



MASSACHUSETTS GAMING COMMISSION MEETING

December 4, 2014

10:30 a.m.

Boston Teacher's Union Hall

180 Mt. Vernon Street

Dorchester, MA



Massachusetts Gaming Commission



NOTICE OF MEETING and AGENDA

December 4, 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 4, 2014

10:30 a.m.

Boston Teacher's Union Hall

180 Mt. Vernon Street


Dorchester, MA

PUBLIC MEETING - #140

1. Call to order
2. Approval of Minutes
 - a. November 20, 2014
3. Administration – Rick Day, Executive Director
 - a. General Update
 - b. Investigation and Enforcement Bureau Update – K. Wells, Director
 - c. Employee Diversity Update – T. Banda, Human Resources Manager
 - d. Vendor Diversity Update – D. Lennon, CFAO
 - e. Running Horse Promotional Trust – Project Approval - VOTE
 - f. CHRIMS Update and 2013 Reconciliation – D. O'Donnell – Senior Financial Analyst and D. Lennon, CFAO
 - g. Suffolk Workers Letter
4. Workforce, Supplier and Diversity Development – Jill Griffin, Director
 - a. Diversity Report Update
 - b. Access and Opportunity Committee Recommendation – Ron Marlow, Director of Diversity and Inclusion – MassHousing
5. Research and Responsible Gaming – Mark Vander Linden, Director
 - a. Play Management Recommendations - VOTE
6. Ombudsman Report – John Ziemba
 - a. Draft Community Mitigation Fund Policy and Application Discussion
7. 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.

12/2/14
(date)


Stephen P. Crosby, Chairman

Date Posted to Website: December 2, 2014 at 10:30 a.m.



Massachusetts Gaming Commission



Meeting Minutes

Date/Time: November 20, 2014 – 10:30 a.m.

Place: Boston Convention and Exhibition Center
415 Summer Street, Room 102B
Boston, Massachusetts.

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

Absent: Commissioner Bruce Stebbins

Call to Order

See transcript page 2

10:30 a.m. Chairman Crosby called to order the 138th Commission Meeting.

Approval of the Minutes

See transcript page 2-3

10:30 a.m. *Commissioner McHugh moved for the approval of the November 6, 2014 minutes. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

Administration

See transcript pages 3-16

10:32 a.m. Director Day presented the Commission with an administrative update.

10:35 a.m. Director Day and General Counsel Blue presented on the emergency Race Horse Development Fund regulations along with the public comments received on them.

10:39 a.m. *Commissioner Gayle Cameron moved for the Commission to pass 205 CMR 148.00 Race Horse Development Fund regulations and 205 CMR 14 Supplemental Licensing regulations by emergency. Motion seconded by Commissioner McHugh. Motion passed unanimously.*

10:40 a.m. Director Day and Commissioner Zuniga presented an update on the 2014 annual report.

Research and Problem Gaming

See transcript pages 16-142

10:46 a.m. Director Vander Linden presented an update on Play Management and Pre-Commitment.

10:48 a.m. Bob DeSalvio of Wynn MA, LLC presented on behalf of Wynn MA, LLC regarding the issue of problem gaming and implementing play management and pre-commitment systems.

11:16 a.m. Alan Feldman of MGM Resorts presented on behalf of MGM regarding the issue of problem gaming and implementing play management and pre-commitment systems.

11:34 a.m. Jan Snowden of Penn National Gaming presented on behalf of Penn National regarding the issue of problem gaming and implementing play management and pre-commitment systems.

12:03 p.m. Commission took a short recess.

12:14 p.m. Meeting resumed.

12:14 p.m. Director Vander Linden, Deputy Counsel Grossman, and Assistant Director Band presented regulations 205 CMR 138.40-138.47 regarding credit, ATMs, cash-cashing, and credit extension.

1:05 p.m. *Commissioner McHugh moved that the Commission authorize the promulgation of the regulations discussed in 205 CMR 138.40-138.47 through the formal comment period. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

1:06 p.m. Director Vander Linden and Steve Keel, Director of Problem Gambling Services at the Department of Public Health, presented the annual research agenda recommendations.

1:15 p.m. Meeting recessed for lunch.

1:52 p.m. Meeting resumed.

Investigations and Enforcement Bureau

See transcript pages 142-164

- 1:52 p.m. Director Wells presented on two new Penn National qualifiers for suitability, John Finamore and Carl Sottosanti; and an additional MGM qualifier Alexander Hunter Clayton.
- 1:58 p.m. *Commissioner McHugh moved the Commission finds John Finamore, Carl Sottosanti, and Alexander Hunter Clayton as fully qualified in light of the IEB investigations. Motion seconded by Commissioner Cameron. Motion passed unanimously.*
- 1:59 a.m. Assistant Director Band and Deputy General Counsel Grossman presented on 205 CMR 138.01-138.39 and 138.48-138.72, internal controls, operations, accounting and gaming procedure regulations.
- 2:13 p.m. *Commissioner Cameron moved that the Commission move the internal controls, operations, accounting and gaming procedures regulations through the promulgation process. Motion seconded by Commissioner McHugh. Motion passed unanimously.*

Ombudsman Report

See transcript pages 164-190

- 2:15 p.m. Ombudsman Ziemba and Director Wells presented an updated timeline regarding Region C.
- 2:25 p.m. Ombudsman Ziemba, Chuck Irving with Davenport Properties presented on MGM's FEIR filing.

Legal Division

See transcript pages 190-

- 2:45 p.m. General Counsel Blue presented on the official license decision of Region A. Commissioner Crosby recused himself from this discussion.
- 2:54 p.m. *Motion made by Commissioner Zuniga to approve the statement of findings for the Region A determination of the license to the applicant Wynn as presented in the packet subject to typographical and mechanical corrections. Motion seconded by Commissioner Cameron. Commissioner Crosby abstained. Motion passed unanimously.*
- 2:55 p.m. General Counsel Blue and Deputy General Counsel Grossman presented on the written license decision for Region B.

- 3:05 p.m. *Motion made by Commissioner McHugh to accept the findings as they appear in the materials with respect to Region B license to Blue Tarp Development, Limited and include in those findings the diagram set out in diagrams 4.05.01 that are attached to the packet of materials subject to the right to make any typographical and mechanical corrections that are appropriate. Seconded by Commissioner Zuniga. Motion passed unanimously.*
- 3:06 p.m. General Counsel Blue presented on the transfer of interest regulations in 205 CMR 129.01-129.03.
- 3:11 p.m. *Motion made by Commissioner Zuniga to move the transfer of interest regulations 205 129.01-129.03 through the formal process. Motion seconded by Commissioner Cameron. Motion passed unanimously.*
- 3:11 p.m. Deputy General Counsel Lillios presented on amendments and additions to licensing of vendor and employee regulations, 205 CMR 134 to be passed by emergency.
- 3:15 p.m. *Motion made by Commissioner McHugh to adopt on an emergency basis the amendments to 205 CMR 134.04 and 134.18 as they appear in the packet of materials and to move them through the formal promulgation process. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*
- 3:17 p.m. *Commissioner Cameron made a motion to adjourn the meeting. Motion passed unanimously.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission November 20, 2014 Notice of Meeting and Agenda.
2. Massachusetts Gaming Commission November 6, 2014 Meeting Minutes.
3. 205 CMR 148.01 through 148.05 DRAFT.
4. Massachusetts Gaming Commission Third Annual Report.
5. Massachusetts Gaming Commission November 7, 2014 memorandum regarding play management tools with attached licensee responses.
6. 205 CMR 138.40-138.47 DRAFT with attached comments.
7. Massachusetts Gaming Commission November 20, 2014 memorandum regarding recommendations for the Annual Gaming Research Agenda.
8. Massachusetts Gaming Commission November 17, 2014 IEB qualifier report of applicant Blue Tarp/MGM for qualifier Alexander Hunter Clayton.
9. Massachusetts Gaming Commission November 17, 2014 IEB qualifier report of applicant Penn National Gaming for qualifier John Finamore.
10. Massachusetts Gaming Commission November 17, 2014 IEB qualifier report of applicant Penn National Gaming for qualifier Carl Sottosanti.

11. 205 CMR 138.01 through 138.72 DRAFT with attachments.
12. MGM Springfield Presentation.
13. Massachusetts Gaming Commission/2014-11-14 licensing schedule update
Category 1 License- Region C DRAFT.
14. Written license decision for Category 1 Gaming Establishment in Region A.
15. Written license decision for Category 1 Gaming Establishment in Region B.
16. 205 CMR 129.01 to 129.03 DRAFT
17. 205 CMR 134 DRAFT.

/s/ Catherine Blue
Catherine Blue
Assistant Secretary

DRAFT

No Documents

No Documents

No Documents



OPERATIONAL SERVICES DIVISION

SUPPLIER DIVERSITY OFFICE

Reginald Nunnally
Executive Director

THE COMMONWEALTH OF MASSACHUSETTS
Executive Office for Administration and Finance
OPERATIONAL SERVICES DIVISION
One Ashburton Place, Suite 1017
Boston, MA 02108-1552

Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Jay Gonzalez
Secretary

Gary J. Lambert
Assistant Secretary for
Operational Services

FY2015 SDP BENCHMARK CALCULATION FORM

BRIEF INSTRUCTIONS

BENCHMARK FORM

SECTION 1 – DISCRETIONARY

Column 1 **Funding Sources** - List the Sources of funds.

