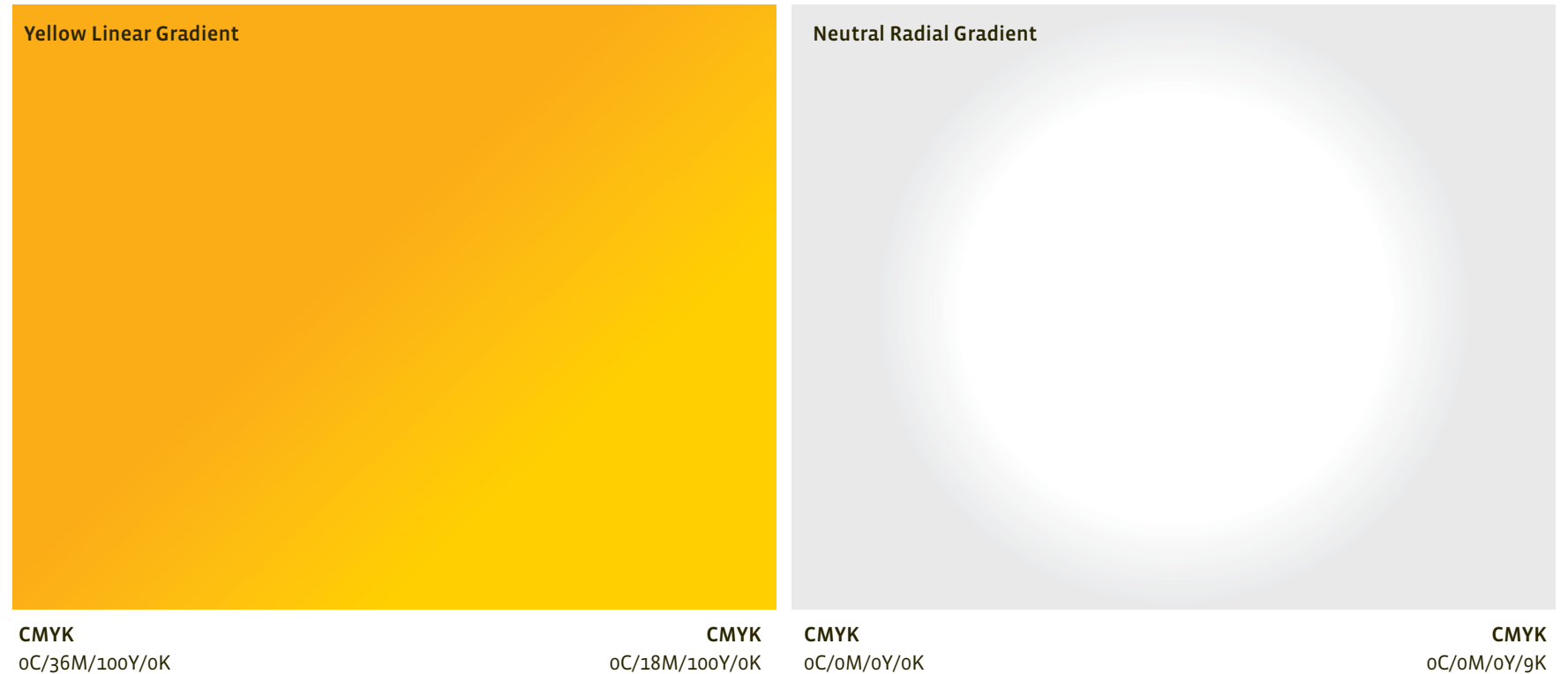
Problem Gambling is about offering support when you're past the point. In order to get our point across, a visual language specifically for Problem Gambling has been created. The Problem Gambling look compliments GameSense, but extends out into its own defined look and feel. This look includes a distinct use of colour, graphic devices, typography and photography.

The colour is part of what makes Problem Gambling unique and memorable.

Colour

The Problem Gambling colour palette has been created to maintain an approachable personality yet convey a greater sense of urgency through its use of yellow.

