



## **MASSACHUSETTS GAMING COMMISSION MEETING**

**Thursday, March 5, 2015**

**10:30 a.m.**

**MassMutual Center**

1277 Main Street, Meeting Rooms 1 & 2  
Springfield, MA



Massachusetts Gaming Commission

101 Federal Street, 23rd Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | [www.massgaming.com](http://www.massgaming.com)



## **NOTICE OF MEETING and AGENDA**

**March 5, 2015**

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, March 5, 2015**

**10:30 a.m.**

**MassMutual Center**

1277 Main Street, Meeting Rooms 1 & 2  
Springfield, MA

### **PUBLIC MEETING - #146**

1. Call to order
2. Approval of Minutes
  - a. February 5, 2015
  - b. February 19, 2015
3. Administration – Rick Day, Executive Director
  - a. General Update
  - b. Classification Policy Approval Consideration – T. Banda, Human Resources Manager - VOTE
4. Research and Responsible Gaming – Mark Vander Linden, Director
  - a. National Problem Gambling Awareness Month – Dr. Sarah Nelson, Cambridge Health Alliance
5. Ombudsman – John Ziemba
  - a. MGM 6 Month Project Schedule – R. Day, Executive Director and J. Pinck, Pinck & Co.
  - b. Mitigation Funds
6. Legal Division – Catherine Blue, General Counsel
  - a. Thoroughbred and Standardbred Race Horse Development Fund Requests
  - b. Final Approval of 205 CMR 149 Race Horse Development Fund and 205 CMR 134 Vendor Reporting Regulations and Amended SBIS – D. Holmes, Attorney - VOTE
  - c. Website Information Removal Policy - VOTE
7. Investigations and Enforcement Division – Karen Wells, Director
  - a. Approval of 205 CMR 139 Gross Gaming Revenue Taxes and 205 CMR 140 Financial Report Regulations SBIS – VOTE
  - b. Temporary License Requests – Vendor Primary
  - c. Formal Process Approval for Operations Certificate/Preopening Regulations – L. Lillios, Chief Enforcement Counsel and B. Band, Gaming Agents Division Chief - VOTE

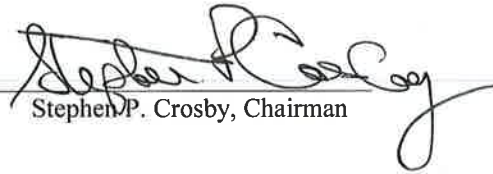


Massachusetts Gaming Commission

8. Information Technology Division – John Glennon, CIO
  - a. Progressive Slots, Voucher Systems and G2S Regulations – begin formal process – VOTE
  - b. Gaming Lab Technology Procedure Process
9. 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](http://www.massgaming.com) and emailed to: [regs@sec.state.ma.us](mailto:regs@sec.state.ma.us), [melissa.andrade@state.ma.us](mailto:melissa.andrade@state.ma.us).

3/3/15  
(date)

  
Stephen P. Crosby, Chairman

**Date Posted to Website:** March 3, 2015 at 10:30 a.m.



Massachusetts Gaming Commission

101 Federal Street, 23rd Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | [www.massgaming.com](http://www.massgaming.com)



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## Meeting Minutes

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**Date/Time:** February 5, 2015 – 10:30 a.m.

**Place:** Boston Convention and Exhibition Center  
415 Summer Street, Room 107B  
Boston, Massachusetts

**Present:** Commissioner Gayle Cameron  
Commissioner James F. McHugh  
Commissioner Bruce Stebbins  
Commissioner Enrique Zuniga

**Absent:** Chairman Stephen P. Crosby

### Call to Order

See transcript page 2

10:30 a.m. Commissioner McHugh called to order the 144<sup>th</sup> Commission Meeting.

### Approval of the Minutes

See transcript pages 2-3

10:31 a.m. *Commissioner McHugh moved for the approval of the January 22, 2015 minutes. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

### Administration

See transcript pages 3-5

10:32 a.m. Director Day presented the Commission with an administrative update which included recent hires, the licensing management system and contract discussions with GTECH.



## **Ombudsman Report**

See transcript pages 5-63

- 10:33 a.m. Ombudsman Ziemba provided a background for Wynn's presentation on their final environmental impact report and public outreach efforts.
- 10:36 a.m. Robert DeSalvio, President of Wynn MA, presented the Commission with an update on Wynn's supplemental final environmental impact report, design process and Charlestown outreach event.
- 10:50 a.m. Ombudsman Ziemba provided the Commission with an update on the Community Mitigation Funding applications.
- 10:54 a.m. Sheriff Michael Ashe and CFO William Christofori, Hampden County Sheriff's Office, presented on request for an expedited review of their mitigation fund application regarding the Western Massachusetts Correctional Alcohol Center.
- 11:30 a.m. Commission took a short recess.
- 11:37 a.m. Meeting resumed.

## **Workforce, Supplier and Diversity Development**

See transcript pages 64-98

- 11:37 a.m. Director Griffin presented the Commission with an overview of the process, public comments and key points in the Wynn diversity plan.
- 11:44 a.m. Robert DeSalvio, President of Wynn MA, and Ulrico Izzaguirre, Vice President of Community Affairs, Wynn Resorts, presented on the Wynn Design and Construction Diversity Strategy Plan.
- 12:10 p.m. *Commissioner Stebbins moved that the Commission approve the Wynn diversity strategy for design and construction as presented, with subsequent details to be discussed and negotiated with respect to the design phase and MBE, WBE, and VBE participation, and report back at a future meeting.*

*Commissioner McHugh moved to refine the motion to approve the plan as presented by Wynn with the condition that they reexamine the role of and goals for veteran business participation in the design phase. Amended motion seconded by Commissioner Cameron. Motion passed unanimously.*

## **Legal Division**

See transcript pages 99-114

- 12:16 p.m. Deputy General Counsel Grossman presented on draft regulation 205 CMR 136 – Sale and Distribution of Alcoholic Beverages at Gaming Establishments.
- 12:27 p.m. IEB Deputy Director Lillios presented on draft regulation 205 CMR 150 – Protection of Minors and Underage Youth.

## **Investigation and Enforcement Division**

See transcript pages 115-212

- 12:33 p.m. Director Wells presented on the following regulations: 205 CMR 140 – Gross Gaming Revenue Tax Remittance and Reporting and 205 CMR 139 – Continuing Disclosure and Reporting Obligations of Gaming Licensees and Qualifiers.
- 12:38 p.m. *Commissioner Zuniga moved that the Commission approve and start the formal promulgation process for regulations 205 CMR 140 and 205 CMR 139. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*
- 12:40 p.m. Commission recessed for lunch.
- 1:17 p.m. Meeting resumed.
- 1:17 p.m. Director Wells presented an update on status of Region C applicants.
- 1:25 p.m. Attorney John Donnelly representing Mass Gaming and Entertainment, presented on opposition to RFA-1 application extension.
- 1:32 p.m. George Carney, Owner of the Raynham Park and partner with Mass Gaming and Entertainment, presented on his roots in the Brockton community and support from public officials for the Mass Gaming and Entertainment application.
- 1:36 p.m. David Stern, CEO of DJS Global Advisors, and Attorney Kevin Conroy of Foley Hoag, representing KG Urban, presented on their project and request for 60 day extension.
- 1:47 p.m. David Hanlon, CEO of Somerset on the Move, and Attorney Robert Allen representing Crossroads, presented on their project and request for 60 day extension.

- 2:00 p.m. Kathryn Wheaton, Trustee, The Seafan Trust dba Sun Moon Resort, presented on her request for extension to file application fee.
- 2:09 p.m. Commissioners deliberate Region C applications and application fee extension requests.
- 2:44 p.m. Kathryn Wheaton, Trustee, The Seafan Trust dba Sun Moon Resort, provided comments regarding the application timeline.
- 2:50 p.m. *Commissioner Cameron moved that the Commission hold fast to the deadline for the application fee and the application, authorize Director Wells to send out deficiency letters for those pieces of the application which are incomplete, and that the deadline for full submission is March 16, 2015. Motion seconded by Commission Zuniga. Motion passed unanimously.*

### **Other Business Not Reasonably Anticipated**

See transcript page 212

- 2:51 p.m. *Having no further business, a motion to adjourn was made by Commissioner Cameron. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

### **List of Documents and Other Items Used**

1. Massachusetts Gaming Commission February 5, 2015 Notice of Meeting.
2. Massachusetts Gaming Commission January 22, 2015 Draft Meeting Minutes.
3. Memorandum from Ombudsman Ziemba to MGC Commissioners, dated February 2, 2015 regarding 2015 Community Mitigation Fund with attachments.
4. Wynn Design & Construction Diversity Strategy Executive Summary with attachments.
5. 205 CMR 136 Sale and Distribution of Alcoholic Beverages at Gaming Establishments
6. 205 CMR 150 Protection of Minors & Underage Youth
7. 205 CMR 140 Gross Gaming Revenue Tax Remittance and Reporting
8. Letter from MA State Representatives Brady and Cronin to the MGC, dated February 4, 2015 regarding Region C.
9. Letter from Kevin Conroy to Chairman Crosby, dated February 4, 2015 regarding KG Urban with attached letter of support from New Bedford City Councilors.
10. Letter from Attorney John Donnelly to Director Wells, dated February 2, 2015 regarding RFA-1 Region C.
11. Letter from Director Wells to Attorney Kevin Conroy, dated January 23, 2015 regarding KG New Bedford Region C Scope of Licensing.

12. Letter from Attorney Kevin Conroy to Director Wells, dated January 9, 2015 regarding KG Urban.
13. Letter from Attorney Kevin Conroy to Director Wells, dated January 30, 2015 regarding KG New Bedford.
14. Letter from Attorney Kevin Conroy to Chairman Crosby, dated January 26, 2015 regarding KG Urban.
15. Letter from Kevin Considine to Director Wells, dated August 27, 2013 regarding KG New Bedford with enclosure.
16. Letter from Director Wells to David Hanlon, dated January 26, 2015 regarding Somerset on the Move.
17. Letter from David Hanlon to Lt. Brian Connors, dated January 29, 2015 regarding Somerset on the Move.
18. Letter from David Hanlon to Director Wells, no date, regarding Somerset on the Move.
19. Letter from David Hanlon to Director Wells, dated January 9, 2015 regarding Somerset on the Move with enclosure.
20. Letter from Director Wells to Kathryn Wheaton, dated January 26, 2015 regarding The Seafan Trust, dba Sun Moon Resort.
21. Letter from Kathryn Wheaton to Lt. Brian Connors, dated January 30, 2015 regarding The Seafan Trust dba Sun Moon Resort.
22. Letter from Kathryn Wheaton to MGC/Director Wells, dated January 9, 2015 regarding The Seafan Trust dba Sun Moon Resort with enclosure.
23. Letter from Mary Jane Nunes to the MGC, dated January 29, 2015 regarding David Nunes and Region C application.

/s/ Catherine Blue  
Catherine Blue  
Assistant Secretary



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## Meeting Minutes

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**Date/Time:** February 19, 2015 – 10:30 a.m.

**Place:** Boston Convention and Exhibition Center  
415 Summer Street, Room 102 A/B  
Boston, Massachusetts

**Present:** Chairman Stephen P. Crosby  
Commissioner Gayle Cameron  
Commissioner Bruce Stebbins

**Absent:** Commissioner James F. McHugh  
Commissioner Enrique Zuniga

### Call to Order

See transcript page 2

10:34 a.m. Chairman Crosby called to order the 145<sup>th</sup> Commission Meeting.

### Approval of the Minutes

See transcript pages 2-3

10:35 a.m. Approval of the February 5, 2015 minutes have been postponed until a quorum of members from that meeting are present.

### Administration

See transcript pages 3-24

10:36 a.m. Director Day presented an administrative update which included an announcement for vendors and employees to complete application process in time for Penn opening, the mailing of letters to Suffolk Downs Workers (from Chairman Crosby and Wynn MA President Robert DeSalvio) regarding potential employment opportunities at Wynn Everett and an overview of the GTECH CMS contract Addendum.

10:45 a.m. CFAO Lennon presented an update on the GTECH CMS contract which included pricing options and his recommendation.

10:58 a.m. *Commissioner Cameron moved that the Commission authorize staff to continue and finalize negotiations with GTECH in order to begin implementing the central monitoring system and take into consideration comments today and previous comments which are articulated in the addendum. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

### **Legal Division**

See transcript pages 24-109

10:59 a.m. Attorney Holmes presented on draft regulation 205 CMR 14 – Supplemental Licensing Procedures.

11:00 a.m. *Commissioner Cameron moved that the Commission continue the promulgation of 205 CMR 14 in accordance with M.G.L. ch.128A. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

11:01 a.m. General Counsel Blue presented an overview of racing matters that included letters received from racing stakeholders and invitation for stakeholders to present on their concerns and plans for 2015.

11:04 a.m. Attorney Martin Corry, representing the Harness Horseman’s Association of New England, presented on concerns regarding the allocation of the Race Horse Development Fund.

11:11 a.m. George Carney, representing the Brockton Agricultural Society and Middleborough Agricultural Society, presented on the Brockton Fair grounds being a viable location for horse racing or a casino.

11:19 a.m. General Counsel Frank Frisoli and President Anthony Spadea, of the New England Horseman’s Benevolent and Protective Association (NEHBPA), presented on issues raised in letters provided to the Commission which included economic assistance and the Race Horse Development Fund.

11:33 a.m. General Counsel Blue presented an overview of M.G.L. ch.128A § 5(h)(4) – the economic assistance fund (\$20,000), and treatment of fund disbursement to individuals who have requested financial assistance.

11:45 a.m. President Louis Raffetto, representing the New England Horseman’s Agricultural and Racing Corporation and Advisor to the NEHBPA, presented on 2015 racing season plans which included an update on discussions with Suffolk Downs, the need for funding and action needed from the Legislature.

- 11:54 a.m. President Anthony Spadea, NEHBPA, presented on need for funding to maintain medical and life insurance benefits for employees.
- 11:56 a.m. General Counsel Blue presented an overview of the Race Horse Development Fund and percentage disbursements.
- 12:05 p.m. General Counsel Frank Frisoli, representing the NEHBPA, requested that the Commission/Legal Counsel take another look at statutory language pertaining to the 80 percent purse account deposit.
- 12:06 p.m. Chief Operating Officer Chip Tuttle, Suffolk Downs, presented on the Legislative action needed to move things forward and update on ongoing negotiations with the NEHBPA.
- 12:13 p.m. Attorney Kevin Considine, representing the Massachusetts Thoroughbred Association, presented on request for release of funds.
- 12:21 p.m. *Commissioner Cameron moved that the Commission authorize the General Counsel to work with the two breeder organizations in order to verify numbers and distribute the eight percent as discussed. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*
- 12:24 p.m. Commission took a short recess.
- 12:39 p.m. Meeting resumed.
- 12:39 p.m. National Director Paul Brooker, Horseshoes Union and Allied Trades local 947 SEU, presented on concerns regarding racing inactivity, consequences thereof and lack of information pertaining to Suffolk Downs.
- 12:45 p.m. Trainer William Lagorio, Suffolk Downs, presented on need for preservation of horse racing and expedited agreement with Suffolk Downs.

### **Racing Division**

See transcript pages 109-120

- 12:49 p.m. Chief Veterinarian and Operations Manager Dr. Lightbrown presented on the Furosemide Administration Program with recommendations that included employee training, enforcement, review of operating procedures and the formulation of a working group with stakeholders.
- 12:55 p.m. Senior Financial Analyst Doug O'Donnell presented on unclaimed wagers from 2013 and requested approval from Commissioners to send letters to respective tracks.

12:59 p.m. *Commissioner Cameron moved that Racing Division staff be authorized to send out letters for the recovery of 2013 unclaimed winnings at all the tracks, the monies to come in and the appropriate distribution back to the tracks. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

### **Other Business Not Reasonably Anticipated**

See transcript page 121

1:00 p.m. *Having no further business, a motion to adjourn was made by Commissioner Cameron. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*



### **List of Documents and Other Items Used**

1. Massachusetts Gaming Commission February 19, 2015 Notice of Meeting and Agenda
2. Massachusetts Gaming Commission February 5, 2015 Meeting Minutes
3. Massachusetts Gaming Commission letter to Suffolk Downs Workers
4. Wynn Resorts letter to Suffolk Downs Workers
5. Massachusetts Gaming Commission CMS Pricing Options with Addendum A
6. Racing Materials:
  - Letter from Catherine Blue to horse racing stakeholders, dated January 30, 2015 regarding horse racing licenses, race horse development fund and invitation to submit written statements and appear before the Commission.
  - Letter from Anthony Spadea to Jennifer Durenberger, dated December 11, 2014 regarding request for simulcasting authorization.
  - Letter from Catherine Blue to Anthony Spadea, dated January 15, 2015 regarding request for authorization to simulcast.
  - Letter from Anthony Spadea to Jennifer Durenberger, dated December 11, 2014 regarding request for transfer of 2015 racing license.
  - Articles of Organization (New England Horseman's Agricultural and Racing Corporation).
  - Letter from Catherine Blue to Anthony Spadea, dated January 15, 2015 regarding request for transfer of 2015 racing license.
  - Letter from Bruce Patten to Danielle Holmes, dated January 26, 2015 regarding economic assistance with budget attachment.
  - Letter from Stephen Crosby to Kevin Considine, dated January 21, 2015 regarding Massachusetts Thoroughbred Breeders Association.
  - Letter from Kevin Considine to Stephen Crosby, dated January 14, 2015 regarding the Massachusetts Thoroughbred Breeders Association with Exhibits A, B and C.
  - Letter from Chip Tuttle to Stephen Crosby, dated January 15, 2015 regarding Suffolk Downs.



7. Racing Briefs:

- Letter from Anthony Spadea to Catherine Blue, dated February 11, 2015 regarding request for enforcement of licensees' obligation to pay 2015 simulcasting premiums.
  - Letter from Anthony Spadea to Catherine Blue, dated February 11, 2015 regarding comment on HRC review of RHDF funding allocation between Standardbreds & Thoroughbreds.
  - Letter from Anthony Spadea to Catherine Blue, dated February 11, 2015 regarding comment on NEHBPA racing license transfer to NEHARC.
  - Letter from Anthony Spadea to Catherine Blue, dated February 11, 2015 regarding comment on HRC review of RHDF funding for multiple thoroughbred licensees.
  - Letter from Anthony Spadea to Catherine Blue, dated February 11, 2015 regarding comment on Sterling Suffolk Racecourse request for race days in 2015.
  - Letter from Anthony Spadea to Catherine Blue, dated February 11, 2015 regarding 2015 racing season plan.
  - Letter from Christopher McErlean to Stephen Crosby, dated February 12, 2015 regarding Plainridge Park Casino horse racing.
  - Letter from Martin Corry to MA Gaming Commission, dated February 11, 2015 regarding stakeholders hearing 2/19/15.
  - Letter from Ed Nowak to Catherine Blue, dated February 11, 2015 regarding the Standardbred Owners of Massachusetts.
  - Email from Paul Umbrello to MGC, dated February 18, 2015 regarding comment for public hearing with article dated 9/25/14.
8. 205 CMR 14.00 – Supplemental Licensure Procedures.  
14.01 Supplemental Procedures for Licensure Pursuant to M.G.L. c. 128A, §2
9. Massachusetts Gaming Commission February 12, 2015 Memorandum Regarding Furosemide Administration Program
10. Massachusetts Gaming Commission February 11, 2015 Memorandum Regarding 2013 Unclaimed Tickets to Purse Accounts – Horse Tracks
11. Massachusetts Gaming Commission February 11, 2015 Memorandum Regarding 2013 Unclaimed Tickets to Stabilization Fund – Dog Tracks
12. Letter from Rick Day to Wonderland Greyhound Park, dated February 11, 2015 regarding Recovery of 2013 Unclaimed Winnings.
13. Letter from Rick Day to Sterling Suffolk Racecourse, dated February 11, 2015 regarding Recovery of 2013 Unclaimed Winnings.
14. Letter from Rick Day to Taunton Dog Track / Massasoit Greyhound Association, dated February 11, 2015 regarding Recovery of 2013 Unclaimed Winnings.
15. Letter from Rick Day to Plainville Racecourse, dated February 11, 2015 regarding Recovery of 2013 Unclaimed Winnings.

/s/ Catherine Blue  
Catherine Blue  
Assistant Secretary

**No Documents**



# High Performance Project

## Classification and Compensation Plan

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## Purpose of Salary Structure

- Salary structures are an important component of effective comp programs and help ensure that pay levels for groups of jobs are competitive externally and equitable internally.
- A tool for management to reward performance and skills development while controlling overall base salary costs by providing a cap on the range paid for particular jobs.

## Definition of Salary Ranges and Salary Structure:

- A Salary range is the span between the minimum and maximum base salary an organization will pay for a specific job or group of jobs.
- A Salary structure is a hierarchal group of jobs and salary ranges within an organization

## **The project team referenced generally accepted compensation tools, government sources and HR professionals to develop the classification plan and salary ranges.**

- CityRating.com – used to determine differences between pay averages nationally
- Massachusetts state wide; City of Boston
- PayScale – professional version via Prospera.com; incorporated national, statewide and local Boston pay ranges
- Other proprietary data (via HR professional network)
- Commonwealth Open Checkbook
- Pennsylvania Gaming Commission
- Foxwoods
- Federal Bureau of Labor Statistics

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## **In addition each job was evaluated to determine it's appropriate FLSA (*Fair Labor Standards Act*) classification**

- Exempt: Salaried positions, not eligible for overtime
- Non Exempt: Hourly positions, eligible for overtime pay

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## All elements of the plan should be reviewed annually, including:

- Reviewing current Job descriptions to ensure that they are up to date
- Conduct Job evaluations on all new positions
- Consider appropriate changes to the established base pay structure based on patterns of current market survey data.



MGC Ranges  
01-08-15

Range	Incumbent	Job Title	E/NE	Min	25%	50%	75%	Max
<b>XIV</b>		Limited to Senior Executive reporting to the appointed or elected officials with legal oversight for the organization.		\$ 127,106	\$ 158,883	\$ 190,659	\$ 222,436	\$ 254,212
<b>XII</b>		Member of senior management team; responsible for management of a specific area of expertise that serves the whole organization and may include positions that the Executive Director and/or appointed or elected officials identify as critical to the organization's success.		\$ 116,362	\$ 145,453	\$ 174,543	\$ 203,634	\$ 232,724
<b>XII</b>		Responsible for management of a key department including budget and strategy development and oversight, human resources and department outcomes. May or may not be a member of the senior management team as determined by the Executive Director.		\$ 95,323	\$ 119,154	\$ 142,985	\$ 166,815	\$ 190,646
<b>XI</b>		Responsible for day-to-day management of a department; may be assigned oversight of specific functions within the department within area of expertise. Brings high level of knowledge in her/his assigned area. Advanced degree may be required.		\$ 82,867	\$ 103,584	\$ 124,301	\$ 145,017	\$ 165,734
<b>X</b>		Responsible for day-to-day management of a specific function within a department. Advanced degree with specialization may be required.		\$ 74,877	\$ 93,596	\$ 112,316	\$ 131,035	\$ 149,754
<b>IX</b>		Responsible for using advanced, specialized knowledge on a day-to-day basis generally obtained by a post baccalaureate advanced degree including state and/or federal licensure requirements.		\$ 65,646	\$ 82,058	\$ 98,469	\$ 114,881	\$ 131,292
<b>VIII</b>		Positions require a bachelors degree. Advanced degree or certification preferred. 3-5 years of direct experience required.		\$ 61,365	\$ 76,706	\$ 92,048	\$ 107,389	\$ 122,730
<b>VII</b>		Positions require a bachelors degree. Advanced degree in specialty area preferred. 3-5 years of direct experience is required.		\$ 60,228	\$ 75,285	\$ 90,342	\$ 105,399	\$ 120,456
<b>VI</b>		Positions require a bachelors degree. 3-5 years of direct experience required.		\$ 56,765	\$ 70,956	\$ 85,148	\$ 99,339	\$ 113,530
<b>V</b>		Positions require a bachelors degree. 3-5 years of direct experience required. Post bachelors degree may be required for selected positions in lieu of experience.		\$ 53,041	\$ 66,301	\$ 79,562	\$ 92,822	\$ 106,082
<b>IV</b>		Positions require a GED or high school diploma; associates degree highly desirable. Graduate of post high school training program may be required. Bachelors degree is often preferred. 3 - 5 years of direct experience is required.						

MGC Ranges  
01-08-15

Range	Incumbent	Job Title	E/NE	Min	25%	50%	75%	Max
				\$ 49,954	\$ 62,443	\$ 74,931	\$ 87,420	\$ 99,908
III		Positions require a GED or high school diploma. Graduate of post high school training program may be required. Bachelors degree is often preferred. 3 - 5 years of direct experience is often required.						
				\$ 43,488	\$ 54,360	\$ 65,232	\$ 76,104	\$ 86,976
II		Positions require a GED or high school diploma. Graduate of post high school training program may be required. 1- 3 years of direct experience is often required.						
				\$ 35,583	\$ 44,479	\$ 53,375	\$ 62,270	\$ 71,166
I		Entry level positions. Minimum requirement is a GED or high school diploma. Some experience may be required.						
				\$ 24,819	\$ 31,024	\$ 37,229	\$ 43,433	\$ 49,638

February 12, 2015

RE: March 10, 2015 is Gambling Disorder Screening Day

On March 10, 2015, the Cambridge Health Alliance's Division on Addiction and Outpatient Addiction Services are supporting Gambling Disorder Screening Day as a part of the Cambridge Health Alliance Readiness for Gambling Expansion (CHARGE) initiative. We picked this date because March is National Problem Gambling Awareness Month. Brief screening for Gambling Disorder is an essential part of increasing awareness and helping people who have gambling problems.

Each year between 1 and 5% of the general public experiences gambling related problems. Most people who have a Gambling Disorder do not receive treatment, in part, because screening for Gambling Disorder is uncommon. However, the majority of people who have Gambling Disorder are in treatment for something else.

We hope that you will join us and other organizations such as the Massachusetts Council on Compulsive Gambling, the National Center for Responsible Gaming, and the National Council on Problem Gambling in this effort. Attached please find materials that could help your organization with brief screening for Gambling Disorder. You will find:

- (1) a brief description of Gambling Disorder
- (2) an explanation about why brief screening for Gambling Disorder is important
- (3) the three-item Brief Biosocial Gambling Screen, and
- (4) a list of local and national resources for Gambling Disorder.

Feel free to print and distribute, or forward these materials to anyone you think might be interested.

Help screen and spread the word about March 10, 2015, Gambling Disorder Screening Day! Please let us know by March 3, 2014 if you will participate!

Sincerely,

Debi LaPlante, Ph.D.

Director of Research & Academic Affairs, Division on Addiction, Cambridge Health Alliance  
Assistant Professor, Harvard Medical School

Howard J. Shaffer, Ph.D. C.A.S.

Director, Division on Addiction, Cambridge Health Alliance  
Associate Professor, Harvard Medical School

Heather Gray, Ph.D.

Associate Director of Academic Affairs, Division on Addiction, Cambridge Health Alliance  
Instructor, Harvard Medical School

## What is Gambling Disorder?

Gambling is betting something valuable on an event that is determined by chance. The gambler hopes that he or she will ‘win,’ and gain something of value. Once placed, a bet cannot be taken back. When most people think of gambling, they think of slots machines and casinos. But, it’s important to understand that playing bingo, buying lottery tickets, even betting on office pools—**all of these, and many other activities, are forms of gambling.**

Mental health professionals have developed criteria that help to identify when someone has a problem. For example, many professionals use the DSM criteria. The DSM is a handbook published by the American Psychiatric Association. Professionals use the DSM to diagnose psychological problems. The newest version of the DSM lists Gambling Disorder alongside other addictive behaviors.

The DSM-5 provides a series of symptoms commonly found among people with gambling problems. The symptoms include:

- A. Persistent and recurrent problematic gambling behavior leading to clinically significant impairment or distress, as indicated by the individual exhibiting four (or more) of the following in a 12-month period:
  - 1. Needs to gamble with increasing amounts of money in order to achieve the desired excitement.
  - 2. Is restless or irritable when attempting to cut down or stop gambling.
  - 3. Has made repeated unsuccessful efforts to control, cut back, or stop gambling.
  - 4. Is often preoccupied with gambling (e.g., having persistent thoughts of reliving past gambling experiences, handicapping or planning the next venture, thinking of ways to get money with which to gamble).
  - 5. Often gambles when feeling distressed (e.g., helpless, guilty, anxious, depressed).
  - 6. After losing money gambling, often returns another day to get even (“chasing” one’s losses).
  - 7. Lies to conceal the extent of involvement with gambling.
  - 8. Has jeopardized or lost a significant relationship, job, or educational or career opportunity because of gambling.
  - 9. Relies on others to provide money to relieve desperate financial situations caused by gambling.
- B. The gambling behavior is not better explained by a manic episode.

People meet the DSM standard for gambling disorder when they satisfy 4 of these criteria. Gambling problems exist with every form of gambling activity. It’s not just associated with casinos or Internet gambling. Bingo players, lottery players, casino players, and friends playing poker all can develop gambling disorders.

People with Gambling Disorder continue gambling despite bad consequences. For example, they might not fulfill work or home duties, or have legal problems. They also might have repeated social problems, like getting into fights and conflicts with other people. People with Gambling Disorder are preoccupied with gambling. They may try to quit unsuccessfully or hide their behavior. They might also commit crimes to pay for their gambling.

## **Why Screen for Gambling Disorder?**

- Gambling Disorder leads to financial, emotional, social, occupational, and physical harms.
- Gambling Disorder affects about 1% of the general population, and subclinical past year gambling-related problems affect 2-3% of the general population.
- As much as 10% of primary care patients report lifetime gambling disorder, and an additional 5% report lifetime subclinical problems.
- People with gambling-related problems are more likely to smoke, consume excessive amounts of caffeine, have more emergency department visits, and be obese.
- Although nearly 50% of people who have gambling problems are in treatment for "something," national studies have failed to identify anyone who currently reports being in treatment specifically for gambling-related problems.
- Many cases of gambling disorder go undetected, due to limited assessment for this problem.

## **Who Should Screen for Gambling Disorder?**

- Addiction service providers
- Mental health service providers
- Physicians (e.g., primary care and emergency medicine)
- Gerontologists
- Pediatricians
- Educators
- Youth community leaders
- Employee Assistance Plan service providers
- Veterans groups

### ***What Should Happen at a Gambling Disorder Screening?***

- Complete a brief Gambling Disorder screen
- Discuss the results of a positive screen with a health provider
- Learn where to go for additional help and to access other resources, if necessary.
- Receive educational materials on Gambling Disorder

# Brief Biosocial Gambling Screen (BBGS) Description

## Overview

Brief screens can help people decide whether to seek formal evaluation of their gambling behavior. The 3-item BBGS<sup>1</sup> is based on the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DSM-IV) criteria for gambling disorder.

## Scoring

A “yes” response to any single item indicates potential gambling-related problems and the need for additional evaluation.

## Psychometric Properties

For identifying individuals with gambling disorder, Gebauer and colleagues (2010)<sup>1</sup> report that the BBGS has good psychometric characteristics: high sensitivity (0.96) and high specificity (0.99). The Positive Predictive Value of the BBGS is 0.37. This suggests that one of three individuals who screen positive on the BBGS will be identified as having gambling disorder after full follow-up.

---

<sup>1</sup> Gebauer, L., LaBrie, R. A., Shaffer, H. J. (2010). Optimizing DSM IV classification accuracy: A brief bio-social screen for detecting current gambling disorders among gamblers in the general household population. *Canadian Journal of Psychiatry*, 55(2), 82-90.

# Brief Biosocial Gambling Screen (BBGS) Questionnaire

Name

Date

\_\_\_\_\_

To screen for potential gambling-related problems, please complete the following questions.<sup>2</sup>

**1. During the past 12 months, have you become restless irritable or anxious when trying to stop/cut down on gambling?**

- Yes
- No

**2. During the past 12 months, have you tried to keep your family or friends from knowing how much you gambled?**

- Yes
- No

**3. During the past 12 months did you have such financial trouble as a result of your gambling that you had to get help with living expenses from family, friends or welfare?**

- Yes
- No

---

<sup>2</sup> An online version of the BBGS is available at [www.divisiononaddiction.org/bbgs\\_new/](http://www.divisiononaddiction.org/bbgs_new/)



## ***Cambridge Health Alliance Gambling Disorder Resources & Referral***

1. e-Brief Biosocial Gambling Screen (available in 22 languages)
  - a. What is it? The Division on Addiction's brief (3-item) gambling disorder screener and intervention system derived from analyses of the National Epidemiology Survey on Alcohol & Related Conditions (Gebauer, LaBrie, & Shaffer, 2010).
  - b. [http://www.divisiononaddiction.org/bbgs\\_new/](http://www.divisiononaddiction.org/bbgs_new/)
2. Your First Step to Change: Gambling (available in 22 languages)
  - a. What is it? The Division's gambling self-help toolkit, developed in collaboration with the Massachusetts Council on Compulsive Gambling, with support from the Massachusetts Department of Public Health and the National Center for Responsible Gaming.
  - b. <http://www.gamblingselfchange.org/?step=welcome>
3. The Worldwide Addiction Gambling Education Report (*WAGER*)
  - a. What is it? The Division's free monthly online research review of the latest gambling science.
  - b. [http://www.basisonline.org/the\\_wager/](http://www.basisonline.org/the_wager/)
4. Expressions of Addiction
  - a. What is it? Dr. Howard Shaffer's photographic essay of case studies of gambling and other expressions of addiction.
  - b. <http://expressionsofaddiction.com>
5. Change Your Gambling, Change Your Life
  - a. What is it? Dr. Howard Shaffer's book about self-guided recovery from gambling and related disorders.
  - b. <http://www.health.harvard.edu/books/change-your-gambling-change-your-life>
6. Mount Auburn Hospital Prevention and Recovery Center
  - a. 330 Mount Auburn Street Cambridge, MA 02138
  - b. Phone: 617-499-5051 Fax: 617-499-5562

## **Local (Massachusetts) & National Gambling Disorder Resources**

1. Massachusetts Council on Compulsive Gambling (<http://www.masscompulsivegambling.org/>) helplines:
  - a. English: 1-800-426-1234
  - b. Chinese: 1-857-383-3557
  - c. Vietnamese: 1-857-383-3567
  - d. Khmer: 1-857-383-3577
  - e. Spanish: 1-857-383-3558
2. Massachusetts Gaming Commission (<http://massgaming.com/>)
3. Massachusetts Psychological Association (<http://www.masspsych.org/>)
4. Massachusetts Psychiatric Society (<http://www.psychiatry-mps.org/>)
5. National Council on Problem Gambling (<http://www.ncpgambling.org/>) helpline:
  - a. 1-800-522-4700
6. National Center for Responsible Gaming (<http://ncrg.org>)
7. American Academy of Health Care Providers in the Addictive Disorders (<http://www.americanacademy.org/>)
8. Other Key Hotlines

### **Suicide**

Samaritans Statewide Hotline: 1-877-870-HOPE (4673)  
National Suicide Prevention Lifeline: 1-800-273-TALK (8255)  
The Trevor Helpline: 866-4-U-TREVOR (488-7386)

### **Substance Abuse**

Alcohol and Drug Hotline: 1-(800) 327-5050  
Smokers Quit Line: 1-(800) TRY TO STOP

### **Domestic Violence**

Safelink: 1-877-785-2020

### **Families and Children**

Parental Stress Hotline: 1-(800) 632-8188  
Child Abuse and Neglect Hotline (DSS): 1-(800) 792-5200  
Massachusetts Society for the Prevention of Cruelty to Children: 1-(800) 442-3035  
National Runaway Switchboard: 1-(800) 621-4000



# Massachusetts Gaming Commission Project Update March 5, 2015



**MGM RESORTS**  
INTERNATIONAL

BELLAGIO® ARIA® VDARA® MGM GRAND® THE SIGNATURE AT MGM GRAND® MANDALAY BAY® DELANO™ LAS VEGAS THE MIRAGE® MONTE CARLO™ NEW YORK-NEW YORK®  
LUXOR® EXCALIBUR® CIRCUS CIRCUS® LAS VEGAS CIRCUS CIRCUS® RENO, NEVADA SILVER LEGACY™ RENO, NEVADA BEAU RIVAGE® BILOXI, MISSISSIPPI  
GOLD STRIKE® TUNICA, MISSISSIPPI MGM GRAND® DETROIT, MICHIGAN MGM® NATIONAL HARBOR, MARYLAND MGM® SPRINGFIELD, MASSACHUSETTS  
BORGATA® ATLANTIC CITY, NEW JERSEY GRAND VICTORIA® ELGIN, ILLINOIS MGM MACAU™, CHINA MGM GRAND® SANYA, CHINA MGM® COTAI, CHINA



# Agenda

- **Activity since licensure**
- **Construction Sequencing Diagram**
- **Construction Schedule**
- **Enabling Works**
- **Outreach Activities**
- **Project Delivery Method (CM v. GC)**
- **Historic Commission**



# Activity Since Licensure

- Paid \$85 million licensing fee
- Issued \$52 million construction bond
- Closed on ~\$50 million of land
- \$1.75 million in SC payments
- Submitted Diversity Plan to MGC
- Hired first Project Employees
- Vacating the site
- Issuing Initial Construction Contracts

# Site Preparation

- Conducting extensive tenant coordination meetings
- Commenced lease termination and tenant relocation process
- Retained Steven Mollica to assist tenants
- \$1.75 million in tenant payments





# New Hires

MASS LIVE

## Western Massachusetts native and lawyer Seth Stratton to serve as VP of MGM Springfield casino



Seth Stratton, the new vice president and general counsel for MGM Resorts International's MGM Springfield project, is seen appearing in front of the Massachusetts Gaming Commission on Friday, May 2, 2014. Stratton, a Springfield native and Longmeadow resident, was named to the post this week, as MGM prepares to break ground on its \$800 million casino in downtown Springfield.



By [Robert Rizzuto](#) | [rrizzuto@repub.com](mailto:rrizzuto@repub.com)

[Email the author](#) | [Follow on Twitter](#)

on January 20, 2015 at 10:13 AM, updated January 20, 2015 at 3:30 PM

 [Print](#)

# New Hires



## MGM Springfield hires 4, including former political aspirant Chelan Brown



MGM Springfield had announced the hiring of, from left to right, Marikate Murren as director, training and workforce development; Anita Bird as a human resources specialist; Amanda Gagnon as executive assistant to the president, vice president and general counsel; and Chelan Brown as the manager of the MGM Springfield Community Office. *(Photos provided)*



By [Jim Kinney](#) | [jkinney@repub.com](mailto:jkinney@repub.com)

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on February 03, 2015 at 3:38 PM, updated February 03, 2015 at 11:49 PM







# Brian Packer

**Full-Time, On-Site Owner's Representative  
13 Years of Experience with MGM Resorts Casino Development Projects**



**Borgata Hotel  
Casino & Spa**

**Atlantic City,  
New Jersey**

**2001 - 2003**



**Bellagio  
Spa Tower**

**Las Vegas,  
Nevada**

**2004 - 2005**



**Beau Rivage  
Resort & Casino  
Hurricane Katrina  
Reconstruction**

**Biloxi, Mississippi**

**2005 - 2006**



**CityCenter  
Las Vegas**

**Las Vegas,  
Nevada**

**2007 - 2015**

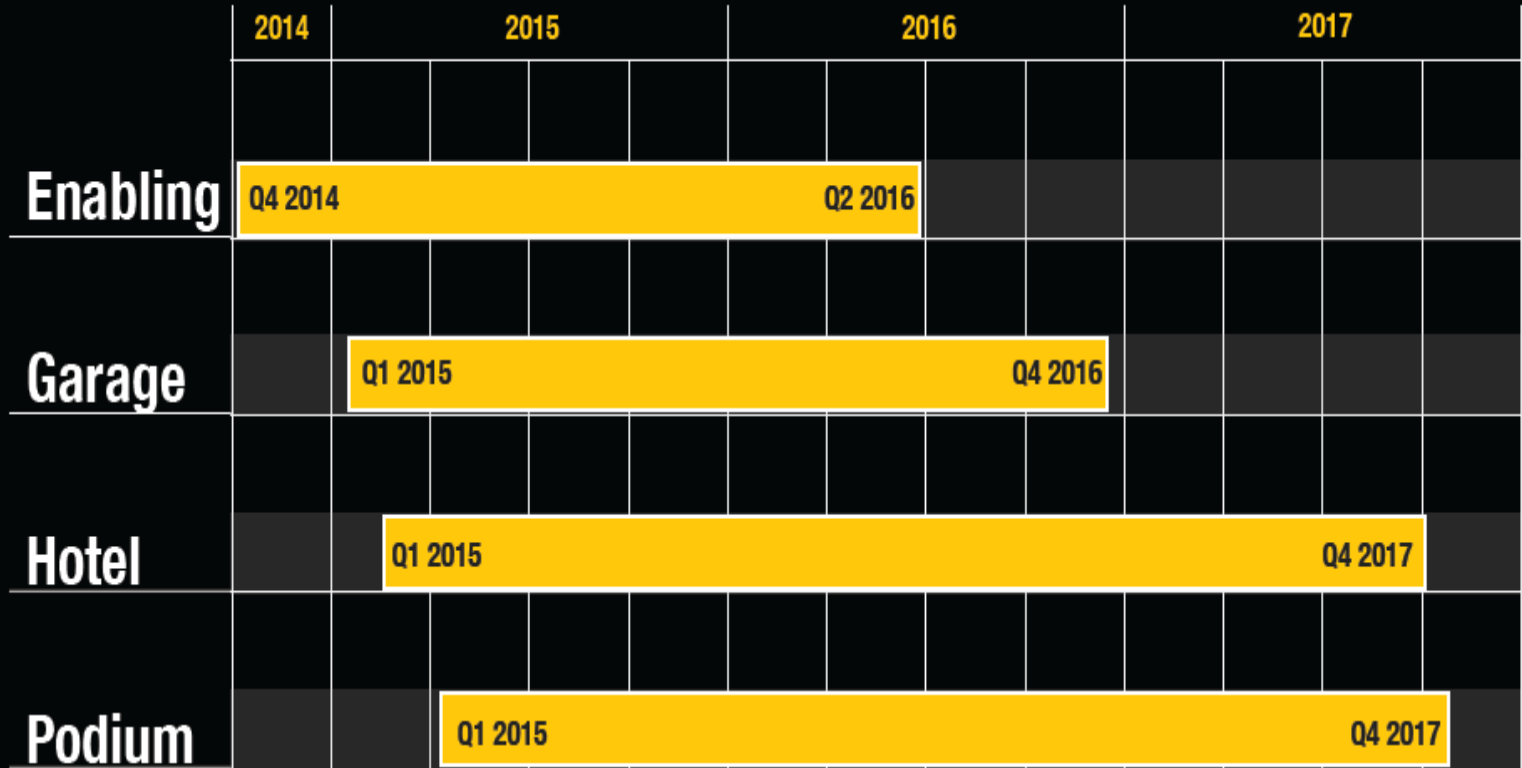


# Construction





# Project Timeline

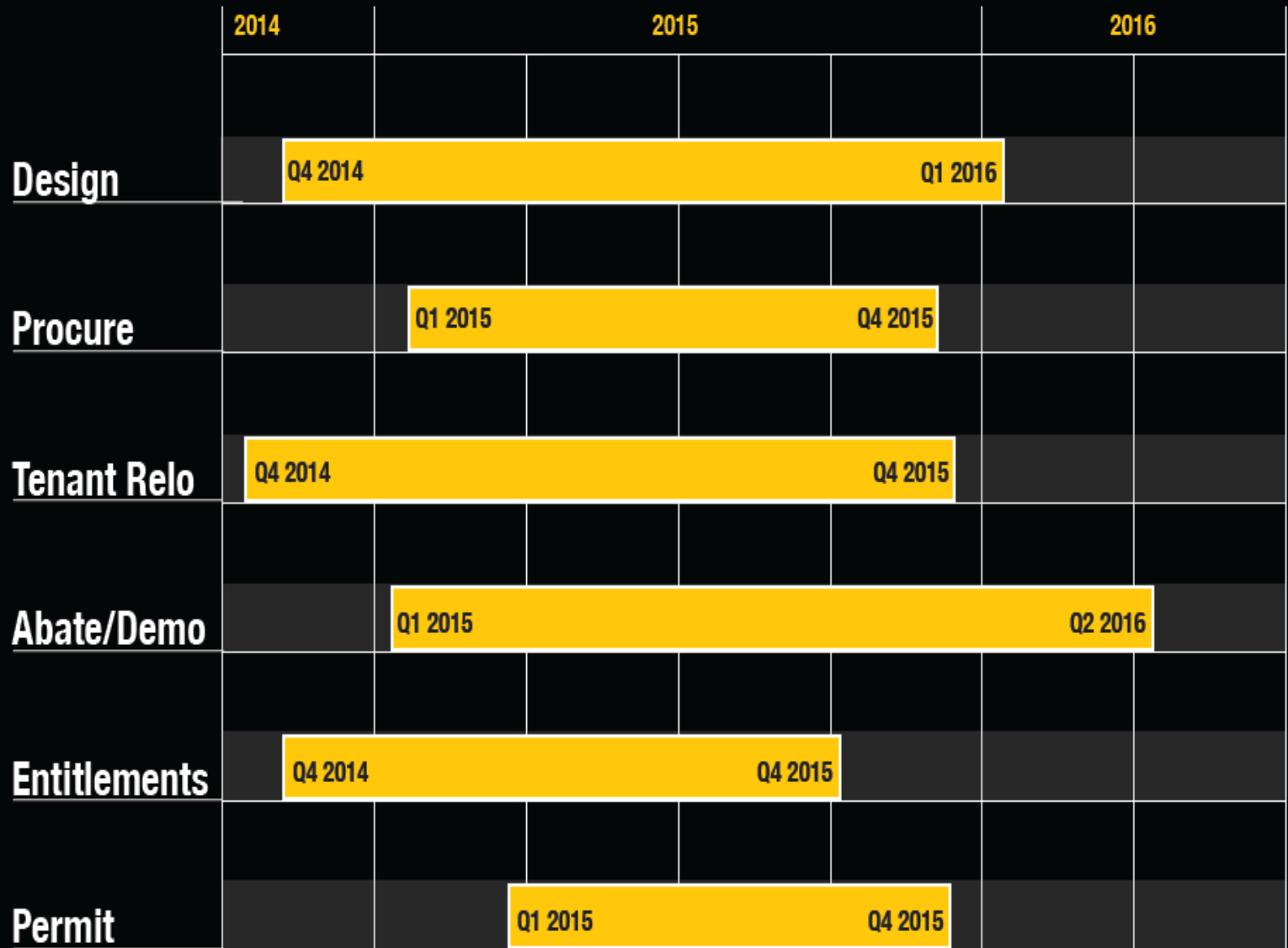


Sept 2017

The project timeline and other schedules included in this presentation are for discussion purposes only and subject to further modification. The final project timeline will be submitted to and approved by the Commission pursuant to 205 CMR 135.02.