Column 2 **Total Appropriation Amount**

Column 3 **Exempted Amounts** - Only the following subsidiaries are automatically exempted from the base: AA,BB,CC,DD,PP,RR,SS, TT and GG.

AA-Payroll

BB-Employee Expense

CC-Student Interns

DD-Health Care

PP-Grants

RR-Scholarships

SS-Debt payment

TT-Loans

GG- Rent

Column 4 **IE Amount** - Only those Chargebacks that are currently approved by the Office of the Comptroller; i.e. Telephone, Motor Vehicle, Printing, etc.

Column 5 **ISA Amount** - This column represent signed

Intra-governmental Service Agreement amounts between two state departments.

Column 6 Discretionary Amount - This amount is calculated by the system. The calculation is as follows:

$$\text{Appropriation Amount} - \text{Exempted Amount} - \text{IE Amount} - \text{ISA Amount} = \text{FY13 Discretionary}$$

SECTION 2 – MBE, WBE and SBE BENCHMARK

Column 1 This field will automatically be populated with the discretionary budget amount.

Column 2 This field is pre-populated with the FY2015 benchmarks:

WBE 12%

MBE 6%

SBPP 2.5%

New this year: Service-Disabled Veteran-Owned Business Enterprise (SDVOBE)

SDVOBE 3%

Column 3 FY2015 MBE, WBE and SBPP Benchmarks expressed in dollar amount - This amount is calculated by the system.

ACCOUNT SUMMARIES

*List the total amounts for each appropriation account. (Please

note: The system will automatically update this information. However, this information comes from the account detail summary forms. If you add or delete any rows in the account detail forms you will have to manually make the adjustments in the summary section.)

State, Federal, Trust and Capital Account Detail

1. This spreadsheet lists the account number and respective subsidiaries.
2. Some accounts (primarily federal, trust and capital) are listed in the OO subsidiaries. You will be required to breakout spending by subsidiary. The FY15 spending plan submitted to the Fiscal Affairs Division should have the subsidiary breakout. Please check with your Chief Financial Officer.
3. If you have ISA Amounts you must include in a separate worksheet the department name and total amount.

Object Code Exemptions.

Excluded Object Codes Tab* (new this year). In this tab include all object codes that you have excluded and justify the reduction.

Discretionary Budget Process

- SDP Director request Discretionary Budget Information September 26, 2014
- Discretionary Budgets due to the Supplier Diversity Office Program Director October 27, 2014
- SDP Director follow up on missing or questionable department Discretionary Budget information October 31, 2014
- SDP Director notifies Executive Director of SDO of all Executive Agencies in noncompliance with request, November 1, 2014
- Agencies with outstanding information will be notified by the Assistant Secretary of OSD addressing missing discretionary budget information on November 4, 2014

**Commonwealth of Massachusetts
Supplier Diversity Program
FY15 Benchmarks Calculation Form
TEMPLATE**

Massachusetts Gaming Commission

DEPARTMENT NAME:

Dept. Total By Sources of Funding	Fiscal Year 2015 - Department Total				
	Appropriation Amount	Exempted Amount	IE Amount	ISA Amount	Discretionary Amount
State	\$0	\$0	\$0	\$0	\$0
Federal	\$0	\$0	\$0	\$0	\$0
Trust	\$14,241,144	\$3,347,411	\$2,068,505	\$913,000	\$7,912,228
Capital	\$0	\$0	\$0	\$0	\$0
FY2015 Total	\$14,241,144	\$3,347,411	\$2,068,505	\$913,000	\$7,912,228

MINORITY BUSINESS BENCHMARK

FY15 Discretionary Budget	FY15 Benchmark	FY15 Departmental Benchmark	Spent a/o 11/26/14	Open Encumbrance a/o 11/26/14	Committed (Encumbrances + Spent)	% of Benchmark Committed a/o 11/26/14	% of Discretionary Committed
7,912,228	6%	474,734	30,372	112,602	142,974	30%	2%

WOMEN BUSINESS BENCHMARK

FY15 Discretionary Budget	FY15 Benchmark	FY15 Departmental Benchmark	Spent a/o 11/26/14	Open Encumbrance a/o 11/26/14	Committed (Encumbrances + Spent)	% of Benchmark Committed a/o 11/26/14	% of Discretionary Committed
7,912,228	12%	949,467	414,013	1,297,974	1,711,987	180%	22%

SMALL BUSINESS BENCHMARK

FY15 Discretionary Budget	FY15 Benchmark	FY15 Departmental Benchmark	Spent a/o 11/26/14	Open Encumbrance a/o 11/26/14	Committed (Encumbrances + Spent)	% of Benchmark Committed a/o 11/26/14	% of Discretionary Committed
7,912,228	2.5%	197,806	235,435	107,420	342,855	173%	4%

VETERAN-OWNED BUSINESS BENCHMARK

FY15 Discretionary Budget	FY15 Benchmark	FY15 Departmental Benchmark	Spent a/o 11/26/14	Open Encumbrance a/o 11/26/14	Committed (Encumbrances + Spent)	% of Benchmark Committed a/o 11/26/14	% of Discretionary Committed
7,912,228	3.0%	237,367				-	0%

**Commonwealth of Massachusetts
 Supplier Diversity Program
 FY15 Benchmarks Calculation Form
 TEMPLATE**

Object Code	Object Code Name	Amount	Reason for Exclusion
H19	Management Consultants	\$ 3,136,000.00	This is a multi-year procurement that is non-discretionary.
U02	Telecommunication Services Voice	\$ 211,411.00	This is for phone services which is non-discretionary.

**Commonwealth of Massachusetts
Supplier Diversity Program
FY15 Benchmarks Calculation Form
TEMPLATE**

Dept Name: Massachusetts Gaming Commission

Appropriation	Sub	Appropriation Amount	Exempted Amount	IE Amount	ISA Chargebacks	FY14 Discretionary Dollar Amount
1050-0001	EE	\$489,743			\$12,000	\$477,743
	HH	\$7,071,594	\$3,136,000			\$3,935,594
	JJ	\$2,898,566		\$2,068,505	\$800,000	\$30,061
	KK	\$161,500				\$161,500
	LL	\$33,458				\$33,458
	MM	\$35,000				\$35,000
	UU	\$2,816,811	\$196,411			\$2,620,400
						\$0
Appropriation Total		\$13,506,672	\$3,332,411	\$2,068,505	\$812,000	\$7,293,756

		Amount	Amount		Chargebacks	Dollar Amount
1050-0003	EE	\$30,290				\$30,290
	HH	\$108,378				\$108,378
	JJ	\$244,400				\$244,400
	KK					\$0
	LL	\$7,650				\$7,650
	MM	\$266,000			\$101,000	\$165,000
	UU	\$77,754	\$15,000			\$62,754
						\$0
Appropriation Total		\$734,472	\$15,000	\$0	\$101,000	\$618,472



Division of Racing

To: Stephen Crosby, Chairman
Gayle Cameron, Commissioner
Jim McHugh, Commissioner
Bruce Stebbins, Commissioner
Enrique Zuniga, Commissioner

From: Jennifer Durenberger, Director of Racing
Rick Day, Executive Director
Catherine Blue, Commission Counsel

Date: 4 December, 2014

Re: Running Horse Promotional Trust Fund Request for Consideration

Commissioners:

Under M.G.L. c.128A §5 racing licensees must:

"...pay into a trust fund known as the Running Horse Promotional Trust Fund, under the direction and supervision of the state racing commissioners as they are individuals as trustees of the trust..." a percentage of handle derived from pari-mutual wagering on running horse races.

From time to time, racetrack licensees submit requests for consideration of distributions from that fund. The purposes for which those funds may be used are outlined in c.128A §5(g):

"The trustees may expend without appropriation all or any part of the promotional trust funds to the appropriate track licensee in proportion to the amount deposited in each fund by the track licensee for use in promotional marketing, to reduce the costs of admission, programs, parking and concessions and to offer other entertainment and giveaways. The trustees may expend to a licensee all amounts accumulated in the trust funds which are attributable to racing operations conducted at each applicable track.

...The trustees shall require from each track licensee vouchers, cancelled checks or such other documents as the trustees deem necessary to verify that



Massachusetts Gaming Commission

the expenditures from the funds were carried out in accordance with the provisions of this section.”

The Racing Division recently received a request for consideration from Sterling Suffolk Racecourse, LLC (“SSR”) for reimbursement of costs attributable to racing operations at Suffolk Downs in 2010, namely reimbursement of monies expended for direct mail advertising and broadcast media advertising live racing at Suffolk Downs (project #SPT 2010-01). The total amount of the request is \$475,380.27. This request is consistent in size and scope with approved projects from previous years under Sterling Suffolk Racecourse, LLC’s operations. Detailed invoices and copies of itemized payments accompanied the request as required.

c.128A §5(g) also contains the following language:

“No expenditure for capital improvements or for promotions shall be approved by the trustees if the improvements or promotions are to be accomplished pursuant to a contract with a person, corporation, partnership, trust or any combination of the same or any other entity owned wholly or in part by a person, corporation, partnership, trust or any combination of the same or any other entity which owns or operates or holds an interest in any race track in the commonwealth.”

Although these promotional requests for previous years had been approved by our predecessor agency, because of the nexus between SSR and the advertising agency involved, Conover Tuttle Pace (SSR’s Chief Operating Officer is a partner in CTP) and the potential for the appearance of conflict, the Racing Division consulted with Commission counsel. As a result of that consultation it is our understanding that these reimbursements are for the costs of the advertising buys themselves. None of the requested reimbursements are for retainer, design, or other fees contracted between the client and agency, only for the third-party placement of insertion and broadcast orders.