Gradient Builds



CMYK
0C/36M/100Y/0K

CMYK
0C/18M/100Y/0K

CMYK
0C/0M/0Y/0K

CMYK
0C/0M/0Y/9K



CMYK
0C/0M/100Y/95K
RGB
R57/G45/B0
HEXADECIMAL
#2e2c00

CMYK
0C/0M/41Y/85K
RGB
R118/G185/B0
HEXADECIMAL
#4c4a30

CMYK
0C/36M/100Y/0K
RGB
R251/G173/B24
HEXADECIMAL
#fbad18

CMYK
0C/18M/100Y/0K
RGB
R255/G207/B1
HEXADECIMAL
#ffc01

CMYK
0C/0M/0Y/9K
RGB
R233/G233/B234
HEXADECIMAL
#e9e9ea

The **graphic device**, the Point, helps get the point across.

Graphic Devices, The Point

The graphic device, the Point, has not only been created to bring flexibility to the layout options but also to reinforce the need to get the point across and guide the reader through the communication.

Here are a few examples of layout options using the Point device.



The **typography** is based on the same principles of GameSense but with a slightly more serious twist.

Typography

For all Problem Gambling communications use Vista Sans with the 'Titling Alternates' deactivated. You can find this option in the OpenType menu.

Vista Sans

AaBbCc0123

abcdefghijklmnopqrstuvwxyz

ABCDEFGHIJKLMNOPQRSTUVWXYZ

1234567890\$%&@'*(,.;:#!?)

The Vista Sans family... (with 'Titling Alternates' deactivated)

Vista Sans Light

abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,;:#!?)

Vista Sans Light Italic

*abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,;:#!?)*

Vista Sans Book

abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,;:#!?)

Vista Sans Book Italic

*abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,;:#!?)*

Vista Sans Regular

abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,;:#!?)

Vista Sans Regular Italic

*abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,;:#!?)*

Vista Sans Medium

abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,;:#!?)

Vista Sans Medium Italic

*abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,;:#!?)*

Vista Sans Bold

**abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,;:#!?)**

Vista Sans Bold Italic

***abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,;:#!?)***

Vista Sans Black

**abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,;:#!?)**

Vista Sans Black Italic

***abcdefghijklmnopqrstvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890\$%&@'*(,;:#!?)***

The approach to **photography** is about capturing an introspective moment. The photos have a serious tone whilst remaining approachable and genuine.



Sample applications

The Government of British Columbia has created a visual language specifically for Problem Gambling. Please do not use or adapt any of these elements for use in the GameSense brand applications.

**Help is available.
All day. Every day.**

Problem Gambling Help Line
1.888.795.6111 (24 hrs)

The Problem Gambling Help Line and counselling services are offered free of charge. Funding is provided by the Province of British Columbia. For more information please visit: www.bcresponsiblegambling.ca

When gambling isn't fun anymore.



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Problem Gambling Help Line
1.888.795.6111 (24hrs)

**Thank you for helping
bring our brand to life
with consistency.**

GameSense



THIS LICENSE AGREEMENT made this _____ day of _____, 2014.

B E T W E E N

BRITISH COLUMBIA LOTTERY CORPORATION, a Crown corporation continued under the *Gaming Control Act* (British Columbia) having an address at 74 West Seymour Street, Kamloops, British Columbia, V2C 1E2

(the “**Licensor**”)

A N D

MASSACHUSETTS GAMING COMMISSION, having a principal office situated at 84 State Street, 10th Floor, Boston, MA, 02109

(the “**Licensee**”)

WHEREAS the Licensor is the developer and has rights including through trade-mark, official mark, copyright and related material including content, programming code, advertising and marketing material all associated to Licensor’s responsible gambling program and brand;

WHEREAS subject to the terms and conditions of this Agreement, the Licensor wishes to grant to the Licensee a license to use the Licensor’s responsible gaming brand (“**GameSense**”);

NOW THEREFORE THIS AGREEMENT WITNESSES THAT in consideration of the mutual covenants and agreements herein contained, the parties hereto covenant and agree with each other as follows:

1.00 GRANT OF LICENCE

- 1.01** Subject to the terms and conditions of this Agreement, the Licensor hereby grants to the Licensee a non-exclusive license to use, reproduce and distribute GameSense within the Commonwealth of Massachusetts (the “**License**”). The License includes the right to develop derivative works of and otherwise customize, modify and adapt GameSense (together, the “**Customizations**”) providing such Customizations are (a) in accordance with the GameSense Graphics Standards Manual as set out in Schedule A, and (b) related to and support responsible gambling programs and initiatives of Licensee. The Licensee will have no right to sublicense, assign or extend any rights under this Agreement to third parties without the prior written approval of Licensor which may be withheld for any reason.
- 1.02** The Licensee will adhere to the Licensor’s GameSense Graphic Standards Manual set out in Schedule A, as it may be amended from time to time by Licensor.
- 1.03** The Licensee will not use GameSense or any Customization in any manner that might adversely affect the reputation or goodwill of the Licensor, or associate GameSense with any person, entity, cause or institution the association with which might adversely affect the reputation or goodwill of the Licensor.

1.04 The Licensee acknowledges that GameSense remains the sole and exclusive property of the Licensor. All Customizations will be the sole and exclusive property of the Licensor, unless otherwise agreed in writing. The Licensee hereby assigns and sets over and agrees to assign and set over to the Licensor all of the Licensee's right, title and interest in and to all Customizations. The Licensee will waive and will cause its employees and subcontractors to waive any rights in and to the Customizations. The Licensee agrees to provide to the Licensor all assistance reasonably requested by the Licensor to perfect the rights described in this Section 1.04, including, without limitation, executing all assignments and other papers necessary or appropriate to vest the entire right, title and interest in such materials in the Licensor and its successors, licensees and assigns or to enable the Licensor to obtain such protection for Licensor's property interest in the Customizations as the Licensor deems advisable.

2.00 TERM

2.01 The term of the License will commence upon acceptance of the Agreement by both Licensor and Licensee and will continue until terminated in accordance with Section 3.01 or by either party upon at least three (3) months' prior written notice to the other party.

3.00 TERMINATION AND PROCEDURE ON TERMINATION

3.01 The Licensor may terminate this Agreement immediately upon notice to the Licensee if:

- (a) the Licensee is in breach of this Agreement; or
- (b) the Licensee dissolves or ceases to function as a going concern.

3.02 Upon the termination of this Agreement, the Licensee will:

- (a) immediately cease use of GameSense and the Customizations;
- (b) subject to 3.03, either deliver to the Licensor or, if directed in writing by the Licensor, permanently destroy all GameSense and Customization records, materials and information that are in its possession or control (the "**BCLC Property**"); and
- (c) subject to 3.03, upon request, certify, under the hand of a duly authorized officer and in a form acceptable to the Licensor, that all BCLC Property in any form (including electronic form) has been delivered to the Licensor or destroyed, and that no copies remain in the possession or control of the Licensee.

3.03 If, upon the termination of this Agreement, the Licensee is prohibited under applicable Massachusetts law dealing with the retention and destruction of records by public bodies ("**Massachusetts Public Records Law**"), from delivering any BCLC Property to the Licensor or from destroying any BCLC Property as directed by the Licensor, then, to the extent permitted by Massachusetts Public Records Law:

- (a) the Licensee shall maintain possession and control of such BCLC Property until such time as the BCLC Property can lawfully be delivered to the Licensor or destroyed as directed by the Licensor; and
- (b) the Licensee shall provide an inventory of such BCLC Property and copies of such BCLC Property at the Licensor's request.

3.04 Termination of this Agreement will not affect any right of action of either party arising from anything which was done or not done, as the case may be, prior to the termination taking effect.

4.00 LIMITATION OF LIABILITY

4.01 THE LICENSOR EXPRESSLY DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THIS AGREEMENT, INCLUDING WITH RESPECT TO FITNESS FOR A PARTICULAR PURPOSE.

4.02 THE LICENSOR WILL HAVE NO LIABILITY WHATSOEVER TO THE LICENSEE WHETHER IN CONTRACT, TORT (INCLUDING NEGLIGENCE), OR OTHERWISE ARISING OUT OF OR IN

CONNECTION WITH THIS AGREEMENT, GAMESENSE OR THE CUSTOMIZATIONS. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, IN NO CIRCUMSTANCES WILL THE LICENSOR BE LIABLE FOR ANY LOSS OF PROFITS OR GOODWILL, OR ANY INDIRECT, PUNITIVE, EXEMPLARY, SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES.