# Enabling Timeline





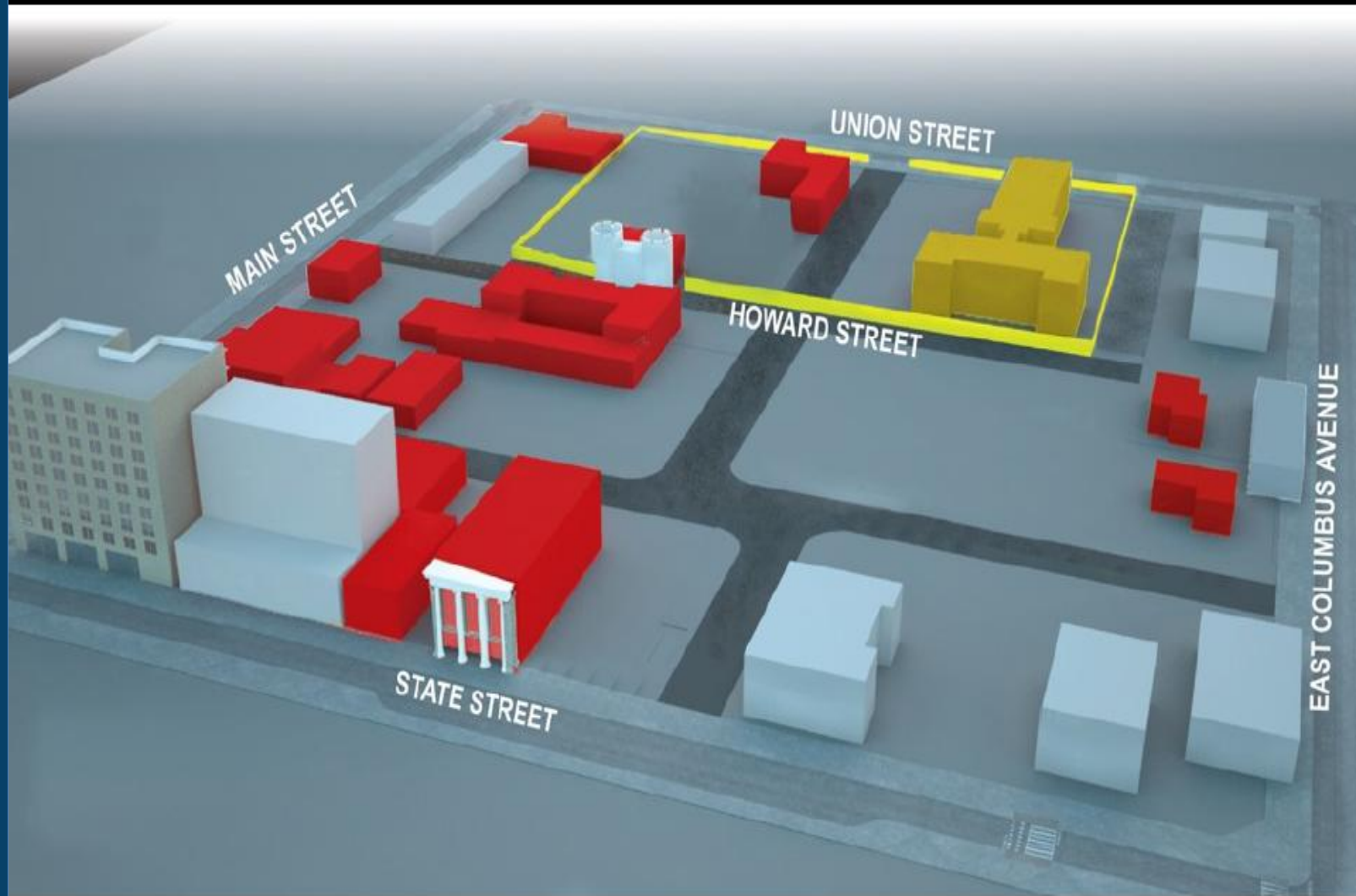
# **Project Delivery Method**

## **Construction Management Approach**

- **Tishman Construction has been retained as Construction Manager for Enabling Works**
- **Other delivery methods for remainder of project have not yet been awarded**
- **Construction Management approach allows flexibility in procuring targeted scopes of the project**
  - **Diversity**
  - **Local Participation**
- **This delivery method will allow for phased construction of the work**
- **Certain scope packages under the Construction Manager will likely involve small to medium size General Contractors**
  - **Maximizes local and diversity participation**

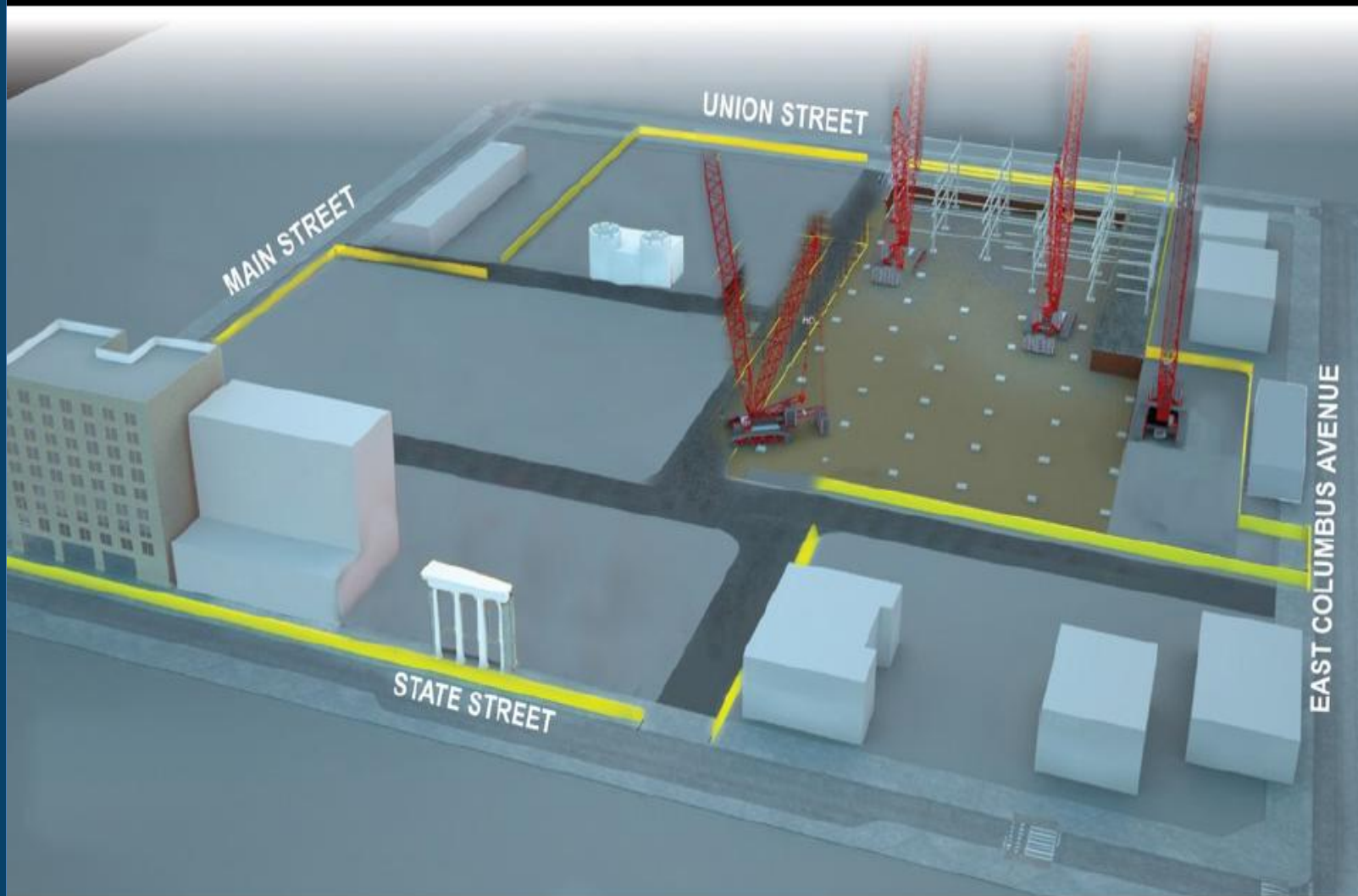


# Early Enabling Works



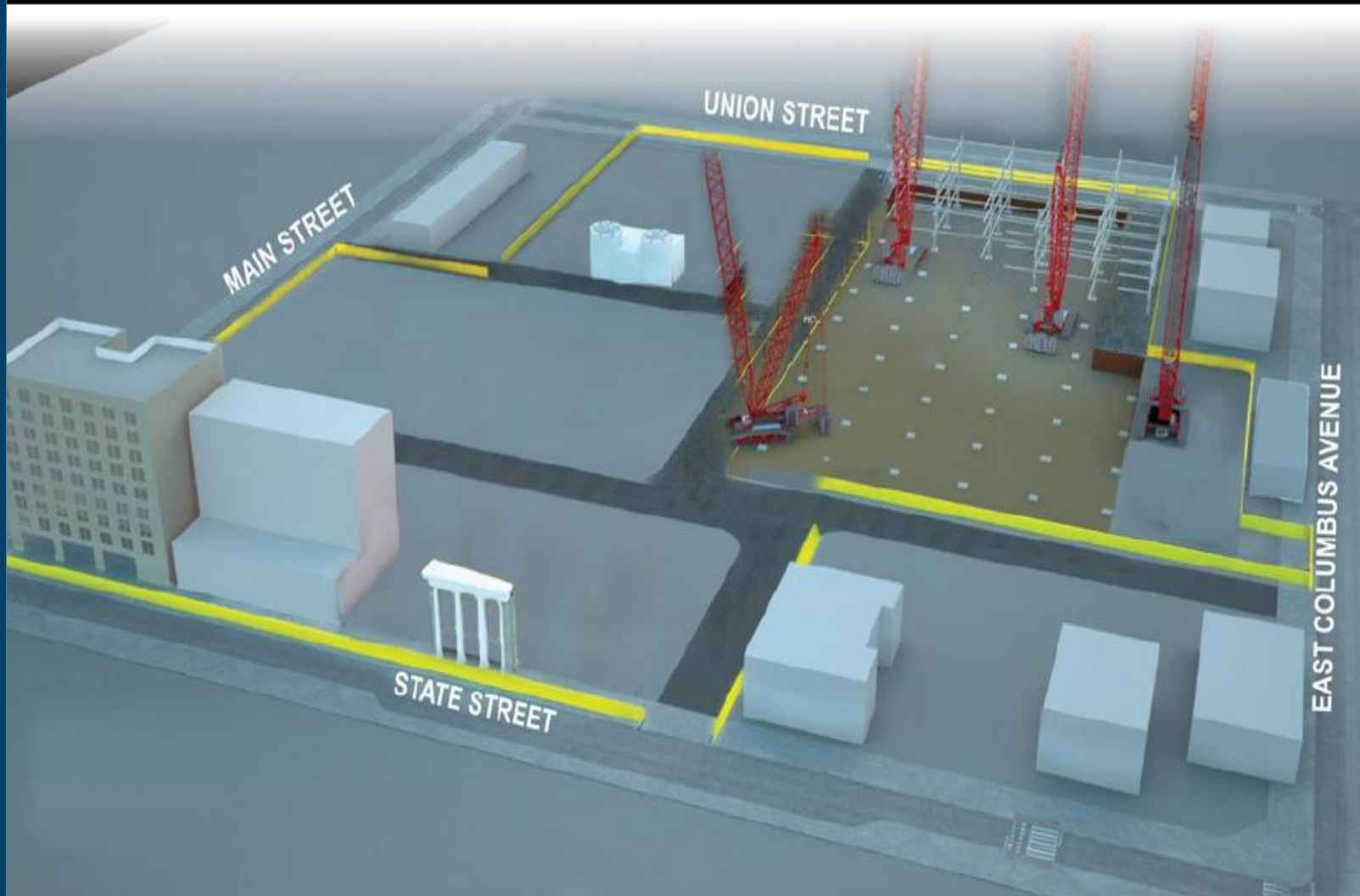


# Parking Garage





# Parking Garage







# Casino/Hotel Development





# Schedule





# 6 Month Look Ahead Schedule

Activity ID	Activity Name	Orig Dur	Start	Finish	2014		2015									
					Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug		
<b>MGM Springfield</b>					724	4 Nov 14 A										
<b>Project Management</b>					700	4 Nov 14 A										
<b>Assist MGM with development of Project Criteria</b>					52	2 Jan 15	18 Mar 15									
PM-102	Budget review (Jan)	22	2 Jan 15	3 Feb 15												
PM-110	Parking Garage Concept Design	0		14 Jan 15												
PM-114	Kickoff Meeting	0	3 Feb 15*													
PM-112	Concept deliverable - (Mardi)	30	4 Feb 15	17 Mar 15												
PM-116	Begin SD	0	18 Mar 15													
<b>Negotiate and Finalize Project Labor Agreement</b>					39	7 Jan 15	3 Mar 15									
PM-108	Negotiate and Finalize Project Labor Agreement	39	7 Jan 15	3 Mar 15												
<b>Mass Gaming Commission</b>					700	2 Jan 15										
PM-122	Monthly Updates	700	2 Jan 15													
<b>Logistics Planning</b>					157	4 Nov 14 A										
TR-190	Construction Access and circulation	50	4 Nov 14 A													
TR-194	I-91 Via Duct Coord w Mass DOT & City of Sprfld	120	14 Nov 14	15 Dec 15												
TR-202	Utility upgrades and improvements	150	10 Nov 14	14 Aug 15												
TR-204	Soils Management Plan	50	2 Jan 15	13 Mar 15												
TR-192	Site Parking	50	4 Feb 15	15 Apr 15												
<b>Enabling Phase</b>					229	10 Nov 14	17 Nov 15									
<b>DESIGN</b>					229	10 Nov 14	17 Nov 15									
<b>Design Phase</b>					40	2 Jan 15	27 Feb 15									
DES-198	Full Consultant Team On Board	40	2 Jan 15*	27 Feb 15												
<b>Design Summary</b>					130	4 Feb 15	7 Aug 15									
DES-154	Develop packaging approach	30	4 Feb 15	17 Mar 15												
DES-172	Schematic Design - 10 weeks	90	18 Mar 15	28 May 15												
DES-178	Design Development - 10 weeks	50	29 May 15	7 Aug 15												
<b>Civil Design</b>					98	4 Feb 15	23 Jun 15									
DES-184	Demolition plans: Phase II - Hotel Tower	15	4 Feb 15	24 Feb 15												
DES-170	Roadway Discontinuity plan submission	20	4 Feb 15	3 Mar 15												
DES-186	Demolition plans: Phase III - Podium (1o2)	15	25 Feb 15	17 Mar 15												
DES-168	Site civil plan	90	2 Mar 15	23 Jun 15												
DES-112	Church Relocation plan	20	4 Mar 15	31 Mar 15												
DES-174	Demolition plans: Phase IV - Podium (2o2)	15	18 Mar 15	8 Apr 15												
DES-170	Civil - Issue Excavation Plan	0	16 Apr 15													
<b>Develop Column Loads</b>					15	4 Feb 15	24 Feb 15									
DES-126	Developing column loads for use by the Geotechnical Consul	15	4 Feb 15	24 Feb 15												
<b>Mockups:</b>					40	4 Feb 15	31 Mar 15									
DES-114	Casino Ceiling	40	4 Feb 15	31 Mar 15												
DES-116	Typical Guestroom	40	4 Feb 15	31 Mar 15												
DES-118	Tower Façade (Aesthetic)	40	4 Feb 15	31 Mar 15												
DES-136	Podium Facades	40	4 Feb 15	31 Mar 15												
<b>Architectural assistance and site survey work</b>					30	4 Feb 15	17 Mar 15									
DES-122	Union House and Armory	30	4 Feb 15	17 Mar 15												

■ Remaining Level of Effort     ■ Critical Re...  
■ Actual Work                     ● Milestone  
■ Remaining Work                   ■ Summary







**MGM**  
SPRINGFIELD

Activity ID	Activity Name	Orig Dur	Start	Finish	2014		2015									
					Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug		
DES-124	Church Relocation (including site planning)	30	4 Feb 15	17 Mar 15												
DES-190	73 State incl dome salvage)	30	4 Feb 15	17 Mar 15												
<b>Historic Building pre-demolition planning and documentation</b>																
DES-120	Historic commission requirements (if any)	10	4 Feb 15	17 Feb 15												
DES-138	Salvage (if Any)	10	4 Feb 15	17 Feb 15												
<b>Temp Stabilizations Performance Criteria</b>																
DES-128	Union/Chandler – Maintain existing brick masonry façade wh	30	4 Feb 15	17 Mar 15												
DES-130	Armory – Partial Demolition of rear bays in preparation of ne	30	4 Feb 15	17 Mar 15												
DES-132	French Church Relocation – Evaluate existing 1-story wood-fh	30	4 Feb 15	17 Mar 15												
DES-162	73 State Street – Stabilize single bay allow for demolition of	30	4 Feb 15	17 Mar 15												
<b>Add Enabling Phase Design Criteria</b>																
DES-134	Develop probe program to expose existing structures	10	4 Feb 15	17 Feb 15												
DES-136	Complete code reviews/ analysis as needed to develop criteri	25	4 Feb 15	10 Mar 15												
DES-138	Civil and MEP Design/ Engineering for temporary services	25	4 Feb 15	10 Mar 15												
DES-140	MEP Planning – Project load letter refinement and coordinat	25	4 Feb 15	10 Mar 15												
DES-142	Set column grid (spacing and set ceiling height) – Podium co	40	4 Feb 15	31 Mar 15												
DES-146	Vertical Transportation requirements	20	4 Feb 15	3 Mar 15												
DES-148	Utility corridors	20	4 Feb 15	3 Mar 15												
DES-150	LEED – Registration (look in 2009 LEED scoring criteria)	20	4 Feb 15	3 Mar 15												
DES-152	District Heating & Cooling – Need decision March	30	4 Feb 15	17 Mar 15												
<b>Site Investigations:</b>																
Geotech		52	10 Nov 14	17 Mar 15												
DES-111	Geotech (Site Work)	50	10 Nov 14	24 Feb 15												
DES-113	Geotech Report & Fdn Recommendations	15	25 Feb 15	17 Mar 15												
<b>Existing Conditions Surveys Environmental:</b>																
TR-202	Develop Abatement Bid Scope	173	4 Feb 15	8 Oct 15												
<b>Phase 1</b>																
TR-206	Armory	20	4 Feb 15	3 Mar 15												
TR-206	Howard St School	5	4 Feb 15	10 Feb 15												
TR-223	68 Union Car Wash	20	4 Feb 15	3 Mar 15												
TR-211	33-37 Bliss French Church	20	4 Feb 15	3 Mar 15												
TR-209	82 Howard St	20	4 Feb 15	3 Mar 15												
TR-220	Union/ Chandler House	20	2 Apr 15	30 Apr 15												
<b>Phase 2</b>																
TR-229	1345-1357 E Columbus - Robbie's Auto	5	3 Mar 15	9 Mar 15												
TR-210	United Electric / 73 State	20	4 Mar 15	31 Mar 15												
TR-212	Office Bldg 79 State	20	4 Mar 15	31 Mar 15												
TR-214	Office Bldg 96 State	20	1 Apr 15	29 Apr 15												
TR-218	Edisonia block / 1156-1178 Main St	20	2 Apr 15	30 Apr 15												
TR-207	16-36 Bliss St / Garage	10	15 Apr 15	28 Apr 15												
<b>Phase 3</b>																
TR-220	YWCA / Sheriff	10	1 Jun 15	12 Jun 15												
<b>Sustainability</b>																
DES-192	MGM Register Project for LEED Certification - 2009	0	18 Feb 15	18 Feb 15												
<b>Site Investigations</b>																
		64	8 Dec 14 A	6 Apr 15												

■ Remaining Level of Effort     ■ Critical Re...  
■ Actual Work                     ◆ Milestone  
■ Remaining Work                 ▼ Summary

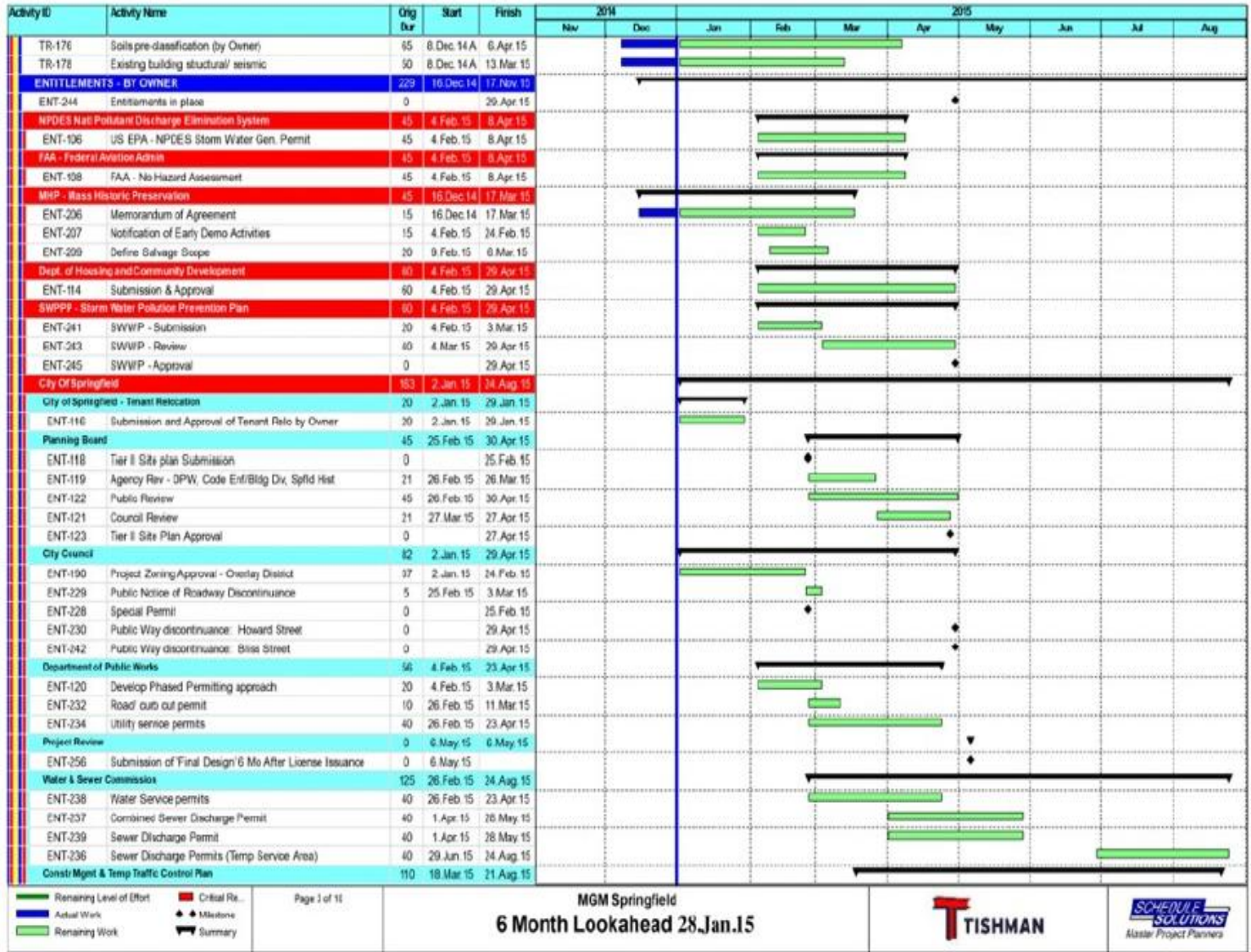
Page 2 of 11

MGM Springfield  
6 Month Lookahead 28 Jan 15





**MGM**  
SPRINGFIELD







Activity ID	Activity Name	Orig Dur	Start	Finish	2014		2015										
					Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug			
<b>Phase 1 Enabling</b>					60	18 Mar 15	11 Jun 15										
ENT-281	Submission	30	18 Mar 15	29 Apr 15													
ENT-282	Review by City	30	30 Apr 15	11 Jun 15													
ENT-283	Approval	0		11 Jun 15													
<b>Phase 2 Core &amp; Shell</b>					30	13 Jul 15	21 Aug 15										
ENT-278	Submission	30	13 Jul 15	21 Aug 15													
<b>De-Watering</b>					60	25 Feb 15	20 May 15										
ENT-275	De-Water - Submission	30	25 Feb 15	24 Mar 15													
ENT-276	De-Water - Review	40	25 Mar 15	20 May 15													
ENT-277	De-Water - Approval	0		20 May 15													
<b>Engagement and Coordination Activities</b>					216	12 Jan 15	17 Nov 15										
<b>Local Utilities</b>					200	12 Jan 15	23 Oct 15										
ENT-156	Springfield Water & Sewer	200	12 Jan 15	23 Oct 15													
ENT-158	Verizon	200	12 Jan 15	23 Oct 15													
ENT-160	Columbia Gas	200	12 Jan 15	23 Oct 15													
ENT-162	Misc additional (Cable, etc.)	200	12 Jan 15	23 Oct 15													
ENT-164	Western Mass Electric	200	12 Jan 15	23 Oct 15													
<b>Coordination with City of Springfield</b>					200	4 Feb 15	17 Nov 15										
ENT-170	DPW	200	4 Feb 15	17 Nov 15													
ENT-172	Engineering	200	4 Feb 15	17 Nov 15													
ENT-174	Parking Authority	200	4 Feb 15	17 Nov 15													
ENT-176	Fire/Police/EMS	200	4 Feb 15	17 Nov 15													
ENT-184	Liaison - Kickoff Mtg	0	4 Feb 15														
<b>Secure Initial Demo &amp; Bldg Permits (w/ MGM)</b>					25	4 Feb 15	10 Mar 15										
ENT-178	Secure initial demolition & building permits	25	4 Feb 15	10 Mar 15													
<b>Building Permits</b>					118	6 Feb 15	21 Jul 15										
ENT-124	Off site Mission - Core & Shell	0		6 Feb 15													
ENT-126	Howard St. School (Zanetti) - Demolition	5	11 Mar 15	17 Mar 15													
ENT-120	Parcels 10a, 11a,b,c,d, 12, 13a,b,c, 15 - Demolition Non-His	20	18 Mar 15	15 Apr 15													
ENT-198	Retain Façade United Electric Building (73 State) Stabil & C	20	18 Mar 15	15 Apr 15													
ENT-200	Demolition: Office Building (79 State)	20	18 Mar 15	15 Apr 15													
ENT-214	Demolition: Edison Theatre Block	20	18 Mar 15	15 Apr 15													
ENT-216	Retain Façade (portions) Union House/ Chandler House Sta	20	18 Mar 15	15 Apr 15													
ENT-220	Demolition: YWCA/ Connections (22-30 Howard)	30	18 Mar 15	15 Apr 15													
ENT-222	Partial reuse: State Armory Bldg. Stabil & Demo	20	18 Mar 15	15 Apr 15													
ENT-142	Site Perimeter Fence Plan	15	18 Mar 15	8 Apr 15													
ENT-129	Parcels 25a,b, 1c, 1d, Non-Historic	20	18 Mar 15	14 Apr 15													
ENT-154	Mass. Dig Safe Utility Mark Out Plan	10	1 Apr 15	15 Apr 15													
ENT-140	Temporary Project Water, Electrical, Lighting Plan	30	16 Apr 15	28 May 15													
ENT-240	Initial Mass Excavation Permit	10	30 Apr 15	13 May 15													
ENT-218	Relocate: French Congregational Church	20	27 May 15	23 Jun 15													
ENT-202	Reuse: Office Building (95 State)	30	29 May 15	10 Jul 15													
ENT-198	Establish Service Areas Plan	35	2 Jun 15	21 Jul 15													
<b>Mass Environmental</b>					40	4 Feb 15	31 Mar 15										
ENT-192	FEIR Reconlocation	40	4 Feb 15	31 Mar 15													

■ Remaining Level of Effort     ■ Critical Re...  
■ Actual Work     ◆ Milestone  
■ Remaining Work     ▬ Summary

**MGM Springfield**  
**6 Month Lookahead 28 Jan 15**





Activity ID	Activity Name	Orig Dur	Start	Finish	2014		2015									
					Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug		
<b>PROCUREMENT</b>																
<b>MWVBE, Local Contractor Outreach</b>																
PRO-102	MWVBE, Local Contractor Outreach	150	20 Jan 15	4 Sep 15												
PRO-112	Pre-Qual	150	20 Jan 15	4 Sep 15												
PRO-114	MGC Acceptance	150	20 Jan 15	4 Sep 15												
PRO-116	Expression of Interest - Enabling	0		9 Feb 15*												
PRO-166	Expression of Interest - Core & Shell	0		17 Mar 15												
<b>Early Works Packages</b>																
PRO-104	Site Fence, Guard Shanks, Construction Trailers	20	2 Feb 15	27 Feb 15												
PRO-106	Probe program	20	2 Feb 15	27 Feb 15												
PRO-108	Relocation of French Congregational Church	20	2 Feb 15	27 Feb 15												
PRO-124	Stabilization of existing structures	20	9 Feb 15	6 Mar 15												
PRO-126	Design - Build Mission	20	9 Feb 15	6 Mar 15												
PRO-128	Mockups - Table top mockup(s)	20	9 Feb 15	6 Mar 15												
PRO-132	Mockups - Discuss Status	20	9 Feb 15	6 Mar 15												
PRO-105	Abatement Demo Pkg 1 (Ind Clear & Grub) (Prequal-Procure)	20	11 Feb 15	10 Mar 15												
PRO-118	Temporary offsite parking (Courthouse)	20	18 Feb 15	17 Mar 15												
PRO-120	Utility cut, cap relocations	20	18 Feb 15	17 Mar 15												
PRO-122	Provision of temporary services (water, sewer, power, erosion)	20	18 Feb 15	17 Mar 15												
PRO-109	Abatement Demo Pkg 3 (Prequal-Procure)	30	1 Apr 15	13 May 15												
PRO-110	Abatement Demo Pkg 4 (Prequal-Procure)	30	30 Apr 15	11 Jun 15												
PRO-107	Abatement Demo Pkg 2 (Prequal-Procure)	30	1 May 15	12 Jun 15												
PRO-111	Abatement Demo Pkg 5 (Prequal-Procure)	30	1 May 15	12 Jun 15												
PRO-115	Abatement Demo Pkg 7 (Prequal-Procure)	30	15 Jun 15	27 Jul 15												
<b>TENANT RELOCATION</b>																
<b>Relocation of Church</b>																
TR-232	Feasibility Study	20	4 Feb 15	3 Mar 15												
TR-238	Confirm route	15	11 Feb 15	3 Mar 15												
<b>PHASE I (Parking Garage)</b>																
<b>1387 E. Columbus</b>																
TR-118	Vacated by	0		2 Mar 15*												
<b>PHASE II (Hotel Tower)</b>																
<b>United Electric Building (73 State)</b>																
TR-240	Vacated by	42	2 Jan 15	3 Mar 15												
<b>Office Building (79 State)</b>																
TR-252	Vacated by	42	2 Jan 15	3 Mar 15												
<b>16-30 Bliss Street</b>																
TR-130	16-36 Bliss St - Vacated by	0		15 Apr 15*												
<b>Office Building (95 State)</b>																
TR-292	Closed by	0		2 Jan 15												
TR-294	Vacated by	0		1 Apr 15*												
<b>PHASE III (Podium)</b>																
<b>27 Bliss Street</b>																
TR-140	Closed by	0		2 Jan 15												

■ Remaining Level of Effort  
■ Actual Work  
■ Remaining Work  
■ Critical Re...  
◆ Milestone  
 Summary







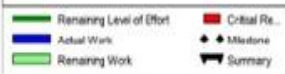
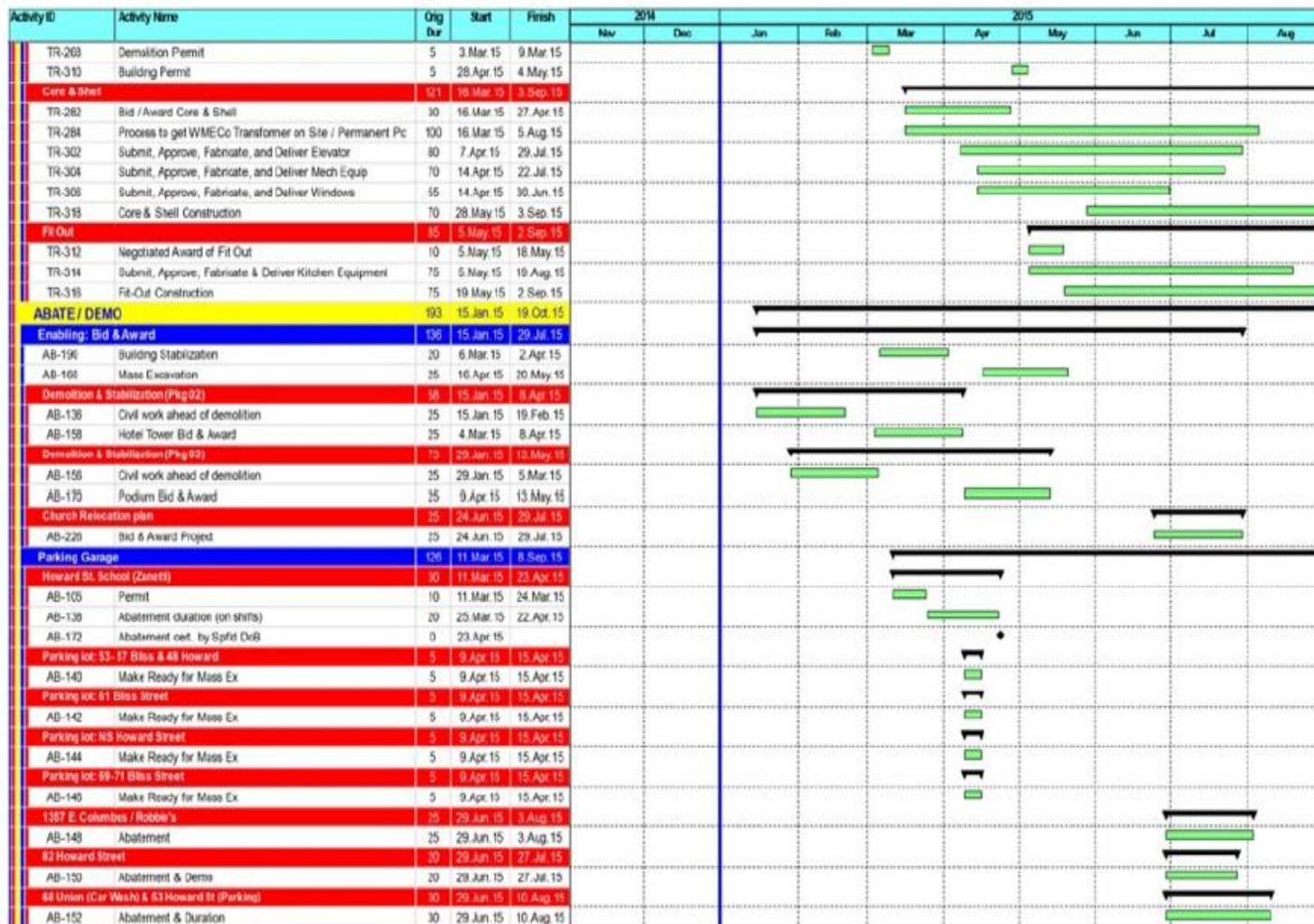
Activity ID	Activity Name	Orig Dur	Start	Finish	2014		2015										
					Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug			
TR-142	Vacated by	0	2 Jan 15														
Union House Chandler House		63	2 Jan 15	2 Apr 15													
TR-144	Notification period	63	2 Jan 15	1 Apr 15													
TR-288	Closed by	1	1 Apr 15	1 Apr 15													
TR-266	Building Vacated	0	2 Apr 15														
Edisonia Theatre Block		63	2 Jan 15	1 Apr 15													
TR-146	Notification period	16	2 Jan 15	23 Jan 15													
TR-264	Edisonia Closed by	47	26 Jan 15	1 Apr 15													
TR-290	Edisonia Building Vacated	0	1 Apr 15														
Fresh Congregational Church		38	2 Jan 15	12 Feb 15													
TR-148	Notification period	28	2 Jan 15	11 Feb 15													
TR-200	Building Vacated	0	12 Feb 15														
YWCA 22-31 Howard		103	2 Jan 15	1 Jun 15													
TR-150	Notification period	65	2 Jan 15	6 Apr 15													
TR-298	Closed by	0	7 Apr 15														
TR-300	Building Vacated	0	1 Jan 15*														
1128 Main Street		45	2 Jan 15	6 Apr 15													
TR-152	Closed by	0	2 Jan 15														
TR-154	Vacated by	65	2 Jan 15	6 Apr 15													
1129 Main Street		65	2 Jan 15	6 Apr 15													
TR-156	Closed by	0	2 Jan 15														
TR-158	Vacated by	65	2 Jan 15	6 Apr 15													
1090-1104 Main Street		65	2 Jan 15	6 Apr 15													
TR-160	Closed by	0	2 Jan 15														
TR-162	Vacated by	65	2 Jan 15	6 Apr 15													
1006-1028 Main Street		64	2 Jan 15	6 Apr 15													
TR-164	Closed by	0	2 Jan 15														
TR-166	Vacated by	0	6 Apr 15*														
PHASE IV (Wisconsin)		90	2 Jan 15	11 May 15													
Mission - 19 Bliss		90	2 Jan 15	11 May 15													
TR-172	Notification period	90	2 Jan 15	11 May 15													
Orr Cadillac - New Springfield Rescue Mission		155	12 Jan 15	3 Sep 15													
TR-242	Negotiate and Execute DB Agreement	15	19 Jan 15	9 Feb 15													
Abatement & Demolition		95	12 Jan 15	27 May 15													
TR-240	Tishman scope Phase I Abatement	5	12 Jan 15*	16 Jan 15													
TR-244	Sarban Head Perform Phase II Hazmat Survey Services / Is	25	19 Jan 15*	23 Feb 15													
TR-258	Bid / Award Phase 1 Abatement & Demolition w/ allowance 1	20	3 Feb 15	2 Mar 15													
TR-264	Reconcile Phase 2 Abatement Costs	10	24 Feb 15	9 Mar 15													
TR-266	Abatement / Receive Clean Air	20	17 Mar 15	14 Apr 15													
TR-308	Demolition	30	15 Apr 15	27 May 15													
Design		65	2 Feb 15	4 May 15													
TR-256	Form & Place Completes Core & Shell Documents	30	2 Feb 15*	13 Mar 15													
TR-280	Form & Place Completes Fit Out Documents	35	16 Mar 15	4 May 15													
Permits		44	3 Mar 15	4 May 15													
TR-268	Asbestos Permit - 10 Day Notification	10	3 Mar 15	16 Mar 15													

■ Remaining Level of Effort     ■ Critical Re...  
■ Actual Work                     ◆ Milestone  
■ Remaining Work                   ▼ Summary

MGM Springfield  
6 Month Lookahead 28 Jan 15









Activity ID	Activity Name	Orig Dur	Start	Finish	2014		2015									
					Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug		
State Armory Bldg		50	29 Jun 15	8 Sep 15												
AB-154	Abatement duration (Allow)	50	29 Jun 15	8 Sep 15												
Hotel Tower		100	29 May 15	19 Oct 15												
United Electric Building (73 State)		40	20 May 15	7 Aug 15												
AB-164	Abatement duration (Allow)	30	29 May 15	10 Jul 15												
AB-194	Abatement cert. by Spfd DcB	10	27 Jul 15	7 Aug 15												
Office Building (79 State)		40	29 May 15	27 Jul 15												
AB-168	Abatement duration (Allow)	30	29 May 15	10 Jul 15												
AB-196	Abatement cert. by Spfd DcB	0	27 Jul 15													
16-30 Bliss Street / Parcel 1C		25	29 Jun 15	3 Aug 15												
AB-174	Abatement duration (Allow)	25	29 Jun 15	3 Aug 15												
Office Building (95 State)		30	20 Jun 15	19 Oct 15												
AB-188	Abatement duration (Allow)	30	26 Jun 15	19 Oct 15												
Podium		40	15 Jun 15	10 Aug 15												
27 Bliss Street		5	15 Jun 15	19 Jun 15												
AB-200	Make ready for Mass Ex	5	15 Jun 15	19 Jun 15												
Union House Chandler House		30	29 Jun 15	10 Aug 15												
AB-202	Abatement duration (Allow)	30	29 Jun 15	10 Aug 15												
Edison Theatre Block		25	29 Jun 15	3 Aug 15												
AB-204	Edison Abatement duration (Allow)	25	29 Jun 15	3 Aug 15												
French Congregational Church		30	29 Jun 15	10 Aug 15												
AB-182	Abatement duration (Allow)	30	29 Jun 15	10 Aug 15												
1126 Main Street		25	15 Jun 15	20 Jul 15												
AB-208	Abatement & Demo	25	15 Jun 15	20 Jul 15												
1139 Main Street		25	15 Jun 15	20 Jul 15												
AB-210	Abatement & Demo	25	15 Jun 15	20 Jul 15												
1090-1104 Main Street		25	15 Jun 15	20 Jul 15												
AB-212	Abatement & Demo	25	15 Jun 15	20 Jul 15												
1098-1028 Main Street / Daves Furniture		25	15 Jun 15	20 Jul 15												
AB-214	Abatement & Demo	25	15 Jun 15	20 Jul 15												
Demolition/ Stabilization		148	20 Feb 15	21 Sep 15												
Phase I Parking Garage		35	1 Apr 15	21 May 15												
AB-193	Relocated Overhead Lines (Verizon)	10	1 Apr 15	15 Apr 15												
AR-108	Demo / Stabilize Howard St School / Zanetti	30	23 Apr 15	30 May 15												
AB-240	Ready to begin mass excavation	0	21 May 15													
Phase I (Hotel Tower)		148	20 Feb 15	21 Sep 15												
AB-162	Cut, cap, make safe	30	20 Feb 15	2 Apr 15												
AB-186	Demolish 79 State Street	40	27 Jul 15	21 Sep 15												
Phase II (Podium)		60	12 Jun 15	4 Sep 15												
AB-220	Cut, cap, make safe	60	12 Jun 15	4 Sep 15												
AB-124	Demolition - Daves furniture	30	21 Jul 15	31 Aug 15												
Site Prep / Construction		40	21 May 15	17 Jul 15												
AB-304	Mass Ex Parking Garage	40	21 May 15	17 Jul 15												
Parking Garage		153	15 Jan 15	21 Aug 15												