Recommendation: The Commission approve payment to Sterling Suffolk Racecourse, LLC for reimbursement of monies expended for direct mail and broadcast media advertising the 75th anniversary of live racing at Suffolk Downs in an amount equal to the balance in the Promotional Trust Fund contributed by the Sterling Suffolk Racecourse, LLC (“SSR”) now estimated at \$150,000.



Massachusetts Gaming Commission



To: Stephen Crosby, Chairman
Gayle Cameron, Commissioner
Jim McHugh, Commissioner
Bruce Stebbins, Commissioner
Enrique Zuniga, Commissioner

From: Jennifer Durenberger, Director of Racing
Derek Lennon, CFAO

Date: December 4, 2014

Re: Reconciliation of Racing Revenues January 2013-June 2014

Executive Summary:

The Division of Racing and the Division of Administration and Finance (A&F) utilized the information from the KPMG independent review of the Racing legacy billing system, along with the research done by outside counsel and verified by MGC's Legal division on percentage take outs related to racing handles and signals to perform an 18 month reconciliation of billings to racing licensees, as well as the distribution of those billings to the associated trust funds under the control of the MGC. The KPMG independent review demonstrated that the legacy system was (within a very small margin of error) assigning information from the "Tote" system entered by MGC staff to the correct type of signal. This indicates that the win, place, show (WPS) pools, the exotic betting (exotics) pools, and the breaks were being directed to the correct kind of race. The review also showed that based on the statutory percentage take outs for each kind of race, the legacy system was not billing correctly, and it was not assigning the correct distribution of billed revenue to the correct fund as required by statute. The Racing and A&F Divisions utilized the handles, WPS, exotics and breaks data in the legacy system to perform a reconciliation for each week over the 18 month period that calculated what should have been billed, and compared that to what was actually billed and received, and then did a final step of comparing where the funds should have been distributed to where they actually were. The summary of this is attached as appendix A.

Methodology:

A&F and Racing used the total handle, WPS, exotic and breaks items from the legacy FRS weekly billing sheets (appendix B) and the master take out schedule (appendix C) as a basis for developing a weekly statement for what should have been billed to each licensee each week for each type of signal. A sample of one of these sheets is attached as appendix D. MGC Racing and A&F staff then matched the actual amounts billed and collected from the legacy FRS system and bank statements to the amount that should have been billed. Individual examples of this can be found on appendix D, and summary amounts for the 18



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month period can be found on appendix A . As a result of the reconciliation performed, the MGC was able to determine that licensees were not billed an aggregate of \$6,198.41. The breakout by licensee is listed in appendix A. The final reconciliation the division of A&F conducted was a comparison of which funds the billings were supposed to be credited to versus where they actually were credited to. A proposed adjustment column is included in appendix A to reconcile where funds were deposited to where they should have been deposited.

Moving Forward:

Now that the MGC has devoted a great deal of time to thoroughly researching the Racing statutes, and determining the proper take outs by licensee by signal, it is imperative to make sure that we do not end up in a similar situation in future years. The Divisions of A&F, Legal and Racing have come up with the following controls to monitor legislation, take outs and databases:

- A minimum of once a year the MGC legal division will review the master takeout schedule to make sure there are no updates in the racing statute or any special laws. If there are, the legal division will let both A&F and racing divisions know the effective dates of the changes so that billings can be adjusted in a timely manner.
- Monthly the parimutuel officer will compare the signal types by contract in the CHRIMS system to the master signal sheet maintained by the Racing Division to ensure handles, and betting pools are being attributed to the correct signal type.
- Monthly A&F will test a weekly billing from each licensee using the statement sheets included as appendix D to make sure the legacy billing system, or CHRIMS are calculating the correct weekly billings, and calculating the correct distributions to each fund.
- Weekly, beginning when CHRIMS becomes fully operational, A&F will be processing the sweep of billings to the correct funds. Currently this is being done on a monthly/quarterly basis.

Recommendation:

The results of the KPMG testing gave A&F staff confidence that the legacy FRS database was calculating total handles, WPS, exotic and breaks pools within a reasonable margin of error, and was attributing them to the correct signal type. Therefore, MGC staff could utilize the overall data included in the legacy system to develop a statement sheet of what should have been billed based on those handles, WPS, exotic and break pools by licensee by week to compare to the actual billings. Based on the analysis, for the period of January 2013 through June of 2014 the following chart demonstrates reconciliation for each track:

Racetrack	Statutory Billings	Actual Billings	Variance
Suffolk	1,756,755.95	1,758,098.31	1,342.36

Plainridge	1,196,918.80	1,188,159.91	-9,342.37
Raynham	1,387,894.94	1,387,464.23	-430.71
Wonderland	383,019.91	382,921.91	-98.00
ADW	1,154,333.80	1,156,664.11	2,330.31
Total	5,878,923.40	5,873,308.47	-6,198.41

The Division of A&F does not recommend any additional billings.

The MGC was collecting most of the revenue it was due. Transfers to the appropriate trust funds were not calculated correctly by the FRS database. The Division of A&F proposes to process adjustments across the trust funds in the amounts listed below to correctly align the revenues received with where they should have been credited:

Fund	18 Month Actual Transfers	18 Month Proper Transfers	Adjustment
Racing Development and Oversight Fund	3,426,205.66	3,813,819.56	387,613.90
Running Horse Cap Fund	1,082,538.92	1,188,491.01	105,952.09
Running Horse Promo Fund	302,096.31	320,114.90	18,018.59
Harness Horse Cap Fund	219,285.84	194,531.41	-24,754.43
Harness Horse Promo Fund	265,163.47	82,558.93	-182,604.54
Racing Stabilization Fund	327,074.87	279,407.59	-47,667.28
Total	5,622,365.07	5,878,923.40	256,558.33

If the Commission approves this recommendation, this will clear up the period of January, 2013 through June of 2014. MGC staff would then use this methodology to do a billing reconciliation for July of 2014 through November of 2014, and begin using the statement sheets for generating billings for December through the time period where CHRIMS becomes the billing system of record for the MGC.

Appendix A

January 2013 thru June 2014 18 months

	CD's	Suffolk	Plainridge	Raynham	Wonderland	ADW Total	Total	18 month CR's	Adjustments
Week #									
Start Date									
End Date									
# of Days for Assessment		546	546	546	546				
Days Open		464	539	529	454				
Total Handle		\$87,013,765.00	\$55,571,281.00	\$48,358,152.00	\$6,891,226.00	\$114,220,465.00	\$312,054,889.00		
Breaks		\$441,498.51	\$248,518.05	\$145,883.98	\$18,549.14	\$533,117.35	\$1,387,567.03		
WPS		\$30,807,570.00	\$16,293,181.00	\$8,674,081.00	\$823,335.00	\$58,746,402.00	\$115,344,569.00		
Exotics		\$56,206,195.00	\$39,278,100.00	\$39,684,071.00	\$6,067,891.00	\$55,474,063.00	\$196,710,320.00		
Premiums			\$0.00						
License Fee \$300/day open		\$139,200.00	\$162,130.80	\$158,700.00	\$136,200.00	\$0.00	\$596,230.80	\$335,400.00	\$260,830.80
Assessment		\$690,086.34	\$226,311.65	\$183,985.17	\$21,533.99	\$0.00	\$1,121,917.15	\$624,639.60	\$497,277.55
Commission to MGC		\$353,028.16	\$409,823.10	\$727,427.23	\$172,280.65	\$433,112.47	\$2,095,671.61	\$2,466,166.06	-\$370,494.46
Running Horse Cap Improvement Trust Fund		\$431,038.38	\$187,215.97	\$88,088.58	\$0.00	\$482,148.08	\$1,188,491.01	\$1,082,538.92	\$105,952.09
Running Horse Promotional Trust Fund		\$114,746.22	\$46,998.22	\$25,778.18	\$0.00	\$132,592.29	\$320,114.90	\$302,096.31	\$18,018.59
Harness Horse Cap Improvement Trust Fund		\$19,558.49	\$80,957.18	\$15,290.63	\$0.00	\$78,725.12	\$194,531.41	\$219,285.84	-\$24,754.43
Harness Horse Promotional Trust Fund		\$9,098.36	\$37,430.50	\$8,274.23	\$0.00	\$27,755.85	\$82,558.93	\$265,163.47	-\$182,604.54
Racing Stabilization Fund		\$0.00	\$46,051.40	\$180,350.92	\$53,005.27	\$0.00	\$279,407.59	\$327,074.87	-\$47,667.28
Should have billed for:			\$1,196,918.80	\$1,387,894.94	\$383,019.91	\$1,154,333.80	\$5,878,923.40	\$5,622,365.07	\$256,558.33
FRS percent calculation			\$583.48						
FRS Billed and Wires		\$1,758,098.31	\$1,188,159.91	\$1,387,464.23	\$382,921.91	\$1,156,664.11	\$5,873,308.47		
REG sweep transfer	\$269,763.79								
FY 2013 CD	\$1,838,234.45								
FY 2014 CD	\$4,260,103.10								
Unclaimed wagers	-\$448,885.88								
Plainridge wrong deposit	-\$185,735.45								
Plainridge wrong deposit	-\$93,264.55								
Misc	-\$17,850.39								
Totals for CR	\$5,622,365.07								
FY15 wires that s/b prior year	\$277,705.09								
Totals for Wires	\$5,900,070.16								
Difference		\$1,342.36	-\$9,342.37	-\$430.71	-\$98.00	\$2,330.31	-\$6,198.41		