5.00 GENERAL

- 5.01** The parties hereby irrevocably and unconditionally attorn to the exclusive jurisdiction of the courts of the Province of British Columbia and all courts competent to hear appeals therefrom.
- 5.02** This Agreement, which includes, for clarity, all Schedules, constitutes the entire agreement between the parties concerning the subject matter hereof and supersedes all prior understandings and agreements with respect thereto.
- 5.03** In the event that any provision herein is determined to be illegal or unenforceable by a court of competent jurisdiction, that provision will be severed from this Agreement and the remaining provisions will remain in full force and effect so long as the economic or legal substance of the Agreement is not affected in a manner materially adverse to either party.
- 5.04** This Agreement may only be amended by an instrument in writing signed by both parties. The failure of either party to enforce at any time any provision of this Agreement will in no way be construed to be a waiver of such provision, nor in any way affect the right of either party to thereafter enforce any or all provisions. A waiver will only be effective if made in writing and signed by the waiving party and, unless otherwise provided, will be limited to the specific breach waived.
- 5.05** Unless otherwise stated herein, the rights and remedies of the parties under this Agreement are cumulative and not exclusive to each other, and will not be deemed or construed to affect any right or remedy which a party is entitled at law, in equity or otherwise
- 5.06** Title and section headings contained in this Agreement are for the purposes of reference only, and will not affect the interpretation of this Agreement.
- 5.07** This Agreement may be executed in one or more counterparts, each of which will be deemed an original and will, together, be deemed to constitute one and the same instrument. Signatures exchanged via facsimile or digital scans of signatures will be deemed originals.

IN WITNESS WHEREOF this Agreement has been duly executed by the parties hereto as of the date first written above.

BRITISH COLUMBIA LOTTERY CORPORATION:
I have the authority to bind the corporation.

Name:
Title:

MASSACHUSETTS GAMING COMMISSION:
I have the authority to bind the agency.

Name:
Title:

SCHEDULE A
GameSense Graphics Standards Manual

Attached.



TO: Members of the Massachusetts Gaming Commission

FROM: Mark Vander Linden, Director of Research and Responsible Gambling

DATE: December 18, 2014

RE: Play Management Recommendation

A key element of the Massachusetts Gaming Commission (MGC) Responsible Gaming Framework is Strategy 2: Support Informed Player Choice, which sets out measures to support players' efforts to responsibly manage their gambling. Section 2.2, Play information and Management Systems, describes specific tools to implement this strategy, including the ability for players to set limits on the money and time spent gambling (also referred to as play management tool and limit-setting).

On December 4, the MGC voted unanimously to require gaming licensees to offer voluntary limit-setting tools as part of a play management system. The specific requirements of the system were discussed at length and direction given for numerous changes to the recommendations given by Mark Vander Linden, Director of Research and Responsible Gaming. The revised requirements of the play management system include the following:

- 1) Play management tools allow patrons to pre-commit to an amount spent per gaming session/day, and/or month.
- 2) Play management tools are mandatory for licensees to offer on all electronic gaming machines.
- 3) Play management tools are voluntary for players to use.
- 4) The use of play management tools are incentivized at enrollment.
- 5) Play management tools provide pop-up reminders on the screen of the electronic gaming machine at 60%, 90% and 100% of the limit.
- 6) Play management tools are integrated as a feature of the licensees' player reward or loyalty card system.
- 7) Licensees work closely with the MGC to develop marketing strategies to maximize uptake and use of play management tools.
- 8) Patrons can **enroll** their limits from multiple locations including:
 - a. All electronic gaming machines;
 - b. On-site Responsible Gaming Information Centers;
 - c. Self-service kiosks, and;
 - d. Player reward portal of the company website.