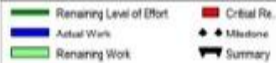
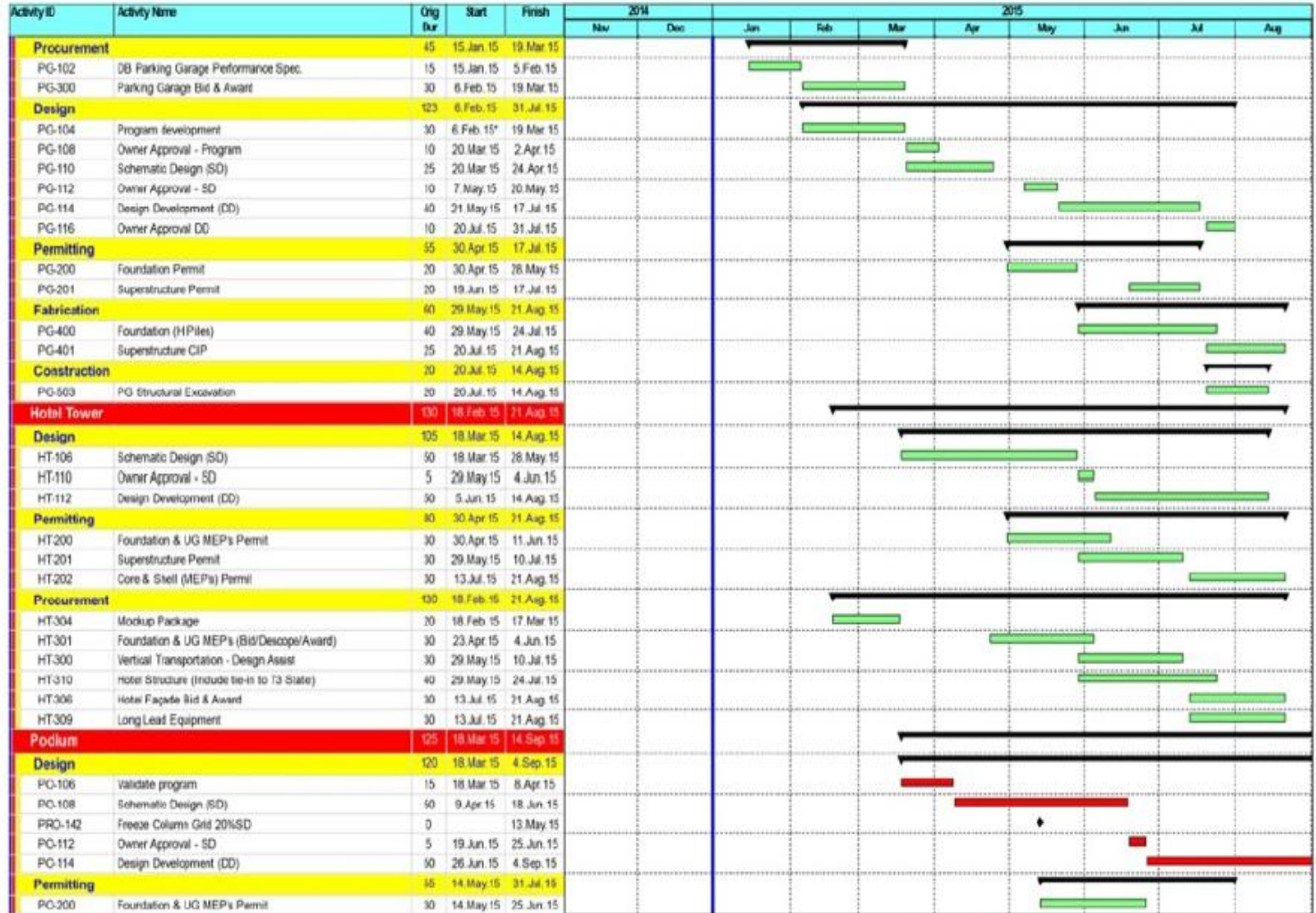
- █ Remaining Level of Effort
- █ Actual Work
- █ Remaining Work
- █ Critical Re.
- ◆ Milestone
- ▬ Summary







**MGM**  
SPRINGFIELD





Activity ID	Activity Name	Orig Dur	Start	Finish	2014		2015								
					Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	
PO-201	Superstructure Permit	30	19 Jun 15	31 Jul 15											
<b>Procurement</b>		55	14 May 15	31 Jul 15											
PO-300	Foundations	30	14 May 15	25 Jun 15											
PO-306	Vertical Transportation	30	19 Jun 15	31 Jul 15											
<b>Fabrication</b>		20	26 Jun 15	24 Jul 15											
PO-302	Foundations (Piles)	20	26 Jun 15	24 Jul 15											
<b>Construction</b>		80	21 May 15	14 Sep 15											
<b>Phase 1</b>		80	21 May 15	14 Sep 15											
PO-510	Mass Ex Ph 1	80	21 May 15	14 Sep 15											
<b>Residential</b>		125	9 Apr 15	4 Sep 15											
<b>Design</b>		125	9 Apr 15	4 Sep 15											
RES-108	Schematic Design (SD)	90	9 Apr 15	18 Jun 15											
RES-110	Owner Approval - SD	5	19 Jun 15	25 Jun 15											
RES-112	Design Development (DD)	90	26 Jun 15	4 Sep 15											
<b>Satellite: Retail</b>		125	18 Mar 15	14 Sep 15											
<b>Design</b>		125	18 Mar 15	14 Sep 15											
RTL-106	Validate program	20	18 Mar 15	15 Apr 15											
RTL-108	Schematic Design (SD)	90	16 Apr 15	25 Jun 15											
RTL-110	Owner Approval - SD	5	20 Jun 15	2 Jul 15											
RTL-112	Design Development (DD)	90	6 Jul 15	14 Sep 15											
<b>Satellite: Daycare</b>		120	18 Mar 15	4 Sep 15											
<b>Design</b>		120	18 Mar 15	4 Sep 15											
DAY-102	Validate program	120	18 Mar 15	4 Sep 15											
<b>Satellite: Armory</b>		125	18 Mar 15	14 Sep 15											
<b>Design</b>		125	18 Mar 15	14 Sep 15											
ARM-102	Program Development / Site Investigations	45	18 Mar 15	20 May 15											
ARM-104	Owner Approval - Program	10	21 May 15	4 Jun 15											
ARM-106	Validate program	20	5 Jun 15	2 Jul 15											
ARM-108	Schematic Design (SD)	90	6 Jul 15	14 Sep 15											

Remaining Level of Effort  
 Actual Work  
 Remaining Work  
 Critical Re...  
 Milestone  
 Summary





Activity ID	Activity Name	Orig Dur	Start	Finish	2014		2015								
					Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	
PO-201	Superstructure Permit	30	19 Jun 15	31 Jul 15											
<b>Procurement</b>		55	14 May 15	31 Jul 15											
PO-300	Foundations	30	14 May 15	25 Jun 15											
PO-306	Vertical Transportation	30	19 Jun 15	31 Jul 15											
<b>Fabrication</b>		20	26 Jun 15	24 Jul 15											
PO-302	Foundations (Piles)	20	26 Jun 15	24 Jul 15											
<b>Construction</b>		80	21 May 15	14 Sep 15											
<b>Phase 1</b>		80	21 May 15	14 Sep 15											
PO-510	Mass Ex Ph 1	80	21 May 15	14 Sep 15											
<b>Residential</b>		125	9 Apr 15	4 Sep 15											
<b>Design</b>		125	9 Apr 15	4 Sep 15											
RES-108	Schematic Design (SD)	90	9 Apr 15	18 Jun 15											
RES-110	Owner Approval - SD	5	19 Jun 15	25 Jun 15											
RES-112	Design Development (DD)	90	26 Jun 15	4 Sep 15											
<b>Satellite: Retail</b>		125	18 Mar 15	14 Sep 15											
<b>Design</b>		125	18 Mar 15	14 Sep 15											
RTL-106	Validate program	20	18 Mar 15	15 Apr 15											
RTL-108	Schematic Design (SD)	90	16 Apr 15	25 Jun 15											
RTL-110	Owner Approval - SD	5	20 Jun 15	2 Jul 15											
RTL-112	Design Development (DD)	90	6 Jul 15	14 Sep 15											
<b>Satellite: Daycare</b>		120	18 Mar 15	4 Sep 15											
<b>Design</b>		120	18 Mar 15	4 Sep 15											
DAY-102	Validate program	120	18 Mar 15	4 Sep 15											
<b>Satellite: Armory</b>		125	18 Mar 15	14 Sep 15											
<b>Design</b>		125	18 Mar 15	14 Sep 15											
ARM-102	Program Development / Site Investigations	45	18 Mar 15	20 May 15											
ARM-104	Owner Approval - Program	10	21 May 15	4 Jun 15											
ARM-106	Validate program	20	5 Jun 15	2 Jul 15											
ARM-108	Schematic Design (SD)	90	6 Jul 15	14 Sep 15											

Remaining Level of Effort  
 Actual Work  
 Remaining Work  
 Critical Re...  
 Milestone  
 Summary





# Outreach Activities

## **1. Outreach Complete to Date:**

- **Site Fence**
- **Abatement & Demolition**

## **2. Outreach Scheduled during March:**

- **Mass Excavation**
- **Underground MEPs & Site Utilities**
- **Foundations & Waterproofing**

## **3. Subcontract Awards:**

- **Anticipated awards to 3 local firms**
- **One firm is a certified (MBE)**

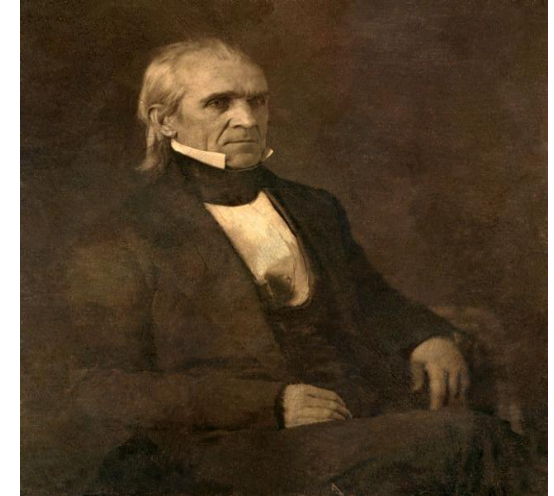




# Historic Commission Update



# Springfield Historical Commission abandons call to save old Union House hotel after touring building with MGM casino representatives



Built in 1846, the soon-to-be demolished Union House is the third oldest commercial buildings left in Downtown Springfield. It was designed by regional architect Henry Sykes, who also designed the Mills-Stebbins Villa in Springfield and the Amherst College observatory. For many years, it was Springfield's finest hotel. In 1847, it hosted President James Polk during a trip through the Northeast. In his entourage were Attorney General Nathan Clifford and Secretary of State James Buchanan. The building continued as a hotel until the Great Depression and has been used for retail since then. MGM plans to demolish this four-story building and replace it with a new four-story building with retail and restaurants on the ground floor and apartments above. The Historical Commission was granted a concession by MGM which says it will retain the building's facade along Main and Bliss streets. (Republican file photo by Robert Rizzuto) (Robert Rizzuto / The Republican)



By Robert Rizzuto | [rrizzuto@repub.com](mailto:rrizzuto@repub.com)  
Email the author | Follow on Twitter

 Print

on February 25, 2015 at 6:00 AM, updated February 25, 2015 at 4:45 PM







# Entitlements





# Abatement/Demolition Permits

	Location	Target		Location	Target
1.	Howard Street School	3/18/15	11.	1132 - 1142 Main	6/29/15
2.	26 Howard	5/1/15	12.	84 Howard	6/29/15
3.	79 State	5/29/15	13.	66 - 74 Union	6/29/15
4.	73 State	5/29/15	14.	1345 - 1357 E. Columbus	6/29/15
5.	1126 Main	6/15/15	15.	16 Bliss	6/29/15
6.	1120 Main	6/15/15	16.	37 Bliss (Relocate)	6/29/15
7.	1090 - 1104 Main	6/15/15	17.	29 Howard	7/28/15
8.	1008 - 1028 Main	6/15/15	18.	15 Bliss	12/9/15
9.	95 State	6/26/15	19.	19 Bliss	12/9/15
10.	1156 - 1178 Main	6/29/15			



# Entitlements

	Description	Start	Targeted Finish
1.	US EPA / NPDES	2/4/15	4/8/15
2.	FAA – No Hazard	2/4/15	4/8/15
3.	Mass Historic Commission	12/16/14	4/1/15
4.	FEIR / Mass Environmental Policy Act	10/29/14	12/31/14
5.	SWPPP (EPA)	2/4/15	4/29/15
6.	City of Springfield:		
1.	Planning Board	2/25/15	4/30/15
2.	City Council	1/2/15	4/29/15
3.	Dept of Public Works (Phased Permitting)	2/4/15	4/23/15
4.	City of Springfield Project Design Review (HCA)	5/6/15	12/17/15
5.	Springfield Water & Sewer Commission	2/26/15	8/24/15
6.	CMP Constr Mgt Plan / TTCP Temp Traffic Cntrl Plan	3/18/15	10/5/15
7.	Springfield Historical Commission	12/16/14	4/1/15
7.	MASS DOT	3/9/2015	3/9/2016



# Howard St. School Entitlements

**1. Entitlements Status – in place as of 2/19/15 w/ exception of MHC**

**2. DEP Notification – complete**

**3. Utility Releases**

**Columbia Gas – received 2/20/15**

**Verizon – anticipated 3/6/15**

**Comcast - received 2/27/15**

**Eversource - anticipated 3/13/15**

**Springfield Water & Sewer - anticipated 3/13/15**

**4. Demo Permit Status - anticipated 3/18/15**



# Massachusetts Gaming Commission Project Update March 5, 2015



**MGM RESORTS**  
INTERNATIONAL

BELLAGIO® ARIA® VDARA® MGM GRAND® THE SIGNATURE AT MGM GRAND® MANDALAY BAY® DELANO™ LAS VEGAS THE MIRAGE® MONTE CARLO™ NEW YORK-NEW YORK®  
LUXOR® EXCALIBUR® CIRCUS CIRCUS® LAS VEGAS CIRCUS CIRCUS® RENO, NEVADA SILVER LEGACY™ RENO, NEVADA BEAU RIVAGE® BILOXI, MISSISSIPPI  
GOLD STRIKE® TUNICA, MISSISSIPPI MGM GRAND® DETROIT, MICHIGAN MGM® NATIONAL HARBOR, MARYLAND MGM® SPRINGFIELD, MASSACHUSETTS  
BORGATA® ATLANTIC CITY, NEW JERSEY GRAND VICTORIA® ELGIN, ILLINOIS MGM MACAU™, CHINA MGM GRAND® SANYA, CHINA MGM® COTAI, CHINA



TO: Commissioners

FROM: John Ziemba, Ombudsman

DATE: March 2, 2015

RE: Update on the 2015 Mitigation Reserve Fund and Local Community Mitigation Advisory Committee

---

### **2015 Mitigation Reserve Fund**

The Massachusetts Gaming Commission received a total of 24 applications for the 2015 Mitigation Reserve Fund. Out of those 24 applications, the commission received three applications from communities (Everett, Revere and Winthrop) that were neither a surrounding community, a nearby community, nor a community that petitioned to be a surrounding community. These communities were notified that they did not meet the eligibility for the Reserve. Subsequent to such notice Revere filed a specific impact application. One community, Hampden, did not file by the deadline (February 2, 2015). The Commission received Hampden's emailed application on February 4, 2015 and the original after that date.

The Commission has at least two options for the community that missed the deadline:

- Reject the application due to inconsistency with the Guidelines; or
- Preserve the Community's use of the Reserve Fund starting in 2016 assuming that it files by the 2016 application due date.

Three communities that were eligible for the Reserve did not file an application.

Pursuant to the 2015 Community Mitigation Fund Guidelines, the funds may be used on a rolling basis when specific impacts are determined or a specific planning activity is determined (upon approval by the Commission). Such Guidelines did not specify any outside time limits when communities could use the Reserve. Upon establishing the Reserve, the Commission could annually recertify this funding but would not need to require the communities to file additional applications. It is anticipated that the Reserve would continue to be available for many years, at least until after the opening of the facilities and determination of whether operational impacts exist.

### **Local Community Mitigation Advisory Committee ("LCMAC")**

By way of update, Gordon Carr and I have been meeting with representatives of the LCMACs. We intend to meet with each of these representatives prior to the first meeting of the LCMACs, likely in April.



Massachusetts Gaming Commission

101 Federal Street, 23rd Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | [www.massgaming.com](http://www.massgaming.com)



**Massachusetts Gaming Commission  
101 Federal Street, 23rd Floor  
Boston, MA 02110**

**Mass2015 COMMUNITY MITIGATION FUND  
APPLICATION**

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

**APPLICATIONS DUE NO LATER THAN FEBRUARY 2, 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 2, 2015, you do not need to complete grayed boxes 1-4.*

Massachusetts Trial Court

1. NAME OF MUNICIPALITY/GOVERNMENT ENTITY/DISTRICT

Massachusetts Trial Court

2. DEPARTMENT RECEIVING FUNDS

Chief Financial Officer William Marchant

3. NAME AND TITLE OF INDIVIDUAL RESPONSIBLE FOR HANDLING OF FUNDS

Two Center Plaza, 9<sup>th</sup> floor, Boston, MA 02108

4. ADDRESS OF INDIVIDUAL RESPONSIBLE FOR HANDLING OF FUNDS

(617) 878-0307 william.marchant@jud.state.ma.us

5. PHONE # AND EMAIL ADDRESS OF INDIVIDUAL RESPONSIBLE FOR HANDLING OF FUNDS

Court Administrator Harry Spence

6. NAME AND TITLE OF INDIVIDUAL AUTHORIZED TO COMMIT FUNDS ON BEHALF OF MUNICIPALITY/GOVERNMENTAL ENTITY

One Pemberton Square, Suite 1M, Boston, MA 02108

7. ADDRESS OF INDIVIDUAL AUTHORIZED TO COMMIT FUNDS ON BEHALF OF MUNICIPALITY/GOVERNMENTAL ENTITY

(617) 878-0204 harry.spence@jud.state.ma.us

8. PHONE # AND EMAIL ADDRESS OF INDIVIDUAL AUTHORIZED TO COMMIT FUNDS ON BEHALF OF MUNICIPALITY/GOVERNMENTAL ENTITY

Blue Tarp Redevelopment, LLC

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.

The construction of the MGM Springfield Casino imposes a significant burden on parking for Trial Court employees at the Springfield Hall of Justice. The MGM Casino is being built in close proximity to the Springfield Hall of Justice, a multi-court facility in downtown Springfield. To create the needed space to build the casino, MGM has acquired and is closing all the surface parking lots within walking distance of the courthouse. As the courthouse has no employee parking, the Trial Court employees rely upon the local parking lots that MGM will soon close. The closure of these parking lots will make it significantly harder for the may Trial Court employees from throughout the Greater Springfield area to reach the courthouse each day. Unfortunately, to the extent that any parking lots within reasonable distance of the courthouse will remain open, employees report that some of those lots have raised their rates to levels as much as twice the market rate.



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.

In mitigation of this burden on Trial Court employees' parking, MGM originally agreed to arrange for parking at \$3/day for Trial Court employees at a parking lot that is a significant distance from the courthouse. MGM would have provided shuttle buses for the employees from the off-site parking lot to the courthouse and back. MGM would have guaranteed a fixed number of available spaces for Trial Court employees at the remote parking lot. The goal of that proposed arrangement was to provide accessible parking for Trial Court employees at approximately the same monthly rate that they are now paying despite MGM's closure of all the nearby parking lots.

Through consultation with the Ethics Commission General Counsel, the Trial Court subsequently learned that permitting MGM to provide parking for Trial Court employees and shuttle service to and from a remote parking lot would constitute an unwarranted privilege under G.L. c. 268A, § 23(b)(2)(ii). The ethical problem arises because, even though the Trial Court employees would be paying for the parking at a rate of \$3 per day, the parking lot provided by MGM would be available only to Trial Court employees (and MGM employees), not to the general public. Therefore, the use of that lot and the shuttle service to and from the courthouse would constitute a prohibited unwarranted privilege to Trial Court employees. Secondly, Trial Court employees being delivered to the courthouse each morning by a shuttle bus provided by MGM Springfield could create an appearance of impropriety. This is especially true in light of the fact that MGM Springfield will inevitably have occasion to appear before the Massachusetts courts in Springfield once it begin operating there.

A potential means of overcoming this ethical problem was for the Trial Court to lease the off-site parking and then deduct the monthly parking fee from employees' salaries. However, the Trial Court's reducing its employees' salaries on that basis would have unintended consequences for the crediting of employees' pensions and even their income tax reporting. This approach was therefore not fiscally viable.

As the cost of leasing the needed off-site parking is projected to be approximately \$150,000 per year, the Trial Court is not in a position to undertake that expenditure without any means of being reimbursed by its employees. Moreover, as this parking problem arises directly from the construction of the Casino, the Trial Court and, therefore, the Commonwealth's taxpayers should not bear the cost of alleviating it. For this reason, the Trial Court is submitting the present application for the appropriation of mitigation funds to offset the cost of the Trial Court employees' off-site parking during construction of the Casino.

The Trial Court recognizes that applications to the 2015 Community Mitigation Fund were due by Monday, February 2, 2015. However, the Trial Court employees' above-described ethical dilemma had not emerged at that date. We also recognize that the Commission has established a One-Time 2015 Reserve Fund "[i]n recognition that communities may not be able to demonstrate many significant impacts by February 2, 2015." The Trial Court therefore requests the Commission's consideration of this request for assistance in providing market rate parking for the Trial Courts' employees during the Casino's construction.

**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.

The Trial Court uses the Commonwealth's accounting system (MMARS). Additionally, the Trial Court has internal controls in place to ensure appropriate use of all funds.

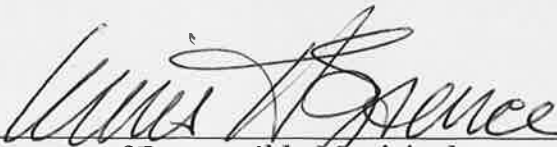
**4. RELEVANT EXCERPTS FROM HOST OR SURROUNDING COMMUNITY AGREEMENTS**

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.

The impact of parking garage and casino construction on courthouse employees was anticipated. In fact, in paragraph 22 of the licensee's approval, the Commission required as a condition of licensing that the licensee coordinate plans with the Massachusetts Trial Court to minimize noise and dust and disruption to parking and business operations during construction. The Trial Court has worked diligently with MGM through its retail partner, Davenport Companies, on a temporary plan during garage construction.

**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

3/2/15  
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

2015 MAR -2 PM 12:00

Category 1 and 2 - Mitigation Communities

	Licensee	City/Town	2015 Mitigation Fund Request Received		Status	Reserve/Non reserve
<b>MGM</b>						
1	MGM	Agawam	12/6/2014		SCA	Reserve
2	MGM	Chicopee	email 1/29		SCA	Reserve
3	MGM	East Longmeadow	1/26/15		SCA	Reserve
4	MGM	Hampden**	2/4/2015		Petitioned	Reserve
5	MGM	Holyoke	1/30/15		SCA	Reserve
6	MGM	Longmeadow	1/8/2015		SCA	Reserve
7	MGM	Ludlow	1/23/2015		SCA	Reserve
8	MGM	Northampton	2/2/2015		Petioned	Reserve
9	MGM	Springfield*	2/2/2015		Host	<b>Non-reserve</b>
10	MGM	HCS D-Springfield*	1/30/2015			<b>Non-reserve</b>
11	MGM	West Springfield	1/7/2015		SCA	Reserve
12	MGM	Wilbraham	1/12/2015		SCA	Reserve
<b>WYNN EVERETT</b>						
1	Wynn	Boston	2/2/2015 email		Petitioned	Reserve
2	Wynn	Cambridge	1/29/15		SCA	Reserve
3	Wynn	Chelsea	1/29/15		SCA	Reserve
	Wynn	Everett	1/23/15		Host	N/A
4	Wynn	Lynn	email 1/29		NCA	Reserve
5	Wynn	Malden	1/15/15		SCA	Reserve
6	Wynn	Medford*	1/29/15		SCA	Reserve & <b>Non-reserve</b>
	Wynn	Melrose	N/A		NCA	N/A
7	Wynn	Revere*	1/7/15 modified 1/19/15			<b>Non-reserve</b>
8	Wynn	Saugus	12/30/14		Petitioned	Reserve
9	Wynn	Somerville*	1/30/15		SCA	Reserve & <b>Non-reserve</b>

n/a	Winthrop	1/23/2015			N/A
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<b>CATEGORY 2 - PLAINVILLE</b>						
		Attleboro	N/A		Agmt	
1		Foxborough	1/23/2015		SCA	Reserve
2		Mansfield	1/30/2015		SCA	Reserve
		North Attleboro	N/A		SCA	
		Plainville	N/A		Host	
3		Wrentham	1/6/2015		SCA	Reserve

\*Mitigation of Specific Impacts    \*\* Did not file by deadline

21 Reserve total

5 Non-Reserve - Specific Impacts

# Massachusetts Gaming Commission

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## MEMORANDUM

Date: March 5, 2015

To: Commission

From: Racing Division

Re: Economic Assistance Fund, G.L. c.128A, §5(h)(4)

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M.G.L. c.128A, §5(h)(4) designates \$20,000 annually to be placed into a fund to “provide economic assistance to any person employed in the racing facility, the stable or the backstretch area of the running horse racing licensee located in Suffolk county who is facing hardship due to illness or unforeseen tragedy.”

Pursuant to 205 CMR 10.00, disbursements from this fund are made upon a request to the commission from the person facing hardship. The requester is required to submit details on the financial hardship due to illness or unforeseen tragedy along with their most recent pay stub and other documentation that the commission may require.

Due to the limited size of the fund and the large number of requests received by the Commission the Division of Racing, as a policy decision, decided to place a \$2,500 cap *per incident* for each applicant. This has helped ensure that we are able to give assistance to as many qualified applicants as possible.

In 2014 the Commission made payments to nine different applicants, totaling \$19,158.07 of the total \$20,000 fund. This leaves a balance of \$841.93 that carried forward into 2015. The Division of Racing expects to see a similar number of payments for similar amounts being made this year.

The language in the statute, allocating the fund to “any person employed in the racing facility” would indicate an intent that the funds be distributed to individuals who work for or on the racetrack. Due to the past uses of the fund and the intent indicated in the statute, the Racing Division recommends that the Commission not issue the balance of the fund to the NEHBPA as requested in their January 26, 2015 letter.



# Massachusetts Gaming Commission

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## MEMORANDUM

Date: March 5, 2015

To: Commission

From: Racing Division

Re: Health and Welfare Benefits

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Pursuant to G.L. c.23K, §60(c)(iii), the Gaming Commission shall distribute 4% of the Race Horse Development fund to be used to fund health and pension benefits for members of the horsemen's organizations representing the owners and trainers at a horse racing facility for the benefit of the organization's members, their families, employees, and others under the rule and eligibility requirements of the organization, as approved by the commission.

The New England Horsemen's Benevolent and Protective Association (NEHBPA) has requested payment of the 4% into their account established pursuant to G.L. c.23K, §60. The NEHBPA is the organization representing the Thoroughbred Horsemen and currently providing healthcare benefits and pensions to its members. The Racing Division recommends the Commission recognize the NHEBPA as the organization representing the Thoroughbred horsemen and approve the payment of 4% of the Thoroughbred portion of the RHDF to the NEHBPA for the health and welfare benefits of its members.

The Harness Horsemen Association of New England (HHANE) has requested payment of the 4% of the Standardbred portion of the RHDF for the health and welfare benefits of its members. HHANE is the organization representing the Standardbred Horsemen and currently providing health and welfare benefits to its members. The Racing Division recommends the Commission recognizes HHANE as the organization representing the Standardbred horsemen and approve the payment of the 4% of the Standardbred portion of the RHDF to HHANE for the health and welfare benefits of its members.

Additionally, the Commission is charged with deciding which portion of the 4% gets distributed annually to jockeys and drivers to cover health insurance, life insurance, or other benefits to active and disabled jockeys or drivers under the rules and eligibility requirements of the organization. The NEHBPA has recommended the Commission ask the Horse Racing Committee for a recommendation on the

appropriate annual amount to be designated to the jockeys and drivers. Alternatively, the Commission may consider requesting documentation from the NEHBPA and HHANE regarding previous payments made as health and welfare payments specifically to jockeys and drivers, or if they have not made any payments previously, their plan for supporting jockeys and drivers in the future.



March 2, 2015

Ms. Catherine Blue  
General Counsel  
Massachusetts Gaming Commission  
101 Federal Street 23<sup>rd</sup> Floor  
Boston, MA 02110

Dear Ms. Blue:

Please accept the following comments on behalf of the Jockeys' Guild and our members who are licensed by the Massachusetts Gaming Commission and regularly ride in Massachusetts regarding the Race Horse Development Fund ("RHDF") created under 205 CMR 149.04.

Section 149.04(4)(b)(iii) states that "...[T]he commission shall determine how much shall be paid annually by the horsemen's organization to the thoroughbred jockeys' organization at the horse racing association's race track for health insurance, life and/or accident insurance or other benefits to active and disabled thoroughbred jockeys under the rules and eligibility requirements of that organization."

While we recognize that there are many factors that must be considered by the Commission pertaining to how much the New England HBPA should contribute for the benefits of the thoroughbred jockeys in Massachusetts, we would first like to provide a bit of background of the Jockeys' Guild and its purpose, as well give examples of funding for similar programs in other jurisdictions.

The Jockeys' Guild, Inc., is the organization representing professional jockeys in American Thoroughbred and Quarter Horse racing. Our organization was founded in May 1940 and has approximately 1,270 members, including active, retired and permanently disabled riders. The purpose of the organization is to represent jockeys and to monitor developments in local, state and federal laws affecting the racing industry, and in particular, the jockeys.

The Jockeys' Guild has also been recognized as the organization representing the majority of the Massachusetts jockeys over the years, with the exception of the years of reorganization of the Jockeys' Guild, which began in October of 2007. In 2012, we regained the majority of the membership in Massachusetts and were once again recognized by the Commission as the representative of the jockeys.

In addition to being a voice for jockeys in the industry, the Guild is currently providing its members with various benefits including life insurance, AD&D insurance and temporary disability for the active members, as well as life insurance and aid to the permanently disabled members, which is separate from the benefits provided to qualifying members by the Permanently Disabled Jockeys Fund (PDJF). The money for these benefits comes from

primarily two sources, the *jockeys, as members of the Guild, who contribute on each mount they ride*, as well as the racetrack contributions.

To provide some history regarding the racetrack contributions, up until around 2005, almost all racetracks across the country, regardless of their size, made contributions to the Jockeys' Guild under the prevailing TRA agreements. This began in 1968 and over the years the Guild has used the money to partially fund programs that are of vital importance to the jockeys. Today, the Guild has been able to continue to provide the benefits as a result of contributions from The Stronach Group, NYRA, Churchill Downs, Inc., Keeneland, Finger Lakes, Sunland Park, Arapahoe, Del Mar, Fonner Park, Hawthorne, Indiana Grand, Kentucky Downs, Los Alamitos, Lone Star Park, Remington Park, Santa Rosa Fair, and Suffolk Downs. We have also received partial contributions from Tampa Bay Downs for the past few years as a result of a tax credit they receive from the state of Florida. The amount that each track contributes is comprised of an amount paid per race day and an amount paid per starter, depending on the classification of the race track as either an "A", a "B" or a "C" which is based on the "Average Daily Purses" at each racetrack.

With regards, Suffolk Downs, in 2013, based on the above calculations, it contributed \$34,849.17 and in 2014, \$20,668.32. In light of the recent agreements reached between the New England HBPA and Suffolk Management, we are unsure of what to expect as far as the number of days and who will actually be responsible for the operations. As of yet, we have not had discussions and do not know if there will be track contributions. However, with that said, separate from our excellent relationship with the management of Suffolk Downs, the Guild has always had a very solid working relationship with both Mr. Anthony Spadea and Mr. Lou Raffetto, Jr. of NEHARC, and they have always looked out for the interest of the jockeys.

With all of the uncertainty, the one thing that we can be sure of in racing, is that there are injuries, some are temporary, while others are career ending. Regardless, the Guild will be providing benefits. For the past few years, on average, approximately 18% of our members suffered injuries that prevented them from riding and earning a living for weeks at a time. We also assist over 55 permanently disabled jockeys, who have been injured on-track, with the cost of prescriptions, co-pays and necessities like breathing tubes, oxygen, replacement parts for their wheelchairs and the like. Of the number of our permanently disabled members, 64% of them are either paralyzed or have significant head injuries. Since 2007, the Guild has paid out over \$7.1 million in benefits to our members.

In addition to the risk of injuries, throughout the Guild's history, jockeys have faced a monumental issue with spiraling health insurance costs. Unfortunately, the Guild has been limited in what it has been able to accomplish with regards to health insurance benefits as an organization, and has instead had to work to achieve the benefits on a state by state basis. In 2008, a trust was established by the Guild and the Thoroughbred Owners of California ("TOC"), which was funded from the uncashed tickets, to oversee a plan to provide health insurance benefits to the qualifying California jockeys and their families. The board of the trust consists of representatives from the Guild, TOC and the CHRB. In addition to the health insurance benefit in 2008, legislation was passed in California establishing a pension fund for the jockeys. The legislation authorized advance deposit wagering with a portion of the revenue generated by

ADW to be deposited into a trust jointly managed by the Jockeys' Guild and the California Horse Racing Board.

While California is the ideal model, similar legislation, to provide health and welfare benefits to jockeys, has been created in other jurisdictions. Legislation is in place in Delaware that mandates \$350,000 per year be contributed to a fund to provide health and welfare benefits to active, disabled and retired jockeys. The Delaware Jockeys' Health and Welfare Benefit Board consists of members from the Delaware Thoroughbred Racing Commission, Delaware Thoroughbred Horsemen's Association, and the Jockeys' Guild. In Pennsylvania, under the gaming legislation the Pennsylvania Race Horse Development Fund was established and requires, from the funds allocated to the Horsemen's organization, \$250,000 per race track to be allocated for health insurance, life insurance or other benefits to active and disabled thoroughbred jockeys or Standardbred drivers in accordance with the rules and eligibility requirements of that organization. In 2009, New Jersey established the New Jersey State Jockey Health and Welfare Trust which provides healthcare, dental and vision insurance for qualified New Jersey jockeys, with \$150,000 contributed annually. Most recently, the state of New York has adopted legislation for funding for health insurance for qualifying jockeys in New York, which went into effect in January of 2015.

Obviously, here in Massachusetts, MLGA 128A §5(h)(4) authorizes for \$65,000 annually to be paid to the "organization, as determined by the commission that represents the majority of the jockeys who are licensed by the commission and regularly ride in the commonwealth for the purpose of providing health and welfare benefits to active, disabled or retired jockeys." However, that is currently set to expire in 2016. While we are hopeful with the new funding from gaming there may be an alternative source of revenue, we are not certain.

We would respectfully request that the amount of funding that the Commission shall determine to be paid annually by the horsemen's organization to the thoroughbred jockeys' organization at the horse racing association's race track for health insurance, life and/or accident insurance or other benefits to active, retired, and disabled thoroughbred jockeys be no less than that what was previously being provided between the \$65,000 from the previous legislation and the amount of money that was being contributed by Suffolk Downs. We would also respectfully request that there be a consideration for an increase to compensate for the rising cost of the insurance and the benefits.

If you have any additional questions or concerns, please contact myself or Mindy Coleman in the office at (866) 465-6257.

Sincerely,



Terence J. Meyocks  
National Manager

# Massachusetts Gaming Commission

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## MEMORANDUM

Date: March 5, 2015

To: Commission

From: Racing Division

Re: Massachusetts Thoroughbred and Standardbred Breeding Programs

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Under G.L. c.23K, §60, the Gaming Commission shall distribute 16% of the Race Horse Development fund to the Massachusetts Thoroughbred and Standardbred Breeding Programs authorized by the Commission.

The Massachusetts Thoroughbred Breeders Association (MTBA) is recognized in G.L. c.128, §2(g) as the breeding program designated to administer the stakes races for Massachusetts bred Thoroughbreds and to offer bonuses to breeders of Massachusetts bred Thoroughbred horses. Because the MTBA is recognized for these reasons pursuant to c.128, the Racing Division recommends that the Commission also recognize and authorize the MBTA as the Massachusetts Thoroughbred breeding program to receive the 16% of the Thoroughbred portion of the Race Horse Development Fund.

The Standardbred Owners of Massachusetts (SOM) has formally requested the Commission recognize and authorize SOM to be the representative group of Standardbred breeders to administer the 16% of the Standardbred portion of the Race Horse Development Fund, as well as the organization recognized as the breeding program designated to administer the Massachusetts Breeding Sire Stakes program in accordance with G.L. c.128, §2(j). SOM has administered the Massachusetts Breeding and Sire Stakes Program since 1992. The Racing Division recommends that the Commission recognizes and authorizes SOM as the Massachusetts Standardbred breeding program to receive 16% of the Standardbred portion of the Race Horse Development Fund, as well as recognizing SOM as the organization authorized to administer the Massachusetts Breeding and Sire Stakes program.





## Amended Small Business Impact Statement

The Massachusetts Gaming Commission (“Commission”) hereby files this amended small business impact statement in accordance with G.L. c.30A, § relative to the proposed new regulations in 205 CMR 149.00: Race Horse Development Fund, for which a public hearing was held on December 18, 2014. 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. One of the purposes of the regulation is to describe the process for providing funds collected under c.23K to various groups in the horse racing industry, some of whom 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 projected additional reporting or recordkeeping requirements associated with these amendments for small businesses; there are no less stringent schedules or deadlines for compliance or reporting requirements for small businesses; there are no consolidated or simplified compliance or reporting requirements for small businesses; there are no performance standards for small businesses to replace design or operational standards required in the proposed regulations; and there are no alternative regulatory methods to minimize adverse impacts on small businesses.

M.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 new small businesses. The proposed regulations are designed to effectuate those intentions and growth.

Massachusetts Gaming Commission  
By:

Danielle Holmes  
Attorney

Dated:



Massachusetts Gaming Commission

205 CMR: MASSACHUSETTS GAMING COMMISSION  
205 CMR 149.00: RACE HORSE DEVELOPMENT FUND

Section

149.01: Definitions

149.02: Distributions from the Race Horse Development Fund

149.03: Notice to Commission of Intent to Discontinue Racing

149.04: Race Horse Development Fund Escrow Account

149.01: Definitions

As used in 205 CMR149.00, the following words and phrases shall have the following meaning, unless the context clearly requires otherwise:

Commission is defined in M.G.L. c. 23K § 2.

Meeting means a meeting as defined in 205 CMR 3.02 and 205 CMR 4.02, respectively.

Harness Race means a race involving standardbreds as defined in 205 CMR 3.02.

Harness Racing Association means an association as defined in 205 CMR 3.02.

Horse Race means a race involving thoroughbreds as defined in 205 CMR 4.02.

Horse Racing Association means an association as defined in 205 CMR 4.02.

Horse Racing Committee means the committee established pursuant to M.G.L. c. 23K, § 60(b).

Horsemen has the meaning ascribed to the term in M.G.L. c.23K §60 and refers to Harness Horsemen and Thoroughbred Horsemen respectively.

License means a license to conduct a harness race, horse race, or both issued pursuant to M.G.L. c. 128A.

Race Horse Development Fund means the fund established pursuant to M.G.L. c. 23K, § 60.

Race Horse Development Fund Escrow account means an escrow account established pursuant to 205 CMR 149.03 (2) (a) and 149.04.

Race Track is defined in M.G.L. c. 128A, § 1.

#### 149.02: Distributions from the Race Horse Development Fund

(1) (a) The commission shall make distributions from the race horse development fund between harness racing associations and horse racing associations in accordance with the requirements of M.G.L. c. 23K, § 60, 205 CMR 149.02 and 205 CMR 149.04 and the recommendations of the horse racing committee.

(b) If there is more than one harness racing association or more than one horse racing association, the horse racing committee shall determine how the distributions from the race horse development fund are shared between each harness racing association or horse racing association.

(2) A harness racing association or horse racing association shall distribute funds received from the race horse development fund in accordance with M.G.L. c. 23K, § 60(c) and 205 CMR 149.04.

(3) In order for a harness racing association or horse racing association to be eligible to receive funds from the race horse development fund such harness racing association or horse racing association shall comply with all safety standards adopted by the Commission and applicable to such harness racing association or horse racing association.

#### 149.03: Notice to Commission of Intent to Discontinue Racing

(1) A harness racing association or horse racing association shall provide the commission at least thirty(30) days prior written notice of its intent to take any of the following actions:

- (a) To discontinue harness races or horse races for the remainder of a harness meeting or horse meeting
- (b) To permanently discontinue harness races or horse races;
- (c) To close a race track used for harness races or horse races;
- (d) To abandon or relinquish a license;
- (e) To not apply for the renewal of a license; or
- (f) To transfer a race track to any other entity.

(2) Upon receipt of a written notice of intent pursuant to 205 CMR 149.03(1), or upon learning that the harness racing association or horse racing association has failed to timely notify the commission pursuant thereto or that any event described in 205 CMR 149.03(1) (a)-(f) has occurred or will occur, the commission may take one or more of the following actions:

- (a) Hold a public hearing to determine:

(i) whether monies from the race horse development fund which the harness racing association or horse racing association would have received pursuant to M.G.L. c. 23K, § 60, should be placed in a racing escrow account for distribution pursuant to 205 CMR 149.04;

(ii) whether to transfer monies from the race horse development fund which the harness racing association or horse racing association would have received pursuant to M.G.L. c. 23K, § 60 to a different harness racing association or horse racing association;

(iii) whether to transfer the harness racing association's or horse racing association's license to a different harness racing association or horse racing association;

(iv) whether to take any other action within its authority to protect:

- i. the interests of the commonwealth;
- ii. employees or former employees of the harness racing association or horse racing association;
- iii. harness racing horsemen and horse racing horsemen; and
- iv. the intended beneficiaries of the race horse development fund, any other fund established pursuant to M.G.L. cc. 23K, 128A or 128C, and any other fund to which the harness racing association or horse racing association was required to contribute.

(b) Require the harness racing association or horse racing association to pay to the commission any amounts required pursuant to the terms of its license, M.G.L. cc. 23K, 128A, and 128C, and 205 CMR 149.00 including, without limitation, all unclaimed winnings and breaks, assessments, taxes, and fees.

#### 149.04: Race Horse Development Fund: Distributions; Escrow Accounts

(1) If the commission determines pursuant to 205 CMR 149.03 (2) (a) that monies due to a harness racing association or horse racing association from the race horse development fund should be placed in an escrow account, the commission shall establish a race horse development fund escrow account to hold such funds and any interest thereon for distribution in accordance with M.G.L. c. 23K, § 60(c), the recommendations of the horse racing committee, and 205 CMR 149.00.

(2) The commission shall establish a separate race horse development fund escrow account concerning each harness racing association or horse racing association for which it determines such an account is necessary pursuant to 205 CMR 149.03(2)(a)

(3) The commission shall hold funds in such race horse development fund escrow accounts subject to the following requirements:

(a) Monies held in a race horse development fund escrow account shall be held in escrow for no more than three years from the date of the Commission's determination to hold the funds in escrow. After three years, any monies remaining in such race horse development fund escrow accounts shall be transferred or distributed by the commission in accordance with the recommendations of the horse racing committee.

(4) (a) The commission shall make distributions from the race horse development fund or from a race horse development fund escrow account created under 205 CMR 149.03 because of a harness racing association as follows, in accordance with M.G.L. c. 23K, § 60, and 205 CMR 149.00:

- i. Eighty per cent of the funds approved by the commission shall be paid weekly to a harness racing association, or if there is more than one harness racing association, as recommended by the horse racing committee, weekly by the Commission into a separate, interest-bearing purse account to be established by and for the benefit of harness racing horsemen. The earned interest on this account shall be credited to the purse account and shall be combined with revenues from existing purse agreements to fund purses for live harness races consistent with those agreements, with the advice and consent of the harness racing horsemen.
- ii. Sixteen percent of the funds approved by the commission shall be deposited by the Commission into an account for the benefit of the Massachusetts Standardbred Breeding Program authorized by the commission.
- iii. Four percent shall be used to fund health and pension benefits for the members of the horsemen's organizations representing the owners and trainers at the harness horse racing association's race track for the benefit of the organization's members, their families, employees and others under the rules and eligibility requirements of the organization, as approved by the commission. This amount shall be deposited by the Commission within five business days of the end of each month into a separate account to be established by each respective horsemen's organization at a banking institution of its choice. Of this amount, the commission shall determine how much shall be paid annually by the horsemen's organization to the standardbred drivers' organization at the harness racing association's race track for health insurance, life and/or accident insurance or other benefits

to active and disabled standardbred drivers under the rules and eligibility requirements of that organization.

(b) The commission shall make distributions from the race horse development fund or a race horse development fund escrow account created under 205 CMR 149.03 because of a horse racing association as follows, in accordance with M.G.L. c. 23K, § 60, and 205 CMR 149.00:

- i. Eighty per cent of the funds approved by the commission shall be paid weekly to a horse racing association, or if there is more than one horse racing association, as recommended by the horse racing committee, weekly by the Commission into deposited weekly into a separate, interest-bearing purse account to be established by and for the benefit of horse racing horsemen. The earned interest on this account shall be credited to the purse account and shall be combined with revenues from existing purse agreements to fund purses for live horse races consistent with those agreements, with the advice and consent of the horse racing horsemen.
- ii. Sixteen percent of the funds approved by the commission shall be deposited by the Commission into an account for the benefit of the Massachusetts Thoroughbred Breeding Program authorized by the commission.
- iii. Four percent shall be used to fund health and pension benefits for the members of the horsemen's organizations representing the owners and trainers at the horse racing association's race track for the benefit of the organization's members, their families, employees and others under the rules and eligibility requirements of the organization, as approved by the commission. This amount shall be deposited by the Commission within five business days of the end of each month into a separate account to be established by each respective horsemen's organization at a banking institution of its choice. Of this amount, the commission shall determine how much shall be paid annually by the horsemen's organization to the thoroughbred jockeys' organization at the horse racing association's race track for health insurance, life and/or accident insurance or other benefits to active and disabled thoroughbred jockeys under the rules and eligibility requirements of that organization.