Appendix A

Calendar Year 2013

	Suffolk 2013	Plainridge 2013	Raynham 2013	Wonderland 2013	ADW Total 2013	Total 2013
Week #						
Start Date						
End Date						
# of Days for Assessment	365	365	365	365		
Days Open	315	360	353	306		
Total Handle	\$58,771,784.00	\$38,347,252.00	\$32,564,350.00	\$4,272,965.00	\$73,625,467.00	\$207,581,818.00
Breaks	\$295,175.70	\$165,016.73	\$94,866.16	\$11,720.82	\$339,571.05	\$906,350.46
WPS	\$20,416,895.00	\$11,120,310.00	\$5,711,474.00	\$522,269.00	\$42,531,038.00	\$80,301,986.00
Exotics	\$38,354,889.00	\$27,226,942.00	\$26,852,876.00	\$3,750,696.00	\$31,094,429.00	\$127,279,832.00
Premiums						
License Fee \$300/day open	\$94,500.00	\$108,000.00	\$105,900.00	\$91,800.00	\$0.00	\$400,200.00
Assessment	\$459,211.79	\$153,794.00	\$124,003.58	\$12,990.79	\$0.00	\$750,000.16
Commission to MGC	\$240,104.58	\$280,769.14	\$494,358.56	\$106,824.13	\$279,758.08	\$1,401,814.48
Running Horse Cap Improvement Trust Fund	\$280,949.20	\$124,506.89	\$55,284.64	\$0.00	\$308,633.22	\$769,373.95
Running Horse Promotional Trust Fund	\$77,956.21	\$32,563.37	\$16,835.64	\$0.00	\$85,892.34	\$213,247.56
Harness Horse Cap Improvement Trust Fund	\$13,755.47	\$55,047.94	\$11,628.73	\$0.00	\$48,300.19	\$128,732.32
Harness Horse Promotional Trust Fund	\$6,483.63	\$26,302.66	\$6,498.25	\$0.00	\$17,362.36	\$56,646.89
Racing Stabilization Fund	\$0.00	\$31,275.18	\$123,118.98	\$33,085.65	\$0.00	\$187,479.80
Should have billed for:	\$1,172,960.88	\$812,259.16	\$937,628.38	\$244,700.56	\$739,946.18	\$3,907,495.15
Incorrect FRS percent calculation		\$583.48				
FRS Billed and Wires	\$1,172,494.39	\$803,265.63	\$936,940.63	\$244,702.43	\$742,284.38	
Difference	-\$466.49	-\$9,577.01	-\$687.74	\$1.87	\$2,338.20	-\$8,391.17

Appendix A

First Half Calendar Year 2014

	Suffolk First Half 2014	Plainridge First Half 2014	Raynham First Half 2014	Wonderland First Half 2014	ADW Total First Half 2014	Total First Half 2014
Week #						
Start Date						
End Date						
# of Days for Assessment	181	181	181	181		
Days Open	149	179	176	148		
Total Handle	\$28,241,981.00	\$17,467,530.00	\$15,793,802.00	\$2,618,261.00	\$40,594,998.00	\$104,716,572.00
Breaks	\$153,277.47	\$83,501.32	\$51,017.82	\$6,828.32	\$193,546.30	\$488,171.23
WPS	\$10,390,675.00	\$5,172,871.00	\$2,962,607.00	\$301,066.00	\$16,215,364.00	\$35,042,583.00
Exotics	\$17,851,306.00	\$12,294,659.00	\$12,831,195.00	\$2,317,195.00	\$24,379,634.00	\$69,673,989.00
Premiums						
License Fee \$300/day open	\$44,700.00	\$54,130.80	\$52,800.00	\$44,400.00	\$0.00	\$196,030.80
Assessment	\$230,874.55	\$72,517.65	\$59,981.59	\$8,543.20	\$0.00	\$371,916.99
Commission to MGC	\$112,923.58	\$129,053.95	\$233,068.67	\$65,456.53	\$153,354.39	\$693,857.12
Running Horse Cap Improvement Trust Fund	\$150,089.18	\$62,709.08	\$32,803.94	\$0.00	\$173,514.86	\$419,117.06
Running Horse Promotional Trust Fund	\$36,790.01	\$14,434.85	\$8,942.54	\$0.00	\$46,699.95	\$106,867.35
Harness Horse Cap Improvement Trust Fund	\$5,803.03	\$25,909.24	\$3,661.90	\$0.00	\$30,424.93	\$65,799.10
Harness Horse Promotional Trust Fund	\$2,614.74	\$11,127.84	\$1,775.98	\$0.00	\$10,393.49	\$25,912.05
Racing Stabilization Fund	\$0.00	\$14,776.23	\$57,231.94	\$19,919.63	\$0.00	\$91,927.79
Should have billed for:						
Incorrect FRS percent calculation	\$583,795.07	\$384,659.64	\$450,266.56	\$138,319.35	\$414,387.63	\$1,971,428.25
FRS Billed and Wires	\$585,603.92	\$384,894.28	\$450,523.60	\$138,219.48	\$414,379.73	\$2,192.76
Difference	\$1,808.85	\$234.64	\$257.04	-\$99.87	-\$7.90	

MASSACHUSETTS STATE RACING COMMISSION

Summary of Pari-mutuel Activities at Suffolk

July 01, 2014 to July 05, 2014

Type: All Track Groups
Pools and Commissions

Number of Events: 76

Menu	Pools	Commissions
Win/Place/Show	\$341,870	\$58,339.51
Exotic	552,464	123,228.84
Total	\$894,334	\$181,568.35

Distribution of Breaks

Association Breaks	\$0.00
Breaks to Stabilization Fund	0.00
Breaks to CIF	5,184.05
Minus Breaks	701.61
Net Breakage	\$4,482.44

Premiums

Suffolk	\$0.00
Plainridge	1,836.25
Raynham	0.00
Wonderland	0.00
Total Premiums	\$1,836.25

Distribution of Commissions	WPS Take-Out	WPS Comm	Exotic Take-Out	Exotic Comm	Total
State Commission	0.00000	\$1,614.38	0.00000	\$2,370.69	\$3,885.07
Racing Stabilization Fund	0.00000	0.00	0.00000	0.00	0.00
Capital Improvement Fund	0.00000	0.00	0.00000	117.60	117.60
Promotional Fund	0.00000	493.22	0.00000	878.43	1,371.65
Purses	0.00000	16,461.78	0.00000	26,475.96	42,937.74
Breeders	0.00000	1,996.03	0.00000	3,219.72	5,215.75
In-State Host Fee	0.00000	31.90	0.00000	158.62	190.52
Premiums	0.00000	533.94	0.00000	1,302.31	1,836.25
Tufts Veterinary	0.00000	0.00	0.00000	398.60	398.60
Division of Fairs	0.00000	0.00	0.00000	0.00	0.00
Greyhound Adoption Fund	0.00000	0.00	0.00000	0.00	0.00
Out of State Host Fee	0.00000	10,076.00	0.00000	17,071.03	27,147.03
Total Fees	0.00000	31,107.25	0.00000	51,992.96	83,100.21
Retained by Track	0.00000	27,232.26	0.00000	71,235.88	98,468.14
Total Commission	0.00000	\$58,339.51	0.00000	\$123,228.84	\$181,568.35

We have reviewed the data presented herein and acknowledge our obligation to pay the fees reported above, including to the Commonwealth as follows: This money was wired on _____

State Commission	\$3,885.07	Promo Fund	\$1,371.65
Daily License Fee	1,200.00	Cap Fund	\$5,301.65
Assessment	6,500.15	Grey Adopt	\$0.00
Sub Total	\$11,585.22	Stabilization	\$0.00

Track Official / Date

Commission Accountant / Date

[Signature] 7/14/14

[Signature]

7/8/14

Appendix B

MASSACHUSETTS STATE RACING COMMISSION

Summary of Pari-mutuel Activities at Suffolk

July 01, 2014 to July 05, 2014

Type: All Track Groups

Number of Events: 76

Pools and Commissions

Menu	Pools	Commissions
Win/Place/Show	\$341,870	\$58,339.51
Exotic	552,464	123,228.84
Total	\$894,334	\$181,568.35

Distribution of Breaks

Association Breaks	\$0.00
Breaks to Stabilization Fund	0.00
Breaks to CIF	5,184.05
Minus Breaks	701.61
Net Breakage	\$4,482.44

Premiums

Suffolk	\$0.00
Plainridge	1,836.25
Raynham	0.00
Wonderland	0.00
Total Premiums	\$1,836.25

Distribution of Commissions	WPS Take-Out	WPS Comm	Exotic Take-Out	Exotic Comm	Total
State Commission	0.00000	\$1,514.38	0.00000	\$2,370.69	\$3,885.07
Racing Stabilization Fund	0.00000	0.00	0.00000	0.00	0.00
Capital Improvement Fund	0.00000	0.00	0.00000	117.60	117.60
Promotional Fund	0.00000	493.22	0.00000	878.43	1,371.65
Purses	0.00000	16,461.78	0.00000	26,475.96	42,937.74
Breeders	0.00000	1,996.03	0.00000	3,219.72	5,215.75
In-State Host Fee	0.00000	31.90	0.00000	158.62	190.52
Premiums	0.00000	533.94	0.00000	1,302.31	1,836.25
Tufts Veterinary	0.00000	0.00	0.00000	398.60	398.60
Division of Fairs	0.00000	0.00	0.00000	0.00	0.00
Greyhound Adoption Fund	0.00000	0.00	0.00000	0.00	0.00
Out of State Host Fee	0.00000	10,076.00	0.00000	17,071.03	27,147.03
Total Fees	0.00000	31,107.25	0.00000	51,992.96	83,100.21
Retained by Track	0.00000	27,232.26	0.00000	71,235.88	98,468.14
Total Commission	0.00000	\$58,339.51	0.00000	\$123,228.84	\$181,568.35

We have reviewed the data presented herein and acknowledge our obligation to pay the fees reported above, including to the Commonwealth as follows: This money was wired on _____.