Massachusetts Gaming Commission

- 9) Patrons can **change** their limits from multiple locations including:
 - a. Customer service stations;
 - b. On-site Responsible Gaming Information Centers;
 - c. Self-service kiosks, and;
 - d. Player reward portal of the company website.
- 10) The system will provide a periodic invitation to patrons who decline to use the play management tool to set limits.
- 11) Limit-setting tools are coordinated with other tools of the play management system such as:
 - a. Cost of play messaging;
 - b. Monthly statements of gaming activity as required in Chapter 23K Section 29;
 - c. Brief problem gambling self-assessment tool;
 - d. Tips on responsible gaming;
 - e. Educational quizzes, and;
 - f. Information on how to access assistance.
- 12) When a player reaches the pre-set limits, the following steps reinforce the limit:
 - a. The session is interrupted and the player informed that he or she has reached limits. The player must actively acknowledge a message to continue gambling.
 - b. If the player continues to play in excess of the limit, the session is interrupted with an informative message at limit intervals of 150%, 200%, 250%, etc. The player would have to actively acknowledge the message to continue gambling.
- 13) Play management tools are operator-based for each licensee.
- 14) The play management tools are designed on a platform that allows for evaluation and continuous improvement.





TO: Chairman Crosby and Members of the Commission

FROM: Mark Vander Linden, Director Research and Responsible Gambling
Steve Keel, Director of Problem Gambling Services, MA Department of Public Health

DATE: December 18, 2014

RE: Recommendations for the Annual Gaming Research Agenda

Background

Section 71 of Chapter 23k of the Massachusetts General Laws directs the Commission, with the advice of the Gaming Policy Advisory Committee (GPAC), to develop an annual research agenda in order to understand the social and economic effects of expanded gaming in the Commonwealth and to obtain scientific information relative to the neuroscience, psychology, sociology, epidemiology and etiology of gambling.

A Memorandum of Understanding between the Massachusetts Gaming Commission and the Executive Office of Health and Human Services, signed July 24, 2014, established a Public Health Trust Fund Executive Committee. The PHTF Executive Committee is authorized to set an annual budget and protocols for expenditures from the Public Health Trust Fund, which includes funding for the annual research agenda.

An informal Gaming Research Advisory Committee (GRAC) meets quarterly to help guide the Massachusetts Gaming Commission, PHTF Executive Committee and the Gaming Policy Advisory Committee on research matters.

Timeline

| | |
|-------------------|---|
| October 6, 2014 | Annual research agenda recommendations to continue and expand the research agenda, described on page 2, were presented to the Public Health Trust Fund Executive Committee. |
| October 21, 2014 | Annual research agenda recommendations were presented to the Gaming Research Advisory Committee. The GRAC endorsed the recommendations but advised minor revisions. |
| November 20, 2014 | Annual research agenda recommendations were presented to Commissioners of the MGC. No additional recommendations or revisions were offered. |
| December 16, 2014 | Annual research agenda recommendations were presented to the Gaming Policy Advisory Committee. The GPAC approved the recommendations with a minor revision. |



Massachusetts Gaming Commission

Recommendations for the 2015 Annual Research Agenda

Recommendation #1: Continue the scope of the current research agenda, including SEIGMA and MAGIC through the next year.

Recommendation #2: Establish evaluation measures and processes, collect and analyze data and report findings to determine the effectiveness and benefit of responsible gaming initiatives outlined in the MGC Responsible Gaming Framework (RGF), which was adopted by the MGC on September 25, 2014. Initiatives to be evaluated will include, but may not be limited to: 1) voluntary self-exclusion program, 2) Responsible Gaming Information Centers located on-site of gaming establishments and 3) play management features implemented on-site of gaming establishments.

Recommendation #3: In accordance with Chapter 194, Section 97 of the Act to Expand Gaming, procure services with an “experienced nonprofit research entity” to collect, anonymize, store and disseminate information generated by loyalty programs, player tracking software, player card systems, or any other information system. Data will be made available to qualified researchers for the purposes of: 1) conducting analyses that improve understanding of how gambling addiction develops and progresses, 2) developing evidence-based harm minimization strategies and 3) developing evidence-based systems to monitor, detect and intervene in high-risk gambling.



Massachusetts Gaming Commission