(4) If the commission awards a license to a harness racing association, after placing the funds in escrow pursuant to 205 CMR 149.03 the commission may transfer funds to that harness racing association, for use in accordance with M.G.L. c. 23K § 60 and 205 CMR 149.00, from



any race horse development fund escrow account then in existence that was created under 205 CMR 149.03

(5) If the commission awards a license to a horse racing association after placing the funds in escrow pursuant to 205 CMR 149.03 the commission may transfer funds to that horse racing association, for use in accordance with M.G.L. c. 23K § 60 and 205 CMR 149.00, from any race horse development fund escrow account then in existence that was created under 205 CMR 149.03.

(6) The commission may, upon the recommendation of the horse racing committee, transfer all or a portion of the funds held in a race horse development fund escrow account to any one or more harness racing associations or horse racing associations for distribution in accordance with M.G.L. c. 23K, § 60, and 205 CMR 149.00.

#### REGULATORY AUTHORITY

205 CMR 149.00: M.G.L. c. 23K, §§ 2, 4(37), 4(38), 5, 7, 60; c. 128A, §§ 1, 2, 3, 9, 9B.



## Amended Small Business Impact Statement

The Massachusetts Gaming Commission (“Commission”) hereby files this amended small business impact statement in accordance with G.L. c.30A, §5 relative to the proposed amendments in 205 CMR 134.00: Licensing, for which a public hearing was held on December 18, 2014. 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

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

Based on the principal subject matter of these amendments, there are no less stringent schedules or deadlines for compliance or reporting requirements for small businesses, consolidated or simplified compliance or reporting requirements for small businesses, performance standards for small businesses to replace design or operational standards required in the proposed regulations, or alternative regulatory methods to minimize adverse impacts on small businesses.

M.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 new small businesses. The proposed regulations are designed to effectuate those intentions and growth.



Massachusetts Gaming Commission

205 CMR 134.00: LICENSING AND REGISTRATION OF EMPLOYEES, VENDORS, JUNKET ENTERPRISES AND REPRESENTATIVES, AND LABOR ORGANIZATIONS

Section

- 134.01: Key Gaming Employee Licensees
- 134.02: Gaming Employee Licensees
- 134.03: Gaming Service Employees
- 134.04: Vendors
- 134.05: Labor Organizations
- (134.06: Junket Enterprises and Junket Representatives: Reserved)
- 134.07: Forms
- 134.08: Submission of Application
- 134.09: Investigation, Determination, and Appeals for Gaming Establishment Employees and Vendors
- 134.10: Affirmative License Standards for the Licensing of Employees and Vendors of the Gaming Establishment
- 134.11: Affirmative Registration Standards for the Registration of Employees and Vendors of the Gaming Establishment and Labor Organizations
- 134.12: Temporary Licenses
- 134.13: Fingerprinting
- 134.14: Identification
- 134.15: Fees
- 134.16: Term of Licenses
- 134.17: Renewals
- 134.18: Duties of Applicants and Licensees
- 134.19: Disciplinary Action

[...]

134.04: Vendors

No person shall conduct business with a gaming licensee as a vendor to a gaming establishment unless such person has been licensed as a gaming vendor, as defined by M.G.L. c. 23K, § 2, or registered as a non-gaming vendor, as defined by M.G.L. c. 23K, § 2, in accordance with 205 CMR 134.00. A person shall be considered to be conducting business upon commencement of performance of a contract or provision of a good or service.

A subcontractor to a vendor shall not be required to obtain licensure or registration under 205 CMR 134.00. For purposes of 205 CMR 134.00 a subcontractor shall be considered a person that contracts with a licensed or registered vendor to provide goods or services necessary to fulfill the licensed or registered vendor's contract with a gaming licensee. As part of the application process, vendors shall be required to identify all of its known or anticipated subcontractors and shall have a continuing duty to update the Bureau relative to the identification of any new subcontractors. The Bureau may, at its discretion, require the submission of additional information and documents, including but not limited to the Subcontractor Information Form as provided in 205 CMR 134.07(11).

(1) Gaming Vendors.

(a) Gaming Vendors- Primary. A person who conducts business with a gaming applicant or gaming licensee on a regular or continuing basis for provision of goods or services which

directly relates to gaming, as defined by M.G.L. c. 23K, § 2, including, but not limited to a person who does any of the following, shall be designated as a gaming vendor-primary:

1. Manufactures, sells, leases, supplies, or distributes devices, machines, equipment (except gaming table layouts), accessories, or items that meet at least one of the following conditions:
  - a. are designed for use in a gaming area as defined by M.G.L. c. 23K, § 2;
  - b. are designed for use in a simulcast wagering area;
  - c. are used in connection with a game in the gaming area;
  - d. have the capacity to affect the calculation, storage, collection, electronic security, or control of the gaming revenues from a gaming establishment.
2. provides maintenance services or repairs gaming or simulcast wagering equipment, including slot machines;
3. acts as a junket enterprise; or
4. provides items or services that the Commission has determined are used in or are incidental to gaming or to an activity of a gaming facility.

Exception. Any person, by submission of a written petition, may request a determination from the commission that the person providing goods or services deemed by the Bureau to meet a description contained in 205 CMR 134.04(1)(a) need not be licensed as a Gaming Vendor-primary on the grounds that they are not providing services on a regular or continuing basis or that they do not directly relate to gaming.

(b) Gaming Vendors- Secondary. Any person who regularly conducts over \$250,000 in gross sales with any one gaming licensee within a 12 month period or a person who conducts over \$100,000 in gross sales with any one gaming licensee within a three month period, and who does not otherwise qualify for designation as a Gaming Vendor-primary in accordance with 205 CMR 134.04(1)(a)1., may be designated a Gaming Vendor-secondary by the Commission regardless of the type of goods or services being provided. This designation may be made either by virtue of submission of a *Business Entity Disclosure Form- Gaming Vendor-secondary* application by the vendor in anticipation of meeting the monetary threshold, or in accordance with 205 CMR 134.04(3).

(2) Non-gaming Vendors. A person who offers to a gaming establishment or gaming licensee goods or services which are not directly related to gaming, as defined by M.G.L. c. 23K, § 2, including, but not limited to any of the following, shall be designated as a non-gaming vendor:

- (1) construction company;
- (2) vending machine provider;
- (3) linen supplier;
- (4) garbage handler;
- (5) maintenance company;
- (6) limousine service company;
- (7) food purveyor;
- (8) supplier of alcoholic beverages;
- (9) a person that sells, distributes, tests, or repairs antique slot machines as described in M.G.L. c. 271, § 5A;
- (10) suppliers of gaming table layouts.

~~(3) The Division of Licensing shall determine upon review of the agreement submitted in accordance with 205 CMR whether a registered non-gaming vendor has met the conditions provided in 205 CMR 134.04(1)(b). If the Division of Licensing determines that the non-gaming vendor registrant has met the threshold it shall forward notice of such to the vendor of its obligation to submit an application for licensure as a gaming vendor secondary. Within 45 days of service of the notice, the registrant shall either submit a completed *Business Entity Disclosure Form-Gaming Vendor-Secondary* as set forth in 205 CMR 134.07(7) for licensure as a gaming vendor-secondary, discontinue providing the goods or services it is contracted to provide, file for an exemption in accordance with 205 CMR 134.04(6), or file a written request to the Division of Licensing for reconsideration from the determination requiring filing of an application for licensure as a gaming vendor secondary on the grounds that they are not providing goods or services on a regular or continuing basis.~~

The Division of Licensing shall determine upon consultation with the gaming licensee, review of the *Disbursement Report* required to be submitted in accordance with 205 CMR 138.06(2), and/or review of the terms of the agreement required to be maintained pursuant to 205 CMR 138.06(3) whether a non-gaming vendor has met or is reasonably likely to meet the thresholds provided in 205 CMR 134.04(1)(b). If the Division of Licensing determines that the non-gaming vendor has met or is likely to meet a threshold, it shall forward notice of such to the vendor of its obligation to submit an application for licensure as a gaming vendor-secondary. Within 45 days of service of the notice, the vendor, if already providing goods and/or services to the gaming licensee as a registrant, shall submit a completed *Business Entity Disclosure Form-Gaming Vendor-Secondary* as set forth in 205 CMR 134.07(7) for licensure as a gaming vendor-secondary, discontinue providing the goods and/or services it is contracted to provide, file for an exemption in accordance with 205 CMR 134.04(6), or file a written request to the Division of Licensing for reconsideration from the determination requiring filing of an application for licensure as a gaming vendor-secondary on the grounds that it is not providing goods or services on a regular or continuing basis. If the vendor is not already providing goods and/or services to the gaming licensee as a registrant, it may file for an exemption in accordance with 205 CMR 134.04(6), or file a written request to the Division of Licensing for reconsideration from the determination requiring filing of an application for licensure as a gaming vendor-secondary on the grounds that it will not be providing goods and/or services on a regular or continuing basis.

(4) Gaming Vendor Qualifier.

- (a) The following persons shall be designated as a gaming vendor qualifier and must establish their qualifications for licensure in accordance with 205 CMR 134.09 and 134.10:
1. If the gaming vendor applicant is a sole proprietor: The owner.
  2. If the gaming vendor applicant is a corporation:
    - a. Each officer;
    - b. Each inside director and those outside directors serving on the audit or compliance committees;
    - c. Any person owning more than 5% of the common stock of a company applying for licensure as a gaming vendor as provided by 205 CMR 134.04(1)(a), or a holding, intermediary or subsidiary company of such company;
    - d. Any person who will act as a sales representative or regularly engage in the solicitation of business from a licensed gaming establishment;
    - e. In the judgment of the Bureau any person with significant and substantial responsibility for the applicant's business in the Commonwealth.

3. If the applicant is a limited liability corporation:
    - a. Each Member;
    - b. Each transferee of a Member's interest;
    - c. Each Manager;
    - d. In the judgment of the Bureau any person with significant and substantial responsibility for the applicant's business in the Commonwealth.
  4. If the applicant is a limited partnership:
    - a. Each General Partner;
    - b. Each Limited Partner;
    - c. In the judgment of the Bureau any person with significant and substantial responsibility for the applicant's business in the Commonwealth.
  5. If the applicant is a partnership:
    - a. Each Partner;
    - b. In the judgment of the Bureau any person with significant and substantial responsibility for the applicant's business in the Commonwealth.
- (b) In all cases, any person who, in the opinion of the commission or Bureau, can exercise control or provide direction to a gaming vendor or applicant for a gaming vendor license or holding, intermediary or subsidiary companies thereof may be designated a Gaming Vendor qualifier.
- (c) Other Qualifiers. The commission or Bureau may, at its discretion, require other persons that have a business association of any kind with the applicant for a gaming vendor license to be licensed as a gaming vendor qualifier. These persons include, but are not limited to an affiliate or holding, intermediary or subsidiary companies of the applicant for a gaming vendor license.
- (d) An applicant may appeal any determination made by the Bureau in accordance with 205 CMR 134.04(4) to the commission by filing a petition on a form prescribed by the commission. The commission shall decide the appeal at a public hearing on the matter at which it may allow representatives of the petitioner and Bureau to testify.
- (5) Waiver. Upon written petition, the commission may waive the requirement to be licensed as a gaming vendor qualifier for:
- (a) institutional investors holding up to 15% of the stock of the gaming vendor or applicant for a gaming vendor license, or holding, intermediary or subsidiary company thereof, upon a showing by the person seeking the waiver that it purchased the securities for investment purposes only and does not have any intention to influence or affect the affairs or operations of the gaming vendor or applicant for a gaming vendor license or a holding, intermediary or subsidiary company thereof. Provided, however, any institutional investor granted a waiver which subsequently determines to influence or affect the affairs or operations of the gaming vendor or applicant for a gaming vendor license, or a holding, intermediary thereof shall provide not less than 30 days' notice to the commission of such intent and shall file an application and be subject to the licensing requirements of 205 CMR 134.00 before taking any action that may influence or affect the affairs of the gaming vendor or applicant for a gaming vendor license or a holding, intermediary or subsidiary company. Any person holding over 15% of a gaming vendor or applicant for a gaming vendor license, or a holding, intermediary or subsidiary company thereof, shall be required to apply for a license before doing business in the Commonwealth; or



(b) Any person who, in the opinion of the Bureau or the commission, cannot exercise control or provide direction to a gaming vendor or applicant for a gaming vendor license or a holding, intermediary or subsidiary company thereof. Provided, however, a person who is not an institutional investor and who holds more than 5% of the common stock of a company, or holding, intermediary or subsidiary company of such a company may not petition for waiver in accordance with 205 CMR 134.04(5)(b).

(6) Exemptions. For purposes of 205 CMR 134.04 the following persons engaged in the following fields of commerce who provide goods or services to a gaming applicant or gaming licensee, and that are not otherwise required to be licensed as a key gaming employee, gaming employee, or gaming service employee, shall not be deemed to be conducting business for purposes of M.G.L. c. 23K, § 31 and accordingly shall not be required to obtain licensure or registration as a vendor:

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134.04: continued

- (a) insurance companies and insurance agencies;
- (b) television, radio, newspaper, internet or other similar media outlets used for advertising purposes;
- (c) transactions with a governmental entity;
- (d) professional legal, accounting, and financial services;
- (e) physicians;
- (f) labor organizations, unions, or affiliates registered in accordance with 205 CMR 134.00;
- (g) utility companies;
- (h) telecommunications companies;
- (i) training seminars, publication subscriptions, conference registration or membership dues for professional associations intended to directly contribute to the work performance or professional development of an employee;
- (j) non-profit charitable corporations or organizations, provided that no consideration is received for the contribution;
- (k) court order or stipulation of settlement or for settlement of guest losses or guest refunds
- (l) payments for freight charges to freight transporters select by the vendor for delivering goods;
- (m) professional entertainers and/or celebrity appearances;
- (n) any other person that, by submission of a written petition, can demonstrate to the commission that registration as a non-gaming vendor is not necessary to protect the public interest.

[...]

134.18: Duties of Applicants and Licensees

(1) All applicants, licensees, and registrants shall have the continuing duty to provide any assistance or information required by the commission or the Bureau and to cooperate in any inquiry or investigation conducted by the commission or the Bureau. Refusal to answer or produce information, evidence or testimony by an applicant, licensee, or registrant may result in denial of the application or suspension or revocation of the license or registration.

(2) No applicant, licensee, registrant shall willfully withhold information from, or knowingly give false or misleading information to, the commission or the Bureau. If the commission or Bureau determines that an applicant, or a close associate of an applicant, has willfully provided false or misleading information, such applicant shall not be eligible to receive a license or registration under 205 CMR 134.00. Any licensee or registrant who willfully provides false or misleading information shall have its license conditioned, suspended or revoked by the commission.

(3) Notification of changes by employees. Each key gaming employee applicant or licensee, gaming employee applicant or licensee, and gaming service employee registrant shall have a continuing duty to notify and update the commission, in writing, within ten (10) days of the occurrence of the following:

- (a) Any denial, suspension or revocation by a government agency in any jurisdiction of a license, registration, certification, permit or approval held by or applied for by the individual;
- (b) Any discipline imposed upon the individual by a government agency in any jurisdiction;
- (c) Any arrest, indictment, charge or criminal conviction of the individual in any jurisdiction;
- (d) Any reports, complaints or allegations of which the individual is or should be aware involving conduct of that individual that could lead to potential criminal charges, including but not limited to allegations of theft or embezzlement; and
- (e) Any exclusion or barring of the individual from any casino, gaming establishment or gambling/gaming related entity in any jurisdiction.

(4) Notification of changes by Gaming Vendors. Each gaming vendor applicant or licensee shall have a continuing duty to promptly notify and update the commission, in writing, within ten (10) days of the occurrence of the following:

- (a) The proposed appointment, appointment, proposed nomination, nomination, election, hiring, intended resignation, resignation, removal, firing, incapacitation or death of any person required to be a qualifier under 205 CMR 134.04(4);
- (b) Any denial, suspension or revocation by a government agency of a license, registration, certification, permit or approval held by or applied for by the vendor or any qualifying entity or individual;
- (c) Any indictment, charge or criminal conviction of the vendor or any qualifying entity or individual;

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- (d) Any civil litigation in which the vendor is named as a party if damages are reasonably expected to exceed \$100,000, except for claims covered by insurance; and
- (e) Any judgments or petitions by or against the vendor, any qualifying entity or individual or any holding or intermediary company of the vendor for bankruptcy or insolvency.

(5) Notification of changes by Non-Gaming Vendors. Each non-gaming vendor registrant shall have a continuing duty to notify the commission, in writing, of the name, residence address, social security number, and date of birth of each relevant person within ten (10) days of the occurrence of the following:

- (a) Any denial, suspension or revocation by a government agency of a license, registration, certification, permit or approval held by or applied for by the vendor or any qualifying individual;
- (b) Any indictment, charge or criminal conviction of the vendor or any qualifying individual;
- (c) The sales representative(s) or other person(s) who solicit(s) business from a gaming licensee; and
- (d) Any person authorized to sign any agreement with the gaming licensee on behalf of the vendor.

(6) Notification of change of ownership of vendor entities. Each gaming vendor applicant or licensee and each non-gaming vendor registrant shall have a continuing duty to promptly notify and update the commission, in writing, prior to or immediately upon becoming aware of any proposed or contemplated change of ownership which involves more than 5% of the vendor. This duty includes without limitation the duty to specify whether the transaction involving the change in ownership will result in a consolidation involving the vendor and another entity, including by merger or acquisition.

(7) Commission referral to IEB. Upon receipt of a notice under 205 CMR 134.18(3) through (6), the commission shall refer the matter to the IEB for appropriate handling, which may include, without limitation, a notice to the applicant, licensee or registrant requiring the filing of an appropriate application or information and the subsequent investigation of that application or information.

## **Removal of Applicant Materials from the Commission Website**

### **Policy Statement**

This policy describes the process and timelines for removing material relating to applicants for Category 1 and Category 2 gaming licenses from the Commission's website.

### **Applies to**

Commissioners and all employees

### **Procedure**

It is the practice of the Commission to post materials relating to applicants ("Applicant Materials") for Category 1 and Category 2 licenses on the Commission's website so that interested members of the public can access those materials and follow the Commission's licensing process. The Applicant Materials include, but are not limited to, RFA 1 applications (redacted where applicable); RFA 2 applications (redacted where applicable); suitability reports; suitability decisions; and evaluation reports. Those materials do not include minutes or transcripts/videos of Commission meetings where applicant issues are discussed or copies of an agreement to award a license or the determination to award a license.

The Applicant Materials provide information on a particular applicant at a particular period in time. As such, the information in the Applicant Materials may become dated and of less use to the general public.

It is the policy of the Commission that Applicant Materials pertaining to unsuccessful applicants for the Category 2 gaming establishment license be removed from the Commission website upon the award of the Category 2 gaming establishment license. These materials will be retained for the period specified in the Commission's record retention policy and, during that period, archived and available upon request. The Applicant Materials for the successful Category 2 applicant/licensee will remain available on the website for a period of 1 year after the award of the Category 2 license. The actual Category 2 determination to issue a license will remain on the Commission website for the entire term of the Category 2 license.

It is the policy of the Commission that the Applicant Materials pertaining to the unsuccessful applicants for the Category 1 license in Region A, Region B and Region C be removed from the website upon the award of the Category 1 license in each region. These materials will be retained for the period specified in the Commission's record retention policy and, during that period, archived and available upon request. The Applicant Materials for the successful Category 1 applicant/licensees will remain available on the website for a period of 1 year after the award of the Category 1 license in that region. The actual Category 1 agreement to award a license and the determination to issue a license will remain on the Commission website for the entire term of each Category 1 license.

### **Responsibility**

The Communications Department, in conjunction with the Legal Department, shall be responsible for this policy. Any questions regarding this policy should be directed to the General Counsel.



## **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 139.00: Continuing Disclosure and Reporting Obligations of Gaming Licensees and Qualifiers; notice of which was filed this day with the Secretary of the Commonwealth. These proposals were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. These regulations govern the Commission’s requirements for continued disclosure and reporting of the gaming licensees and qualifiers. These regulations are largely governed by M.G.L. c. 23K, §§21, 23, 28, 29, and 65.

These new regulations apply solely to the gaming licensees. 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 performance or design 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

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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 new regulations in 205 CMR 140.00: Gross Gaming Revenue Tax Remittance and Reporting; notice of which was filed this day with the Secretary of the Commonwealth. These proposals were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. These regulations govern the requirements for tax reporting and payments by a gaming establishment. These regulations are largely governed by M.G.L. c. 23K, §§2, 55, 59, and 60.

These new regulations apply solely to the gaming establishments. 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 performance or design 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

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**No Documents**

205 CMR: MASSACHUSETTS GAMING COMMISSION

205 CMR 151: REQUIREMENTS FOR THE OPERATIONS AND CONDUCT OF GAMING  
AT A GAMING ESTABLISHMENT

Section

151.01: Issuance and Posting of Operation Certificate

151.02: Floor plan

151.03: Operation Certificate: Test period

151.04: Operation Certificate: Effective date; duration

151.05: Operation Certificate: Amendment to conform to approved changes

151.01: Issuance and posting of Operation Certificate

- (1) Before conducting gaming at a gaming establishment, or commencing operations of non-gaming amenities, a gaming licensee must request and obtain from the commission an Operation Certificate. The Operation Certificate shall not issue until the commission has conducted all reviews, including on-site tests and inspections required in accordance with 205 CMR 151.00 and otherwise deemed necessary by the commission.
- (2) The Operation Certificate shall be conspicuously posted within the gaming establishment and shall state the number of gaming positions by type, i.e., slot machines, electronic gaming devices, table games or such other forms of gaming positions approved by the commission.
- (3) An Operation Certificate shall not issue unless the gaming licensee has demonstrated to the commission that it has complied with all requirements of G.L. c. 23K, 205 CMR, and all applicable laws. Such compliance includes, but is not limited to:
  - (a) Approval of its system of internal controls in accordance with 205 CMR 138.02(2) including implementation of all approved policies and procedures required in accordance with 205 CMR 138.02(4);
  - (b) Compliance with all elements of M.G.L. c.23K, §25(a);
  - (c) Provision of a current list of all gaming employees;
  - (d) For category 1 and category 2 gaming licensees, the gaming area and other essential ancillary entertainment services and non-gaming amenities, as determined by the commission, have been built and are of a superior quality and comply with any applicable conditions of licensure;
  - (e) For category 1 gaming licensees, documentation to confirm that total infrastructure improvements onsite and around the vicinity of the gaming establishment, including projects to account for traffic mitigation, are completed in accordance with G.L. c. 23K, § 10(c) and the conditions of the gaming licensee's license;
  - (f) For the category 2 gaming licensee, documentation to confirm that any infrastructure improvements necessary to increase visitor capacity and account for traffic mitigation

are completed in accordance with G.L. c. 23K, § 11 and the gaming licensee's license conditions;

- (g) A copy of an emergency response plan filed with the commission and filed with fire department and police department of the host community, which plan shall include, but not be limited to:
  - (1) a layout identifying all areas within the facility and grounds, including support systems and the internal and external access routes;
  - (2) the location and inventory of emergency response equipment and the contact information of the emergency response coordinator for the gaming establishment;
  - (3) the location of any hazardous substances and a description of any public health or safety hazards present on site;
  - (4) a description of any special equipment needed to respond to an emergency at the gaming establishment;
  - (5) an evacuation plan; and
  - (6) any other information relating to emergency response as requested by the commission, the fire department or the police department of the host community.
- (h) A copy of the certificate of occupancy issued by a building commissioner or inspector of buildings of the host community in accordance with 780 CMR 111: *Certificate of Occupancy* that includes an approval under 521 CMR, indicating the necessary use and occupancy to operate the gaming establishment; as well as copies of any other permits required to be issued by the host community prior to the opening of a like facility;
- (i) A copy of all certification of operation for all elevators in accordance with M.G.L. c.143, §63 and 524 CMR.

151.02: Floor plan

- (1) Prior to the issuance or amendment of an Operation Certificate and the commencement of gaming or simulcast wagering, a gaming licensee shall obtain commission approval for the floor plans of its gaming area, simulcasting area (if any), and any restricted areas. The gaming establishment shall be arranged in such a manner as to provide optimum security for the gaming establishment operations.
- (2) Each floor plan required by 205 CMR 151.02(1) shall accurately depict the entire layout, including equipment positioning, in the gaming area and support areas; shall be drawn to at least one-eighth inch scale (1/8 inch = one foot); and shall depict, at a minimum, the location of the following:
  - (a) The gaming area, and any simulcasting facility, including, at a minimum, the proposed total square footage thereof and a clear delineation of the respective perimeter of each;
  - (b) Each gaming pit, its pit location number, and any alternate configurations;
  - (c) Each table game, noting its pit and table game location number;

- (d) Each CCTV camera, noting its type and camera number;
- (e) Each slot booth, noting its booth number;
- (f) Each cashier's cage and its component offices and areas;
- (g) Each separate master coin bank;
- (h) Each window at the cashiers' cage, noting its window number;
- (i) Each count room;
- (j) Each slot zone, its slot zone location letter or number and the total number of authorized slot machine locations within that slot zone, and at the gaming licensee's option, a maximum of four alternate configurations or locations for that slot zone and the alternate slot zone location number for each (for example, Slot Zone 2A);
- (k) Each authorized slot machine or other gaming device location, which location shall contain no more than one slot machine and bill changer at a time, noting its slot machine location number and any slot zone location letter or number;
- (l) Each slot stool authorized for use, if any;
- (m) Each automated coupon redemption machine, noting its location number;
- (n) Each automated jackpot payout machine, noting its location number;
- (o) Each gaming voucher redemption machine, noting its location number;
- (p) Each satellite cage and its component offices and areas;
- (q) Each coin vault;
- (r) Each area approved for the storage of gaming chips or plaques;
- (s) Each room or area approved for the storage of dice or playing cards;
- (t) Each other room or area that is accessible directly from the gaming area;
- (u) For those establishments with a simulcasting facility:
  - (1) Each simulcast counter and any ancillary simulcast counter, along with their component offices, areas and equipment;
  - (2) Each credit voucher machine, noting its location number;
  - (3) Each self-service pari-mutuel machine, noting its location number; and

- (4) Each other area or room designated by the commission.
  
- (3) A gaming licensee, after obtaining the commission's approval of its floor plans submitted as part of its internal controls, shall not commence gaming or simulcast wagering in the areas depicted on the floor plan until, a copy thereof has been delivered to the commission's IEB office in the establishment, an electronic copy has been sent to the IEB's main office, and a printed copy thereof has been delivered to each of the following:
  - (a) The gaming licensee's security podium; and
  - (b) The gaming licensee's monitoring rooms.

151.03: Operation certificate: test period

- (1) Prior to the issuance of a full Operation Certificate, a gaming licensee shall successfully complete an evaluation and test period in accordance with such terms and conditions as are reasonably calculated by the commission to allow the commission to assess whether the licensee is in compliance G.L. c. 23K, § 25(a) and 205 CMR 151.01(3).
- (2) The commission will provide the gaming licensee with the terms and conditions of the test period promptly upon receipt of the licensee's request for an Operation Certificate.
- (3) The terms and conditions of the test period as determined by the commission, or its designee, shall incorporate, at a minimum, the following:
  - (a) The dates and times of the test period. Provided, said schedule may be increased or decreased by the commission or its designee as necessary to determine compliance with M.G.L. c.23K, §25(a) and 205 CMR 151.01(3);
  - (b) The areas and operations of the gaming establishment that will be tested, inspected, and reviewed including a review of the layout of the gaming establishment in comparison to that depicted in the floor plan submitted in accordance with 205 CMR 151.02;
  - (c) Any actions necessary to preserve and to assure an effective evaluation of the gaming licensee during such test period including permitting, limiting, restricting or prohibiting the gaming licensee from:
    - (1) Accepting currency at table games during all or any part of such period; and
    - (2) Allowing the count rooms to process cash.
  - (d) Any interim approval to operate slot machines or other gaming devices approved and certified in accordance with 205 CMR 144.00: *Approval of Slot Machines and Electronic Gaming Equipment and Testing Laboratories* subject to issuance of the final Operation Certificate in accordance with 205 CMR 151.04.

151.04: Operation Certificate: Effective date; duration

- (1) Upon the successful completion of the test period in accordance with 205 CMR 151.03, the commission shall establish the effective date of the Operation Certificate and the scope of the gaming licensee's authority to conduct gaming and, if applicable, simulcast wagering

thereunder.

- (2) Each certificate, once issued, shall remain in effect throughout the term of the gaming license under such terms and conditions as the commission may impose, and shall not be altered, modified or amended except in accordance with the commission's authority to revoke, suspend, limit or otherwise alter an Operation Certificate pursuant to G.L. c. 23K and 205 CMR.
- (3) Each gaming licensee to which an Operation Certificate is issued shall operate its gaming establishment or simulcasting facility strictly in accordance with the terms of its original Operation Certificate, and shall not change any of the items to which the Operation Certificate applies except in accordance with 205 CMR 151.05.

151.05: Operation Certificate: Amendment to conform to approved changes

- (1) Prior to making a change to any approved component of its gaming establishment specified in the Operation Certificate, a gaming licensee shall petition the commission to amend the Operation Certificate. The application shall include, without limitation, the following:
  - (a) If applicable, a description of any proposed changes in the number of authorized gaming positions, by category, to be played in the gaming establishment;
  - (b) If applicable, a revised floor plan of the gaming establishment, simulcasting area, or any restricted area reflecting the proposed change, which revised floor plan shall be filed with the commission at the office of its Senior Supervising Agent in the establishment. Such petition shall also include the following information:
    - (1) a comparison showing the presently authorized square footage of the gaming area, simulcasting area, or restricted area to be amended with that which will result if the proposed change is made;
    - (2) A clear delineation of any proposed change to the perimeter of the gaming area, simulcasting area, or restricted area;
    - (3) A narrative from the architect certifying the floor plan that clearly describes the change to be made by the proposal, noting with particularity any such change to the perimeter of the gaming area, simulcasting area, or restricted area; and
    - (4) A description of any alternate gaming pit or slot zone configurations of locations. Prior to any change to and offering to the public of an approved alternate configuration or location:
      - (a) The gaming licensee shall provide the Senior Supervising Agent with at least 24 hours prior written notice of the change; and
      - (b) A physical and CCTV inspection of the alternate configuration or location shall be performed and approved by the commission.
- (2) Within three business days of a gaming licensee filing an application pursuant to 205 CMR 151.05(1), the commission, or its designee, shall review the proposed change set forth in the application for compliance with G.L. c. 23K and 205 CMR. Unless the commission, or its designee, notifies the gaming licensee in writing that the proposed change is to be scheduled



for a full hearing by the commission at a public meeting or is disapproved, the gaming licensee, after obtaining all approvals required by federal, state or local government officials and providing a copy or other acceptable written evidence of such approvals to the commission, may begin implementing such change upon the earlier of the following:

- (a) The expiration of the three-day period; or
- (b) Receipt of written commission approval for the change.

(3) The gaming licensee shall notify the commission in writing upon final completion of any proposed change set forth in the application and for which the gaming licensee is prepared to seek final approval pursuant to 205 CMR 151.05(4). A floor plan in the form prescribed by 205 CMR 151.02(2) that depicts the changes made shall accompany the notice.

(4) Promptly after the filing of a notice pursuant to 205 CMR 151.05(3), the commission or its designee shall inspect the physical changes made to the gaming establishment, simulcasting facility and any restricted area to ensure that those changes conform to the floor plan accompanying the notice and the description previously submitted to the commission. Following such inspection, the commission shall notify the gaming licensee in writing as to which physical change is approved and which is rejected, whereupon, in the event any change is rejected, the gaming licensee shall either:

- (a) Correct any rejected change to conform with the approved floor plan;
- (b) Submit a new application for the proposed change; or
- (c) Take such other action as the commission may direct to ensure that the currently approved floor plan accurately depicts the physical layout of the gaming establishment, the simulcasting area (if any) and any restricted area.

(5) The Operation Certificate shall be amended to conform to each change approved in accordance with 205 CMR 151.05(4).

REGULATORY AUTHORITY

M.G.L. c. 23K, §§ 10; 11; 25; 205 CMR 138

205 CMR: MASSACHUSETTS GAMING COMMISSION  
205 CMR 143.00: GAMING DEVICES AND ELECTRONIC GAMING EQUIPMENT

Section

143.01: Standards for Gaming Devices

\*\*\*

(4) ~~If required by the commission, a gaming device~~ **All slot machines and other electronic gaming devices** shall be capable of providing the commission with a near real-time stream of data, other than personally identifiable information, in the communication format specified by the commission in 205 CMR 143.16(1) directly from each slot machine **or electronic gaming device**. Such data shall be provided for purposes of computing and reconciling daily tax obligations as provided in 205 CMR, for purposes of investigating patron disputes filed in accordance with 205 CMR 134.19: Disciplinary Action, and for purposes of maintaining general oversight of a gaming establishment. The commission is not obligated to monitor or review the data on an ongoing basis. If communications between the slot machine and the commission's central ~~control~~ **monitoring** system ~~(if required by the commission)~~ fails, the slot machine shall not continue to operate unless it records all required ~~critical~~ **data from the applicable communication protocol** since losing the connection, up to seven days, and send the data directly to the commission as soon as the connection is reestablished. If the connection is not reestablished within 24 hours due to a problem stemming from the gaming establishment's systems, then any slot machine affected shall cease operation until the connection is reestablished.

\*\*\*

143.16: Communications Protocols

(1) **A slot machine or other electronic gaming device in operation in a gaming establishment may operate any industry standard open communication protocol including a Game to System (“G2S”) or Slot Accounting System (“SAS”) protocol provided that the system is fully compatible with the commission’s central monitoring system and all required gaming devices, and is capable of providing all data required by the commission.** A gaming licensee shall not operate any slot machine **or other electronic gaming device** in a gaming establishment unless the slot machine:

- a) is able to bi-directionally communicate with the commission's central ~~control~~ **monitoring** system ~~(if required by the commission)~~;
- b) transmits, on a per bet basis, data relative to amounts wagered, amounts won, cash in, cash out, and similar financial information necessary for tax collection and auditing;
- c) allows remote verification of gaming device software using a SHA-1 or similar hashing system;
- d) allows remotely activating and disabling slot machines; and

- e) transmits data relative to any restarts, shutdowns, resets, game changes, door open, and other maintenance events.

~~(2) A gaming licensee shall not operate any slot machine in a gaming establishment after January 1, 2017 unless that slot machine is able to directly communicate with the commission's central control system (if required by the commission) using the Gaming Standards Association's G2S Message Protocol and Point to point Transport Specification. Provided, however, any slot machine that is registered and operating in a gaming establishment prior to January 1, 2017 may use protocol convertor board, or other similar devices, to communicate with the commission's central control system.~~

~~(3) The required versions of the Gaming Standards Association's G2S Message Protocol and Point to point Transport Specification referenced in 205 CMR 143.16(2), as well as the required protocol options, commands, meters, and events, shall be specified by the commission and posted on the commission's website.~~



# Gaming Technology Laboratory Update

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Commission Meeting - 3/5/15



# GAMING TECHNOLOGY LABORATORY UPDATE

- **Independent Testing Laboratory (ITL) Certification Process**
  - Solicitation Posted 3/2/15 on MGC Website / ITL's notified by email
  - Applications requested by 3/12/15
  - Temporary Certifications Hearing – Commission Meeting 3/19/15
- **Gaming Technology Laboratory Business Processes**
  - Draft sent out for comment on 2/11/15 to ITL's, EGD, Manufacturers, and Licensees
  - Comments received or expected from GLI, BMM, IGT, Scientific Games, Aristocrat, Konami, Global Cash Access / Multimedia.
- **GTL Support for Plainridge Park Casino Opening**
  - Manufacturers concerned about shipment of EGD's into Commonwealth
  - IEB working with Penn National Gaming and licensed EGD Manufacturers to expedite EGD Permitting and Registering EGD assets (CMS)
- **Gaming Technology Laboratory Manager – Hiring Process Update**





Post to MGC Website

February 27, 2015

To all Qualified Independent Testing Laboratories -

The Massachusetts Gaming Commission is seeking applications from Independent Testing Laboratories to be certified to perform electronic gaming device testing on behalf of the Commission.

The two attached PDF's contain all the necessary information to apply for certification including: the process; a submission checklist; the qualification and conditions of certification; and the *Disclosure Form for Background Investigation of MGC Vendor*.

MGC Gaming Technology Laboratory staff will review applications as they are submitted, and when an application is "substantially complete", the Investigation and Enforcement Bureau will begin the background investigation.

The Commission is prepared to grant temporary certifications to qualified Independent Test Laboratories, pending outcome of the background checks, so that work related to supporting the June opening of Penn National Gaming's Plainridge Park Casino can commence.

Please contact me directly with any questions or concerns.

Sincerely,

John R. Glennon  
Chief Information Officer



Massachusetts Gaming Commission

101 Federal Street, 23rd Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | [www.massgaming.com](http://www.massgaming.com)



## INDEPENDENT TESTING LABORATORY

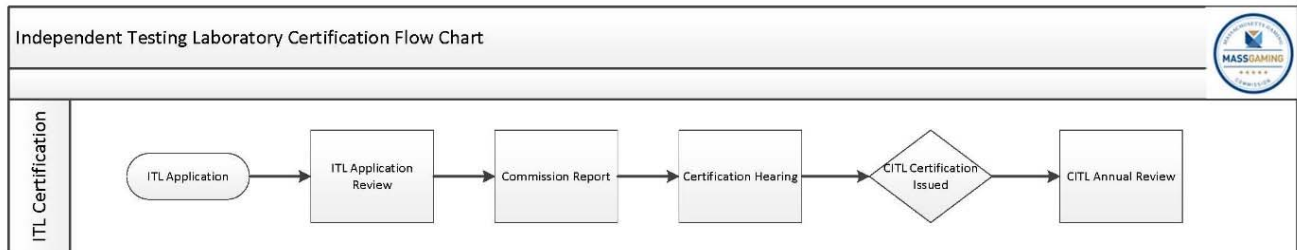
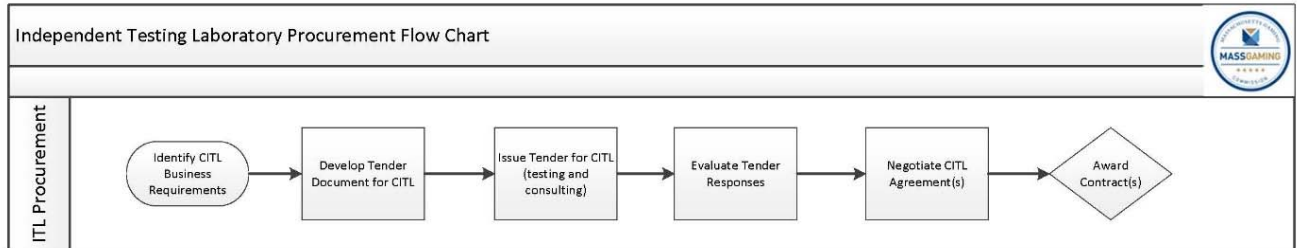
- CERTIFICATION PROCESS
- ITL CERTIFICATION CHECKLIST
- QUALIFICATIONS and CONDITIONS of CERTIFICATION





# Independent Test Laboratory Certification Process

## Overview



## Purpose

The purpose of the Independent Test Laboratory (ITL) selection process is to define the manner in which ITL's will be certified by MGC. Independent Test Laboratories certified by MGC are authorized to provide testing services for gaming equipment manufacturers to certify that their products meet the MGC technical standards. MGC may also chose to engage multiple CITL's for professional services or consulting support. The procurement process for professional services or consulting support will be a solicitation to CITL's for quotes based on a scope of work.

## Process

1. MGC shall issue a request for applications for companies to become an independent test laboratory certified to test EGD's on behalf of the Commonwealth.
2. The ITL shall complete all appropriate application forms, submit to a background investigation, and pay any necessary fees.
3. MGC personnel will review the ITL certification and licensing application and information will be verified by the MGC Investigations and Enforcement Bureau (IEB) for suitability and compliance with Commonwealth requirements.
4. Once the application is deemed substantially complete, MGC GTL personnel will issue a written report and recommendation to the Commissioners for review.
5. After review, the Commissioners will vote to grant or deny the ITL certification request.



## Independent Test Laboratory Certification Checklist for Application

- Verify Categories of Certification (205 CMR 144.06 (2)): Each independent testing laboratory must be certified for each category of testing for which the laboratory seeks to provide results. The categories of testing include:
  - (a) Games and game variations;
  - (b) Gaming devices and gaming device modifications;
  - (c) Gaming associated equipment and gaming associated equipment modifications;
  - (d) Cashless wagering systems and cashless wagering system modifications;
  - (e) Inter-casino linked systems and inter-casino linked system modifications;
  - (f) Mobile gaming systems and mobile gaming system modifications;
  - (g) Interactive gaming systems and interactive gaming system modifications; and
  - (h) Any other category of testing that the commission may deem appropriate.
  
- Verify Standards for Certification (205 CMR 144.06 (3)): To qualify for certification, the independent testing laboratory, must:
  - (a) Be independent pursuant to 205 CMR 144.06(4)
  - (b) Be accredited in accordance with ISO/IEC 17025 by an accreditation body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Agreement, unless the independent testing laboratory is only seeking certification for the testing of games and game variations;
  - (c) Demonstrate suitability in accordance with G.L. c. 23K, §§ 12 and 16 by clear and convincing evidence after considering reciprocity from other jurisdictions;
  - (d) Demonstrate that it is technically competent in testing the category of game, device, or system in which it is seeking certification; and
  - (e) Demonstrate that it is technically competent to test compliance with the applicable Massachusetts statutes, regulations, standards and policies.
  
- Verify Independence (205 CMR 144.06 (4)): An independent testing laboratory must be independent at all times while certified by the commission.
  - (a) To be considered independent from a manufacturer, distributor, or operator pursuant to 205 CMR 144.06(3)(b), the independent testing laboratory, including its employees, management, directors, owners, compliance committee members and gaming regulatory advisors, with the exception of the independent testing laboratory's external accountants and attorneys:



1. Must not have a financial or other interest, direct or otherwise, in a manufacturer, distributor, or operator of any game, gaming device, associated equipment, cashless wagering system, inter-casino linked system, mobile gaming system or interactive gaming system, or any component thereof or modification thereto, regardless of whether or not the person or entity is licensed, registered, or otherwise does business in Massachusetts;

2. Must not participate, consult, or otherwise be involved in the design, development, programming, or manufacture of any game, gaming device, associated equipment, cashless wagering system, inter-casino linked system, mobile gaming system or interactive gaming system, or any component thereof or modification thereto;

3. Must not have any other interest in or involvement with a manufacturer, distributor, or operator that could cause the independent testing laboratory to act in a manner that is not impartial; and

4. Such individuals shall not serve in any capacity with a manufacturer, distributor, or operator beyond the scope of the independent testing laboratory's engagement pursuant to these regulations.

(b) The restrictions in 205 CMR 144.06(4)(a) shall not be interpreted to limit an independent testing laboratory, or the above listed individuals, from providing consulting services to a manufacturer, distributor, or operator, provided that such services do not directly or indirectly indicate, suggest, or imply how to design, develop, program or manufacture a game, gaming device, associated equipment, cashless wagering system, inter-casino linked system, mobile gaming system or interactive gaming system, or any components thereof or modification thereto.

(c) The restrictions in 205 CMR 144.06(4) (a) shall not be interpreted to limit its ability to accept fees from a gaming device vendor in accordance with 205 CMR 144.05.

Form of Application\_(205 CMR 144.06 (5)): An application for certification as an independent testing laboratory shall be in the form prescribed by the commission and contain:

(a) The required application fee of \$5,000 pursuant to 205 CMR 144.06(1)(c);

(b) A completed **Disclosure Form for Background Investigation for MGC Vendor**.