State Commission	\$3,885.07	Promo Fund	\$1,371.65
Daily License Fee	1,200.00	Cap Fund	\$5,301.65
Assessment	6,500.15	Grey Adopt	\$0.00
Sub Total	\$11,585.22	Stabilization	\$0.00

Track Official / Date

Commission Accountant / Date

[Handwritten Signature]
7/8/14

MASSACHUSETTS STATE RACING COMMISSION

Summary of Pari-mutuel Activities at Suffolk

July 01, 2014 to July 05, 2014

Type: Thoroughbred Simulcast Out-Of-State

Number of Events: 60

Pools and Commissions

Menu	Pools	Commissions
Win/Place/Show	\$270,648	\$44,975.15
Exotic	449,224	97,144.47
Total	\$719,872	\$142,119.62

Distribution of Breaks

Association Breaks	\$0.00
Breaks to Stabilization Fund	0.00
Breaks to CIF	3,856.70
Minus Breaks	502.73
Net Breakage	\$3,353.97

Premiums

Suffolk	\$0.00
Plainridge	0.00
Raynham	0.00
Wonderland	0.00
Total Premiums	\$0.00

Distribution of Commissions	WPS Take-Out	WPS Comm	Exotic Take-Out	Exotic Comm	Total
State Commission	0.00375	\$1,014.93	0.00375	\$1,684.59	\$2,699.52
Racing Stabilization Fund	0.00000	0.00	0.00000	0.00	0.00
Capital Improvement Fund	0.00000	0.00	0.00000	0.00	0.00
Promotional Fund	0.00125	338.31	0.00125	561.53	899.84
Purses	0.04000	10,825.92	0.04000	17,968.95	28,794.87
Breeders	0.00500	1,353.24	0.00500	2,246.12	3,599.36
In-State Host Fee	0.00000	0.00	0.00000	0.00	0.00
Premiums	0.00000	0.00	0.00000	0.00	0.00
Tufts Veterinary	0.00000	0.00	0.00000	0.00	0.00
Division of Fairs	0.00000	0.00	0.00000	0.00	0.00
Greyhound Adoption Fund	0.00000	0.00	0.00000	0.00	0.00
Out of State Host Fee	0.00000	9,925.91	0.00000	16,659.81	26,585.71
Total Fees	0.08667	23,458.31	0.08709	39,121.00	62,579.30
Retained by Track	0.07950	21,516.84	0.12916	58,023.47	79,540.32
Total Commission	12.03188	\$44,975.15	12.06464	\$97,144.47	\$142,119.62

MASSACHUSETTS STATE RACING COMMISSION

Summary of Pari-mutuel Activities at Suffolk

July 01, 2014 to July 05, 2014

Type: Thoroughbred Live

Number of Events: 2

Pools and Commissions

Menu	Pools	Commissions
Win/Place/Show	\$61,965	\$11,773.35
Exotic	79,720	20,727.23
Total	\$141,685	\$32,500.58

Distribution of Breaks

Association Breaks	\$0.00
Breaks to Stabilization Fund	0.00
Breaks to CIF	1,140.35
Minus Breaks	191.53
Net Breakage	\$948.82

Premiums

Suffolk	\$0.00
Plainridge	0.00
Raynham	0.00
Wonderland	0.00
Total Premiums	\$0.00

Distribution of Commissions	WPS Take-Out	WPS Comm	Exotic Take-Out	Exotic Comm	Total
State Commission	0.00750	\$464.74	0.00750	\$597.90	\$1,062.64
Racing Stabilization Fund	0.00000	0.00	0.00000	0.00	0.00
Capital Improvement Fund	0.00000	0.00	0.00000	0.00	0.00
Promotional Fund	0.00250	154.91	0.00250	199.30	354.21
Purses	0.08500	5,267.03	0.09500	7,573.44	12,840.46
Breeders	0.01000	619.65	0.01000	797.20	1,416.85
In-State Host Fee	0.00000	0.00	0.00000	0.00	0.00
Premiums	0.00000	0.00	0.00000	0.00	0.00
Tufts Veterinary	0.00000	0.00	0.00500	398.60	398.60
Division of Fairs	0.00000	0.00	0.00000	0.00	0.00
Greyhound Adoption Fund	0.00000	0.00	0.00000	0.00	0.00
Out of State Host Fee	0.00000	0.00	0.00000	0.00	0.00
Total Fees	0.10500	6,506.33	0.12000	9,566.45	16,072.77
Retained by Track	0.08500	5,267.03	0.14000	11,160.78	16,427.81
Total Commission	1.88736	\$11,773.35	2.42881	\$20,727.23	\$32,500.58

MASSACHUSETTS STATE RACING COMMISSION

Summary of Pari-mutuel Activities at Suffolk

July 01, 2014 to July 05, 2014

Type: Harness Simulcast Out-of-State

Number of Events: 12

Pools and Commissions

Menu	Pools	Commissions
Win/Place/Show	\$8,967	\$1,535.91
Exotic	22,078	4,982.22
Total	\$31,045	\$6,518.13

Distribution of Breaks

Association Breaks	\$0.00
Breaks to Stabilization Fund	0.00
Breaks to CIF	178.34
Minus Breaks	7.35
Net Breakage	\$170.99

Premiums

Suffolk	\$0.00
Plainridge	1,836.25
Raynham	0.00
Wonderland	0.00
Total Premiums	\$1,836.25

Distribution of Commissions	WPS Take-Out	WPS Comm	Exotic Take-Out	Exotic Comm	Total
State Commission	0.00375	\$33.63	0.00375	\$82.79	\$116.42
Racing Stabilization Fund	0.00000	0.00	0.00000	0.00	0.00
Capital Improvement Fund	0.00000	0.00	0.00500	110.39	110.39
Promotional Fund	0.00000	0.00	0.00500	110.39	110.39
Purses	0.04000	358.68	0.04000	883.10	1,241.78
Breeders	0.00250	22.42	0.00750	165.58	188.00
In-State Host Fee	0.00000	0.00	0.00000	0.00	0.00
Premiums	0.05954	533.94	0.05899	1,302.31	1,836.25
Tufts Veterinary	0.00000	0.00	0.00000	0.00	0.00
Division of Fairs	0.00000	0.00	0.00000	0.00	0.00
Greyhound Adoption Fund	0.00000	0.00	0.00000	0.00	0.00
Out of State Host Fee	0.00000	150.09	0.00000	411.23	561.32
Total Fees	0.12253	1,098.75	0.13886	3,065.78	4,164.54
Retained by Track	0.04875	437.16	0.08680	1,916.44	2,353.59
Total Commission	0.03893	\$1,535.91	0.10387	\$4,982.22	\$6,518.13

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MASSACHUSETTS STATE RACING COMMISSION

Summary of Pari-mutuel Activities at Suffolk

July 01, 2014 to July 05, 2014

Type: Harness Simulcast In-State

Number of Events: 2

Pools and Commissions

Menu	Pools	Commissions
Win/Place/Show	\$290	\$55.10
Exotic	1,442	374.92
Total	\$1,732	\$430.02

Distribution of Breaks

Association Breaks	\$0.00
Breaks to Stabilization Fund	0.00
Breaks to CIF	8.66
Minus Breaks	0.00
Net Breakage	\$8.66

Premiums

Suffolk	\$0.00
Plainridge	0.00
Raynham	0.00
Wonderland	0.00
Total Premiums	\$0.00

Distribution of Commissions	WPS Take-Out	WPS Comm	Exotic Take-Out	Exotic Comm	Total
State Commission	0.00375	\$1.09	0.00375	\$5.41	\$6.50
Racing Stabilization Fund	0.00000	0.00	0.00000	0.00	0.00
Capital Improvement Fund	0.00000	0.00	0.00500	7.21	7.21
Promotional Fund	0.00000	0.00	0.00500	7.21	7.21
Purses	0.03500	10.15	0.03500	50.47	60.62
Breeders	0.00250	0.73	0.00750	10.82	11.54
In-State Host Fee	0.11000	31.90	0.11000	158.62	190.52
Premiums	0.00000	0.00	0.00000	0.00	0.00
Tufts Veterinary	0.00000	0.00	0.00000	0.00	0.00
Division of Fairs	0.00000	0.00	0.00000	0.00	0.00
Greyhound Adoption Fund	0.00000	0.00	0.00000	0.00	0.00
Out of State Host Fee	0.00000	0.00	0.00000	0.00	0.00
Total Fees	0.15124	43.86	0.16625	239.73	283.60
Retained by Track	0.03876	11.24	0.09375	135.19	146.43
Total Commission	0.13505	\$55.10	0.31295	\$374.92	\$430.02