- (c) Copies of Certifications and current standing from other US State Jurisdictions where the independent testing laboratory is certified pursuant to 205 CMR 144.06(5)(c);
- (d) Copies of all ISO/IEC 17025 certification and accreditation materials except if the independent testing laboratory is only seeking registration for the testing of games and game variations;
- (e) All ISO required internal controls, policies and procedures, except if the independent laboratory is only seeking registration for the testing of games and game variations;
- (f) Documentation of all certifications held by the independent testing laboratory in other states. The list of all certification will include: agency name, agency contact (name, address, email, and phone), and current status - what is the independent test laboratory authorized to test and when was the certification issued and when does the certification expire?
- (g) Detailed description of the testing facilities;
- (h) Detailed description of available testing staff and staff qualifications, including education, training, experience and skill levels;
- (i) Detailed description of available testing equipment;
- (j) Copies of documented policies, systems, programs, procedures and instructions to assure the quality of test results;
- (k) Access to copies of all test scripts to be used for testing against the applicable Massachusetts statutes, regulations, standards, and policies.
- (l) A statement subscribed by the applicant that:
  - 1. The information being provided to the commission is accurate and complete;
  - 2. The applicant agrees to cooperate with all requests, inquiries, or investigations of the commission;
  - 3. The applicant acknowledges that the commission shall retain jurisdiction over the independent testing laboratory in any matter involving a gaming device;
  - 4. The applicant acknowledges that it will comply with G.L. c. 23K, § 13(b) and (c) and update the commission in accordance with 205 CMR 144.06(6);



5. The applicant agrees to indemnify and hold harmless the Commonwealth of Massachusetts and the commission, and each of their members, agents, and employees in their individual and representative capacities against any and all claims, suits and actions, brought against the persons named in this section by reason of any inspections or certifications performed by the applicant as a certified independent testing laboratory, and all other matters relating thereto, and against any and all expenses, damages, charges and costs, including court costs and attorney fees, which may be sustained by the persons and entities named in this subsection as a result of said claims, suits and actions; and

(m) Any additional information that the commission may require.



## Qualifications and Conditions of Certification for an Independent Testing Laboratory

1. The laboratory shall test, evaluate, conduct math analyses, verify, certify, and/or render opinions on behalf of or to the Massachusetts Gaming Commission (hereinafter referred to as “MGC”) regarding all electronic gaming equipment, non-electronic table games, associated equipment and all systems used in the conduct, monitoring or recording of gaming activities (hereinafter referred to as ‘gaming equipment’) for compliance with Commonwealth of Massachusetts laws, regulations, and requirements codified or otherwise set forth, and state approved gaming industry standards.
  - a) The laboratory shall consult with MGC to provide a fundamental understanding of new products not previously approved for use within the Commonwealth of Massachusetts including but not limited to game platforms, associated equipment, systems and system modules. For such new equipment, the laboratory must obtain approval from MGC prior to testing, evaluating, analyzing, certifying, verifying, and/or rendering opinions for or on behalf of MGC.
  - b) The laboratory shall perform all testing and certification of gaming equipment at the laboratory’s place(s) of business or another location approved by MGC, all of which should maintain current International Organization of Standardization (ISO) 17025 IT certification and accreditation.
  - c) The laboratory shall use testing standards, approved by MGC, that address each technology that is authorized by MGC, including but not limited to:
    - 1) Electronic Gaming Devices (EGD)
    - 2) Progressive Gaming Devices
    - 3) Online Monitoring and Control Systems
    - 4) Bonus and Promotional Systems
    - 5) Electronic Table Games
2. Upon the laboratory’s certification of gaming equipment, the laboratory shall provide a unique identification code or signature utilizing a publicly available industry-acceptable means for generating such unique identification codes or signatures, such as Secure Hash Algorithm (SHA-1) or Cyclical Redundancy Check (CRC-32), to all Critical Program Storage Media (CPSM). The unique identification code or signature and the means for generating such codes or signatures shall be included in all documents, reports, and databases required herein. Multiple identification codes may be required for a single certified platform, depending on the number of components included in the EGD configuration.



3. The laboratory's verification tools and/or mechanisms used to provide unique identification codes or signatures and the means for generating such codes or signatures to CPSMs must be approved by MGC. The laboratory shall provide MGC with step-by-step verification procedures for each tool and/or mechanism.
  - a) As requested by MGC, the laboratory shall provide to MGC any verification tool and/or mechanism which is required for MGC's authorized personnel to verify the unique signature of the approved CPSM.
  - b) As requested by the MGC, the laboratory shall develop updated tools and/or mechanisms to be used in conjunction with the most current testing standards and tools of MGC.
4. The laboratory shall provide MGC, upon request, with flow diagrams/charts of each system and its associated hardware/software approved by the laboratory on behalf of MGC depicting the inter-relationship of such system components. This documentation will be provided in addition to the reports that specifically describe which elements of the system components are to be field tested and verified by MGC upon installation at properties of licensees regulated by MGC.
5. The laboratory shall provide MGC with a verification manual, including tables and color photographs for each approved gaming equipment manufacturer's integrated circuit boards which shall depict the position of critical software that must be verified and sealed by MGC. Such manual and color photographs must be submitted in an electronic and digital format acceptable to MGC.
6. The laboratory shall, for comparison purposes, maintain a repository of approved software for all gaming equipment tested and certified.
7. The laboratory shall maintain at its place of business all online computerized data monitoring, data management, and ticket validation systems approved by MGC for use at Commonwealth licensed gaming establishments. Such systems shall be for use in the inter-operability testing requirements.
8. The laboratory shall provide a twenty-four (24) hours per day, seven (7) days per week, customer support/regulatory compliance contact. The laboratory shall provide technical responses within twelve (12) hours after call receipt.
9. If requested by MGC, the laboratory shall provide technical assistance to gaming operators / suppliers in the 'start-up' of gaming operations in the state.
10. If requested by MGC, the laboratory shall perform on-site field inspections of gaming equipment.





11. If determined necessary by MGC, the laboratory shall allow up to three (3) MGC employees one visit annually to inspect each of the laboratory's sites where testing for MGC is conducted to ensure integrity of work is maintained and for review of new technology being considered for approval. The laboratory shall be responsible for all travel cost incurred by MGC employees, including out-of-state airfare, in-state mileage, out-of-state car rental and associated costs including, car rental insurance, food, and lodging specifically associated with the inspection.

12. Unless otherwise specified herein, the laboratory shall furnish all material, labor, facilities, equipment, supplies, tools, machinery, and storage of same, as well as water, heat, utilities, and transportation necessary to perform the services required herein.

13. The laboratory shall provide MGC with real-time online access to the laboratory's database of reports and documents generated pursuant to the requirements stated herein via secure communication protocol. The laboratory shall maintain a quality assurance mechanism to ensure uniform data and data entry processes.

14. The laboratory's online database shall allow MGC to view up to date reports of all approved, obsolete, and revoked gaming equipment for MGC's jurisdiction.

- a) This report must be current as of the end of the previous business day.
- b) The obsolete and revoked reports must contain date of action and most current replacement software.
- c) It shall be the responsibility of the laboratory to prepare the report in whatever format MGC requires to be able to integrate this report with other independent testing laboratories contracted by MGC.
- d) The laboratory shall provide a level of online access for licensees of MGC to access only the list of approved, revoked, and obsolete software for all manufacturers the laboratory reviews for MGC.

15. MGC Central Management System - Data Exchange / Interchange with GTECH Intelligen CMS – MGC is using GTECH's Intelligen system to digitally regulate. Laboratory systems have numerous data elements that the MGC CMS system will require to operate. The laboratory will work collaboratively with MGC and GTECH to facilitate the automation of data exchange / population between the laboratory system and MGC's CMS.

16. Within thirty (30) calendar days after the completion of required testing, the laboratory shall provide a final report to MGC for all completed gaming equipment tests.

- a) However, the laboratory shall immediately notify MGC of any situation or incident involving the integrity of any gaming equipment presently approved for use in the jurisdiction regulated by MGC.
- b) The laboratory's written reports must be submitted in a MGC approved format and medium.



17. The laboratory shall maintain accurate and detailed accounting records and reports regarding the test results and compliance with Commonwealth of Massachusetts laws and MGC regulations. As requested by MGC, the laboratory shall provide such records and reports to MGC to:

- a) Ensure record reconciliation between MGC and the laboratory's testing laboratory.
- b) Facilitate timely and proper field inspections.

18. The laboratory shall provide all services using competent and properly trained personnel in accordance with the highest testing standards of the gaming industry.

19. The laboratory shall remain independent and must not participate, consult, or otherwise be involved in the design, development, programming, or manufacture of products associated with the gaming industry.

20. The laboratory shall employ a staff of full-time skilled professionals of such number to afford a separation of responsibilities that provides independent work product verification and fulfills the requirements stated herein to the satisfaction of MGC. The laboratory shall, at a minimum, employ personnel in the discipline of mathematics, engineering (mechanical, electrical, software), systems and communication protocol, compliance and quality assurance, and field inspections. The laboratory shall train laboratory's personnel on MGC's field testing rules and procedures prior to their working in the Commonwealth of Massachusetts.

21. The laboratory shall agree and understand that, if determined necessary, the laboratory and all direct or indirect personnel of the laboratory shall be subject to background checks by MGC, including criminal record checks and tax clearances. The laboratory shall cooperate in any way necessary with regard to such background checks and shall sign release of information forms as required.

22. If requested by MGC, the laboratory shall perform additional consulting services for MGC on an as needed, if needed basis. Such consulting services may include, but not necessarily be limited to the following:

- a) Providing consultation to MGC and assist MGC in drafting rules and procedures regarding the establishment of uniform operating procedures for gaming equipment testing.
- b) Assisting MGC in matters of field gaming equipment inspection and field security, providing competent, trained personnel as required by MGC, and assist in drafting of rules and procedures regarding such.
- c) Providing training to MGC employees and/or designees in proper gaming equipment testing and auditing procedures.
- d) Providing forensic examination and evaluation of questioned gaming equipment (whether legal or illegal), assist MGC with forensic investigations, provide expert testimony on behalf of MGC, and provide MGC forensic troubleshooting



procedures for each gaming equipment platform. All costs associated with a forensic analysis will be charged to either the manufacturer or the licensee.

e) Providing annual training for up to four (4) employees of MGC. This training shall include, but not be limited to, a discussion of any recent or future changes that would affect the regulation of gaming in the Commonwealth of Massachusetts. The laboratory shall charge no fee for any such training.

23. The laboratory shall have the resources available to become the Commonwealth of Massachusetts sole or primary gaming laboratory upon request from MGC.

24. The laboratory must be recognized by GSA as being able to certify all protocol implementations to current GSA standards.

**DISCLOSURE FORM  
FOR BACKGROUND INVESTIGATION OF MGC VENDOR**



**Name of Company:** \_\_\_\_\_

## INSTRUCTIONS FOR COMPLETING THIS DISCLOSURE FORM

It is the practice of the Massachusetts Gaming Commission (Commission) to require certain organizations with whom the Commission conducts business to complete this form as part of the background process.

### 1. COMPLETING THIS FORM:

- A. Read each question carefully prior to answering. Answer every question completely and be sure not to leave blank spaces. If a question does not apply to you, indicate "Does Not Apply" or "N/A" in response to that question. If there is nothing to disclose in response to a particular question, state "None" in response to that question.
- B. All required documentation must be submitted at the time of filing this form. You are under a continuing duty to notify the Commission within ten (10) days if there is a change of the information provided in this form to the Commission.
- C. All authorizations and releases must be signed by an officer of the company.
- D. The Statement of Truth form included with this form must be signed by an officer of the company.
- E. The Release Authorization form included with this form must be notarized.
- F. The signed Statement of Truth and the Release Authorization forms shall be submitted to the Commission in paper form.

### 2. FILING THE FORM WITH THE COMMISSION:

A complete form consists of this form and all exhibits. Once your form is accepted, it becomes the property of the Commission.

### 3. FINGERPRINTING:

Corporate officers, partners, and sole proprietors of the vendor are required to be fingerprinted in order to initiate a criminal records check. If the individual wishes to be fingerprinted by the Commission, please contact the Division of Licensing (617) 979-8400 to schedule an appointment for fingerprinting. If the individual must be fingerprinted in another state, he or she must request that the Commission mail out-of-state fingerprint cards and instructions.

### 4. CERTIFICATE OF GOOD STANDING:

If you have a business in Massachusetts or have ever conducted business in Massachusetts under the name of the company for which you are filing, you must submit a Certificate of Good Standing for that business. The link to the Certificate of Good Standing and its corresponding instructions is provided below.

<https://wfb.dor.state.ma.us/webfile/Certificate/Public/WebForms/Welcome.aspx>

### 5. IRS FORM 4506-T - REQUEST FOR TRANSCRIPT OF TAX RETURN:

Corporate officers, partners, and sole proprietors of the vendor are required to fill out an IRS Form 4506-T, a copy of which is attached to this Form. The 4506-T form must be sent directly to the IRS at the address indicated on the IRS 4506-T form. Line 5 of the 4506-T form must direct the IRS to send the transcript to: Massachusetts Gaming Commission, 100 Federal Street, 23<sup>rd</sup> floor, Boston, MA 02110, Attn: Investigations & Enforcement Bureau. A transcript for each of the past 4 years is required.

Initials/Date: \_\_\_\_\_

**6. PUBLIC RECORDS LAW**

The Massachusetts Public Records Law (Law), (<http://www.sec.state.ma.us/pre/preidx.htm>) found in Chapter 66, Section 10 of the Massachusetts General Laws, applies to records, applications, and documents made or received by a Massachusetts governmental entity including the Massachusetts Gaming Commission. Unless the requested records fall under an exemption to the Law, the responsive documents must be made available to the requester. A list of exemptions may be found in Chapter 4, Section 7(26) of the Massachusetts General Laws. Please note, the Commission will use its best efforts to protect any information it deems subject to an exemption. Final appeals are adjudicated by the Secretary of State.

Initials/Date: \_\_\_\_\_

**PLEASE ANSWER THE FOLLOWING QUESTIONS IN THE SPACES PROVIDED**

**IF ANY ITEMS ARE NOT APPLICABLE, INDICATE "NOT APPLICABLE" or "N/A."  
DO NOT LEAVE ANY QUESTIONS UNANSWERED**

**NAME OF COMPANY:**

(As it appears on the certificate of incorporation, charter, by-laws, partnership agreement, operating agreement, or other official documents)

**D/B/A OR TRADE NAME(S):**

**BUSINESS WEBSITE:**

**FEDERAL IDENTIFICATION NUMBER (FIN):**

**MASSACHUSETTS TAXPAYER NUMBER:**

**DUN & BRADSTREET NUMBER (DUNS):**

**SOCIAL SECURITY NUMBER:**

(For individual proprietorship only)

Initials/Date \_\_\_\_\_



**CONTACT INFORMATION FOR LIAISON BETWEEN VENDOR AND GAMING COMMISSION**

Last Name:		
First Name:	MI:	
Title:		
Business Name:		
Business Address:		
City:	State:	Zip Code:
Country:	Province (if applicable):	
Business Telephone:	Extension:	
Business Fax:		
E-Mail Address:		
Reason for filing this form:		

**PRINCIPAL BUSINESS ADDRESS**

Number/Street:		
City:	State:	Zip Code:
Country:	Province (if applicable):	
Business Telephone:	Extension:	
Business Fax:		

**BUSINESS ADDRESS FROM WHICH THE VENDOR IS OR WILL BE CONDUCTING BUSINESS WITH COMMISSION**

Same as above

Number/Street:		
City:	State:	Zip Code:
Country:	Province (if applicable):	
Business Telephone:	Extension:	
Business Fax:		

Initials/Date \_\_\_\_\_

## PART 1 - CERTIFICATION

- A. Is the company a minority-owned business that has been certified by either the Massachusetts Supplier Diversity Office or the Greater New England Minority Supplier Development Council, or both?
- Yes - Provide Letter of Verification or Certification Number \_\_\_\_\_  
**NOTE:** If providing a Letter of Verification, please label as **attachment to question 1-A.**
- No
- B. Is the company a woman-owned business that has been certified by either the Massachusetts Supplier Diversity Office, the Women's Business Enterprise or National Council, or both?
- Yes - Provide Letter of Verification or Certification Number \_\_\_\_\_  
**NOTE:** If providing a Letter of Verification, please label as **attachment to question 1-B.**
- No
- C. Is the company a "veteran-owned small business" or a "service-disabled veteran-owned small business," as such terms are defined by the federal government and whose status can be verified via the "VetBiz.Gov database" or by submission of a DD214 form.
- Yes - Provide Letter of Verification, DD214 form or Certification Number \_\_\_\_\_  
**NOTE:** If providing a Letter of Verification and/or Key Qualifier's DD214, please label as **attachment to question 1-C.**
- No

## PART 2 - BUSINESS DESCRIPTION

- A. Specify the business form:
- S-Corporation     Partnership     Limited Partnership     LLC
- C-Corporation     Trust     Sole Proprietorship     Other (describe): \_\_\_\_\_
- B. Is the vendor and/or its parent company a publicly traded corporation within the United States?
- Yes     No
- If you checked yes, indicate on what exchange the stock is traded \_\_\_\_\_ symbol \_\_\_\_\_
- C. Is the vendor and/or its parent company a publicly traded corporation outside the United States?
- Yes     No
- If you checked yes, please list the country: \_\_\_\_\_
- D. If the vendor is not an individual, provide as an attachment labeled **attachment to question 2-D** the incorporation documents or registration with its corporate officers and identity of shareholders (Note: If a registration statement or pending registration statement is on file with the Securities and Exchange Commission, only the names of those persons or entities holding interest of 5% or more need be provided.)
- Not Applicable
- E. Provide as an attachment labeled as **attachment to question 2-E**, a copy of the Business Registration Certificate or other proof of valid business registration in Massachusetts.
- Not Applicable
- F. Name(s) of the vendor and the time period they were used.
- List all other names under which the vendor has done business and give approximate time periods during which such names were being used:
- Not Applicable

Initials/Date \_\_\_\_\_

NAME	TIME PERIOD

**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 2-F.**

G. List all addresses which the vendor held or from which it was conducting business during the last 10-year period, and give the approximate time periods during which such addresses were held:

Not Applicable

NUMBER AND STREET	CITY	STATE	ZIP CODE	DATE	
				FROM:	TO:

**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 2-G.**

H. Identify in the table below all known and anticipated subcontractors that you will be contracting with to provide goods and/or services necessary to fulfill your contract with the Commission.

NAME OF SUBCONTRACTOR	ADDRESS	TYPES OF GOODS AND SERVICES	CONTRACT AMOUNT	SUBCONTRACTOR CONTRACT PERSON IN REFERENCE TO THIS INFORMATION	TELEPHONE NUMBER

**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 2-H.**

I. Describe the business presently conducted and the business intended to be conducted; and the general development of the business during the past 5-years. The description should include the following:

1. Products produced and services rendered by the business and its parent, intermediary and subsidiary companies, the principal markets for said products or services and the methods of distribution;
2. A detailed account of the goods and services being provided to the gaming industry;
3. If your business is conducting or intends to conduct both gaming-related and non-gaming-related business, differentiate between the two.

**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 2-I.**

Initials/Date \_\_\_\_\_

**J. Stock Description (Corporation)**

Describe the nature, type, terms, conditions, rights and privileges of all classes of voting, non-voting and other stock issued, or to be issued, by the corporation, including the number of shares of each class of stock authorized or to be authorized and the number of shares of each class of stock outstanding (i.e. not held by or on behalf of the issuer), as of this date.

If the right of holders of any class of stock may be modified other than by a vote of a majority or more of the outstanding shares so affected, voting as a class, so state and explain briefly:

Not Applicable


**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 2-J.**

**K. Indicate in the table below all persons or entities in your business that correspond to the sub items listed below:**

1. Each officer, director or trustee;
2. Each partner whether general, limited or otherwise;
3. The sole proprietor;
4. Each natural person or entity that directly or indirectly holds any beneficial or ownership interest of 5% or more of the business completing the form;
5. Each sales representative or other person who will regularly solicit or conduct business with the Commission;
6. Any other person who has signed or will sign any agreement with the Commission.

NAME	HOME ADDRESS	DATE OF BIRTH	CURRENT TITLE OR POSITION	NUMBER OF SHARES	CLASS OF STOCK	% OF OWNERSHIP

**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 2-K.**

**L. Other than the contract with the Commission for which the company is submitting this form, does the company have any financial or ownership interest, or other relationship with a:**

Gaming Licensee or Applicant

Yes       No

Gaming Vendor Licensee or Applicant

Yes       No

Initials/Date \_\_\_\_\_

If you checked "YES" to question L, explain the nature of the interest or relationship.


**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 2-L.**

**M. Insurance Documents**

Attach and label as **attachment to question 2-M** the Certificate of Insurance for the vendor demonstrating insurance and limits for liability and causality.

Not Applicable

**N. Insider Transactions (Corporation)**

Furnish the information called for by the table below of each change within the last 5 years in the beneficial ownership of the equity securities of the corporation on the part of any person who is indirectly or directly a beneficial owner of more than 5% of any class of equity security of the corporation or who is or was within that period a director or officer of the corporation. (Include changes resulting from (a) gift; (b) purchase; (c) sale; (d) exercise of an option to purchase; (e) exercise of an option to sell; (f) grant or receipt of a put; or (g) grant or receipt of a call.)

DATE OF TRANSACTION	NATURE OF TRANSACTION	PARTIES TO TRANSACTION (INCLUDE POSITIONS)	# OF SECURITIES INVOLVED

**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 2-N.**

**O. Securities**

Has the vendor had any securities or debt offerings suspended from trading or had any action taken against it by any financial regulatory agency?

Yes       No

If you checked yes, please explain:


**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 2-O.**

Initials/Date \_\_\_\_\_

**P. Security Options<sup>1</sup> (Business Entity)**

Describe in detail any options existing or to be created with respect to securities issued by the business which description shall include, but not be limited to, the title and amount of securities subject to option, the year or years during which the options were or will be granted, the conditions under which the options were or will be granted, the consideration for granting the option and the year or years during, and the terms under which optionee becomes or will become entitled to exercise the options and when such options expire.

Not Applicable


**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 2-P.**

**Q. Identify all persons holding the options described above and include the market value of the option at the time of issuance:**

NAME OF PERSON(S) HOLDING OPTIONS	MARKET VALUE OF OPTION AT TIME OF ISSUANCE

**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 2-Q.**

**PART 3 – OWNERSHIP**

**A. ORGANIZATIONAL CHART**

Provide as an attachment labeled **attachment question 3-A** an organizational chart of the business identifying its business structure and all members of the board. Include position descriptions and the names of persons holding such positions.

**B. COMPENSATION OF OFFICERS AND DIRECTORS OR PARTNERS**

List the total annual compensation received during the last calendar year and the amount to be received during the subsequent calendar year by each director, trustee, officer and/or partner of the business, whether such compensation is in the form of salary, wages, commissions, fees, stock options, bonuses or otherwise:

NAME	POSITIONS HELD WITH VENDOR	AMOUNT OF COMPENSATION

**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 3-B.**

<sup>1</sup>For the purpose of this form, option shall mean right, warrant or option to subscribe to or purchase any securities issued by the corporation.

Initials/Date \_\_\_\_\_

**C. COMPENSATION OVER \$300,000**

Furnish the information called for below as to each person, other than those listed in 3 B, who currently receives or who reasonably can be expected to receive, from the business, compensation exceeding \$300,000 per annum.

Not Applicable

NAME	DATE OF BIRTH	HOME ADDRESS	POSITION AND LENGTH OF TIME EMPLOYED WITH VENDOR	AMOUNT OF COMPENSATION

**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 3-C.**

**D. Does the vendor have any direct, indirect or attributed legal or beneficial interest in any business entity outside of the United States?**

Yes       No

If you checked yes, attach a detailed statement describing the entity, its location, your affiliation, and/or interest with the foreign entity and label it **attachment to question 3-D,**

**E. INTEREST OF PARTNERS (PARTNERSHIP)**

Describe the interest held by each partner, whether general or limited, in the partnership.

Not Applicable

1. Amount of initial investment, whether in the form of cash, negotiable instruments, property or otherwise:


**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 3-E1**

2. Amount of any additional contributions made to partnership:


**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 3-E2.**

3. Amount and nature of any anticipated future investments:


**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 3-E3.**

Initials/Date \_\_\_\_\_



4. Degree of control of each partner over the activities of the partnership:


**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 3-E4.**

5. Percentage of ownership of each partner:


**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 3-E5.**

6. Method of distributing profits to each partner:


**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 3-E6.**

**PART 4 – CRIMINAL HISTORY**

A. The following question relates to any alleged criminal offense, arrest, misdemeanor or felony charges or conviction involving the business or agents named on its behalf. Prior to answering this question, carefully review the definitions and instructions which follow.

DEFINITIONS: For purposes of this question:

1. **Arrest** means being taken into custody by any police or other law enforcement authority.
2. **Charge** includes any indictment, complaint, information or other notice of the alleged commission of any "offense".
3. **Conviction** includes the finding of guilty of any "offense" upon a trial or a plea of guilty. An adjudication of delinquency shall not be considered a conviction. Such a finding may, however, be considered for purposes of determining the suitability of an applicant.
4. **Crime or Offense** includes all felonies and misdemeanors.
5. **Disposition** the way the case was resolved: guilty, not guilty, continued without a finding, dismissed, pending, etc.

INSTRUCTIONS: Please note, this is not an application for employment. Accordingly, you must answer all questions completely and may not omit information. Answer "Yes" and provide all information to the best of your ability, **EVEN IF:**

1. the business did not commit the offense charged;
2. the charges were dismissed or subsequently downgraded to a lesser charge;
3. the business completed a diversionary program or equivalent thereof;
4. the business was not convicted;
5. the charges or offenses happened a long time ago.

Has the "Entity" or any of its subsidiaries ever been charged with or convicted of a criminal offense or been a party to or named as an unindicted co-conspirator in any criminal proceeding in Massachusetts or any other jurisdiction?

Yes  No

Initials/Date \_\_\_\_\_

If you checked YES, complete the chart below:

NATURE OF CHARGE OR OFFENSE	DATE OF CHARGE OR COMPLAINT	NAME AND ADDRESS OF LAW ENFORCEMENT OR COURT INVOLVED	DISPOSITION

**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 4.**

**PART 5 – LITIGATION AND MISCELLANEOUS VIOLATIONS**

**A. Existing Litigation**

Describe all existing civil litigation at equity and law to which the business, or any subsidiary, is presently a part, whether in the Commonwealth of Massachusetts or in another jurisdiction.

Is the company currently a party to any civil lawsuits?

- Yes       No

Has the company or any of its officers, executives, or managers been a party to any other litigation?

1. In the previous 10-years.

- Yes       No

2. In which an ultimate decision could have a current or future effect on the company.

- Yes       No

3. In which an ultimate decision could reasonably be expected to reflect upon the current or future financial responsibility or ability of the company.

- Yes       No

4. In which an ultimate decision could reasonably be expected to reflect upon the character, reputation, or integrity, of the company or any of its officers, executives or managers.

- Yes       No

If you checked YES to any of the above questions, submit the following and labeled it as **attachment to question 5-A4.**

- Official title or caption of the case
- Docket or case number
- Name and location of the court before which the case is pending
- Identity of all parties to the litigation
- General nature of all claims being made

**B. Insolvency Proceedings & Appointed Receiver, Agent or Trustee**

1. Has the company, its parent or any intermediary company, had any petition under any provision of the Federal Bankruptcy Act or under any state insolvency law filed by or against it in the last 15-year period?

- Yes       No

2. Has the company, its parent or any intermediary company sought relief under any provision of the Federal Bank Act or under any state insolvency law in the last 15-year period?

- Yes       No

Initials/Date \_\_\_\_\_

3. Has any receiver, fiscal agent, trustee, reorganization trustee, or similar officer, been appointed, in the last 15-year period, by a court for the business or property of the business or its parent, holding, intermediary or subsidiary companies?

Yes      No

If you checked YES to any of the above, provide the following information on the chart below:

NAME OF PERSON APPOINTED	DATE APPOINTED	COURT	REASON

**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 5-B3**.

**A. Antitrust, Trade Regulation and Securities Agreements, Statutory and Regulatory Violations**

1. Has the company ever had a judgment, order, consent decree, consent order pertaining to a violation, alleged violation of the federal antitrust trade regulation or securities laws, or similar laws of any state, province or country entered against the applicant?

Yes      No

2. In the past 10-years, has the company had a judgment, order, consent decree, consent order pertaining to a violation, alleged violation of any state or federal statute, regulation, or code that resulted in a penalty or fine of \$50,000 or more entered against it?

Yes      No

If you checked YES, provide the following information for each judgment, order, consent decree, or consent order:

DATE OF OFFENSE	NATURE OF OFFENSE	TITLE OF CASE AND DOCKET NUMBER	NAME AND ADDRESS OF COURT OR AGENCY	NATURE OF JUDGMENT, DECREE OR ORDER	DATE ENTERED

**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 5-C2**.

**PART 6 – REGULATION AND LICENSURE**

**A. Is the company subject to licensure by any governmental agency in Massachusetts or any other jurisdiction?**

Yes      No

If you checked "YES", provide the following information on the chart below:

NAME AND LOCATION OF PUBLIC AGENCY	TYPE OF REGULATION	LICENSE NUMBER OR IDENTIFYING NUMBER

**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 6-A**.

Initials/Date \_\_\_\_\_

B. Has the company ever applied, in Massachusetts or any other jurisdiction, for a license, permit or other authorization, to participate in lawful gambling operations (including casino gaming, non-profit, horse racing, dog racing, pari-mutuel operation, lottery, sport betting, etc.)?

Yes  No

If you checked "YES" to any of the above, provide the following information on the chart below:

NAME AND ADDRESS OF LICENSING AGENCY	DATE OF APPLICATION	DISPOSITION				TYPE OF GAMBLING	IF ISSUED, GIVE APPROPRIATE NUMBER AND EXPIRATION DATE		
		Granted <input type="checkbox"/>	Denied <input type="checkbox"/>	Pending <input type="checkbox"/>	Expired <input type="checkbox"/>			Suspended <input type="checkbox"/>	Conditioned <input type="checkbox"/>
		Granted <input type="checkbox"/>	Denied <input type="checkbox"/>	Pending <input type="checkbox"/>	Expired <input type="checkbox"/>	Suspended <input type="checkbox"/>	Conditioned <input type="checkbox"/>	Withdrawn <input type="checkbox"/>	Revoked <input type="checkbox"/>
		Granted <input type="checkbox"/>	Denied <input type="checkbox"/>	Pending <input type="checkbox"/>	Expired <input type="checkbox"/>	Suspended <input type="checkbox"/>	Conditioned <input type="checkbox"/>	Withdrawn <input type="checkbox"/>	Revoked <input type="checkbox"/>
		Granted <input type="checkbox"/>	Denied <input type="checkbox"/>	Pending <input type="checkbox"/>	Expired <input type="checkbox"/>	Suspended <input type="checkbox"/>	Conditioned <input type="checkbox"/>	Withdrawn <input type="checkbox"/>	Revoked <input type="checkbox"/>
		Granted <input type="checkbox"/>	Denied <input type="checkbox"/>	Pending <input type="checkbox"/>	Expired <input type="checkbox"/>	Suspended <input type="checkbox"/>	Conditioned <input type="checkbox"/>	Withdrawn <input type="checkbox"/>	Revoked <input type="checkbox"/>
		Granted <input type="checkbox"/>	Denied <input type="checkbox"/>	Pending <input type="checkbox"/>	Expired <input type="checkbox"/>	Suspended <input type="checkbox"/>	Conditioned <input type="checkbox"/>	Withdrawn <input type="checkbox"/>	Revoked <input type="checkbox"/>

**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 6-B.**

C. Has the company ever had a complaint or other notice of pending disciplinary action from any jurisdiction?

Yes  No

During the last 10-year period has the company had any license or certificate issued by any jurisdiction denied, restricted, suspended, revoked, or not renewed?

Yes  No

Has the company ever withdrawn its application, license, or certificate in any jurisdiction?

Yes  No

Has the company ever appeared on the exclusion list in any jurisdiction?

Yes  No

If you checked **YES** to any of the above questions, submit a statement describing the facts or circumstances labeled **attachment to question 6-C.** If gaming-related, provide the information requested on the following chart in Section B.

Initials/Date \_\_\_\_\_

**PART 7 – FINANCIAL BACKGROUND**

**ITEM A.**

List the identity of every person having a direct or indirect interest in the company and the nature of such interest.

1. If the business is a trust, list all the beneficiaries:

NAME OF BENEFICIARY	ADDRESS

**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 7-A1**.

2. If the business is a partnership, list all partners, general and limited:

NAME OF PARTNER	ADDRESS

**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 7-A2**.

3. If the business is a limited liability company, list all members:

NAME OF MEMBER	ADDRESS

**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 7-A3**.

**ITEM B.**

Financial Institutions

1. Furnish the information called for in the table below with respect to each bank, savings and loan association or other financial institution, whether domestic or foreign, in which the company has or has had an account over the last 10 year period, regardless of whether such account was held in the name of the business, a nominee of the business or was otherwise under the direct or indirect control of the company.

NAME	ADDRESS	TYPE OF ACCOUNT	ACCOUNT NUMBER(S)	DATE	
				FROM:	TO:

**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 7-B1**.

Initials/Date \_\_\_\_\_

**ITEM C. Financial Statements**

- 1. Provide as an attachment labeled **attachment to question 7-C1** copies of all audited or unaudited financial statements, an audited financial statement which shall include but not be limited to, an income statement, balance sheet, statement of sources, and application of funds, and all notes to such statements and related financial schedules, for the last 5 years with respect to the company and any exceptions taken to such statements by any management response.

Not Applicable

- 2. If the company does not normally have its financial statement audited, attach to this form as an attachment labeled **attachment to question 7-C2**, all unaudited financial statements prepared in the last 5-years with respect to the company. (If the company has neither audited not unaudited financial statements prepared, please note same.)

Not Applicable

**ITEM D. Annual Reports**

- 1. Provide as an attachment labeled **attachment to question 7-D1** a copy of all annual reports of the company that were submitted to shareholders, partners, or other persons during the last 5-years.

Not Applicable

- 2. A corporation that is a registrant under the Security Act of 1933, or the Securities Exchange Act of 1934, shall submit a copy of all annual reports prepared on form 10K and filed within the last 5-years. Attach to this form as an attachment labeled **attachment to question 7-D2**.

Not Applicable

**ITEM E. Interim Reports**

Provide as an attachment labeled **attachment to question 7-E** a copy of all reports prepared due to the occurrence of any of the following events: change in control of the business, acquisition or disposition of assets, bankruptcy or receivership proceedings, changes in the business's certifying accountant, or other material events. If a corporation is a registrant with the SEC, it may submit a copy of the most recent form 8K filed with the SEC in response to this item.

Not Applicable

**ITEM F. Proxy and Information Statement (Corporation)**

Provide as an attachment labeled **attachment to question 7-F** a copy of the last definitive Proxy or Information Statement filed pursuant to Section 14 of the Securities Exchange Act of 1934.

Not Applicable

**ITEM G. Registration Statement (Corporation)**

Provide as an attachment labeled **attachment to question 7-G** a copy of all Registration Statements filed, in the last 5-years, pursuant to the Securities Act of 1933.

Not Applicable

**ITEM H. Tax Returns**

Provide as an attachment labeled **attachment to question 7-H**, a copy of all 1120 Forms (U.S. Corporate Income Tax Returns), or all 1065 Forms (U.S. Partnership Return), or 1040 Forms (personal tax returns) for the last 5-years. Be sure to include all schedules and attachments for these returns.

**ITEM I. Description of outstanding debt**

Describe the nature, type, terms, covenants and priorities of all outstanding debt of the business. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Note:** Should you require additional space, attach a separate sheet of paper in the same format and label it **attachment to question 7-I**.

Initials/Date \_\_\_\_\_

**STATEMENT OF TRUTH**

I, \_\_\_\_\_, hereby state under the pains and penalties of perjury that:  
(Print Name)

1. The information contained herein and which accompanies this form is true and accurate to the best of my knowledge and understanding.
2. I personally supplied and/or reviewed the information contained in this form.
3. I understand and read the English language or I have had an interpreter read, explain and record the answer to each and every question on this form.
4. Any document accompanying this form that is not an original document is a true copy of the original document.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Type, Stamp or Print Name)

\_\_\_\_\_  
(Date)

**RELEASE AUTHORIZATION FOR VENDOR**

To: Law Enforcement Agencies, Courts, Probation Departments, Military Organizations, Selective Service Boards, Employers, Educational Institutions, Banks, Financial and Other Such Institutions, All Gaming Regulatory Agencies, and All Governmental Agencies – federal, state and local, without exception, both foreign and domestic (the “issuing entity”).

On behalf of \_\_\_\_\_,  
(Name of Vendor)

I, \_\_\_\_\_ authorize the Massachusetts Gaming Commission  
(Name of President, Officer, Partner, or Sole Proprietor)  
(Commission) and the Investigations and Enforcement Bureau (Bureau) to conduct a full investigation into the background and activities of said business entity.

I acknowledge that the Commission and/or Bureau may contract or may have contracted with third parties for the purpose of conducting due diligence investigations on behalf of the Commission and/or the Bureau in connection with this background check.

I authorize the release of any and all information pertaining to said entity, documentary or otherwise, as requested by any employee or agent of the Commission or the Bureau, provided that he or she certifies to you that said entity has is being evaluated as a vendor to the Commission.

I release any issuing entity, the Commission, the Bureau and their agents, representatives and employees, both individually and collectively, from any and all liability for damages of whatever kind, which may at any time result because of compliance with this authorization for release of information.

I acknowledge that this authorization shall supersede and replace any prior release authorization executed by me on behalf of said entity for the Commission and/or Bureau.

**This release shall be valid from the date of signature and, once issued, for a 3 year duration.**

A photocopy of this authorization will be considered as effective and valid as the original.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Type, Stamp or Print Name)

\_\_\_\_\_  
(Date)

On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_ (name of document signer), proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.

\_\_\_\_\_  
(Signature of Notary)

(Notary Stamp)





# Gaming Technology Lab

Standard Operating and Business Processes

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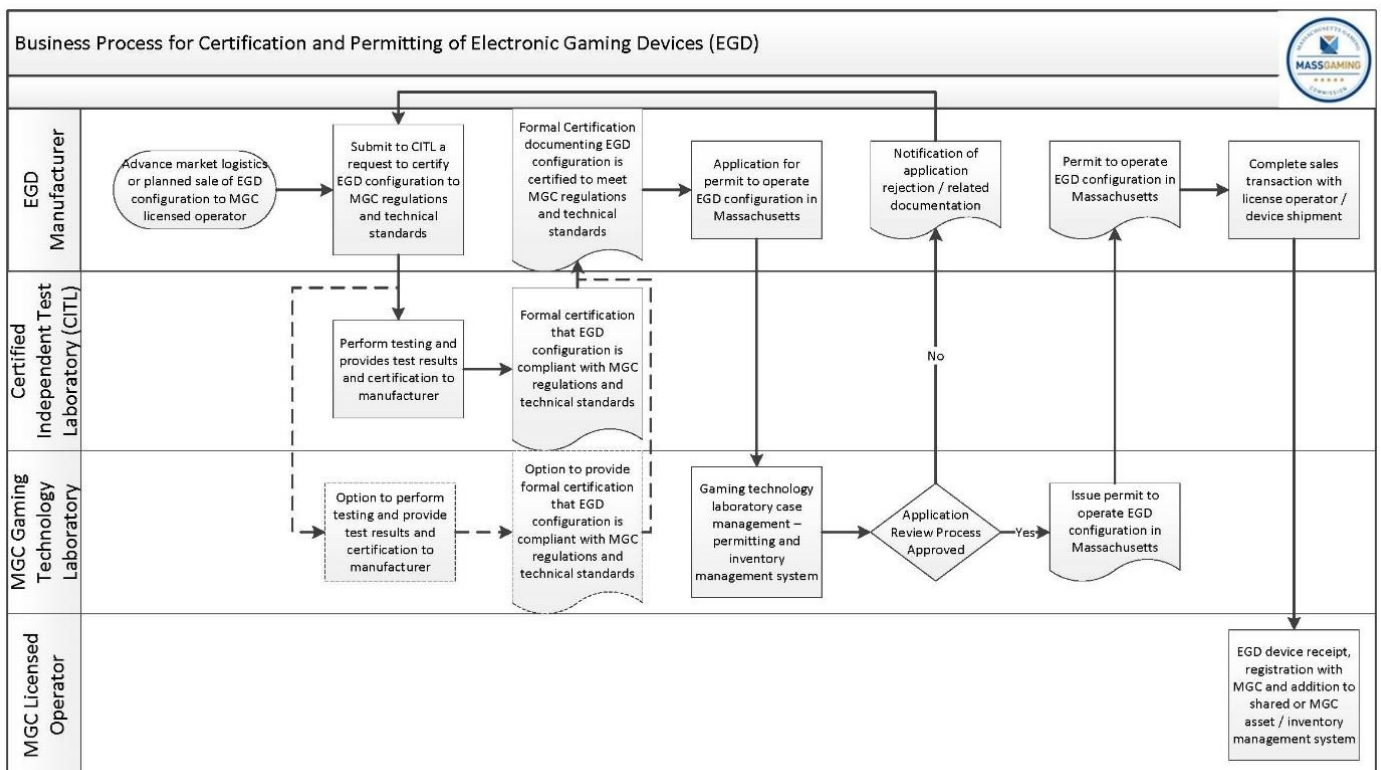
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## Executive Summary

The Massachusetts Gaming Commission’s Gaming Technology Laboratory (GTL) will manage and oversee the process of approving Electronic Gaming Devices (EGD’s) for use in Licensed Facilities in the Commonwealth of Massachusetts. The GTL will coordinate the efforts of Certified Independent Testing Laboratories (CITL), licensed gaming equipment manufacturers, and the licensed operators to ensure that only approved products are placed into operation at the licensee’s facilities. The GTL will support systems for asset tracking, certification status and changes, and product testing, training, and approval. MGC’s GTL will endeavor to employ industry best practices in its operation, to automate business processes where possible, and to securely exchange relevant data with equipment manufacturers, CITL’s, and our licensees / casino operators.

The following swim chart demonstrates the process of certification and permitting of Electronic Gaming Devices by the GTL.



This document is intended to identify and describe the processes required to support the certification and permitting of Gaming Equipment, including:



- Independent Testing Laboratory Certification
- Gaming Equipment Certification
- Prototypes and Field Trials
- Interoperability Testing
- Certification Status Changes
- Gaming Equipment Installation and Removal

## Definitions

**Associated Equipment:** Associated equipment for an EGD includes, but not limited to, voucher (ticket) printer, currency (bills and tickets) acceptor, progressive signage and systems, and casino management systems.

**Electronic Gaming Device (EGD):** An electronic gaming device consists of an exterior cabinet with locking mechanism, locked logic board area, operating system software, and theme software. For purposes of this document, EGDs are also expected to include a voucher (ticket) printer and currency (bills and tickets) acceptor.

**Gaming Equipment:** Gaming Equipment refers to all EGD, Associated Equipment, and Systems that may be installed in a licensed facility, including:

- Slot machines;
- Electronic table games;
- Kiosks;
- Wireless wagering devices;
- Slot machine games;
- Multiplayer systems;
- Server supported slot systems;
- Slot machine bonus systems;
- Table game bonus systems;
- Progressive systems;
- Account based wagering systems;
- Slot monitoring systems and casino management systems;
- Gaming voucher systems;
- Devices used in conjunction with a slot monitoring system or casino management system, unless the devices provide read-only functionality;
- Devices used in conjunction with gaming devices such as bill acceptors, printers, and coin acceptors that are not integrated into and tested as part of another gaming device;



**Gaming Technology Laboratory (GTL):** The Gaming Technology Laboratory is a division of the Massachusetts Gaming Commission responsible for the oversight of testing and certification for all technical gaming equipment.

**Independent Testing Laboratory (ITL):** Also referred to as Certified Independent Test Laboratory (CITL). An Independent Test Laboratory is responsible for the testing and certification of Gaming Equipment to MGC standards.

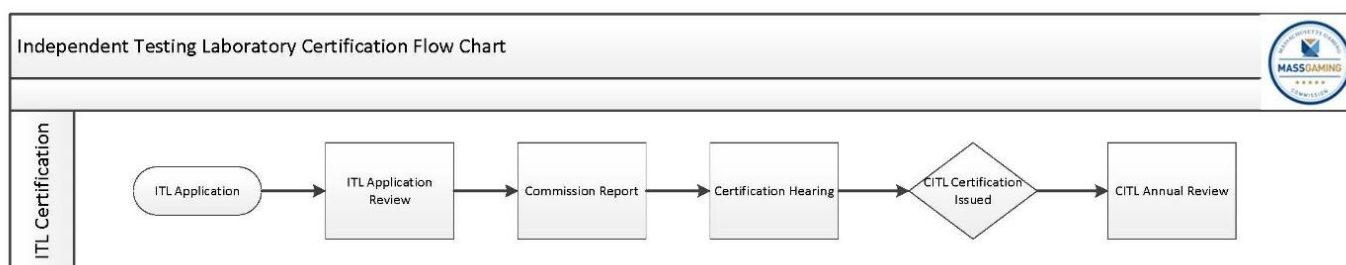
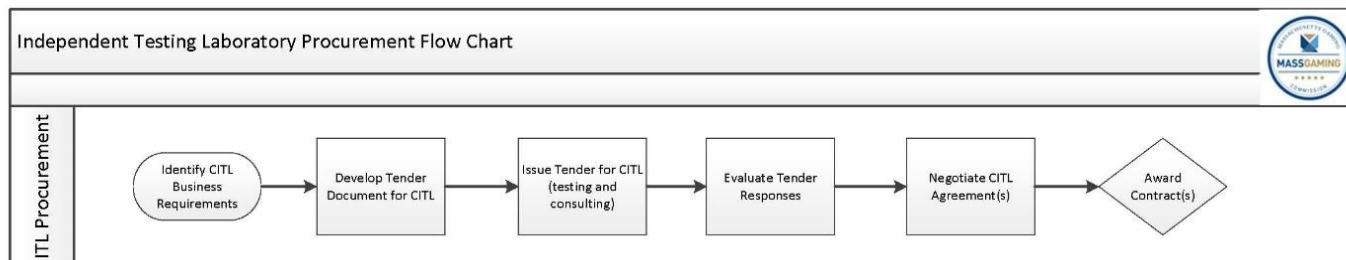
**Original Equipment Manufacturer (OEM):** OEM references manufacturers who produce subsystems for EGD or casino systems. For example, a voucher printer is OEM equipment to an EGD.

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# Independent Test Laboratory Certification Process

## Overview



## Purpose

The purpose of the Independent Test Laboratory (ITL) selection process is to define the manner in which ITL's will be certified by MGC. MGC will engage CITL's for professional services or consulting support. The process will be a standard MGC open procurement for services.

## Process

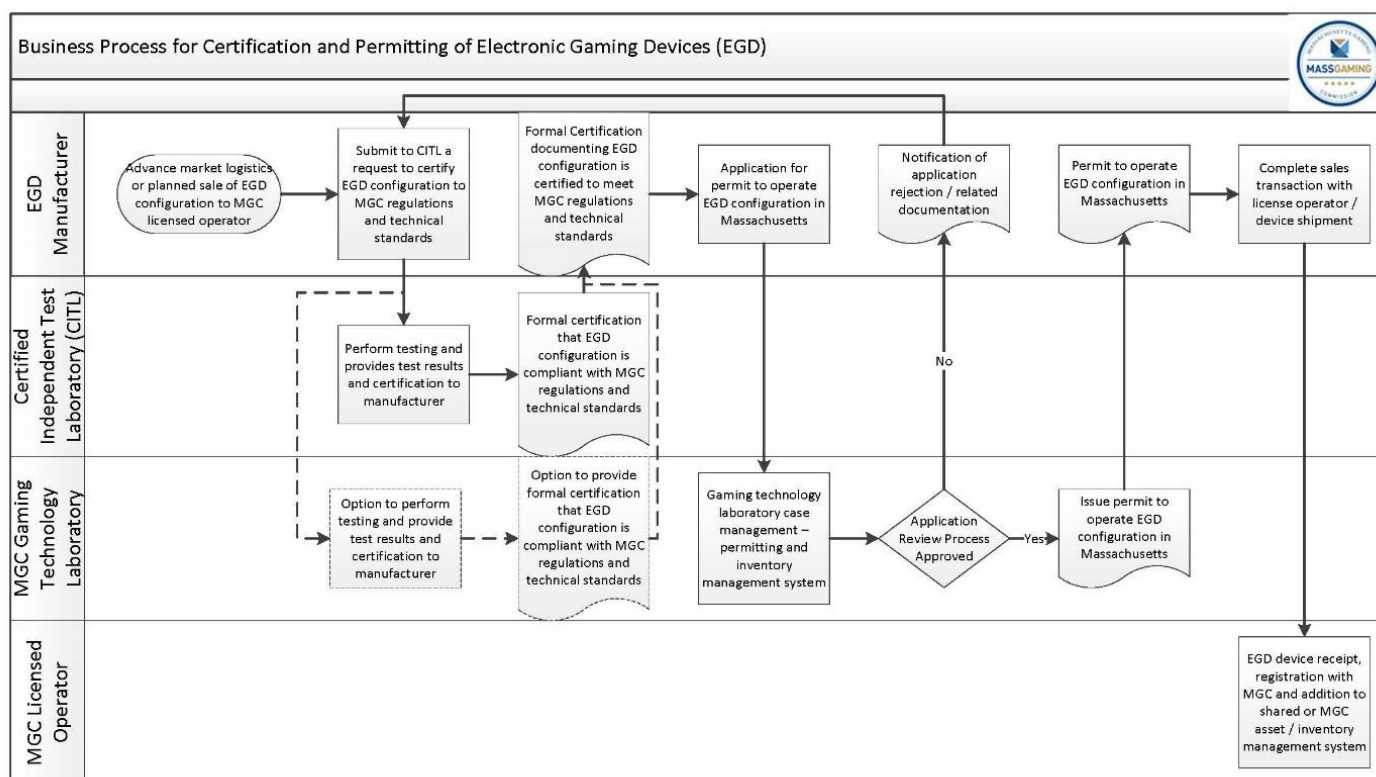
1. MGC shall issue a request for applications for companies to become an independent test laboratory certified to test EGD's on behalf of the Commonwealth.
2. The ITL shall complete all appropriate application forms, submit to a background investigation, and pay any necessary license fees.
3. MGC personnel will review the ITL certification and licensing application and information will be verified by the MGC Investigations and Enforcement Bureau (IEB) for suitability and compliance with Commonwealth requirements.
4. MGC GTL personnel will issue a written report and recommendation to the Commissioners for review.
5. After review, the Commissioners will vote to grant or deny the ITL certification request.



See Appendix A – Independent Test Laboratory Certification Checklist

## Gaming Equipment Permitting Process

### Overview:



### Purpose

The purpose of the Gaming Equipment Certification Process is to define the activities for a gaming manufacturer to offer Gaming Equipment products to Licensed Operators within the Commonwealth of Massachusetts.

A licensed manufacturer offers for sale or lease Gaming Equipment, consisting of one or a combination of the following: an EGD cabinet, a gaming platform, game/model program, associated equipment, and software systems.

### Process

1. Gaming Equipment products shall be submitted to a certified independent testing laboratory (CITL) and/or the MGC Gaming Technology Laboratory (GTL) by a licensed





manufacturer prior to its introduction to the marketplace. The following gaming devices require permitting and registration by the commission (CMR 144.01 (2)):

- a. Slot Machines;
  - b. Electronic table games;
  - c. Kiosks;
  - d. Wireless wagering devices;
  - e. Slot machine games;
  - f. Multiplayer systems;
  - g. Server supported slot systems;
  - h. Slot machine bonus systems;
  - i. Table games bonus systems;
  - j. Progressive systems;
  - k. Account based wagering systems;
  - l. Slot monitoring systems and casino management systems;
  - m. Gaming voucher systems;
  - n. Devices used in conjunction with a slot monitoring system or casino management system, unless the devices provide read-only functionality; and
  - o. Devices used in conjunction with gaming devices such as bill acceptors, printers, and coin acceptors that are not integrated into and tested as part of another gaming device.
2. Upon request, the manufacturer, at their expense, shall install a minimum of one sample of the Gaming Equipment to the MGC Gaming Technology Laboratory (GTL) location for review.
    - a. Manuals and technical documentation sufficient to allow GTL personnel to install, configure, and test the Gaming Equipment may also be required by the CITL and/or GTL.
  3. The CITL and/or GTL will test the Gaming Equipment in accordance with established and accepted testing scripts based on the appropriate laboratory, jurisdictional, and MGC standards that are applicable to the submission.
  4. The CITL will notify the manufacturer and GTL in writing of any testing failures or errors. The manufacturer will have a cure period to resubmit corrected items to continue the review process.
  5. Upon successful completion of the CITL or GTL testing and review process, the CITL or GTL will issue a certification letter to the GTL and the Manufacturer.
  6. Once the Gaming Equipment is certified by the CITL or GTL, the Gaming Equipment Permitting documentation and fees shall be submitted to the GTL. Permitting



documentation shall be electronic wherever possible and shall include a Permitting Request form and CITL certification letter

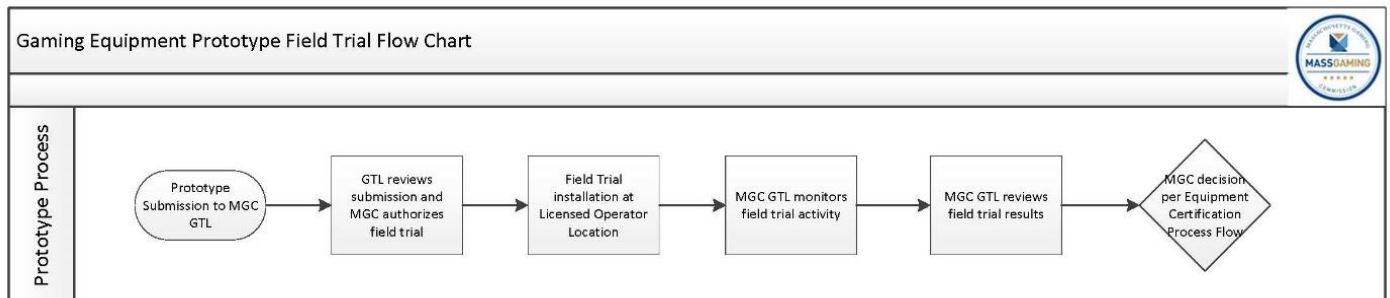
- a. Per CMR 144.02 (2), the permitting request form shall include, at a minimum:
    - i. Gaming Vendor's Name;
    - ii. Gaming Vendor's License Number;
    - iii. Description of the prototype product/gaming equipment, including unique name and version number; and
    - iv. List of all jurisdictions in which the Gaming Equipment has been granted or denied licensure or registration.
  - b. Permitting fees of \$500 per CMR 144.05 (1).
    - i. If the MGC's cost of testing shall exceed the initial permitting fee, the Gaming Vendor shall pay the additional amount within 30 days after notification of insufficient fees or the application shall be rejected.
7. Once the GTL receives the permitting documentation and fees, the GTL staff will review the submission to ensure all necessary and relevant documentation and fees have been provided.
8. The GTL will submit a formal letter of review to the MGC recommending approval of the Gaming Equipment.
- a. MGC may issue an unconditional approval letter to the manufacturer, stating the reviewed Gaming Equipment is approved and may be installed at a licensed gaming facility, subject to the defined installation and inspection processes.
    - i. At this point the EGD/OEM manufacturer may proceed with the sales and/or floor installation process with the licensed operator.
  - b. A conditional letter of approval may be issued to the manufacturer stating the requirements for a live field trial for a specified length of time. See Field Trial Process.

See Appendix B – Gaming Equipment Certification, Permitting and Registration Checklists



## Prototype Process

### Overview:



### Purpose

The purpose of the Prototype Process is to define the activities for a gaming manufacturer to introduce a new product into the Commonwealth of Massachusetts licensed casino gaming environment. A prototype product is defined as a new electronic gaming device (EGD), system or associated equipment peripheral (cumulatively referred to as “Gaming Equipment”) that has not been in operation in any licensed gaming jurisdiction prior to its introduction in the Commonwealth.

A licensed manufacturer develops new gaming equipment, consisting of one or a combination of the following: a new gaming platform, new game/model program, new associated equipment, new artwork, help screens, or game features, new software system, or incorporates the use of a new /different peripheral device not previously tested and desires to have said gaming device or associated equipment certified for use in the Commonwealth.

### Process

1. A prototype product shall be submitted to a certified independent testing laboratory (CITL) by a licensed manufacturer prior to its introduction to the marketplace as per the Gaming Equipment Certification Process above.
2. Once the Gaming Equipment review process is complete, and if the prototype product has not been available for public use in other jurisdictions for at least 45 days (per CMR 144.02 (5)), the GTL will submit a formal letter requesting field trial to the MGC recommending a field trial period for the prototype product.



- a. A field trial conditional letter may be issued to the manufacturer stating the requirements for a live field trial for up to 45 days. This field trial conditional letter will contain a listing of issues to be address, monitored, or demonstrated during the trial period.
  - i. Once a field trial conditional letter is issued, the MGC GTL will monitor the conditions during the field trial period.
  - ii. The manufacturer may resubmit the product to the CITL and/or GTL for MGC unconditional approval at the end of the field trial period.
  - iii. The manufacturer may not modify or withdraw the product during the field trial period without prior authorization of the GTL.

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## Field Trial Process

### Purpose

The purpose of a field trial for gaming equipment is to ensure the equipment meets the proper regulatory standards and requirements as demonstrated by placing the equipment in service on a casino gaming floor.

A field trial is a defined period of time where gaming equipment will be installed on a casino gaming floor for live play by casino patrons. The field trial will be subject to performance and reporting requirements to ensure accurate and integral operation of the gaming device.

### Process

1. The Gaming Equipment is tested and verified as per the Gaming Equipment Certification Process and approved for Field Trial.
2. The licensed operator submits an electronic field trial request in accordance with EGD installation and inspection standards of MGC for the field trial gaming equipment.
  - a. The request shall include all the necessary EGD information required, including the field trial conditional letter.
3. Upon floor installation, MGC inspection staff shall review the Gaming Equipment configuration prior to the equipment being made available for play to the general public.
4. The Gaming Equipment is put into play for casino patrons and the field trial begins.
5. The MGC GTL monitors field trial activity, including, but not limited to revenue reporting, Central Monitoring System communications, and other criteria contained in the field trial conditions letter.
6. The Gaming Equipment gaming data is gathered in accordance with requirements set forth in the conditional approval/field trial approval letter.
7. The licensed operator will document all player complaints related to the Gaming Equipment field trial equipment.
8. All Gaming Equipment performance data and player complaints will be collected throughout the field trial period and delivered to the MGC GTL at a period not to exceed weekly.
9. The manufacturer may not modify or withdraw the product during the field trial period without prior authorization of the GTL.

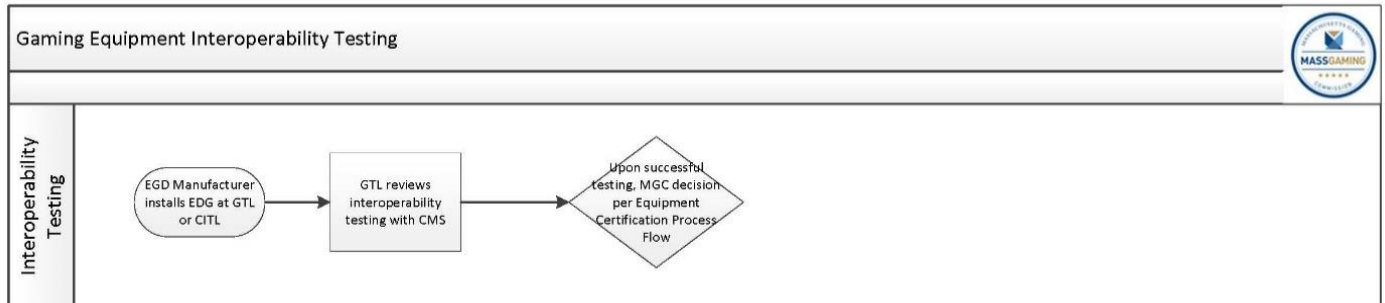


10. As a result of the field trial or at any point during the field trial, if any conditions or gaming activity exists that would compromise the integrity and authority of MGC or the integrity and regulations governing the Licensed Operator, the Gaming Equipment shall be immediately turned off and the MGC notified. The situation or circumstance will be reviewed by the MGC as to the next steps related to the Gaming Equipment field trial.
11. MGC GTL review of field trial results:
  - a. At the conclusion of the field trial, all data collected and activity recorded and documented will be presented to the MGC GTL for review.
  - b. All information will be reviewed and analyzed against the conditions and requirements set forth by the Gaming Equipment conditional approval/field trial approval letter.
  - c. If the field trial data or Gaming Equipment performance does not satisfy conditional approval/field trial approval requirements, the MGC GTL will identify the next steps regarding prototype Gaming Equipment approval processes.
  - d. If the field trial data or Gaming Equipment performance satisfies the conditions and requirements set forth by the conditional approval/field trial approval letter, the MGC will determine if Gaming Equipment approval is warranted.
12. MGC decision per Gaming Equipment Certification Process flow
  - a. MGC will draft a formal Gaming Equipment approval letter to the manufacturer stating the outcome of the field trial and subsequent approval of the Gaming Equipment for use.
  - b. Licensed Operator can then process and submit the necessary paperwork to the MGC to install, inspect and operate the approved Gaming Equipment in accordance with established MGC standards.



# Interoperability Testing

## Overview



## Purpose

The purpose of interoperability testing is to ensure the proper Gaming Equipment operation, reporting, communication and functionality with the MGC Central Monitoring System and/or casino management system.

Interoperability testing includes allows for complete end to end testing of gaming systems, electronic gaming devices and gaming equipment that connect to them as well as testing and review of new technologies. This allows the GTL to test SAS, S2S and G2S communication protocols between gaming equipment and the Central Monitoring System.

The MGC Central Monitoring System will coexist with licensed facilities casino management systems with no intended impact to gaming operations.

## Process

1. The Gaming Equipment manufacturer installs the Gaming Equipment at GTL or CITL location.
2. Interoperability testing includes, but not limited to, the Gaming Equipment and all associated equipment, software and systems required for Central Monitoring System communication, including:
  - a. EGM and game theme/model programs
  - b. Bill Acceptor
  - c. Ticket Printer
  - d. EGM to Voucher Redemption (TITO) System to Casino Management System



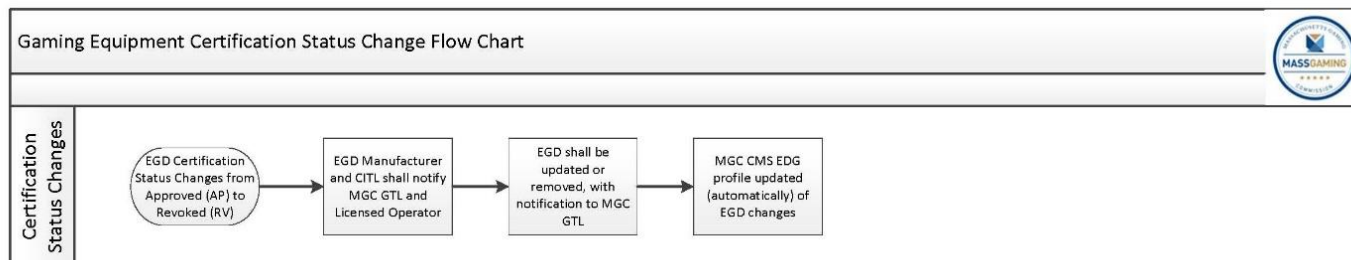
- e. Player Tracking Hardware/Software to EGD
  - f. Player Tracking Hardware/Software to System Network
  - g. MGC Central Monitoring System
  - h. Kiosks for Jackpot processing, Voucher Redemption, marketing and promotional
  - i. Any associated interface or communication protocol required.
3. Manufacturer will submit a written request to the MGC for interoperability testing
    - a. Request will outline the Gaming Equipment involved in testing, supporting documentation related to function and operation of equipment, reason for testing, and expected outcomes.
  4. Manufacturer will provide all necessary hardware and software applicable to the interoperability testing to the MGC GTL/CITL prior to the start of any testing.
  5. Manufacturer will provide the necessary support and training as requested by the MGC GTL to expedite the interoperability testing process.
  6. Each variation of the Gaming Equipment configuration (i.e. cabinet, game operating system and theme software, bill acceptor, ticket printer, player tracking, or other associated equipment) must be tested and communicate with MGC CMS.
  7. Each component will be tested independently to each other to ensure proper compliance with established MGC standards.
  8. Each Electronic Gaming Device (EGD) and associated equipment will be tested as a single unit to ensure proper compliance to established MGC standards.
  9. Upon successful completion of interoperability testing, each EGD variation, each associated equipment device, and each program/software version will be certified and approved for use in the Commonwealth by MGC in accordance with established approval notifications.
  10. If Gaming Equipment or associated equipment fails during interoperability testing, the MGC GTL and/or CITL will notify the appropriate manufacturer(s) of the failure including the specific testing involved and points of failure.
  11. Once notified, the manufacturer(s) will have the option of resubmitting the failed equipment after corrective measures have been taken or shall have the option of withdrawing the submission.
  12. If the manufacturer chooses to correct the deficiencies, a new submission for interoperability testing must be submitted that documents the repairs/corrective action taken and any relevant changes in operation or functionality.





## Certification Status Changes

### Overview



### Purpose

From time to time, Gaming Equipment, including EGD or associated equipment, may fail during field operation or may require an approved upgrade, enhancement or modification to provide better performance, functionality or guest experience. Failure could be operational, technical, interoperability, or for issues and concerns raised by the manufacturer, the MGC GTL, other jurisdictions, other gaming authorities, or a CITL. In this event, MGC has the responsibility and authority to revoke or cancel a previously approved certification immediately or at a time the MGC deems appropriate with business security and integrity.

### Process

1. The Gaming Equipment CITL certification status changes from approved (AP) to revoked (RV).
2. If the notice of failure originated from a source other than the Gaming Equipment manufacturer, MGC GTL will notify the respective manufacturer to investigate the failure/situation/condition and respond back to MGC.
3. If the Gaming Equipment manufacturer or CITL becomes aware of an equipment/program/software failure, they shall immediately notify MGC in writing.
4. The written notification shall include at a minimum, the description of the problem, impact on the Gaming Equipment, impact to the player, impact to MGC, and impact to game performance or revenue.
5. Based on the information provided, the severity of the failure and recommendations from the CITL, MGC will determine the nature of the revocation action.
  - a. Immediate Revocation – if the failure is severe and impacts revenue, reporting, player confidence, safety or game outcome.

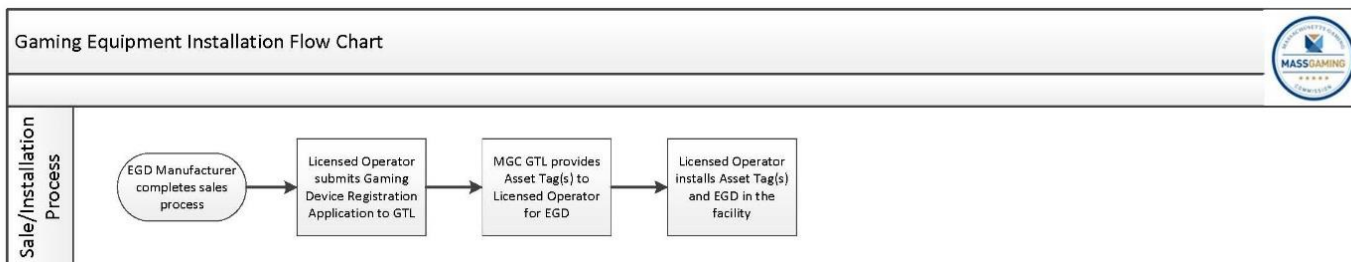


- b. Conditional Revocation – includes a grace period of 30-60-90 days for issues that do not impact game play, revenue, reporting, or integrity. Such minor issues could include game features, spelling errors, artwork changes, or help screen information.
6. For immediate revocation, the licensed operator and the manufacturer shall be notified by MGC and the affected Gaming Equipment will be disabled by the licensed operator and the MGC CMS.
7. The licensed operator may request/submit for a Gaming Equipment change to allow the affected Gaming Equipment to be returned to service.
8. The manufacturer will have the option to correct the Gaming Equipment failure and submit the changes for approval to the CITL and as identified in the interoperability testing procedures.
9. Once approved, the licensed operator may submit a request for a Gaming Equipment component change to place the affected equipment back in service on the casino floor.



# Gaming Equipment Registration and Installation Process

## Overview



## Purpose

The purpose of the Gaming Equipment Installation processes is to define the process for installation of Gaming Equipment and asset tagging of EGDs at a licensed operator’s site.

Licensed Manufacturers may only sell and/or distribute certified and approved Gaming Equipment to Licensed Operators. These Licensed Manufacturers may have established sales and support networks within the Commonwealth to support the sales, delivery, installation and support of Gaming Equipment. Licensed Manufacturers will work directly with the Licensed Operators to determine the Gaming Equipment to be sold/leased to the facility, including specific quantities, models, themes, denominations, hold percentages, and relevant configurations and specifications for the sales order.

## Process

1. The Licensed Manufacturer completes the Gaming Equipment sale/lease process and the individual Licensed Operator will process the Gaming Equipment purchase order in accordance with established purchasing and procurement procedures for the licensed operator and MGC.
2. The Gaming Equipment manufacturer will coordinate the shipment and installation of Gaming Equipment with the Licensed Operator, with notification to MGC.
3. The Gaming Equipment manufacturer will submit an electronic notification to the MGC GTL and the Licensed Operator detailing the specifics of the Gaming Equipment shipment to the individual licensed operator. This notification will include at a minimum the anticipated arrival date and a complete list of the Gaming Equipment, including model number, EPROM number, and EGD serial numbers.



- a. Electronic notification shall include, but not be limited to:
  - i. Gaming Licensee Name
  - ii. Gaming Device Unique Serial Number
  - iii. Gaming Device Date of Manufacturer
  - iv. Maximum number of instances of the software that the gaming licensee intends to use at any one time.
  - v. MGC Gaming Equipment Permit Information
  - vi. Other information as required by the MGC Central Monitoring System
4. This request is also official notification to the MGC that the licensed operator is taking possession of the Gaming Equipment devices listed on the shipment notice with the intent to install and operate the Gaming Equipment within the licensed operation
5. Based on the EGD information provided as part of the installation process, the MGC GTL will verify this information with that provided by the EGD/OEM device manufacturer, assign a unique MGC asset tag for each EGD, and register the EGD to the specific licensed operator via the CMS.
6. When the EGD shipment is verified, the licensed operator will attach the appropriate MGC GTL asset tag to the corresponding EGD prior to being placed into the licensed operator's inventory or on the gaming floor.
7. Once the MGC GTL asset tag has been affixed to the appropriate EGD, the licensed operator may proceed with installation of the EGD onto the gaming floor in accordance with MGC procedures.



# Gaming Equipment Removal Process

## Overview



## Purpose

From time to time, Licensed Operators will remove, replace or change existing Gaming Equipment in the facility. The purpose of the Gaming Equipment Removal processes is to define the process for removing Gaming Equipment and asset tags from EGDs at a licensed operator’s site.

Licensed Operators may only remove and return certified and approved Gaming Equipment to Licensed Manufacturers or Distributors or to the parent company of a Licensed Operator.

## Process

1. The Licensed Operator will submit an electronic request to the MGC CTL of the intent to remove Gaming Equipment or an EGD within their facility.
2. The removal request notification will contain at a minimum the following information:
  - a. For the current or original EGD
    - i. Licensed Operator Name
    - ii. Date and time of change and inspection
    - iii. MGC asset tag number
    - iv. Manufacturer Serial Number
    - v. Reason for removal
    - vi. Model Description (theme)
    - vii. EPROM number(s)
3. If the Gaming Equipment or EGD is being removed from the gaming floor, the notification must contain information related to the new location for the removed EGD (i.e. warehouse, return to Manufacturer, sold).



4. Once the notification is acknowledged by the MGC, the licensed operator may proceed with the changes specified in the removal request. The Licensed Operator will be responsible to notify MGC GTL when the Gaming Equipment is removed so the GTL can update the CMS.
5. Prior to being removed from the licensed operator's facility, each EGD MGC GTL asset tag shall be removed and returned to the MGC GTL. This is the only time that the MGC GTL asset tag is to be removed from an EGD.

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## Appendix A – Independent Test Laboratory Certification Checklist

- Verify Categories of Certification (205 CMR 144.06 (2)): Each independent testing laboratory must be certified for each category of testing for which the laboratory seeks to provide results. The categories of testing include:
  - (a) Games and game variations;
  - (b) Gaming devices and gaming device modifications;
  - (c) Gaming associated equipment and gaming associated equipment modifications;
  - (d) Cashless wagering systems and cashless wagering system modifications;
  - (e) Inter-casino linked systems and inter-casino linked system modifications;
  - (f) Mobile gaming systems and mobile gaming system modifications;
  - (g) Interactive gaming systems and interactive gaming system modifications; and
  - (h) Any other category of testing that the commission may deem appropriate.
  
- Verify Standards for Certification (205 CMR 144.06 (3)): To qualify for certification, the independent testing laboratory, must:
  - (a) Be independent pursuant to 205 CMR 144.06(4)
  - (b) Be accredited in accordance with ISO/IEC 17025 by an accreditation body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Agreement, unless the independent testing laboratory is only seeking certification for the testing of games and game variations;
  - (c) Demonstrate suitability in accordance with G.L. c. 23K, §§ 12 and 16 by clear and convincing evidence after considering reciprocity from other jurisdictions;
  - (d) Demonstrate that it is technically competent in testing the category of game, device, or system in which it is seeking certification; and
  - (e) Demonstrate that it is technically competent to test compliance with the applicable Massachusetts statutes, regulations, standards and policies.
  
- Verify Independence (205 CMR 144.06 (4)): An independent testing laboratory must be independent at all times while certified by the commission.
  - (a) To be considered independent from a manufacturer, distributor, or operator pursuant to 205 CMR 144.06(3)(b), the independent testing laboratory, including its employees, management, directors, owners, compliance committee members and gaming regulatory advisors, with the exception of the independent testing laboratory's external accountants and attorneys:



1. Must not have a financial or other interest, direct or otherwise, in a manufacturer, distributor, or operator of any game, gaming device, associated equipment, cashless wagering system, inter-casino linked system, mobile gaming system or interactive gaming system, or any component thereof or modification thereto, regardless of whether or not the person or entity is licensed, registered, or otherwise does business in Massachusetts;

2. Must not participate, consult, or otherwise be involved in the design, development, programming, or manufacture of any game, gaming device, associated equipment, cashless wagering system, inter-casino linked system, mobile gaming system or interactive gaming system, or any component thereof or modification thereto;

3. Must not have any other interest in or involvement with a manufacturer, distributor, or operator that could cause the independent testing laboratory to act in a manner that is not impartial; and

4. Such individuals shall not serve in any capacity with a manufacturer, distributor, or operator beyond the scope of the independent testing laboratory's engagement pursuant to these regulations.

(b) The restrictions in 205 CMR 144.06(4)(a) shall not be interpreted to limit an independent testing laboratory, or the above listed individuals, from providing consulting services to a manufacturer, distributor, or operator, provided that such services do not directly or indirectly indicate, suggest, or imply how to design, develop, program or manufacture a game, gaming device, associated equipment, cashless wagering system, inter-casino linked system, mobile gaming system or interactive gaming system, or any components thereof or modification thereto.

(c) The restrictions in 205 CMR 144.06(4) (a) shall not be interpreted to limit its ability to accept fees from a gaming device vendor in accordance with 205 CMR 144.05.

Form of Application\_(205 CMR 144.06 (5)): An application for certification as an independent testing laboratory shall be in the form prescribed by the commission and contain:

(a) The required application fee pursuant to 205 CMR 144.06(1)(c);

(b) A completed business entity disclosure form as set forth in 205 CMR 134.07(6) for the applicant entity;

(c) Completed multi-jurisdictional personal history disclosure forms as set forth





in 205 CMR 134.07(1) for each person who would be a gaming vendor qualifier pursuant to 205 CMR 134.04(4) if the applicant were a gaming vendor;

- (d) Copies of all ISO/IEC 17025 certification and accreditation materials except if the independent testing laboratory is only seeking registration for the testing of games and game variations;
- (e) All ISO required internal controls, policies and procedures, except if the independent laboratory is only seeking registration for the testing of games and game variations;
- (f) Detailed description of the testing facilities;
- (g) Detailed description of available testing staff and staff qualifications, including education, training, experience and skill levels;
- (h) Detailed description of available testing equipment;
- (i) Copies of documented policies, systems, programs, procedures and instructions to assure the quality of test results;
- (j) Copies of all test scripts to be used for testing against the applicable Massachusetts statutes, regulations, standards, and policies.
- (k) A statement subscribed by the applicant that:
  - 1. The information being provided to the commission is accurate and complete;
  - 2. The applicant agrees to cooperate with all requests, inquiries, or investigations of the commission;
  - 3. The applicant acknowledges that the commission shall retain jurisdiction over the independent testing laboratory in any matter involving a gaming device;
  - 4. The applicant acknowledges that it will comply with G.L. c. 23K, § 13(b) and (c) and update the commission in accordance with 205 CMR 144.06(6);
  - 5. The applicant agrees to indemnify and hold harmless the Commonwealth of Massachusetts and the commission, and each of their members, agents, and employees in their individual and representative capacities against any and all claims, suits and actions, brought against the persons named in this section by reason of any inspections or certifications performed by the applicant as a certified independent testing laboratory, and all other matters relating thereto, and against any and all expenses, damages, charges and costs, including court costs and attorney fees, which may be sustained by the persons and entities named in this subsection as a result of said claims, suits and actions; and
- (l) Any additional information that the commission may require.



## Appendix B – Gaming Equipment Certification, Permitting and Registration Checklist

### Certification

- Licensed Manufacturer submits Gaming Equipment to Certified Independent Test Laboratory (CITL) and/or MGC Gaming Technology Laboratory (GTL).
- CITL/GTL tests Gaming Equipment according to applicable standards, processes and procedures.
- CITL/GTL issues Certification Letter to Licensed Manufacturer with Approved status, with copy to MGC GTL.

### Permitting

- Licensed Manufacturer submits Permit to Operate form and Permitting Fee to MGC GTL for each Gaming Equipment variation listed below:
  - (a) Slot machines;
  - (b) Electronic table games;
  - (c) Kiosks;
  - (d) Wireless wagering devices;
  - (e) Slot machine games;
  - (f) Multiplayer systems;
  - (g) Server supported slot systems;
  - (h) Slot machine bonus systems;
  - (i) Table game bonus systems;
  - (j) Progressive systems;
  - (k) Account based wagering systems;
  - (l) Slot monitoring systems and casino management systems;
  - (m) Gaming voucher systems;
  - (n) Devices used in conjunction with a slot monitoring system or casino management system, unless the devices provide read-only functionality;
  - (o) Devices used in conjunction with gaming devices such as bill acceptors, printers, and coin acceptors that are not integrated into and tested as part of another gaming device;



- MGC GTL reviews Permit to Operate form, receives Permitting Fee, and determines if Field Trial is required.
  - If Field Trial is required, MGC GTL will issue Field Trial Requirements Letter
  - If Field Trial is not required, MGC GTL issues Permit to Operate platform to Licensed Manufacturer.
- Licensed Manufacturer offers Permitted Gaming Equipment to Licensed Operators.
- Licensed Operator completes Gaming Equipment sale/lease transaction and schedules delivery/installation with Licensed Manufacturer.

### **Registration**

- Licensed Operator submits Gaming Equipment Registration Form to MGC GTL
- MGC GTL enrolls Gaming Equipment into Central Monitoring System/Asset Management System and provides Asset Tag, where applicable, to Licensed Operator for EGD or other Gaming Equipment.
- Licensed Operator installs Asset Tag on EGD or other Gaming Equipment
- Gaming Equipment is inspected by MGC Staff.
- Gaming Equipment is placed into service.



#	Section	Standards	Comment Received	MGC Response
1	Executive Summary Page 3	Swim Chart	<p>Our understanding of the dotted lines within the swim chart is these are optional processes. Are these optional processes done "in addition to" or as a substitute for the CITL testing efforts?</p> <p>Also, what is the trigger for these options? That is, will the GTL/MGC determine when they are executed or does the manufacturer have the option to choose whether to exercise them?</p>	<p>MGC has the option to test all gaming products for the Commonwealth. These tests will be at the discretion of the MGC and may be in addition to or as a substitute for CITL efforts.</p> <p>The MGC GTL will have the option to determine if additional tests will be performed. The manufacturer will not have the option to choose. The manufacturer will utilize the CITL for certification, then submit their certified product to MGC for permitting,</p>
2	Gaming Equipment Permitting Process Page 7-8	<p>1. Gaming Equipment products shall be submitted to a certified independent testing laboratory (CITL) and/or the MGC Gaming Technology Laboratory (GTL) by a licensed manufacturer prior to its introduction to the marketplace. The following gaming device require permitting and registration by the commission (CMR 144.01 (2)):</p> <p>...</p> <p>Devices used in conjunction with gaming devices such as bill acceptors, printers, and coin acceptors <u>that are not integrated into and tested as part of another gaming device.</u></p>	<p>We believe that we understand the intent of this section but feel that it may cause confusion as currently written. As a portion of the testing process for bill validators, printers, and coin acceptors, they are installed into the gaming device and tested as a unit, which may cause confusion with the "tested as part of another gaming device" language. A potential update would be to conclude the sentence after "coin acceptors."</p>	<p>Regulation will be updated as follows:</p> <p>o. Devices used in conjunction with gaming devices such as bill acceptors, printers and coin acceptors.</p>



#	Section	Standards	Comment Received	MGC Response
3	Gaming Equipment Permitting Process  Page 8	4. The CITL will notify the manufacturer and GTL in writing of any testing failures or errors. The manufacturer will have a cure period to resubmit corrected items to continue the review process.	<p>The number of pre-certification issues that are generated in the potentially many revisions that can exist prior to receiving a product that is suitable for certification can be significant. Additionally, the effort associated with generating issue documentation in a format suitable for formal review is also significant. This type of request has typically been satisfied for other regulatory agencies, such as Nevada GCB, by providing detail within the certification reports which describes any limitations in testing, important considerations for configuration, or any sort of unresolved item which could impact the deployment of the product rather than additionally include details of the many issues found which no longer impact the component that was ultimately certified.</p> <p>Additionally, are there any further details or provisions surrounding the mentioned cure period?</p>	<p>Standards will be updated to remove reference to requirement to notify GTL of any testing failures.</p> <p>The final certification report from the CITL shall include all test results and note any that resulted in "Failed" status.</p>



#	Section	Standards	Comment Received	MGC Response
4	Gaming Equipment Permitting Process Page 9	<p>The GTL will submit a formal letter of review to the MGC recommending approval of the Gaming Equipment. MGC may issue an unconditional approval letter to the manufacturer, stating the reviewed Gaming Equipment is approved and may be installed at a licensed gaming facility, subject to the defined installation and inspection processes.</p> <p>At this point the EGD/OEM manufacturer may proceed with the sales and/or floor installation process with the licensed operator.</p> <p><u>A conditional letter of approval may be issued to the manufacturer stating the requirements for a live field trial for a specified length of time. See Field Trial Process.</u></p>	<p>Is it possible that there be other types of conditions associated with an approval other than a requirement for field trial? For instance, if a particular feature shall not be authorized for configuration, could this condition be placed within the unconditional approval letter referenced within (A)? Or is this another type of configuration which would be suitable to include included within conditional letter referenced in (B)?</p>	<p>Conditions may be included in MGC approval letters and in field trial letters.</p>
5	Prototype Process Page 10	<p>A prototype product shall be submitted to a certified independent testing laboratory (CITL) by a licensed manufacturer prior to its introduction to the marketplace as per the Gaming Equipment <u>Certification</u> Process above.</p>	<p>Suggestion to alter “Certification” to “Permitting” to align with the title of the referenced section.</p>	<p>Will update document to reflect the title “Gaming Equipment Permitting Process”</p>



#	Section	Standards	Comment Received	MGC Response
6	Prototype Process Page 10-11	<p>Once the Gaming Equipment review process is complete, and if the prototype product has not been available for public use in other jurisdictions for at least 45 days (per CMR 144.02 (5)), the GTL will submit a formal letter requesting field trial to the MGC recommending a field trial period for the prototype product.</p> <p>a. A field trial conditional letter may be issued to the manufacturer stating the requirements for a live field trial for up to 45 days. This field trial conditional letter will contain a listing of issues to be address, monitored, or demonstrated during the trial period. Once a field trial conditional letter is issued, the MGC GTL will monitor the conditions during the field trial period. <u>The manufacturer may resubmit the product to the CITL and/or GTL for MGC unconditional approval at the end of the field trial period.</u> The manufacturer may not modify or withdraw the product during the field trial period without prior authorization of the GTL.</p>	<p>Regarding the underlined text, can we assume that if a product must be altered based on results of the field trial, that the product MUST be submitted to the CITL/GTL for formal certification?</p> <p>Also, is there a benefit or motivation for the manufacturer to resubmit the product at the end of field trial for an unconditional letter (assuming the product does not need to be altered further)?</p>	<p>Any changes made to a product during a field trial will require resubmission for a formal certification by CITL/GTL.</p> <p>This is a business decision for the manufacturer.</p>
7	Interoperability Testing Page 14	Swim Chart	Suggestion to add "and/or CITL" to the second workflow block.	Will update document.
8	Interoperability Testing Page 14-15	The Gaming Equipment manufacturer <u>installs</u> the Gaming Equipment at GTL or CITL location.	<p>We assume that it is acceptable for the manufacturers to ship the components to the CITL for our engineers to assemble and install?</p> <p>Also, how is it ultimately determined which organization will conduct the interoperability testing (GTL or CITL)?</p>	<p>Yes, it is acceptable for CITL engineers to install equipment.</p> <p>Initially, it will be the CITL but also up to the discretion of MGC.</p>



#	Section	Standards	Comment Received	MGC Response
9	Interoperability Testing Page 14-15	<p>2. Interoperability testing includes, but not limited to, the Gaming Equipment and all associated equipment, software and systems required for Central Monitoring System communication, including:</p> <ul style="list-style-type: none"> <li>a. EGM and game theme/model programs</li> <li>b. Bill Acceptor</li> <li>c. Ticket Printer</li> <li>d. EGM to Voucher Redemption (TITO) System to Casino Management System</li> <li>e. Player Tracking Hardware/Software to EGD</li> <li>f. Player Tracking Hardware/Software to System Network</li> <li>g. MGC Central Monitoring System</li> <li>h. Kiosks for Jackpot processing, Voucher Redemption, marketing and promotional</li> <li>i. Any associated interface or communication protocol required.</li> </ul>	<p>We can offer our protocol and interoperability engineering teams to consult with the commission in effort to layout the guidelines and objectives of this interoperability portion of testing. We understand that there will likely be particular objectives for each of the supported protocols across the various types of equipment which will drive the testing scope. Please let us know when the team would like to discuss in greater detail.</p> <p>Also, will this interoperability testing be conducted within a test environment that is maintained by the CITL independently from the GTL? Or will there be a shared test system or production mirror for which the testing shall be conducted with?</p> <p>Lastly, it is suggested that this section be moved to the purpose section because it defines applicability of the section rather than a part of the process.</p>	<p>MGC GTL may host these discussions once the ITL is certified and the GTECH central management system contract is complete.</p> <p>It will be the obligation of the CMS vendor (GTECH) to complete interoperability testing. This does not preclude CITL to do this work for the CMS vendor.</p> <p>Will update the document.</p>
10	Interoperability Testing Page 15	<p>3. Manufacturer will submit a written request to the MGC for interoperability testing</p> <p>Request will outline the Gaming Equipment involved in testing, supporting documentation related to function and operation of equipment, reason for testing, and expected outcomes</p>	<p>For cases where the CITL is conducting the interoperability testing, is the manufacturer still required to request this testing from the MGC?</p> <p>If so, shall the CITL check for evidence of this request and/or response/approval?</p> <p>Also, should this step come before the first step where the installation of the component under evaluation takes place?</p>	<p>No</p> <p>No</p> <p>To be reviewed</p>





11	Interoperability Testing	<p>6. <u>Each variation of the Gaming Equipment configuration</u> (i.e. cabinet, game operating system and theme software, <u>bill acceptor</u>, <u>ticket printer</u>, player tracking, or other associated equipment) must be tested and communicate with MGC CMS.</p>	<p>This process is certainly possible; however, it would require significant resources in many cases. For example, using a relatively simple example of a platform that supports 10 games themes that can be used with 2 different operating systems, 2 bill acceptors, 2 ticket printers, 2 associated software components (i.e. set/jur chips), and 3 PT systems....that is 480 permutations of configuration variations. We would suggest that the functionality of common configuration variations be assessed and then the GLC/MGC can set interoperability testing guidelines which are then monitored. As an example, testing interoperability with the MGC system in context of player tracking systems could be required for each gaming machine and each operating system/control program, but potentially not, for example, with each bill acceptor/ticket and game variation. This is because typically the control program is responsible for communication with the player tracking system and processing of related transactions, whereas the BV/printer plays no role in that process.</p> <p>A few points to consider are below:</p> <ol style="list-style-type: none"> <li>1. Bill acceptors and printers are typically not the focus of interoperability testing that we've conducted for other jurisdictions. The machines are kept updated with an approved version of firmware, but testing is not typically repeated if there are multiple or modified versions.</li> <li>2. Player tracking systems are sometimes included within scope of interoperability testing when they handle functions such as bonus transfers or ticketing validation. Testing</li> </ol>	<p>Interoperability testing incorporates the testing of gaming devices and any installed hardware, software or firmware to ensure proper communication with the Casino Management System. Any new or untested variation or combination of equipment must be retested to ensure proper communication and compliance.</p>
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#	Section	Standards	Comment Received	MGC Response
			<p>variations with each version of control program are typically run.</p> <p>Occasionally there can be multiple versions of a particular component approved. For example, there may be obsolete versions of control programs or associated software components that are not Revoked due to any regulatory reason, but they have just been updated for enhancements. If these are included within the configuration variations, the scope can expand quickly. Platform can have multiple component, but signatures must match.</p>	
12	Interoperability Testing	<p>7. Each component will be tested independently to each other to ensure proper compliance with established MGC standards.</p> <p>8. Each Electronic Gaming Device (EGD) and associated equipment will be tested as a single unit to ensure proper compliance to established MGC standards.</p>	<p>The gaming Equipment typically operates as a collection of various components from an interoperability standpoint. For instance, a device may consist of a machine, various hardware components, a control program, a game theme program, a jurisdictional chip, a printer, and a bill validator. Our understanding is this collective unit of components will be connected to the MGC system to execute a set of test steps which may involve enrollment, transactions, error detection, accounting, etc. We request clarification for this step which states that each component will be tested independently. There could be variations of a configurations that would require testing.</p>	<p>As associated equipment, each component must comply with established MGC standards. The collective unit of component will be required for interoperability testing.</p>



#	Section	Standards	Comment Received	MGC Response
13	Interoperability Testing	<p>9. Upon successful completion of <u>interoperability testing</u>, each EGD variation, each associated equipment device, and each program/software version <u>will be certified and approved</u> for use in the Commonwealth by MGC in accordance with established approval notifications.</p>	<p>Is there any sort of MGC approval notification that the CITL should be aware of <u>prior to</u> OR <u>after</u> issuing a report?</p> <p>Also, does the commission expect a different letter from the CITL for interoperability verses certification OR is it expected that one would always accompany the other.</p> <p>If the CITL could issue separate reports, would one be dependent on another in any scenario? For instance, would the CITL withhold an interoperability report until the certification testing is complete and approved OR would the CITL issue the interoperability report immediately even though the product may be updated as a result of further certification testing.</p>	<p>No</p> <p>Interoperability testing is a component of the overall product testing.</p> <p>The permitting process considers interoperability as part of the review process. Interoperability pertains to the EGD and the Central Monitoring System, since the individual components have already been tested with the EGD. The obligation is on the manufacturer to ensure interoperability with GTECH CMS.</p> <p>Certification of technical standards and interoperability can be separate processes as they are different processes with different requirements.</p>



#	Section	Standards	Comment Received	MGC Response
14	Certification Status Changes	Swim Chart	<p>Within the first workflow block, it is suggested that CITL status is specified as to not be confused with the actual MGC status referenced in step 5 of the process.</p> <p>The second workflow block indicates that the CITL shall notify the licensed operator and MGC of a revocation. Can we assume that the manufacturer is responsible for contacting the operator being that they will have knowledge of the placement of the product at the various operator facilities?</p> <p>Lastly, it is suggested that a workflow block be created between the second and third addressing the MGC decision point for revocation status.</p>	<p>OK</p> <p>CITL must notify the manufacturer and MGC. The manufacturer must notify the operator.</p> <p>Will review.</p>



#	Section	Standards	Comment Received	MGC Response
15	Certification Status Changes	<p>5. Based on the information provided, the severity of the failure and recommendation from the CITL, <u>MGC will determine the</u> nature of the revocation action.</p> <p>Immediate Revocation – if the failure is severe and impacts revenue, reporting, player confidence, safety or game outcome.</p> <p>Conditional Revocation – includes a grace period of 30-60-90 days for issues that do not impact game play, revenue, reporting, or integrity. Such minor issues could include game features, spelling errors, artwork changes, or help screen information.</p>	<p>Once the MGC makes a revocation determination, how will that information be communicated to the CITL and manufacturer?</p> <p>GLI can offer our web portal as means of communicating details of potential revocations and accompanying recommendations. This always could be used as a way for MGC /GTL to communicate comments and/or revocation timeframes in an efficient and organized way.</p> <p>As a general comment, please let us know if we can assist regarding the exchange of any other information or would like to discuss web-enabled ways of providing/retrieving real-time certification statuses, and we will engage our software team. We likely will have a tool already in use for another jurisdiction that we can work from to meet any particular convenience that MGC may wish to seek.</p> <p>Lastly, the use of the term “conditional revocation” is not consistent with commonly used industry terminology. This term is commonly used to represent a certification that is contingent upon its usage/operational configuration. As an example, a component may be conditionally revoked with the condition being “When used with the XYZ Bonusing system with SAS Advanced Funds Transfer (AFT) enabled.”</p>	<p>Through existing industry standard notification procedures.</p> <p>This option can be discussed after ITL certification.</p> <p>To be reviewed.</p> <p>To be reviewed.</p>



#	Section	Standards	Comment Received	MGC Response
16	Certification Status Changes	7. The licensed operator may request/submit for a Gaming Equipment change to allow the <u>affected</u> Gaming Equipment to be returned to service.	<p>Suggestion to modify the usage of the term “affected” because upon first review this was thought of to apply to a process which allowed an operator to place a component directly affected by the cause for revocation back in service. It’s now understood that this applies to the gaming equipment hardware which previously used the revoked component.</p> <p>Recommended change: “The licensed operator may request/submit for a Gaming Equipment change to allow the Gaming Equipment to be returned to service using components which are in an approved status.</p>	Document will be updated.
17	Gaming Equipment Removal Process	2. The removal request notification will contain at a minimum the following information: vii. <u>EPROM</u> number(s)	Suggestion to update “EEPROM number” to “Component IDs” because it is common for EGD software to be resident on various other forms of memory.	Document will be updated.