Appendix C

Key	PERCENTAGE - OF - TOTAL - HANDLE ASSESSMENTS									
	Commission to MGC	Running Horse Cap Improvements Trust Fund	Running Horse Promotional Trust Fund	Harness Horse Cap Improvements Trust Fund	Harness Horse Promotional Trust Fund	Harness Horse Racing Stabilization Fund*				
\$ MGC keeps - Racing Development and Oversight Fund										
\$ MGC acts as pass-through										
\$ Third-party settlement										
Import of out-of-state running horse signal										
Plainridge	0.375%	breaks	0.125%							
Raynham	0.375%	breaks	0.125%							
Suffolk	0.375%	breaks	0.125%							
Import of out-of-state harness horse signal										
Plainridge	0.375%			0.5% exotics + breaks	0.5% exotics					
Raynham	0.375%			0.5% exotics + breaks	0.5% exotics					
Suffolk	0.375%			0.5% exotics + breaks	0.5% exotics					
Import of out-of-state greyhound signal										
Plainridge	2.5%								0.50%	
Raynham	2.5%								0.5% + breaks	
Wonderland	2.5%								0.5% + breaks	
Intra-state simulcast of Suffolk										
Plainridge	0.375%	breaks	0.125%							
Raynham	0.375%	breaks	0.125%							
Intra-state simulcast of Plainridge										
Raynham	0.375%			0.5% exotics + breaks	0.5% exotics					
Suffolk	0.375%			0.5% exotics + breaks	0.5% exotics					
Live Racing Suffolk										
Plainridge	0.75%	breaks	0.25%							
Live Racing Plainridge										
Plainridge	0.75%			1.0% exotics + breaks	1.0% exotics					
Export of Suffolk signal to out of state facility within 100 miles										
Export of Plainridge signal to out of state facilities within 100 miles										
Additional daily fees	License Fee	Assessment FY14	Assessment FY15							
Plainridge daily fees	300/open day	400.65/day	386.16/day							
Raynham daily fees	300/open day	331.39/day	326.61/day							
Suffolk daily fees	300/open day	1275.55/day	1300.03/day							
Wonderland daily fees	300/open day	47.20/day	42.00/day							

*includes monies rolled in from greyhound cap improvement and promo funds, purses, and breeders columns

7/1/2014
 7/5/2014
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Out of State Running Horse Signal	Out of State Harness Horse Signal	Import of Out of State		Intra-State		Live Racing Suffolk	Live Racing Plainridge	Weekly Total
		Greyhound Signal (NA Suffolk)	Simulcase of Suffolk (NA Suffolk)	Intra-State Simulcast of Plainridge	Intra-State Simulcast of Plainridge			
\$719,872.00	\$31,045.00			\$1,732.00	\$141,685.00			\$894,334.00
\$3,856.70	\$178.34			\$8.66	\$1,140.35			\$5,184.05
\$270,648.00	\$8,967.00			\$290.00	\$61,965.00			\$341,870.00
\$449,224.00	\$22,078.00			\$1,442.00	\$79,720.00			\$552,464.00
Distribution to Different Funds								
\$1,200.00								\$1,200.00
\$6,500.00								\$6,500.00
\$2,699.52	\$116.42			\$6.50	\$1,062.64			\$3,885.07
\$3,856.70					\$1,140.35			\$4,997.05
\$899.84					\$354.21			\$1,254.05
	\$288.73			\$15.87				\$304.60
	\$110.39			\$7.21				\$117.60
\$7,456.06	\$515.54	\$0.00	\$0.00	\$29.58	\$2,557.20	\$0.00	\$0.00	\$18,258.37
								\$18,258.52

7/25/2014

Appendix D

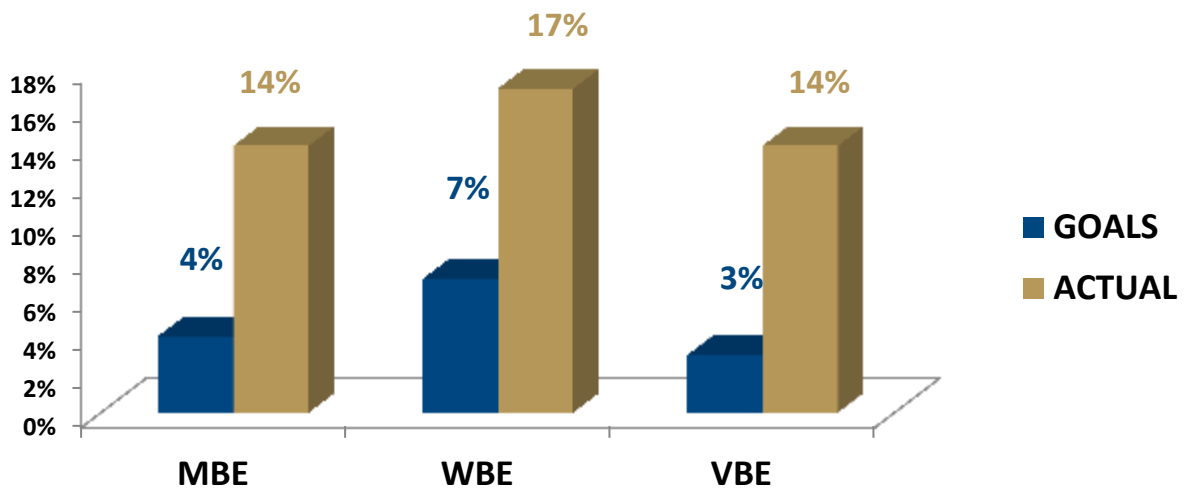
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MASSACHUSETTS GAMING COMMISSION
DIVERSITY REPORT