#	Section	Standards	Comment Received	MGC Response
18	Appendix A – Independent Test Laboratory Certification Checklist	<p>Verify Categories of Certification (205 CMR 144.06 (2)): Each independent testing laboratory must be certified for each category of testing for which the laboratory seeks to provide results. The categories of testing include:</p> <p>(a) Games and game variations;</p> <p>Verify Standards for Certification (205 CMR 144.06 (3)): To qualify for certification, the independent testing laboratory, must:</p> <p>Be accredited in accordance with ISO/IEC 17025 by an accreditation body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Agreement, unless the independent testing laboratory is only seeking certification for the <u>testing of games and game variations</u>;</p>	<p>Similar language regarding “Games and Game Variations” exists within Nevada regulations, which have been clarified to mean table (felt) games, whereas electronic games (slot machines) fall within other categories such as (B) Gaming Devices. Can the MGC please confirm that the <u>(A) Games and Game Variations</u> applies solely to non- electronic games, such as table games?</p>	<p>Document will be updated to clarify Games and Game Variations apply to non-electronic games.</p>
19	Appendix B – Gaming Equipment Certification, Permitting, Registration Checklist	<p>Licensed Manufacturer submits Gaming Equipment to Certified Independent Test Laboratory (CITL) and/or MGC Gaming Technology Laboratory (GTL).</p> <p>CITL/GTL tests Gaming Equipment according to applicable standards, processes and procedures.</p> <p>CITL/GTL issues Certification Letter to Licensed Manufacturer with Approved status, with copy to MGC GTL.</p>	<p>Depending on the response to index 14 where there is a question regarding whether the interoperability report would be separate from the certification report, this section may need to be supplemented because there currently is no specific reference to the interoperability report.</p>	<p>To be reviewed.</p>



#	Section	Standards	Comment Received	MGC Response
20	<b>MGC GTL Processes</b>		Are we to assume that the secondary test process by GTL is similar to that of Nevada, in that it is the State's choice to perform testing after CITL testing or is the GTL testing <u>in lieu</u> of CITL testing?	Yes
21	<b>MGC GTL Processes</b>		Do you have more insight into the criteria, costs and timeframes around the secondary test process and approvals?	Not at this time
22	<b>MGC GTL Processes</b>		Can we seek clarification on the field trial section on page 11? This section lists new games and new associated equipment and suggests that these items among others might fall under a regulatory field trial if they are have not been deployed in another jurisdiction for 45 days. The concern is that value-adding software updates and game content will require 45 days to get to market minimum. This might not be in the best interest of the manufacturer, the operator, and the State. Typically, other jurisdictions require new platforms to be field trialed, but not every game title or kiosk software modification, we just want to understand the intent and clarify expectations on this.	Field trial is an optional activity and is not required but done so under the discretion of the MGC.
23	<b>MGC GTL Processes</b>		What is your recommendation on demonstrating that the device has been operating in another jurisdiction for 45 days?	Appropriate documentation proving at least 45 days of operation.
24	<b>205 CMR 143.00</b>		We did not see any specifics on the play management system requirements, are there going to be specifics on how games should be configured on the system? Are there responsible gaming messages?	To be determined.





#	Section	Standards	Comment Received	MGC Response
25	<b>205 CMR 143.00</b>		143.12 – Although it appears that the network security requirements are more of an operator responsibility, we would ask that GLI-27 be considered as an alternative to NIST SP 800-53 and ISO/IEC 27001. Our experience has been that implementation of GLI-27 has been very practical.	To be reviewed.
26	<b>205 CMR 143.00</b>		143.16 - In regards to your central management system, are you going to be using the GTECH intelligen system? If so, have there been any announcements or postings regarding the version of system intended to be deployed and the minimum G2S classes and extensions required for implementation? Our development teams are anticipating a large amount of work in this area.	Yes, GTECH has been selected as the Central Monitoring System. Both SAS and G2S protocols are available for CMS communication.
27	General	GTL Draft	How does MGC intend to handle products that are deemed “uncontrolled” in accordance with GLI Standards? For example, there are several systems products that provide read-only capabilities or do not otherwise have an applicable standard to test against. In addition, the CITLs have developed a list of “controlled” files for those products that do fall under an applicable standard. How will modifications to products that fall outside of these “controlled” lists need to be handled from a submission standpoint?	To be reviewed for uncontrolled device submissions This is not currently part of MGC requirements.



#	Section	Standards	Comment Received	MGC Response
28	Exec. Summary - Pg. 3	<p>“The GTL will support systems for asset tracking, certification status and changes, and product testing, training, and approval. MGC’s GTL will endeavor to employ industry best practices in its operation, to automate business processes where possible, and to securely exchange relevant data with equipment manufacturers, CITL’s, and our licensees /casino operators.”</p>	<p>Have any automation tools been identified for use by GTL to support these systems?</p> <p>If yes, please advise those that were selected.</p> <p>If no, is the MGC interested in suggestions and/or does the MGC plan to consult with ITLs, licensed gaming equipment manufacturers, and licensed operators before selecting?</p>	<p>No additional tools, other than GTECH CMS, have been selected.</p> <p>MGC welcomes all suggestions for collaboration with the industry.</p>
29	Exec. Summary - Pg. 3	<p>Start requirements:</p> <p>“Advanced market logistics or planned sale of EGD configuration to MGC licensed operator”</p>	<p>What relation will the commercial transaction have to the submission/certification/permit transactions?</p> <p>I.e. Is it expected that a pending transaction will be required prior to manufacturers submitting game equipment to the CITL? Or, alternatively, required prior to the manufacturer applying for a permit of CITL certified equipment?</p> <p>SciGames suggests allowing the commercial transactions to remain independent of these business processes. Licensed operators and suppliers will have greater freedom to shape the market, and there will be no limitations on the availability of products and services due to unnecessary requirements for submission. The controls exist elsewhere within these processes to ensure that only permitted/registered product is used in Massachusetts.</p>	<p>The commercial transaction is between the operator and manufacturer and separate from the certification and permitting processes.</p>



#	Section	Standards	Comment Received	MGC Response
30	Exec. Summary - Pg. 3	<p>'Submit to CITL' and 'apply for MGC permit' requirements:</p> <p>"...request to certify EGD configuration..."</p> <p>and "Application for permit to operate EGD configuration..."</p>	<p>Will MGC only be permitting "EGD configurations", or will it be possible to get a permit for specific, interchangeable components (i.e. hardware or software)?</p> <p>Two examples...</p> <p>If the MGC has already permitted our Alpha II configuration, can we apply for a permit to use a new personality (game theme) in that Alpha II configuration?</p> <p>For the already permitted Alpha II configuration, can we apply for a permit to use an alternative bill validator (i.e. either/or) without applying for a full new Alpha II configuration?</p> <p>It will be extremely helpful to learn what a permit is intended to include, whether it be a full configuration or individual parts.</p>	<p>EGD configuration will be permitted as a complete unit.</p> <p>Any modifications, enhancements or changes to an already approved EGD must be permitted and interoperability verified.</p> <p>Each alternate hardware or software configuration will require permitting and approval.</p>
31	Exec. Summary - Pg. 3	"Application for permit to operate EGD configuration ..."	<p>SciGames requests additional detail regarding MGC required processes to issue a permit. Specifically, will the GTL have the ability to issue permits at any time/date or will the determinations be made on a fixed schedule or event occurrence (ex. monthly Commission hearing)?</p>	The GTL will set the schedule but the goal is within 45 days.
32	Exec. Summary - Pg. 3	Manufacturer must obtain permit to operate EGD configuration in MA before they "complete sales transaction with license operator/device shipment"	<p>It is not uncommon for larger operators to maintain their own test lab for gaming equipment. Operator test labs do not appear to be accounted for within the proposed processes. What requirements, if any, must be met to enable SciGames to ship gaming equipment to an operator for "user acceptance testing" within the operator's test lab prior to CITL certification?</p>	These specifics are between the operator and manufacturer. MGC must be notified of shipment, location and intended use.



#	Section	Standards	Comment Received	MGC Response
33	Definitions - Pg. 4	Associated Equipment: “...progressive signage and systems, and casino management systems.”	Note: Common industry acronym is AE.  Is it expected that off-the-shelf equipment, used as AE, will require submission and permitting, or just the software that uses it? (Ex. flat screen TVs or monitors used for progressive signage, computers use for CMP systems, or tablets used for wireless gaming, etc.)	Non-gaming, non-permitted equipment is non associated equipment.
34	Definitions - Pg. 4 (also Pg. 8)	Gaming Equipment: “Gaming Equipment refers to... Wireless wagering devices;”	SciGames requests clarification regarding wireless wagering devices. Specifically, if the device intended for use in wireless gaming is ‘off-the-shelf’, will it require submission and permitting, or just the software that uses it?	To be determined based on wireless gaming regulations.
35	Definitions - Pg. 4 (also Pg. 8)	Gaming Equipment: “Gaming Equipment refers to...  Slot monitoring systems and casino management systems;”	Note: Common industry acronyms are SMS and CMS.  Many systems (SMS and/or CMS) are comprised of a collection of modules rather than a singular piece of software. It is not uncommon for manufacturers to seek certification for only one module, independent of the SMS/CMS system itself. Is it expected that this approach will be employed for Massachusetts, or will a full submission of the SMS/CMS be required in order to add or update a module?	The MGC will require certification of any module(s) that are part of the SMS/CMS system to be installed.  If it is part of the system configuration, it will need to be certified.



36	Permitting - Pg. 7-9	Gaming Equipment Permitting Process in general	<p>SciGames requests clarification regarding certain controls within the certification/permitting process. For example, the use of “and/or” creates ambiguity as to the following:</p> <p>Is the submission a two-part or three-part process? I.e. which of the following is more accurate...</p> <p>Submit to CITL <u>or</u> GTL &gt; apply for permit; or</p> <p>Submit to CITL &gt; secondary to GTL &gt; apply for permit; or</p> <p>Other, not described.</p> <p>Please confirm that we are not required to submit for both a CITL certification <u>and</u> a GTL certification.</p> <p>Are decisions related to “and/or” instances controlled by SciGames or the GTL? I.e. will it be SciGames choice?</p> <p>If not SciGames choice, how and when will the decision be communicated to us?</p> <p>If not SciGames choice, what factors will determine whether we submit to the CITL or GTL for certification?</p> <p>Will there be specific criteria that <u>require</u> a product to be submitted direct-to-GTL?</p> <p>Will there be specific criteria that must be met to qualify for direct-to-GTL submission?</p> <p>What is the expected rate/cost for GTL certification testing?</p> <p>If submitted direct-to-GTL for certification, will we be allowed to apply for a permit simultaneously or will we be required to wait for</p>	<p>Certification request are for the CITL and any testing by the GTL is at the discretion of the MGC.</p> <p>Decisions are controlled by MGC – GTL</p> <p>Through the CITL and MGC.</p> <p>Certification request are for the CITL and any testing by the GTL is at the discretion of the MGC.</p> <p>No</p> <p>No</p> <p>To be determined based on standard industry rates.</p> <p>To be determined.</p>
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#	Section	Standards	Comment Received	MGC Response
			<p>the certification?            We recognize some potential efficiency in the proposed processes. But without better clarity, and possibly some additional dialog, we are concerned about potential risks due to the lack of specific guidance.</p>	<p>MGC welcomes the opportunity for additional dialog and collaboration with the industry.</p>
37	Permitting - Pg. 7 - 8	<p>“1. ... The following gaming devices require permitting and registration by the commission ...” (too many items to list)</p>	<p>Please advise the GTL’s expectation regarding Utility products (shufflers, i-Shoe, etc.) and live table games (205 CMR 143.10 says “reserved”). Some questions related to these products:</p> <p>Will shufflers be considered non-approvable for the time being?</p> <p>This process mentions “Table games bonus systems”, but nothing about live table games. What is the expectation for live table games? And how is “Table games bonus systems” defined?</p> <p>This process does not mention table game progressives, but does include “progressive systems. Are progressives on table games reviewable?</p>	<p>This section will be removed as permitting only applies to electronic gaming devices (EGD).</p>



#	Section	Standards	Comment Received	MGC Response
38	Permitting - Pg. 8	<p>“2. Upon request, the manufacturer, at their expense, shall install a minimum of one sample of the Gaming Equipment to the MGC Gaming Technology Laboratory (GTL) location for review.”</p>	<p>SciGames has several questions and concerns related to this requirement. It has been our experience that one or more samples of gaming equipment can take significant space and power to support. Other state labs have experienced difficulties due to space and power issues, even after being established for many years, which created significant delays to market placement.</p> <p>Some questions related to the GTL lab equipment needs:</p> <p>Will they have room to accommodate something like Table Master Fusion or Vegas Star? We do have “lab” versions, but the footprint is still larger than a standard gaming device.</p> <p>Is the obligation to supply equipment to GTL <u>only</u> if the “and” of the “and / or” discretionary clause is invoked? Or do we provide equipment to the MGC GTL 100% of the time, including when we submit to a CITL?</p> <p>Is it possible to get additional information on when this may be required? The language is vague and appears to indicate an option that some submissions may not require additional testing by GTL. For Systems products, it takes a considerable effort to acquire the necessary hardware and resources to perform the required installations in a lab. We will need to coordinate well in advance of a submission to prevent unnecessary delays in the process. Clarification as to what the GTL intends to test in addition to CITL testing would be helpful.</p>	<p>Equipment will be requested as needed at the discretion of the MGC GTL.</p> <p>MGC GTL will request equipment as needed.</p> <p>All requested are at the discretion of the MGC GTL and are as needed.</p>



#	Section	Standards	Comment Received	MGC Response
39	Permitting - Pg. 8	“3. The CITL and/or GTL will test the Gaming Equipment in accordance with established and accepted testing scripts based on the appropriate laboratory, jurisdictional, and MGC standards that are applicable to the submission.”	Does the MGC GTL envision authoring of their own test scripts? Collaborating with CITLs to create unified test scripts? Adopting CITL standardized test scripts? Or other not indicated here?  If authoring their own, will the CITLs be expected to use these test scripts?	MGC will not maintain test scripts and will rely on the CITL for testing to the adopted technical standards.
40	Permitting - Pg. 8	“6. Once the Gaming Equipment is certified by the CITL or GTL, the Gaming Equipment Permitting documentation and fees shall be submitted to the GTL. ...  a. through b. et al”	In relation to the GTL permit application process, please advise if there will there be a MGC-supplied form to meet the requirements noted in this section. Or alternatively, will each submitting party be required to create a document that complies with the requirements listed?	Form currently under development.
41	Permitting - Pg. 9	“6.a.iv. List of all jurisdictions in which the Gaming Equipment has been granted or denied licensure or registration.”	Please explain the purpose and expectation regarding this list as it is unclear what benefit is provided to the MGC permitting process.  We recognize this is required by regulation 205 CMR 144.02(2)(e). However, it is important to note that this list will always be a “snapshot” related to the moment it was created, and may no longer be current when the permit application is processed by the GTL.	Current operating state of the EGD as it is approved in various jurisdictions is acceptable.





#	Section	Standards	Comment Received	MGC Response
42	Permitting - Pg. 9	<p>“6.b. Permitting fees of \$500 per CMR 144.05 (1).</p> <p>i. If the MGC’s cost of testing shall exceed the initial permitting fee, ...”</p>	<p>SciGames requests clarification regarding the following:</p> <p>It is unclear how the \$500 permit fee is associated. Specifically, if we include a complete cabinet configuration (i.e. cabinet, printer, button panel, game software, OS, etc.) on our permit application, is that a single permit fee?</p> <p>Is this indicating that we pay at the time we apply for the permit?</p> <p>If not #2, what method does MGC envision for us to remit payment? Monthly billings? Prepaid escrow (fund on account)? Other?</p> <p>In relation to 6.b.i., how will we be notified that the cost of testing exceeded the initial permitting fee? Also note that this creates additional confusion related to permitting. Particularly, what testing is expected to occur after the certification testing has been completed? How and when will we learn that additional testing is required to attain a permit?</p>	<p>Yes. Permit fee is a per device configuration cost.</p> <p>To be determined.</p> <p>Permit fee is separate from any testing costs.</p>
43	Permitting - Pg. 9	<p>“8.b. A conditional letter of approval may be issued to the manufacturer stating the requirements for a live field trial for a specified length of time. See Field Trial Process.”</p>	<p>Will every conditional approval require field trial?</p> <p>SciGames suggests allowing certain types of conditional approvals without field trial.</p> <p>For example, a game theme may include payable variants below the minimum RTP allowed for a jurisdiction. Often that theme will receive an approval with the condition that any variant that does not meet the minimum RTP requirement must be disabled or not be possible to be enabled.</p>	<p>Yes , however field trials will be at the discretion of the MGC.</p>



#	Section	Standards	Comment Received	MGC Response
44	Prototype - Pg. 10	Swim chart	It appears from this diagram that a permit is not required to field trial a prototype product. Is this correct?	No, a permit is required for prototype products.
45	Prototype - Pg. 10	Prototype Process in general	What factors will the MGC use to identify a product as a prototype?	To be determined based on regulatory standards.
46	Prototype - Pg. 10	“... A prototype product is defined as ... that has not been in operation in any licensed gaming jurisdiction prior to its introduction in the Commonwealth.”	Does the GTL plan to consider foreign “licensed gaming jurisdictions” (ex. Canada) for this operational parameter, or only US jurisdictions?  If only US jurisdictions, we recommend the following clarification be added:  “... A prototype product is defined as ... that has not been in operation in any licensed <u>US</u> gaming jurisdiction prior to its introduction in the Commonwealth.”	To be reviewed.
47	Prototype - Pg. 11	“2.a. A field trial conditional letter may be issued to the manufacturer stating the requirements for a live field trial for up to 45 days. ...”	Is there a minimum time period for trials?	There is no defined minimum trial period. Each field trial will be at the discretion of the MGC.
48	Prototype - Pg. 11	“2.a.ii. The manufacturer may resubmit the product to the CITL and/or GTL for MGC unconditional approval at the end of the field trial period.”	If the prototype product has already received a CITL certification, what is the purpose of resubmitting? Would it not be more efficient to immediately apply for a permit, using the previously provided CITL certification?  Additionally, will there be supplemental costs (CITL, GTL, or both) associated with this resubmission?  Please note that any added cost/time to achieve a final approval may cause manufacturers to delay submission for Massachusetts. MGC licensed operators will not have access to the newest products and features, and may see delays of several months for the products to become available.	To be reviewed.  To be determined.



#	Section	Standards	Comment Received	MGC Response
49	Field Trial - Pg. 12	Field Trial Process in general	We identified licensed operator requirements within the field trial process, but did not see any manufacturer requirements. What is the expectation of the GTL with regard to supplier support in general or specifically supplier maintained products such as linked/wide-area progressive games?	Any support will be coordinated between the operator and the manufacturer to ensure a successful field trial.
50	Field Trial - Pg. 12	<p>“2. The licensed operator submits an electronic field trial request ... for the field trial gaming equipment.</p> <p>a. The request shall include all the necessary EGD information required, including the field trial conditional letter.”</p>	This step in the process could be improved by allowing the field trial request to be submitted by either the licensed operator or the manufacturer, provided the request from the manufacturer includes all necessary information and confirmation from the licensed operator. Often the necessary product information is more readily available from the manufacturer.	To be reviewed.
51	Field Trial - Pg. 13	<p>“12. MGC decision per Gaming Equipment Certification Process flow</p> <p>a. MGC will draft a formal ... approval letter to the manufacturer ...</p> <p>b. Licensed Operator can then process and submit the necessary paperwork to the MGC to install, inspect and operate the approved Gaming Equipment in accordance with established MGC standards.”</p>	This process step is confusing. It identifies certification, which should have been attained prior to field trial approval. It does not identify permitting, and instead references licensed operator efforts (assuming this intends registration for placement). If field trial is allowed without requiring a permit, but it does require a certification, then it appears that certification should be complete, but permitting is still needed prior to any placement request (as in b.).	With the exception of a required field trial, EGD certification and permitting is required prior to EGD placement on a gaming floor.



#	Section	Standards	Comment Received	MGC Response
52	Interop - Pg. 14	Interoperability Testing in general	<p>SciGames recognizes the need for interop testing. However, it is unclear as to whether or not the GTL will accept results from interop testing performed by a CITL. Please confirm that (1) CITL interop testing will be accepted, and (2) what interop testing (if any) <u>must</u> be performed by the GTL.</p> <p>It is common practice to include a request for interop testing, when required, along with CITL certification testing. This is primarily based on the fact that established CITLs already have the necessary equipment (including interop-capable equipment from other manufacturers), which eliminates significant time and cost overhead to get interop certified.</p>	Testing results may be accepted from the CITL but at its discretion the MGC can require additional validation and testing.
53	Interop - Pg. 14 - 15	<p>“Interoperability testing includes, but not limited to, ... including:</p> <p>i. Any associated interface or communication protocol required.”</p>	SciGames did not find cashless transactions (ex. CEP, NCEP and WAT) in the list provided. Is it MGC’s expectation that these types of transactions are considered under “i.”?	MGC requires interoperability between all devices, systems, interfaces and components.



#	Section	Standards	Comment Received	MGC Response
54	Interop - Pg. 15	<p>“3. Manufacturer will submit a written request to the MGC for interoperability testing</p> <p>a. Request will outline the Gaming Equipment involved in testing, supporting documentation related to function and operation of equipment, reason for testing, and expected outcomes.”</p>	<p>In support of our general comment above on interop testing, we recommend allowing CITLs to perform interop testing whenever possible. Additionally, we request clarification regarding the need for an extra written request?</p> <p>Our formal submission request is intended to achieve certification. When interop testing is applicable to certification, that testing should be included within the certification request. As such, requiring a separate written request (as indicated here) provides no benefit to the overall process. In fact, it is likely to create a great deal of unnecessary work and delays.</p> <p>If an interop testing request can be included with the initial submission request, and there is no other need, we recommend eliminating this requirement.</p>	<p>One formal request for certification testing and interoperability testing is acceptable.</p>
55	Interop - Pg. 15	<p>“4. Manufacturer will provide all necessary hardware and software applicable to the interoperability testing to the MGC GTL/CITL prior to the start of any testing.”</p>	<p>This requirement may not be possible in all cases. If a SciGames product is required to be interop tested with another manufacturer’s product, how are we supposed to provide the non- SciGames product?</p> <p>This requirement should reside with the lab (GTL or CITL) to coordinate.</p> <p>Separate but related... is the GTL planning to receive a system from each licensed manufacturer? This is likely to create a significant resource burden.</p>	<p>An individual manufacturer is required to support interoperability testing as needed but is not required to provide support on other manufacturer’s products.</p> <p>Correct, this requirement resides with the CITL/GTL to coordinate.</p> <p>Systems will be required and received by GTL as necessary for testing.</p>



#	Section	Standards	Comment Received	MGC Response
56	Interop - Pg. 15	"5. Manufacturer will provide the necessary support and training as requested by the MGC GTL to expedite the interoperability testing process."	Please confirm that this requirement is specific to the manufacturer submitted product. As with the prior comment, SciGames can support and train on the SciGames product being interop tested, but should not be expected to provide support and training on any non-SciGames product.	Manufacturers are required to support interoperability testing and provide guidance as needed as it relates to the operation of the system and related gaming devices but are not required to provide training on other manufacturer's products.
57	Interop - Pg. 15	"8. Each Electronic Gaming Device (EGD) and associated equipment will be tested as a single unit to ensure proper compliance to established MGC standards."	Please explain the term "single unit" as used here. For example, is an EGD configuration considered a single unit for interop testing with a CMS?	Yes, however the "single unit" designation is specific to the configuration and components installed in the EGD.



#	Section	Standards	Comment Received	MGC Response
58	Cert. Status Change - Pg. 16	<p><b>“Purpose</b></p> <p>From time to time ... associated equipment, may fail... Failure could be operational ... or for issues concerns raised by the manufacturer....</p> <p><b>Process</b></p> <p>3. If the Gaming Equipment manufacturer or CITL becomes aware of ... /software failure, they shall immediately notify MGC in writing.”</p>	<p>SciGames requests clarification regarding nebulous terms and areas of concern in this section.</p> <p>First, the term failure seems very broad. It implies that every “hiccup” in operation or potential “bug” in the code would be grounds for revocation. Depending on the MGC’s interpretation of “failure”, the certification status change process could involve a rather large and burdensome number of notifications for both the manufacturer and the GTL.</p> <p>Second, we are concerned by the inclusion of “other jurisdictions” and “other gaming authorities” in the failure description. Based on the differences in regulations and standards, it is entirely possible that an issue arising in another jurisdiction might not be applicable in Massachusetts. Alternatively, other authorities may apply interpretive analysis in their “failure” determination that is inconsistent with MGC’s intent. Is it the MGC’s plan to apply these other determinations as a part of their status change process, or simply consider them during their evaluation?</p> <p>Third, the term “immediately” lacks definition. As we have observed in other jurisdictions, a defined response/notification period is far more functional. We suggest replacing immediately with a defined period of time similar to the industry standard of 48 hours.</p>	<p>The goal here is to provide transparency for any problems or issues that arise during testing and to ensure they are properly documented.</p> <p>The goal here is to provide transparency related to any problems or issues that arise in other jurisdictions so they may be properly communicated and documented.</p> <p>Standard notification period of 48 hours will be updated in the document.</p>



#	Section	Standards	Comment Received	MGC Response
59	Cert. Status Change - Pg. 17	"5.b. Conditional Revocation – includes a grace period of 30- 60-90 days for issues that do not impact game play, revenue, reporting, or integrity. Such minor issues could include game features, spelling errors, artwork changes, or help screen information."	Given that spelling errors and help screen information is included separately here, please provide an example where artwork changes might require conditional revocation.	To be determined based on security, integrity and public trust that may be of concern.
60	Cert. Status Change - Pg. 17	"9. Once approved, the licensed operator may submit a request for a Gaming Equipment component change to place the affected equipment back in service on the casino floor."	SciGames suggests using the MGC approval of the component (referenced in 8.) as approval to install rather than utilizing a separate request.	To be reviewed.
61	Registration / Install - Pg. 18	"1. The Licensed Manufacturer completes the Gaming Equipment sale/lease process and the individual Licensed Operator will process the Gaming Equipment purchase order in accordance with established purchasing and procurement procedures for the licensed operator and MGC."	Is it MGC's understanding that the "sale/lease process" identified here is a business transaction to be completed by manufacturers and operators independently from the registration process described here?  If not, please explain the "sale/lease process".	Yes, the sale/lease process is an independent process separate from the EGD registration process.
62	Registration / Install - Pg. 18	"2. The Gaming Equipment manufacturer will coordinate the shipment and installation of Gaming Equipment with the Licensed Operator, with notification to MGC.  3. The Gaming Equipment manufacturer will submit an electronic notification to the MGC GTL and the Licensed Operator ..."	Will it be satisfactory to the MGC for SciGames to accomplish the notification referenced in "2." and the electronic notification referenced in "3." via the same method? Does the MGC have any requirements for the electronic notification method (i.e. email or other tool specified by MGC)? Can MGC provide any details regarding context and format by which manufacturers and operators will be required to execute this process?	Communication channels to be determined.
63	Registration / Install - Pg. 19	"3.a.vi. Other information as required by the MGC Central Monitoring System"	Please provide an example of other information envisioned by MGC for this notification.	To be determined.





#	Section	Standards	Comment Received	MGC Response
64	Registration / Install - Pg. 19	<p>“5. Based on the EGD information ... MGC GTL will verify this information ... assign a unique MGC asset tag ... and register the EGD to the specific licensed operator via the CMS.</p> <p>6. When the EGD shipment is verified, the licensed operator will attach the appropriate MGC GTL asset tag to the corresponding EGD prior to being placed into the licensed operator’s inventory or on the gaming floor.”</p>	Will this also apply to Utility products? Shufflers, shoes, etc.	Asset tags will only be applicable to electronic gaming equipment connected to the CMS.
65	Removal - Pg. 21	“5. ... This is the only time that the MGC GTL asset tag is to be removed from an EGD.”	Please note that non-native tags, stickers, or other identifiers are often tampered with by patrons (common habitual activity). Depending on the placement and durability of the MGC GTL asset tag, such tampering could render the asset tag incomprehensible or result in complete removal through no fault of the licensed operator.	The operator is responsible to ensure that the proper MGC GTL asset tag is legible and properly affixed to each EGD.



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February 12, 2015

Mr. John R Glennon  
Massachusetts Gaming Commission  
101 Federal Street 23rd Floor  
Boston, MA 02110

**RE: MGC Draft of GTL Business Processes**

Dear Mr. John R. Glennon,

This letter documents the result of a review performed by **Gaming Laboratories International, LLC** (GLI) of the proposed document, "Gaming Technology Lab: Standard Operating and Business Processes."

The GLI team appreciates the opportunity to comment on this important document and looks forward to assisting the Massachusetts Gaming Commission and Gaming Technology Lab in further refining the details of the certification process. We hope that the below feedback is useful and please understand that we are immediately available to clarify or further discuss any of the items presented below.

Additionally, please let us know if we may be of any further assistance on this or any other matter.

Sincerely,  
GAMING LABORATORIES INTERNATIONAL, LLC

Patrick Moore  
Senior Technical Compliance Director

pm/ck

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Index	Section	Citation, as applicable	GLI Comments
1	Executive Summary	Swim Chart	<p><i>Our understanding of the dotted lines within the swim chart is these are optional processes. Are these optional processes done "in addition to" or as a substitute for the CITL testing efforts?</i></p> <p><i>Also, what is the trigger for these options? That is, will the GTL/MGC determine when they are executed or does the manufacturer have the option to choose whether to exercise them?</i></p>
2	Gaming Equipment Permitting Process	<p>1. Gaming Equipment products shall be submitted to a certified independent testing laboratory (CITL) and/or the MGC Gaming Technology Laboratory (GTL) by a licensed manufacturer prior to its introduction to the marketplace. The following gaming device require permitting and registration by the commission (CMR 144.01 (2)):</p> <p>...</p> <p>(o) Devices used in conjunction with gaming devices such as bill acceptors, printers, and coin acceptors <u>that are not integrated into and tested as part of another gaming device.</u></p>	<p><i>We believe that we understand the intent of this section but feel that it may cause confusion as currently written. As a portion of the testing process for bill validators, printers, and coin acceptors, they are installed into the gaming device and tested as a unit, which may cause confusion with the "tested as part of another gaming device" language. A potential update would be to conclude the sentence after "coin acceptors."</i></p>
3	Gaming Equipment Permitting Process	<p>4. <u>The CITL will notify the manufacturer and GTL in writing of any testing failures or errors.</u> The manufacturer will have a <u>cure period</u> to resubmit corrected items to continue the review process.</p>	<p><i>The number of pre-certification issues that are generated in the potentially many revisions that can exist prior to receiving a product that is suitable for certification can be significant. Additionally, the effort associated with generating issue documentation in a format suitable for formal review is also significant. This type of request has typically been satisfied for other regulatory agencies, such as Nevada GCB, by providing detail within the certification reports which describes any limitations in testing, important considerations for configuration, or any sort of unresolved item which could impact the deployment of the product rather than additionally include details of the many issues found which no longer impact the component that was ultimately certified.</i></p>

Index	Section	Citation, as applicable	GLI Comments
			<p><i>Additionally, are there any further details or provisions surrounding the mentioned cure period?</i></p>
4	Gaming Equipment Permitting Process	<p>The GTL will submit a formal letter of review to the MGC recommending approval of the Gaming Equipment.</p> <ol style="list-style-type: none"> <li>a. MGC may issue an unconditional approval letter to the manufacturer, stating the reviewed Gaming Equipment is approved and may be installed at a licensed gaming facility, subject to the defined installation and inspection processes.                             <ol style="list-style-type: none"> <li>i. At this point the EGD/OEM manufacturer may proceed with the sales and/or floor installation process with the licensed operator.</li> </ol> </li> <li>b. <u>A conditional letter of approval may be issued to the manufacturer stating the requirements for a live field trial</u> for a specified length of time. See Field Trial Process.</li> </ol>	<p><i>Is it possible that there be other types of conditions associated with an approval other than a requirement for field trial? For instance, if a particular feature shall not be authorized for configuration, could this condition be placed within the unconditional approval letter referenced within (A)? Or is this another type of configuration which would be suitable to include included within conditional letter referenced in (B)?</i></p>
5	Prototype Process	<p>A prototype product shall be submitted to a certified independent testing laboratory (CITL) by a licensed manufacturer prior to its introduction to the marketplace as per the Gaming Equipment <u>Certification</u> Process above.</p>	<p><i>Suggestion to alter "Certification" to "Permitting" to align with the title of the referenced section.</i></p>
6	Prototype Process	<p>Once the Gaming Equipment review process is complete, and if the prototype product has not been available for public use in other jurisdictions for at least 45 days (per CMR 144.02 (5)), the GTL will submit a formal letter requesting field trial to the MGC recommending a field trial period for the prototype product.</p> <ol style="list-style-type: none"> <li>a. A field trial conditional letter may be issued to the manufacturer stating the requirements for a live field trial for up to 45 days. This field trial conditional letter will contain a listing of issues to be address, monitored, or demonstrated during the trial</li> </ol>	<p><i>Regarding the underlined text, can we assume that if a product must be altered based on results of the field trial, that the product MUST be submitted to the CITL/GTL for formal certification?</i></p> <p><i>Also, is there a benefit or motivation for the manufacturer to resubmit the product at the end of field trial for an unconditional letter (assuming the product does not need to be altered further)?</i></p>

Index	Section	Citation, as applicable	GLI Comments
		<p>period.</p> <ul style="list-style-type: none"> <li>i. Once a field trial conditional letter is issued, the MGC GTL will monitor the conditions during the field trial period.</li> <li>ii. <u>The manufacturer may resubmit the product to the CITL and/or GTL for MGC unconditional approval at the end of the field trial period.</u></li> <li>iii. The manufacturer may not modify or withdraw the product during the field trial period without prior authorization of the GTL.</li> </ul>	
7	Interoperability Testing	Swim Chart	<i>Suggestion to add "and/or CITL" to the second workflow block</i>
8	Interoperability Testing	<u>The Gaming Equipment manufacturer installs the Gaming Equipment at GTL or CITL location.</u>	<p><i>We assume that it is acceptable for the manufacturers to ship the components to the CITL for our engineers to assemble and install?</i></p> <p><i>Also, how is it ultimately determined which organization will conduct the interoperability testing (GTL or CITL)?</i></p>
9	Interoperability Testing	<p>2. Interoperability testing includes, but not limited to, the Gaming Equipment and all associated equipment, software and systems required for Central Monitoring System communication, including:</p> <ul style="list-style-type: none"> <li>a. EGM and game theme/model programs</li> <li>b. Bill Acceptor</li> <li>c. Ticket Printer</li> <li>d. EGM to Voucher Redemption (TITO) System to Casino Management System</li> <li>e. Player Tracking Hardware/Software to EGD</li> <li>f. Player Tracking Hardware/Software to System Network</li> <li>g. MGC Central Monitoring System</li> <li>h. Kiosks for Jackpot processing, Voucher Redemption, marketing and promotional</li> <li>i. Any associated interface or communication protocol required.</li> </ul>	<p><i>We can offer our protocol and interoperability engineering teams to consult with the commission in effort to layout the guidelines and objectives of this interoperability portion of testing. We understand that there will likely be particular objectives for each of the supported protocols across the various types of equipment which will drive the testing scope. Please let us know when the team would like to discuss in greater detail.</i></p> <p><i>Also, will this interoperability testing be conducted within a test environment that is maintained by the CITL independently from the GTL? Or will there be a shared test system or production mirror for which the testing shall be conducted with?</i></p> <p><i>Lastly, it is suggested that this section be moved to the purpose section because it defines applicability of the section rather</i></p>

Index	Section	Citation, as applicable	GLI Comments
			<p><i>than a part of the process.</i></p>
10	Interoperability Testing	<p><u>3. Manufacturer will submit a written request to the MGC for interoperability testing</u></p> <p>a. Request will outline the Gaming Equipment involved in testing, supporting documentation related to function and operation of equipment, reason for testing, and expected outcomes</p>	<p><i>For cases where the CITL is conducting the interoperability testing, is the manufacturer still required to request this testing from the MGC?</i></p> <p><i>If so, shall the CITL check for evidence of this request and/or response/approval?</i></p> <p><i>Also, should this step come before the first step where the installation of the component under evaluation takes place?</i></p>
11	Interoperability Testing	<p><u>6. Each variation of the Gaming Equipment configuration</u> (i.e. cabinet, game operating system and theme software, <u>bill acceptor</u>, <u>ticket printer</u>, player tracking, or other associated equipment) must be tested and communicate with MGC CMS.</p>	<p><i>This process is certainly possible; however, it would require significant resources in many cases. For example, using a relatively simple example of a platform that supports 10 games themes that can be used with 2 different operating systems, 2 bill acceptors, 2 ticket printers, 2 associated software components (i.e. set/jur chips), and 3 PT systems....that is 480 permutations of configuration variations. We would suggest that the functionality of common configuration variations be assessed and then the GLC/MGC can set interoperability testing guidelines which are then monitored. As an example, testing interoperability with the MGC system in context of player tracking systems could be required for each gaming machine and each operating system/control program, but potentially not, for example, with each bill acceptor/ticket and game variation. This is because typically the control program is responsible for communication with the player tracking system and processing of related transactions, whereas the BV/printer plays no role in that process.</i></p> <p><i>A few points to consider are below:</i></p> <p><i>1. Bill acceptors and printers are typically not the focus of interoperability testing that we've conducted for other jurisdictions. The machines are kept updated with an approved version of firmware, but testing is not typically repeated if there are multiple or modified versions.</i></p>

Index	Section	Citation, as applicable	GLI Comments
			<p>2. Player tracking systems are sometimes included within scope of interoperability testing when they handle functions such as bonus transfers or ticketing validation. Testing variations with each version of control program are typically run.</p> <p>3. Occasionally there can be multiple versions of a particular component approved. For example, there may be obsolete versions of control programs or associated software components that are not Revoked due to any regulatory reason, but they have just been updated for enhancements. If these are included within the configuration variations, the scope can expand quickly.</p>
12	Interoperability Testing	<p>7. <u>Each component will be tested independently</u> to each other to ensure proper compliance with established MGC standards.</p> <p>8. Each Electronic Gaming Device (EGD) and associated equipment will be tested as a single unit to ensure proper compliance to established MGC standards.</p>	<p>The gaming Equipment typically operates as a collection of various components from an interoperability standpoint. For instance, a device may consist of a machine, various hardware components, a control program, a game theme program, a jurisdictional chip, a printer, and a bill validator. Our understanding is this collective unit of components will be connected to the MGC system to execute a set of test steps which may involve enrollment, transactions, error detection, accounting, etc. We request clarification for this step which states that each component will be tested independently.</p>
13	Interoperability Testing	<p>9. <u>Upon successful completion of interoperability testing</u>, each EGD variation, each associated equipment device, and each program/software version <u>will be certified and approved</u> for use in the Commonwealth by MGC in accordance with established approval notifications.</p>	<p>Is there any sort of MGC approval notification that the CITL should be aware of <u>prior to</u> OR <u>after</u> issuing a report?</p> <p>Also, does the commission expect a different letter from the CITL for interoperability verses certification OR is it expected that one would always accompany the other.</p> <p>If the CITL could issue separate reports, would one be dependent on another in any scenario? For instance, would the CITL withhold an interoperability report until the certification testing is complete and approved OR would the CITL issue the interoperability report immediately even though the product may be updated as a result of further certification testing.</p>

Index	Section	Citation, as applicable	GLI Comments
14	Certification Status Changes	Swim Chart	<p><i>Within the first workflow block, it is suggested that CITL status is specified as to not be confused with the actual MGC status referenced in step 5 of the process.</i></p> <p><i>The second workflow block indicates that the CITL shall notify the licensed operator and MGC of a revocation. Can we assume that the manufacturer is responsible for contacting the operator being that they will have knowledge of the placement of the product at the various operator facilities?</i></p> <p><i>Lastly, it is suggested that a workflow block be created between the second and third addressing the MGC decision point for revocation status.</i></p>
15	Certification Status Changes	<p>5. Based on the information provided, the severity of the failure and recommendation from the CITL, <u>MGC will determine the nature of the revocation action.</u></p> <ul style="list-style-type: none"> <li>a. <u>Immediate Revocation</u> – if the failure is severe and impacts revenue, reporting, player confidence, safety or game outcome.</li> <li>b. <u>Conditional Revocation</u> – includes a grace period of 30-60-90 days for issues that do not impact game play, revenue, reporting, or integrity. Such minor issues could include game features, spelling errors, artwork changes, or help screen information.</li> </ul>	<p><i>Once the MGC makes a revocation determination, how will that information be communicated to the CITL and manufacturer?</i></p> <p><i>GLI can offer our web portal as means of communicating details of potential revocations and accompanying recommendations. This always could be used as a way for MGC /GTL to communicate comments and/or revocation timeframes in an efficient and organized way.</i></p> <p><i>As a general comment, please let us know if we can assist regarding the exchange of any other information or would like to discuss web-enabled ways of providing/retrieving real-time certification statuses, and we will engage our software team. We likely will have a tool already in use for another jurisdiction that we can work from to meet any particular convenience that MGC may wish to seek.</i></p> <p><i>Lastly, the use of the term “conditional revocation” is not consistent with commonly used industry terminology. This term is commonly used to represent a certification that is contingent upon its usage/operational configuration. As an example, a component may be conditionally revoked with the</i></p>



Index	Section	Citation, as applicable	GLI Comments
			condition being "When used with the XYZ Bonusing system with SAS Advanced Funds Transfer (AFT) enabled."
16	Certification Status Changes	7. The licensed operator may request/submit for a Gaming Equipment change to allow the <u>affected</u> Gaming Equipment to be returned to service.	<p>Suggestion to modify the usage of the term "affected" because upon first review this was thought of to apply to a process which allowed an operator to place a component directly affected by the cause for revocation back in service. It's now understood that this applies to the gaming equipment hardware which previously used the revoked component.</p> <p>Recommended change: "The licensed operator may request/submit for a Gaming Equipment change to allow the Gaming Equipment to be returned to service using components which are in an approved status.</p>
17	Gaming Equipment Removal Process	2. The removal request notification will contain at a minimum the following information: vii. <u>EPROM</u> number(s)	Suggestion to update "EEPROM number" to "Component IDs" because it is common for EGD software to be resident on various other forms of memory.
18	Appendix A – Independent Test Laboratory Certification Checklist	<p>Verify Categories of Certification (205 CMR 144.06 (2)): Each independent testing laboratory must be certified for each category of testing for which the laboratory seeks to provide results. The categories of testing include: (a) <u>Games and game variations</u>;</p> <p>Verify Standards for Certification (205 CMR 144.06 (3)): To qualify for certification, the independent testing laboratory, must:</p> <p>Be accredited in accordance with ISO/IEC 17025 by an accreditation body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Agreement, unless the independent testing laboratory is only seeking certification for the <u>testing of games and game variations</u>;</p>	<p>Similar language regarding "Games and Game Variations" exists within Nevada regulations, which have been clarified to mean table (felt) games, whereas electronic games (slot machines) fall within other categories such as (B) Gaming Devices. Can the MGC please confirm that the (A) <u>Games and Game Variations</u> applies solely to non-electronic games, such as table games?</p>
19	Appendix B – Gaming Equipment	Licensed Manufacturer submits Gaming Equipment to Certified Independent Test	Depending on the response to index 14 where there is a question regarding whether the

Index	Section	Citation, as applicable	GLI Comments
	<p>Certification, Permitting, Registration Checklist</p>	<p>Laboratory (CITL) and/or MGC Gaming Technology Laboratory (GTL).</p> <p>CITL/GTL tests Gaming Equipment according to applicable standards, processes and procedures.</p> <p>CITL/GTL issues Certification Letter to Licensed Manufacturer with Approved status, with copy to MGC GTL.</p>	<p><i>interoperability report would be separate from the certification report, this section may need to be supplemented because there currently is no specific reference to the interoperability report.</i></p>

## Glennon, John R. (MGC)

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**From:** Smith, Derek <Derek.Smith@scientificgames.com>  
**Sent:** Saturday, February 21, 2015 12:34 AM  
**To:** Glennon, John R. (MGC)  
**Cc:** smaddocks@pwrnv.com; Frank Neborsky  
**Subject:** RE: Massachusetts Gaming Commission - Draft of Gaming Technology Laboratory Business Processes  
**Attachments:** MASS\_Comments\_DRAFT\_Business\_Processes\_20FEB2015.pdf

Hi John,

I appreciate the opportunity to participate in the development of these processes.