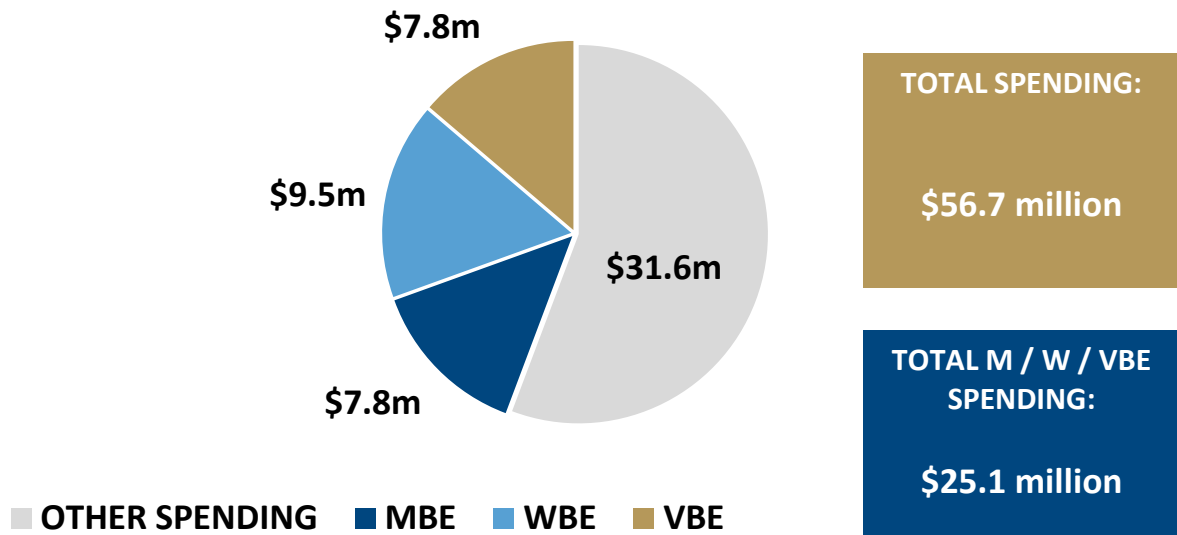
12/4/2014

CONSTRUCTION SUPPLIER DIVERSITY



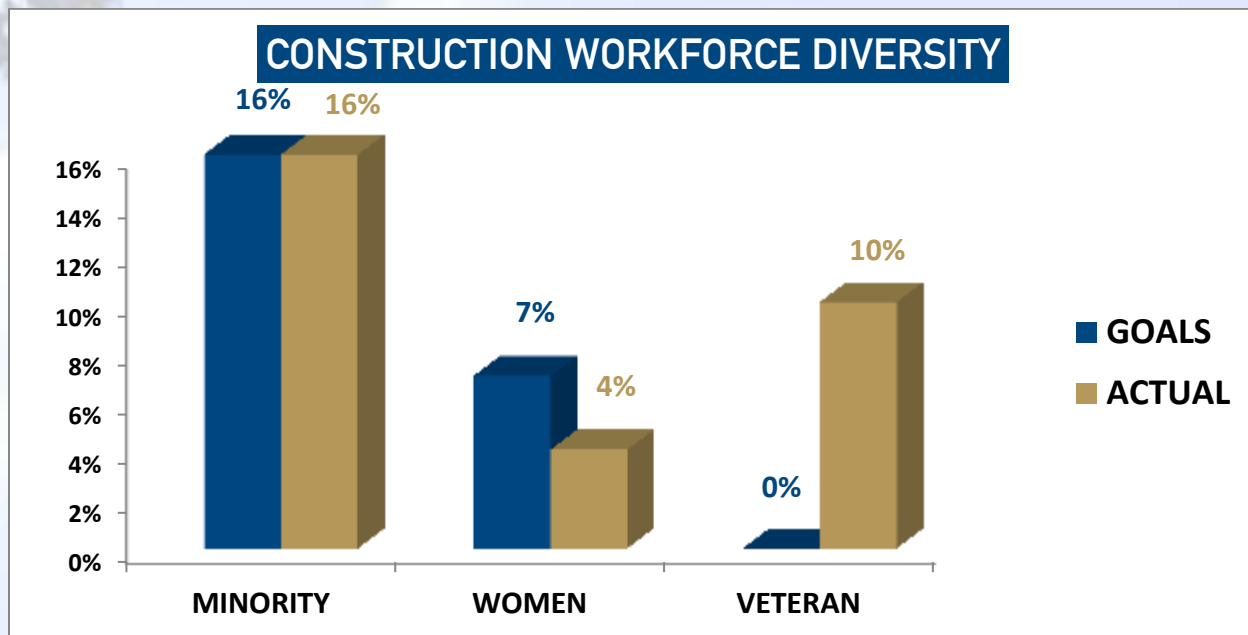
Figures as of November 1, 2014

CONSTRUCTION SUBCONTRACTOR SPENDING

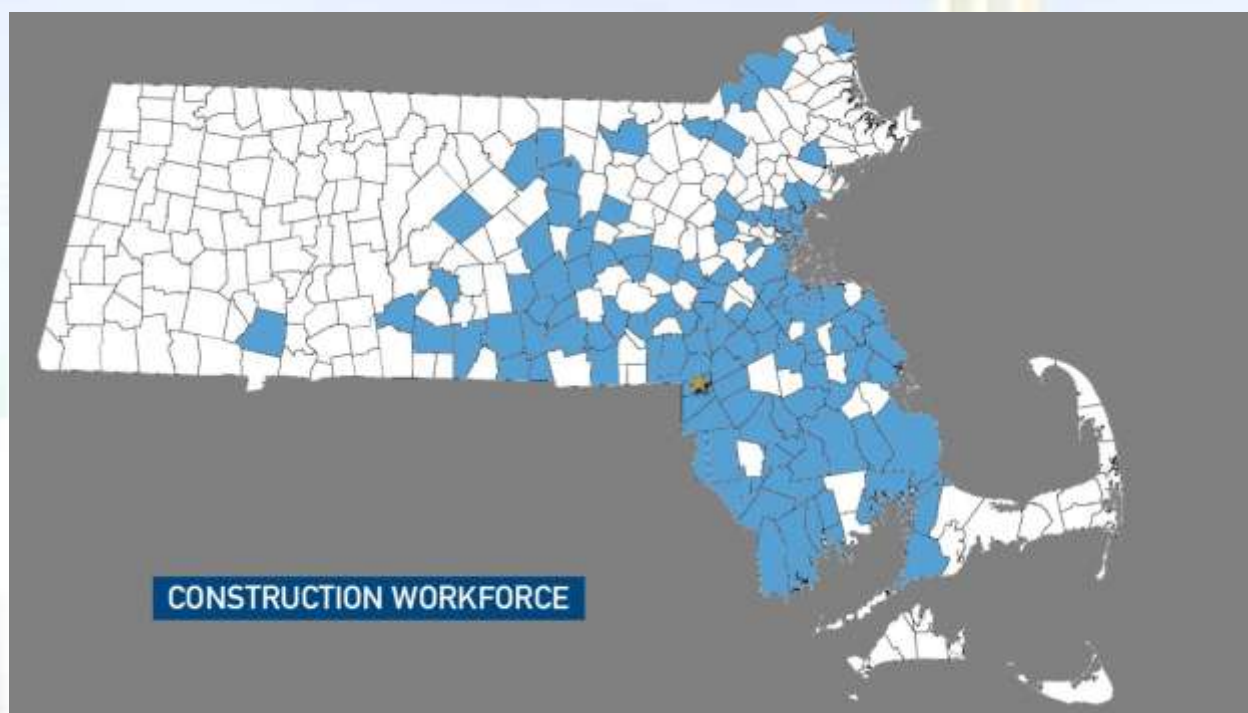


Figures as of November 1, 2014

MBE = Minority Business Enterprise
 WBE = Women Business Enterprise
 VBE = Veteran Business Enterprise



Figures as of November 1, 2014



Figures for 2014 Q3

- Construction workforce is at 320 workers daily as of November 2014.
- 500 people have worked on the project to date.



**MASSACHUSETTS GAMING COMMISSION
ACCESS AND OPPORTUNITY COMMITTEE
RULES OF PROCEDURE**

Section 1. Scope and Purpose of Committee

The Massachusetts Gaming Commission (“Commission”) hereby establishes an Access and Opportunity Committee (“Committee”). The Committee’s primary function shall be to monitor efforts by each Category 1 gaming licensee to achieve diversity in the construction workforce and supplier base and to further the goals underlying G.L. c.23K, §15(16), and to make related recommendations to the Commission and/or licensees. This Access and Opportunity Committee will serve the function as a Liaison Committee highlighted in Administrative Bulletin 14.

Section 2. Organization

- (a) The membership of the Committee shall consist of:

Statewide Representatives:

- Interim Director of the Office of Access and Opportunity or her designee;
- The Director of the Massachusetts Supplier Diversity Office or his designee;
- Secretary of the Commonwealth’s Department of Veteran’s Services or his designee
- Secretary of Commonwealth’s Department of Labor and Workforce Development or her designee
- A Representative appointed by the Commission from the Commission’s Vendor Advisory Team
- A representative, appointed by the Commission from statewide labor organizations
- The Director of Workforce Supplier and Diversity Development for the Commission

Local Subcommittees (One for each gaming licensee)

- A representative of the Construction Manager or Construction Managers performing work pursuant to any agreement between the licensed casino operator and organized labor
- At least one representative of the Category 1 gaming licensee
- The appointee of the Mayor of the Host Community



Massachusetts Gaming Commission

- Representatives, appointed by the Commission, of local union organizations/institutions, minority, women and veteran business organizations, trade associations, workforce and community-based organizations

Staff and Support to the Committee

- The Director of Workforce, Supplier and Diversity Development for the Commission
- The Construction Monitors engaged by the Commission
- MGC Administrative staff

- (b) The Massachusetts Gaming Commission shall appoint a Chairperson.
- (c) The Gaming Commission staff to serve as Secretary of the Committee. The Secretary shall be responsible for the custody of the records of the Committee, including but not limited to Agendas, Minutes, Program Requirement Reports, and any other matter related to the purpose of the Committee.

Section 3. Duties and Responsibilities of Committee

- a) The Committee shall recommend actions that can be taken to increase the level of minority business enterprise, veteran business enterprise and women business enterprise participation as subcontractors.
- b) The Committee shall recommend actions that can be taken to increase the number and percentage of women, minority individuals and veterans participating as labor on the construction projects.
- c) The Committee shall participate in public forums and other educational and/or outreach activities designed to inform the general public about the construction projects as determined by the Commission.
- d) The Committee may take any other actions, consistent with the purpose of the Committee, as determined by the Commission.
- e) The Committee shall provide its recommendations and provide status updates to the Commission at the Commission's request.
- f) The Committee shall review detailed statistical reports on the number, gender, race, and veteran status of individuals by job classifications hired to perform labor

as part of the construction of the gaming establishment and related infrastructure, and a comparison of this report with the goals established by the gaming licensee and commission pursuant to G.L. c. 23K, § 21(a)(22), (23).

- g) The Committee shall review reports describing the number of contracts, total dollar amounts contracted with and actually paid to minority business enterprises, women business enterprises and veteran business enterprises for design and construction of the gaming establishment and related infrastructure, and the total number and value of all subcontracts awarded to a minority, women and veteran owned business, and a comparison of these reports with the goals established by the gaming licensee and commission pursuant to G.L. c. 23K, § 21(a)(21).

Section 4. Meetings of the Committee

- (a) The Committee shall meet every other month or as frequently as the Commission determines. The Committee shall be subject to the Open Meeting Law. Committee meetings shall be convened by the Chairperson at such times and places as the Commission shall decide.
- (b) The Chairperson of the Committee shall prepare an agenda for each meeting, which shall be sent by the Commission, with all pertinent documents, to each member of the Committee. Agendas and reports will be posted online on a regular basis.
- (c) The Commissioners of the Massachusetts Gaming Commission and the Executive Director of the Massachusetts Gaming Commission may participate in meetings of the Committee. Such other officials as the Commissioners or the Executive Director considers appropriate may also participate.
- (d) The meetings shall alternate locations between the regions of the Category 1 Licensees
- (e) Local subcommittees appointed by the Commission will participate in the portion of the meeting dedicated to the local Category 1 licensee.
- (f) The Committee may invite other persons to attend meetings.

Adopted by vote of the Commission _____

Date _____



**MASSACHUSETTS GAMING COMMISSION
ACCESS AND OPPORTUNITY COMMITTEE
RULES OF PROCEDURE**

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The Massachusetts Gaming Commission (“Commission”) hereby establishes an Access and Opportunity Committee (“Committee”). The Committee’s primary function shall be to monitor efforts by each Category 1 gaming licensee to achieve diversity ~~in the workforce and supplier efforts of in their respective~~ construction ~~workforce and supplier base and projects, in to~~ further ~~ance of~~ the goals underlying G.L. c.23K, §15(16), and to make related recommendations to the Commission and/or licensees. This Access and Opportunity Committee will serve the function as a Liaison Committee highlighted in Administrative Bulletin 14.

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- ~~At least one representative of each of the Category 1 gaming licensee;~~
- ~~The Director of Workforce Supplier and Diversity Development for the Commission;~~
- ~~The Construction Monitor engaged by the Commission;~~
- ~~A Representative from the Commission’s Vendor Advisory Team~~
- ~~The Assistant Secretary for Access and Opportunity~~ or her designee;
- The Director of the Massachusetts Supplier Diversity Office or his designee;
- Secretary of the Commonwealth’s Department of Veteran’s Services or his designee
- Secretary of Commonwealth’s Department of Labor and Workforce Development or her designee
- ~~The Director of Workforce Supplier and Diversity Development for the Commission;~~

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Massachusetts Gaming Commission

- A Representative appointed by the Commission from the Commission's Vendor Advisory Team
- A representative, appointed by the Commission from statewide labor organizations
- The Director of Workforce Supplier and Diversity Development for the Commission
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Local Subcommittees (One for each gaming licensee)

- A representative of the Construction Manager or Construction Managers performing work pursuant to any agreement between the licensed casino operator and organized labor;
- At least one representative of each of the Category 1 gaming licensee;
- The appointee of the Mayor of the Host Community
- ~~One representative from a Surrounding Community chosen by the Local Community Mitigation Advisory Committee~~
- Representatives, appointed by the Commission, of local union organizations/institutions, minority, ~~and~~ women and veteran business organizations, trade associations, workforce and community-based organizations, ~~and/or representatives of the associated unions and contractors.~~
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Staff and Support to the Committee

- The Director of Workforce, Supplier and Diversity Development for the Commission
- The Construction Monitors engaged by the Commission;
- MGC Administrative staff

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(b) The Massachusetts Gaming Commission shall appoint a Chairperson.

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Section 3. Duties and Responsibilities of Committee

~~a. The Committee shall review the quarterly status reports submitted to the Commission in accordance with 205 CMR 135.02(5)(d) reflecting the progress of construction and certifying compliance with the approved project schedule for major stages of construction.~~

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~~b.) The Committee shall recommend actions that can be taken to increase the level of minority business enterprise, veteran business enterprise and and /or women business enterprise participation as subcontractors.~~

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~~e. The Committee shall recommend actions that can be taken to increase the number and percentage of women, minority individuals and veterans participating as labor on the construction projects.~~

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~~b) _____~~

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~~d. The Committee shall participate in public forums and other educational and/or outreach activities designed to inform the general public about the construction projects as determined by the Commission.~~

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~~e. The Committee shall provide its recommendations and provide status updates to the Commission at the Commission's request.~~

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~~f) The Committee shall review detailed statistical reports on the number, gender, race, and veteran status of individuals by job classifications hired to perform labor as part of the construction of the gaming establishment and related infrastructure, and a comparison of this report with the goals established by the gaming licensee and commission pursuant to G.L. c. 23K, § 21(a)(22), (23).~~

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~~f. In the event the hiring of the aforementioned persons for any project did not comply with the goals established, the Committee shall review any response submitted to the Commission from the licensee as to why the goals had not been achieved, identifying any good faith efforts that have been undertaken to achieve those goals and providing a plan to bring the hiring into compliance with the goals.~~

~~g. The Committee shall review the quarterly status reports submitted to the Commission in accordance with 205 CMR 135.02(5)(f) describing the number of contracts, total dollar amounts contracted with and actually paid to minority business enterprises, women business enterprises and veteran business enterprises for design and construction of the gaming establishment and related infrastructure, and the total number and value of all subcontracts awarded to a minority, women and veteran owned business, and a comparison of these reports with the goals established by the gaming licensee and commission pursuant to G.L. c. 23K, § 21(a)(21). In the event a licensee's hiring of the aforementioned entities did not comply with the goals established the Committee shall review any response provided to the Commission from the licensee as to why the goals have not been achieved, identifying any good faith efforts that have been undertaken to achieve those goals and provide a plan to bring the dollar amount contracted and spent into compliance with the goals.~~

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Adopted by vote of the Commission _____
DATE

DRAFT



TO: Members of the Massachusetts Gaming Commission

FROM: Mark Vander Linden, Director Research and Problem Gambling

DATE: December 4, 2014

RE: Play management recommendation

Play management

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).

Issue

The MGC must decide whether to require gaming licensees to offer voluntary limit-setting tools as part of a play management system. If so, what features should be included to bring the greatest benefit.

Background

The MGC Responsible Gaming Framework was adopted by the MGC on September 25, 2014. One measure, whether to require play management tools, remained unresolved until there was further investigation of incorporating play management tools into the development of regulations.

To date, the potential utility of play management tools in Massachusetts has been thoroughly reviewed and discussed using a variety of methods:

Review of the research

Method: There was an exhaustive review of the research including theory and evaluation of play management tools.

Conclusion: Definitive evidence of effectiveness based on empirical research is inconclusive. There are two overarching reasons why this is the case. First, literature has focused on the play management practices of *problem gamblers*, rather than recreational gamblers who may want to set limits to maintain safe levels of gambling to ensure they don't move along the spectrum toward problem gambling. Second, empirical research to date has struggled with expansive methodological flaws (Ladouceur, Blaszczynski, & Lalande, 2011).

Engagement with licensees:

Method: Play management tools have been discussed numerous times in meetings of the Massachusetts Partnership for Responsible Gaming (MPRG). In July 2014, a facilitated meeting was dedicated to the



Massachusetts Gaming Commission

topic to ensure a detailed understanding of the concerns of MGC applicants and licensees and recommendations from leading researchers in the field. Last month Wynn, MGM and Penn, shared written and verbal positions on the issue.

Conclusion: Throughout the process of developing a Responsible Gaming Framework, MGC licensees have been fully invested. Their successful experience as operators in numerous other jurisdictions cannot be overlooked. Each has expressed a commitment to promote responsible gaming at their Massachusetts gaming establishment. I've seen this demonstrated through the process of developing the RGF, as well as the applications submitted for a gaming license. While they have shared concerns about using limit-setting tools, they have also expressed a willingness to test a system to see what measurable benefit can come from it. In testimony during the MGC meeting on November 20th and written comment, each has presented recommendations on how to effectively introduce a play management system without unreasonably interfering with the gaming experience of patrons. Many of those recommendations have been incorporated into my final recommendation.

Input from product hardware and software manufacturers

Method: Focused conversations regarding cost and feasibility of play management tools were held with three companies offering an operator-based solution.

Conclusion: A specific cost to implement and maintain a system is difficult to determine, but does not appear cost prohibitive. Early adopters of play management systems paid high costs to build new technology from scratch and retrofit both hardware and software to existing gaming management systems. Since that time, the technology has become increasingly effective and cost-efficient which would likely benefit Massachusetts if play management tools are adopted.

Input from other stakeholders

Method: MGC solicited public comment following the presentation of the initial draft of the RGF and specific to play management.

Conclusion: Input was received from persons representing Massachusetts communities, industry other than licensees, academic and research institutions and advocacy groups. Overall the support/opposition to implement play management tools was mixed. Such input was important to the process and factored into the overall and detailed recommendation.

Review of experienced jurisdictions

Method: Strategic Science explored the experience of jurisdictions that had implemented play management tools. New Zealand, Canada, Norway, Sweden and Australia were selected based on available documentation, relevance to Massachusetts, and willingness to disclose details of implementation in interviews. A summary of findings and recommendations from Strategic Science was delivered to the MGC in October 2014.

Conclusion: The report created by Strategic Science, *Informing play management systems: International review of limit-setting tools*, provides a compelling case to adopt play management tools in Massachusetts. Their primary recommendation:

“The MGC Responsible Gaming Framework should include play management tools that encourage players to set limits of time and money, and support players in maintaining those limits.”



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Strategic Science further provided detailed recommendations to address key considerations for the successful implementation of play management tools. Many of these recommendations have been incorporated into my final recommendation.

Recommendation

I recommend the Massachusetts Gaming Commission include limit-setting options in the play management system.

To promote the greatest benefit in reducing gambling related harm, I recommend the following detailed recommendations:

- 1) Play management tools allow patrons to pre-commit to an amount spent per gaming session/day, and/or per 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 and periodically thereafter for continued use.
- 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 seamlessly 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 or change their limits from multiple locations including:
 - a. All electronic gaming machines;
 - b. Customer service stations;
 - c. On-site Responsible Gaming Information Centers;
 - d. Self-service kiosks, and;
 - e. Player reward portal of the company website.
- 9) When signing up for a new player account with the casino, the patron will be required to decide whether to use the play management tool.
- 10) The system will provide a periodic check 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) Play management tools are flexibly designed to allow changes to limits.



Massachusetts Gaming Commission

- a. Decreases take effect immediately, and;
 - b. Increases will be subject to a 24-hour cooling off period.
- 13) 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 time intervals of every fifteen-minutes. The player would have to actively acknowledge the message to continue gambling.
 - c. Consequences for exceeding limits include forgoing any further loyalty points for play.
- 14) Play management tools are operator-based for each licensee.
- 15) The play management tools are designed on a platform that allows for evaluation and continuous improvement.



Massachusetts Gaming Commission

Host Communities and their Surrounding Communities

Everett (Cat. 1)	Plainridge Park (Cat. 2)	Springfield (Cat. 1)
Boston - Designated	Foxborough	Agawam
Cambridge	Mansfield	Chicopee
Chelsea	North Attleboro	Holyoke
Malden	Wrentham	East Longmeadow
Medford		Longmeadow
Somerville		Ludlow
		West Springfield
		Wilbraham

Nearby Community Agreement and Other Agreements		
Lynn - NCA	Attleboro - Agreement	
Melrose - NCA		

Petitioned for SCA Status		
Boston*		Hampden
Saugus		Northampton

*Boston both petitioned for surrounding community status and was designated by Wynn MA, LLC.

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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).



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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



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a facility or to avoid or minimize any adverse impacts. 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.



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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**