To ensure that you receive the most comprehensive feedback, I asked for a review by several of our experts from Bally and WMS (now the combined SciGames). Hopefully the attached comments are not too overwhelming! If anything, I think they will give you some insight into our areas of interest.

Many of the contributors have asked if a conference call or meeting might be possible next week (or soon) to discuss your progress, and any thoughts related to our comments.

We are glad to learn you are working toward additional structure and considering automation options as available. If preferred, we would like to share our observations for best practices in these areas. Please feel free to contact me directly to arrange follow up.

Thanks again and have a great weekend!

*Be sure to look for my new [Derek.Smith@scientificgames.com](mailto:Derek.Smith@scientificgames.com) email address. Active as of February 1<sup>st</sup>, 2015. Please update your records.*

Derek Smith | Sr Technical Manager | [Scientific Games](#) | (O) +1 702 532 6474 | (M) +1 775 247 8290

May be privileged. May be confidential. Please delete if not the addressee.

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**From:** Glennon, John R (MGC) [mailto:john.r.glennon@state.ma.us]  
**Sent:** Wednesday, February 11, 2015 12:28 PM  
**To:** Smith, Derek  
**Cc:** smaddocks@pwrnv.com; Frank Neborsky  
**Subject:** Massachusetts Gaming Commission - Draft of Gaming Technology Laboratory Business Processes

Hi Derek –

I hope this email finds you well. Please find attached a draft of the business processes that we are planning on standing up for the MGC Gaming Technology Laboratory. The processes are intended to operationalize our regulations (also attached) and formalize the working relationships with our various business partners, including electronic gaming device (EGD) manufacturers.

I am very interested in getting your input and feedback. I understand that we will need to provide additional structure, and that formalizing how we do business will require a combination of automated and/or processes that will be associated with each workflow.

MGC wants to work closely with our three licensees (Penn National Gaming, MGM and Wynn), Independent Test Laboratories, and EGD Manufacturers to figure out where the integration points are.

At this time the most important thing is to get the lab certification process validated so we can certify ITL's and get a procurement completed to service and support Penn National Gaming's Plainridge Park Casino opening in June.

Please review the attached let us know what you think. Thank you in advance for your assistance.

Best Regards-

John

**John R. Glennon**  
*Chief Information Officer*



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<u>Section</u>	<u>Quote From Standards</u>	<u>Category</u>	<u>Scientific Games Feedback</u>
General	GTL Draft	All	<i>How does MGC intend to handle products that are deemed “uncontrolled” in accordance with GLI Standards? For example, there are several systems products that provide read-only capabilities or do not otherwise have an applicable standard to test against. In addition, the CITLs have developed a list of “controlled” files for those products that do fall under an applicable standard. How will modifications to products that fall outside of these “controlled” lists need to be handled from a submission standpoint?</i>
Exec. Summary - Pg. 3	“The GTL will support systems for asset tracking, certification status and changes, and product testing, training, and approval. MGC’s GTL will endeavor to employ industry best practices in its operation, to automate business processes where possible, and to securely exchange relevant data with equipment manufacturers, CITL’s, and our licensees /casino operators.”	Exec. Summary	<i>Have any automation tools been identified for use by GTL to support these systems?  If yes, please advise those that were selected.  If no, is the MGC interested in suggestions and/or does the MGC plan to consult with ITLs, licensed gaming equipment manufacturers, and licensed operators before selecting?</i>
Exec. Summary - Pg. 3	Start requirements: “Advanced market logistics or planned sale of EGD configuration to MGC licensed operator”	Swim Chart	<i>What relation will the commercial transaction have to the submission/certification/permit transactions?  I.e. Is it expected that a pending transaction will be required prior to manufacturers submitting game equipment to the CITL? Or, alternatively, required prior to the manufacturer applying for a permit of CITL certified equipment?  SciGames suggests allowing the commercial transactions to remain independent of these business processes. Licensed operators and suppliers will have greater freedom to shape the market, and there will be no limitations on the availability of products and services due to unnecessary requirements for submission. The controls exist elsewhere within these processes to ensure that only permitted/registered product is used in Massachusetts.</i>

<u>Section</u>	<u>Quote From Standards</u>	<u>Category</u>	<u>Scientific Games Feedback</u>
Exec. Summary - Pg. 3	‘Submit to CITL’ and ‘apply for MGC permit’ requirements: “...request to certify EGD configuration...” and “Application for permit to operate EGD configuration...”	Swim Chart	<p><i>Will MGC only be permitting “EGD configurations”, or will it be possible to get a permit for specific, interchangeable components (i.e. hardware or software)?</i></p> <p><i>Two examples...</i></p> <ol style="list-style-type: none"> <li><i>1. If the MGC has already permitted our Alpha II configuration, can we apply for a permit to use a new personality (game theme) in that Alpha II configuration?</i></li> <li><i>2. For the already permitted Alpha II configuration, can we apply for a permit to use an alternative bill validator (i.e. either/or) without applying for a full new Alpha II configuration?</i></li> </ol> <p><i>It will be extremely helpful to learn what a permit is intended to include, whether it be a full configuration or individual parts.</i></p>
Exec. Summary - Pg. 3	“Application for permit to operate EGD configuration ...”	Swim Chart	<p><i>SciGames requests additional detail regarding MGC required processes to issue a permit. Specifically, will the GTL have the ability to issue permits at any time/date or will the determinations be made on a fixed schedule or event occurrence (ex. monthly Commission hearing)?</i></p>
Exec. Summary - Pg. 3	Manufacturer must obtain permit to operate EGD configuration in MA before they “complete sales transaction with license operator/device shipment”	Swim Chart	<p><i>It is not uncommon for larger operators to maintain their own test lab for gaming equipment. Operator test labs do not appear to be accounted for within the proposed processes. What requirements, if any, must be met to enable SciGames to ship gaming equipment to an operator for “user acceptance testing” within the operator’s test lab prior to CITL certification?</i></p>
Definitions - Pg. 4	Associated Equipment: “...progressive signage and systems, and casino management systems.”	Definitions	<p><i>Note: Common industry acronym is AE.</i></p> <p><i>Is it expected that off-the-shelf equipment, used as AE, will require submission and permitting, or just the software that uses it? (Ex. flat screen TVs or monitors used for progressive signage, computers use for CMP systems, or tablets used for wireless gaming, etc.)</i></p>

<u>Section</u>	<u>Quote From Standards</u>	<u>Category</u>	<u>Scientific Games Feedback</u>
Definitions - Pg. 4 (also Pg. 8)	Gaming Equipment: “Gaming Equipment refers to... Wireless wagering devices;”	Definitions	<i>SciGames requests clarification regarding wireless wagering devices. Specifically, if the device intended for use in wireless gaming is ‘off-the-shelf’, will it require submission and permitting, or just the software that uses it?</i>
Definitions - Pg. 4 (also Pg. 8)	Gaming Equipment: “Gaming Equipment refers to... Slot monitoring systems and casino management systems;”	Definitions	<i>Note: Common industry acronyms are SMS and CMS. Many systems (SMS and/or CMS) are comprised of a collection of modules rather than a singular piece of software. It is not uncommon for manufacturers to seek certification for only one module, independent of the SMS/CMS system itself. Is it expected that this approach will be employed for Massachusetts, or will a full submission of the SMS/CMS be required in order to add or update a module?</i>

Section	Quote From Standards	Category	Scientific Games Feedback
<p>Permitting - Pg. 7-9</p>	<p>Gaming Equipment Permitting Process in general</p>	<p>Process</p>	<p><i>SciGames requests clarification regarding certain controls within the certification/permitting process. For example, the use of “and/or” creates ambiguity as to the following:</i></p> <ol style="list-style-type: none"> <li><i>1. Is the submission a two-part or three-part process? I.e. which of the following is more accurate...</i> <ol style="list-style-type: none"> <li><i>a. Submit to CITL <u>or</u> GTL &gt; apply for permit; or</i></li> <li><i>b. Submit to CITL &gt; secondary to GTL &gt; apply for permit; or</i></li> <li><i>c. Other, not described.</i></li> </ol> </li> <li><i>2. Please confirm that we are not required to submit for both a CITL certification <u>and</u> a GTL certification.</i></li> <li><i>3. Are decisions related to “and/or” instances controlled by SciGames or the GTL? I.e. will it be SciGames choice?</i></li> <li><i>4. If not SciGames choice, how and when will the decision be communicated to us?</i></li> <li><i>5. If not SciGames choice, what factors will determine whether we submit to the CITL or GTL for certification?</i></li> <li><i>6. Will there be specific criteria that <u>require</u> a product to be submitted direct-to-GTL?</i></li> <li><i>7. Will there be specific criteria that must be met to qualify for direct-to-GTL submission?</i></li> <li><i>8. What is the expected rate/cost for GTL certification testing?</i></li> <li><i>9. If submitted direct-to-GTL for certification, will we be allowed to apply for a permit simultaneously or will we be required to wait for the certification?</i></li> </ol> <p><i>We recognize some potential efficiency in the proposed processes. But without better clarity, and possibly some additional dialog, we are concerned about potential risks due to the lack of specific guidance.</i></p>



<u>Section</u>	<u>Quote From Standards</u>	<u>Category</u>	<u>Scientific Games Feedback</u>
Permitting - Pg. 7 - 8	"1. ... The following gaming devices require permitting and registration by the commission ..." (too many items to list)	Process	<p><i>Please advise the GTL's expectation regarding Utility products (shufflers, i-Shoe, etc.) and live table games (205 CMR 143.10 says "reserved"). Some questions related to these products:</i></p> <ol style="list-style-type: none"> <li><i>1. Will shufflers be considered non-approvable for the time being?</i></li> <li><i>2. This process mentions "Table games bonus systems", but nothing about live table games. What is the expectation for live table games? And how is "Table games bonus systems" defined?</i></li> <li><i>3. This process does not mention table game progressives, but does include "progressive systems. Are progressives on table games reviewable?</i></li> </ol>

<u>Section</u>	<u>Quote From Standards</u>	<u>Category</u>	<u>Scientific Games Feedback</u>
Permitting - Pg. 8	"2. Upon request, the manufacturer, at their expense, shall install a minimum of one sample of the Gaming Equipment to the MGC Gaming Technology Laboratory (GTL) location for review."	Process	<p><i>SciGames has several questions and concerns related to this requirement. It has been our experience that one or more samples of gaming equipment can take significant space and power to support. Other state labs have experienced difficulties due to space and power issues, even after being established for many years, which created significant delays to market placement.</i></p> <p><i>Some questions related to the GTL lab equipment needs:</i></p> <ol style="list-style-type: none"> <li><i>1. Will they have room to accommodate something like Table Master Fusion or Vegas Star? We do have "lab" versions, but the footprint is still larger than a standard gaming device.</i></li> <li><i>2. Is the obligation to supply equipment to GTL <u>only</u> if the "and" of the "and / or" discretionary clause is invoked? Or do we provide equipment to the MGC GTL 100% of the time, including when we submit to a CITL?</i></li> <li><i>3. Is it possible to get additional information on when this may be required? The language is vague and appears to indicate an option that some submissions may not require additional testing by GTL. For Systems products, it takes a considerable effort to acquire the necessary hardware and resources to perform the required installations in a lab. We will need to coordinate well in advance of a submission to prevent unnecessary delays in the process. Clarification as to what the GTL intends to test in addition to CITL testing would be helpful.</i></li> </ol>
Permitting - Pg. 8	"3. The CITL and/or GTL will test the Gaming Equipment in accordance with established and accepted testing scripts based on the appropriate laboratory, jurisdictional, and MGC standards that are applicable to the submission."	Process	<p><i>Does the MGC GTL envision authoring of their own test scripts? Collaborating with CILTs to create unified test scripts? Adopting CITL standardized test scripts? Or other not indicated here?</i></p> <p><i>If authoring their own, will the CITLs be expected to use these test scripts?</i></p>

<u>Section</u>	<u>Quote From Standards</u>	<u>Category</u>	<u>Scientific Games Feedback</u>
Permitting - Pg. 8	<p>“6. Once the Gaming Equipment is certified by the CITL or GTL, the Gaming Equipment Permitting documentation and fees shall be submitted to the GTL. ...</p> <p>a. through b. et al”</p>	Process	<p><i>In relation to the GTL permit application process, please advise if there will there be a MGC-supplied form to meet the requirements noted in this section. Or alternatively, will each submitting party be required to create a document that complies with the requirements listed?</i></p>
Permitting - Pg. 9	<p>“6.a.iv. List of all jurisdictions in which the Gaming Equipment has been granted or denied licensure or registration.”</p>	Process	<p><i>Please explain the purpose and expectation regarding this list as it is unclear what benefit is provided to the MGC permitting process.</i></p> <p><i>We recognize this is required by regulation 205 CMR 144.02(2)(e). However, it is important to note that this list will always be a “snapshot” related to the moment it was created, and may no longer be current when the permit application is processed by the GTL.</i></p>
Permitting - Pg. 9	<p>“6.b. Permitting fees of \$500 per CMR 144.05 (1).</p> <p>i. If the MGC’s cost of testing shall exceed the initial permitting fee, ...”</p>	Process	<p><i>SciGames requests clarification regarding the following:</i></p> <ol style="list-style-type: none"> <li><i>1. It is unclear how the \$500 permit fee is associated. Specifically, if we include a complete cabinet configuration (i.e. cabinet, printer, button panel, game software, OS, etc.) on our permit application, is that a single permit fee?</i></li> <li><i>2. Is this indicating that we pay at the time we apply for the permit?</i></li> <li><i>3. If not #2, what method does MGC envision for us to remit payment? Monthly billings? Prepaid escrow (fund on account)? Other?</i></li> <li><i>4. In relation to 6.b.i., how will we be notified that the cost of testing exceeded the initial permitting fee? Also note that this creates additional confusion related to permitting. Particularly, what testing is expected to occur after the certification testing has been completed? How and when will we learn that additional testing is required to attain a permit?</i></li> </ol>

<u>Section</u>	<u>Quote From Standards</u>	<u>Category</u>	<u>Scientific Games Feedback</u>
Permitting - Pg. 9	“8.b. A conditional letter of approval may be issued to the manufacturer stating the requirements for a live field trial for a specified length of time. See Field Trial Process.”	Process	<p><i>Will every conditional approval require field trial?</i></p> <p><i>SciGames suggests allowing certain types of conditional approvals without field trial.</i></p> <p><i>For example, a game theme may include payable variants below the minimum RTP allowed for a jurisdiction. Often that theme will receive an approval with the condition that any variant that does not meet the minimum RTP requirement must be disabled or not be possible to be enabled.</i></p>
Prototype - Pg. 10	Swim chart	Overview	<i>It appears from this diagram that a permit is not required to field trial a prototype product. Is this correct?</i>
Prototype - Pg. 10	Prototype Process in general	Purpose	<i>What factors will the MGC use to identify a product as a prototype?</i>
Prototype - Pg. 10	“... A prototype product is defined as ... that has not been in operation in any licensed gaming jurisdiction prior to its introduction in the Commonwealth.”	Purpose	<p><i>Does the GTL plan to consider foreign “licensed gaming jurisdictions” (ex. Canada) for this operational parameter, or only US jurisdictions?</i></p> <p><i>If only US jurisdictions, we recommend the following clarification be added:</i></p> <p><i>“... A prototype product is defined as ... that has not been in operation in any licensed <a href="#">US</a> gaming jurisdiction prior to its introduction in the Commonwealth.”</i></p>
Prototype - Pg. 11	“2.a. A field trial conditional letter may be issued to the manufacturer stating the requirements for a live field trial for up to 45 days. ...”	Process	<i>Is there a minimum time period for trials?</i>

<u>Section</u>	<u>Quote From Standards</u>	<u>Category</u>	<u>Scientific Games Feedback</u>
Prototype - Pg. 11	“2.a.ii. The manufacturer may resubmit the product to the CITL and/or GTL for MGC unconditional approval at the end of the field trial period.”	Process	<p><i>If the prototype product has already received a CITL certification, what is the purpose of resubmitting? Would it not be more efficient to immediately apply for a permit, using the previously provided CITL certification?</i></p> <p><i>Additionally, will there be supplemental costs (CITL, GTL, or both) associated with this resubmission?</i></p> <p><i>Please note that any added cost/time to achieve a final approval may cause manufacturers to delay submission for Massachusetts. MGC licensed operators will not have access to the newest products and features, and may see delays of several months for the products to become available.</i></p>
Field Trial - Pg. 12	Field Trial Process in general	Process	<p><i>We identified licensed operator requirements within the field trial process, but did not see any manufacturer requirements. What is the expectation of the GTL with regard to supplier support in general or specifically supplier maintained products such as linked/wide-area progressive games?</i></p>
Field Trial - Pg. 12	<p>“2. The licensed operator submits an electronic field trial request ... for the field trial gaming equipment.</p> <p>a. The request shall include all the necessary EGD information required, including the field trial conditional letter.”</p>	Process	<p><i>This step in the process could be improved by allowing the field trial request to be submitted by either the licensed operator or the manufacturer, provided the request from the manufacturer includes all necessary information and confirmation from the licensed operator. Often the necessary product information is more readily available from the manufacturer.</i></p>
Field Trial - Pg. 13	<p>“12. MGC decision per Gaming Equipment Certification Process flow</p> <p>a. MGC will draft a formal ... approval letter to the manufacturer ...</p> <p>b. Licensed Operator can then process and submit the necessary paperwork to the MGC to install, inspect and operate the approved Gaming Equipment in accordance with established MGC standards.”</p>	Process	<p><i>This process step is confusing. It identifies certification, which should have been attained prior to field trial approval. It does not identify permitting, and instead references licensed operator efforts (assuming this intends registration for placement). If field trial is allowed without requiring a permit, but it does require a certification, then it appears that certification should be complete, but permitting is still needed prior to any placement request (as in b.).</i></p>

Section	Quote From Standards	Category	Scientific Games Feedback
Interop - Pg. 14	Interoperability Testing in general	Purpose	<p><i>SciGames recognizes the need for interop testing. However, it is unclear as to whether or not the GTL will accept results from interop testing performed by a CITL. Please confirm that (1) CITL interop testing will be accepted, and (2) what interop testing (if any) <u>must</u> be performed by the GTL.</i></p> <p><i>It is common practice to include a request for interop testing, when required, along with CITL certification testing. This is primarily based on the fact that established CITLs already have the necessary equipment (including interop-capable equipment from other manufacturers), which eliminates significant time and cost overhead to get interop certified.</i></p>
Interop - Pg. 14 - 15	<p>“Interoperability testing includes, but not limited to, ... including:</p> <p>i. Any associated interface or communication protocol required.”</p>	Process	<p><i>SciGames did not find cashless transactions (ex. CEP, NCEP and WAT) in the list provided. Is it MGC’s expectation that these types of transactions are considered under “i.”?</i></p>
Interop - Pg. 15	<p>“3. Manufacturer will submit a written request to the MGC for interoperability testing</p> <p>a. Request will outline the Gaming Equipment involved in testing, supporting documentation related to function and operation of equipment, reason for testing, and expected outcomes.”</p>	Process	<p><i>In support of our general comment above on interop testing, we recommend allowing CITLs to perform interop testing whenever possible. Additionally, we request clarification regarding the need for an extra written request?</i></p> <p><i>Our formal submission request is intended to achieve certification. When interop testing is applicable to certification, that testing should be included within the certification request. As such, requiring a separate written request (as indicated here) provides no benefit to the overall process. In fact, it is likely to create a great deal of unnecessary work and delays.</i></p> <p><i>If an interop testing request can be included with the initial submission request, and there is no other need, we recommend eliminating this requirement.</i></p>

<u>Section</u>	<u>Quote From Standards</u>	<u>Category</u>	<u>Scientific Games Feedback</u>
Interop - Pg. 15	“4. Manufacturer will provide all necessary hardware and software applicable to the interoperability testing to the MGC GTL/CITL prior to the start of any testing.”	Process	<p><i>This requirement may not be possible in all cases. If a SciGames product is required to be interop tested with another manufacturer’s product, how are we supposed to provide the non-SciGames product?</i></p> <p><i>This requirement should reside with the lab (GTL or CITL) to coordinate.</i></p> <p><i>Separate but related... is the GTL planning to receive a system from each licensed manufacturer? This is likely to create a significant resource burden.</i></p>
Interop - Pg. 15	“5. Manufacturer will provide the necessary support and training as requested by the MGC GTL to expedite the interoperability testing process.”	Process	<p><i>Please confirm that this requirement is specific to the manufacturer submitted product. As with the prior comment, SciGames can support and train on the SciGames product being interop tested, but should not be expected to provide support and training on any non-SciGames product.</i></p>
Interop - Pg. 15	“8. Each Electronic Gaming Device (EGD) and associated equipment will be tested as a single unit to ensure proper compliance to established MGC standards.”	Process	<p><i>Please explain the term “single unit” as used here. For example, is an EGD configuration considered a single unit for interop testing with a CMS?</i></p>

<u>Section</u>	<u>Quote From Standards</u>	<u>Category</u>	<u>Scientific Games Feedback</u>
Cert. Status Change - Pg. 16	<p><b>Purpose</b></p> <p>From time to time ... associated equipment, may fail... Failure could be operational ... or for issues concerns raised by the manufacturer....</p> <p><b>Process</b></p> <p>3. If the Gaming Equipment manufacturer or CITL becomes aware of ... /software failure, they shall immediately notify MGC in writing.”</p>	Purpose and Process	<p><i>SciGames requests clarification regarding nebulous terms and areas of concern in this section.</i></p> <p><i>First, the term failure seems very broad. It implies that every “hiccup” in operation or potential “bug” in the code would be grounds for revocation. Depending on the MGC’s interpretation of “failure”, the certification status change process could involve a rather large and burdensome number of notifications for both the manufacturer and the GTL.</i></p> <p><i>Second, we are concerned by the inclusion of “other jurisdictions” and “other gaming authorities” in the failure description. Based on the differences in regulations and standards, it is entirely possible that an issue arising in another jurisdiction might not be applicable in Massachusetts. Alternatively, other authorities may apply interpretive analysis in their “failure” determination that is inconsistent with MGC’s intent. Is it the MGC’s plan to apply these other determinations as a part of their status change process, or simply consider them during their evaluation?</i></p> <p><i>Third, the term “immediately” lacks definition. As we have observed in other jurisdictions, a defined response/notification period is far more functional. We suggest replacing immediately with a defined period of time similar to the industry standard of 48 hours.</i></p>
Cert. Status Change - Pg. 17	<p>“5.b. Conditional Revocation – includes a grace period of 30-60-90 days for issues that do not impact game play, revenue, reporting, or integrity. Such minor issues could include game features, spelling errors, artwork changes, or help screen information.”</p>	Process	<p><i>Given that spelling errors and help screen information is included separately here, please provide an example where artwork changes might require conditional revocation.</i></p>
Cert. Status Change - Pg. 17	<p>“9. Once approved, the licensed operator may submit a request for a Gaming Equipment component change to place the affected equipment back in service on the casino floor.”</p>	Process	<p><i>SciGames suggests using the MGC approval of the component (referenced in 8.) as approval to install rather than utilizing a separate request.</i></p>



<u>Section</u>	<u>Quote From Standards</u>	<u>Category</u>	<u>Scientific Games Feedback</u>
Registration / Install - Pg. 18	“1. The Licensed Manufacturer completes the Gaming Equipment sale/lease process and the individual Licensed Operator will process the Gaming Equipment purchase order in accordance with established purchasing and procurement procedures for the licensed operator and MGC.”	Process	<i>Is it MGC’s understanding that the “sale/lease process” identified here is a business transaction to be completed by manufacturers and operators independently from the registration process described here?  If not, please explain the “sale/lease process”.</i>
Registration / Install - Pg. 18	“2. The Gaming Equipment manufacturer will coordinate the shipment and installation of Gaming Equipment with the Licensed Operator, with notification to MGC.  3. The Gaming Equipment manufacturer will submit an electronic notification to the MGC GTL and the Licensed Operator ...”	Process	<i>Will it be satisfactory to the MGC for SciGames to accomplish the notification referenced in “2.” and the electronic notification referenced in “3.” via the same method? Does the MGC have any requirements for the electronic notification method (i.e. email or other tool specified by MGC)? Can MGC provide any details regarding context and format by which manufacturers and operators will be required to execute this process?</i>
Registration / Install - Pg. 19	“3.a.vi. Other information as required by the MGC Central Monitoring System”	Process	<i>Please provide an example of other information envisioned by MGC for this notification.</i>
Registration / Install - Pg. 19	“5. Based on the EGD information ... MGC GTL will verify this information ... assign a unique MGC asset tag ... and register the EGD to the specific licensed operator via the CMS.  6. When the EGD shipment is verified, the licensed operator will attach the appropriate MGC GTL asset tag to the corresponding EGD prior to being placed into the licensed operator’s inventory or on the gaming floor.”	Process	<i>Will this also apply to Utility products? Shufflers, shoes, etc.</i>
Removal - Pg. 21	“5. ... This is the only time that the MGC GTL asset tag is to be removed from an EGD.”	Process	<i>Please note that non-native tags, stickers, or other identifiers are often tampered with by patrons (common habitual activity). Depending on the placement and durability of the MGC GTL asset tag, such tampering could render the asset tag incomprehensible or result in complete removal through no fault of the licensed operator.</i>

## Glennon, John R. (MGC)

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**From:** Fong, Adam <afong@gcmail.com>  
**Sent:** Thursday, February 19, 2015 1:23 PM  
**To:** Glennon, John R. (MGC)  
**Cc:** Lucchese, David  
**Subject:** RE: Massachusetts Gaming Commission - Draft of Gaming Technology Laboratory Business Processes

Good afternoon,

Dave Lucchese forwarded me your email and asked that our teams provide some input. Below are some of teams' feedback:

### MGC GTL Processes

- Are we to assume that the secondary test process by GTL is similar to that of Nevada, in that it is the State's choice to perform testing after CITL testing or is the GTL testing in lieu of CITL testing?
- Do you have more insight into the criteria, costs and timeframes around the secondary test process and approvals?
- Can we seek clarification on the field trial section on page 11? This section lists new games and new associated equipment and suggests that these items among others might fall under a regulatory field trial if they are have not been deployed in another jurisdiction for 45 days. The concern is that value-adding software updates and game content will require 45 days to get to market minimum. This might not be in the best interest of the manufacturer, the operator, and the State. Typically, other jurisdictions require new platforms to be field trialed, but not every game title or kiosk software modification, we just want to understand the intent and clarify expectations on this.
- What is your recommendation on demonstrating that the device has been operating in another jurisdiction for 45 days?

### 205 CMR 143.00

- We did not see any specifics on the play management system requirements, are there going to be specifics on how games should be configured on the system? Are there responsible gaming messages?
- 143.12 – Although it appears that the network security requirements are more of an operator responsibility, we would ask that GLI-27 be considered as an alternative to NIST SP 800-53 and ISO/IEC 27001. Our experience has been that implementation of GLI-27 has been very practical.
- 143.16 - In regards to your central management system, are you going to be using the GTECH intelligen system? If so, have there been any announcements or postings regarding the version of system intended to be deployed and the minimum G2S classes and extensions required for implementation? Our development teams are anticipating a large amount of work in this area.

Let me know if you would like to schedule some time to discuss. We appreciate the opportunity to participate and provide feedback.

Regards,



**Adam Fong** | Vice President, Payments Development | 7250 South Tenaya Way, Suite 100 | Las Vegas, NV 89113 | 702.692.6094 (p) | 702.767.9456 (m) | NYSE: GCA

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**From:** Glennon, John R (MGC) [<mailto:john.r.glennon@state.ma.us>]  
**Sent:** Wednesday, February 11, 2015 2:26 PM  
**To:** Lucchese, David  
**Cc:** [smaddocks@pwrnv.com](mailto:smaddocks@pwrnv.com); Frank Neborsky  
**Subject:** FW: Massachusetts Gaming Commission - Draft of Gaming Technology Laboratory Business Processes

Hi David –

I hope this email finds you well. Please find attached a draft of the business processes that we are planning on standing up for the MGC Gaming Technology Laboratory. The processes are intended to operationalize our regulations (also attached) and formalize the working relationships with our various business partners, including electronic gaming device (EGD) manufacturers.

I am very interested in getting your input and feedback. I understand that we will need to provide additional structure, and that formalizing how we do business will require a combination of automated and/or processes that will be associated with each workflow.

MGC wants to work closely with our three licensees (Penn National Gaming, MGM and Wynn), Independent Test Laboratories, and EGD Manufacturers to figure out where the integration points are.

At this time the most important thing is to get the lab certification process validated so we can certify ITL's and get a procurement completed to service and support Penn National Gaming's Plainridge Park Casino opening in June.

Please review the attached let us know what you think. Thank you in advance for your assistance.

Best Regards-

John

**John R. Glennon**  
*Chief Information Officer*



**Massachusetts Gaming Commission**  
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# ARISTOCRAT

3/2/2015

John R. Glennon  
Chief Information Officer  
Massachusetts Gaming Commission  
John R. Glennon 101 Federal Street 23rd Floor  
Boston, MA 02110

RE: Massachusetts Gaming Commission - Draft of Gaming Technology Laboratory Business Processes

Dear Mr. Glennon,

First of all thank you for providing the information for our review. The following are comments, mostly questions we have in regards to the rules. In reviewing the standards you provided, they look very reasonable to us as they follow current standards we follow. Below are some specific questions and suggestions:

Gaming Equipment Permitting Process:

1. Does the EGO manufacturer have to wait on a sales order / transaction before submitting to the CITL / GTL? **No – A manufacturer may submit at any time.** If so is there any minimum period that must be maintained (ex. 30 days after sale is complete or maximum of 45 days of completing sale)? Often times it is preferred to have an approval before a sale is made to ensure the customer gets what they want and there are no issues with approval requiring software modification.
2. What criteria will be used by MGC to determine if an EGO will be tested by CITL or GTL? **Testing is done by the CITL and any testing by the GTL is at the discretion of the MGC.** Will an EGO manufacturer ever have to submit to both simultaneously? **Submission to the CITL is a simultaneous submission to GTL.**
3. When referring to permitting of EGO configurations is that in reference to unique combinations of EGO cabinet, gaming platform, game/model, associated equipment, and software systems? Ex.  
Cabinet A, Platform A, Game A, Printer A – Original permitted.

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Cabinet B, Platform A, Game A, Printer A - **Cabinet B and its initial configuration will require permitting since it is a new box. Any hardware, software, game or platform change (new configuration) will require permitting and testing to ensure compliance and interoperability with MGC standards.**

Cabinet A, Platform A, Game A, Printer B

Cabinet A, Platform B, Game A, Printer A

Cabinet A, Platform A, Game B, Printer A

Would all the above combinations be considered different configurations that need to be permitted or could the components be permitted independently? It is beneficial and preferred that an approved component is not specific to a configuration – products are designed to be compatible for all configurations unless specified not to be. This is very beneficial for operators as they all have preferences and offering the flexibility is best.

#### Prototype Process:

4. Why was 45 days used as the cutoff for the field trial requirement? Could this be reduced to 30 or less? Typically markets who require field trials have a 30 day period. **45 days seemed a reasonable test period compromise given 90 days was too long and MGC felt 30 days was too short.**

#### Field Trial Process:

5. Is it possible to conclude the trial before 45 days provided all requirements are met? **To be determined.**
6. What is the anticipated waiting time for the MGC GTL review of the field trial? **This will vary depending on the specifics and requirements of the trial.**
7. During the MGC GTL review will the EGO still be available to the public? **Only is the EGD is approved for use on the floor or if the EGD is involved in a field trial.**
8. During the field trial is the EGO manufacturer required to provide any reporting? **Yes. Game statistics and meters will need to be audited against the MGC CMS and the operator's gaming system.**

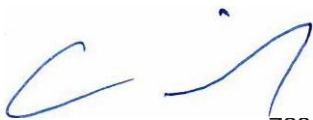
#### Certification Status Changes:

9. How will EGO manufacturers notify MGC of an issue (ex. online form to be completed, email to a group)? **Yes but the means of communication is to be determined.**
10. How long is MGC anticipating the evaluate process between an immediate revoke vs. conditional revoke? **This will vary depending on the specifics and severity of the issue or failure.**

Those are the key questions and concerns we had. Again, we are mostly looking for clarity and consideration to ensure consistency with standards across current jurisdictions.

Please let me know if you have questions.

Sincerely,



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Via Electronic Mail

March 2, 2015

Mr. John R. Glennon  
Massachusetts Gaming Commission (MGC)  
101 Federal Street 23<sup>rd</sup> Floor  
Boston, MA 02110

Dear Mr. Glennon:

On behalf of IGT, I would like to thank MGC for the opportunity to review and submit our feedback regarding the draft Gaming Technology Lab (GTL) standard operating and business processes document received via email on February 12, 2015. Based upon our experience, we largely agree with the framework of this document and have offered the following feedback in hopes of furthering industry best practices. Our feedback includes both long term suggestions intended for efficiency and understanding, as well as short term suggestions to promote fast-approaching operational goals while maintaining high levels of regulatory integrity.

1. *The Business Process for Certification of Electronic Gaming Devices (EGD) (page 3)*

a. *References to the certification of EGD configurations throughout process flow.*

Certification of an EGD configuration that is inclusive of each unique platform, bill validator, game theme and operating system could lead to hundreds of combinations of certifications especially as game platforms can support multiple themes, work with various bill validators, printers and operating system versions. The certification of each EGD configuration could indirectly cause added complexity to bringing products to the Massachusetts market and stifle the entrance of additional, smaller vendors.

To reduce complexity and seek efficiencies of the permit process, we suggest issuance of certification and permits for each individual component of an EGD rather than the hundreds of combinations as noted above. In our experience the additional processes of interoperability testing and field trials can be used to provide a high level of confidence that the components and systems function together with no unintended impacts.

Although each platform, operating system, theme, printer and bill validator could be certified and permitted separately it does not guarantee the level of interoperability and MGC CMS communication required. The goal is not to individually certify hundreds of unique configurations for a single game but to ensure all components meet MGC interoperability requirements.

b. *Dotted line from "EGD Manufacturer" [Submit to CITL to certify...] to "MGC GTL" [Option to perform testing...](Page 3)*

We appreciate the ability for an EGD manufacturer to directly request certification from MGC GTL as this could enable the opportunity for Massachusetts to have first to market product advantages. From a short term perspective, this could allow the processing of certifications to



proceed while awaiting Commission certification of independent test laboratories.

The primary submission of an EGD for certification is to the CITL while any testing done by the MGC GTL is at the discretion of the MGC as needed.

c. “[Complete sales transaction with license operator / device shipment]”

While we agree in principle to the requirement to only ship permitted devices to Massachusetts, there is a short term need to allow delivery of devices that have not received final permitting prior to the opening of a gaming licensee. This enables the gaming licensee to stage equipment, perform infrastructure testing and staff training in preparation for all activities leading to a smoother opening of the market. In these pre-opening circumstances, we request a variance to allow shipment of not yet permitted devices with the intent that prior to opening that all devices have received the final MGC permit and registration required for operation.

This process will be reviewed but at a minimum any shipment or transport of non-permitted EGDs to or within the Commonwealth of Massachusetts would require that the EGD have been submitted to the CITL for certification.

During past MGC meetings there was discussion about allowing for reciprocity of product permitting if approval had been granted in other key jurisdiction(s). This option would also provide an efficient short term solution for allowing products which have completed certification testing and received approval in other key jurisdictions to be placed in Massachusetts.

Although this process could expedite the certification of certain EGDs it does not guarantee the interoperability needed for the MGC CMS.

2. Gaming Equipment Permitting process (Pages 7 - 9)

a. “[Submit to CITL to request to certify EGD configuration...]” (Page 7)

Please reference our comments in “1.a.”

Please see 1.a.

b. “6. Once the Gaming Equipment is certified by the CITL or GTL, the Gaming Equipment Permitting documentation and fees shall be submitted to the GTL.” (Page 8)

An item-by-item approach creates a large administrative overhead for the regulator to process submissions and creates a burden on gaming vendors to issue an individual payment for each permit request. For purposes of administrative efficiencies, we suggest the ability for a gaming vendor to fund a deposit with the MGC GTL which can be drawn against for each permit request and replenished on an as-needed basis to reduce administrative overhead and minimize the possibility of a delay due to mere payment processing.

To be reviewed.

c. “a. ii. Gaming Vendor’s License number” (Page 9)

In the short term, we request a variance to utilize the pending gaming vendor license number on our permit requests until such time as our final license is issued. This will expedite processing for product planned for Massachusetts similar to the ideas put forward in “1.” above.

To be reviewed.

- d. *“a. iv. List of all jurisdictions in which the Gaming Equipment has been granted or denied licensure or registration.” (Page 9)*

Due to differing timelines and processes in each jurisdiction, the list of all jurisdictions in which a product has been granted or denied approval will likely change shortly after such a list is produced. The list of jurisdictions could be quite extensive if a product has already been approved, or nonexistent in the case of a new product released to many jurisdictions for approval at the same time.

It is understood that this information may change but the goal is to ensure that the MGC is aware of any pending or past issues that may exist with an EGD, system or component in an effort to prevent such incidents from occurring in the Commonwealth of Massachusetts while safeguarding the public interest and protecting the integrity of the MGC and casino operators.

- e. *“Permitting fees of \$500 per CMR 144.05(1)” (Page 9)*

Please reference our comments in “2.b.”

- f. *“b. i. If the MGC’s cost of testing shall exceed the initial permitting fee, the Gaming Vendor shall pay the additional amount within 30 days after notification of insufficient fees or the application shall be rejected. (Page 9)”*

The cost of testing that exceeds the \$500 permitting fees has not been identified on the Commission website, thus this requirement is difficult to assess without further information.

The permitting fee is based on an anticipated testing process. Due to the differing complexity of testing requirements for various games and systems it is difficult to estimate the costs for publication.

- g. *“8. a. i. At this point the EGD/OEM manufacturer may proceed with the sales and/or floor installation process with the licensed operator.” (Page 9)*

Please reference our comments in “1.c.”

Please see 1.c.

3. *Prototype Process (Page 10)*  
 a. *Purpose section (Page 10)*

Gaming vendors often seek approval for gaming equipment across all jurisdictions at the same time which as written in the purpose section will require each of these requests to undergo the prototype and field trial processes. This will increase the administration required to permit product for Massachusetts. We suggest applying these processes on an as-needed basis, based upon consultation with MGC staff and not for every release or modification of gaming equipment.

To be reviewed.

- b. *“2. Once the Gaming Equipment review process is complete, and if the prototype product has not been available for public use in other jurisdictions for at least 45 days...” (Page 10)*

In circumstances where operators outright purchase product from a manufacturer, the

manufacturer does not have details regarding the deployment or use of that product. Additionally, the usage in other jurisdictions may not be applicable to how each respective product is utilized in Massachusetts. Therefore, we suggest applying these processes on an as-needed basis, based upon dialog with MGC staff, rather than determining based on time available for public use in other jurisdictions.

This can be reviewed but each manufacturer has to means to communicate with various operators and customers as to the deployment and installation of their specific products.

- c. *“ii. The manufacturer may resubmit the product to the CITL and/or GTL for MGC unconditional approval at the end of the field trial period.” (Page 11)*

Upon conclusion of a field trial period, and if there were no changes to the product, we suggest that it would be more efficient to not require a redundant resubmission, and that the product be classified as fully approved.

The goal is to properly document the outcome of the field trial and the specific steps and documents required for resubmission have not been determined.

#### 4. Interoperability Testing (Page 14)

In the interest of maximizing the use of regulatory resources, IGT suggests that interoperability testing during game equipment certification only be conducted on those components relevant to the CMS operation.

To ensure proper interoperability testing involves the EGD as a whole which includes all associated software, systems and components.

- a. *“6. Each variation of the Gaming Equipment configuration (i.e. cabinet, game operating system and theme software, bill acceptor, ticket printer, player tracking or other associated equipment must be tested and communicate with MGC CMS.”*

Please reference our comments under “1. a.”

Please see 1.a.

#### 5. Gaming Equipment Registration and Installation Process (Page 18)

- a. *“3. The Gaming Equipment manufacturer will submit an electronic notification to the MGC GTL and the Licensed Operator detailing the specifics of the Gaming Equipment shipment to include the individual licensed operator. This notification will include at a minimum the anticipated arrival date and a complete list of the Gaming Equipment, including the model number, EPROM number, and the EGD serial numbers.” (Page 18)*

We appreciate Massachusetts adherence to industry best practices but note that in cases where an EGD does not utilize EPROMs for game program storage, the applicable material numbers for that software will be provided.

To be reviewed.

- b. *“a.iv. Maximum number of instances of the software that the gaming licensee intends to use at any one time.” (Page 19)*

This information may not be available at the time of shipment or it may change over time. We

suggest removing from the notification and managing through each operator's registration process.

**To be reviewed.**

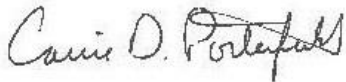
c. *"a. v. MGC Gaming Equipment Permit Information"*

This will require the permit processing to be completed prior to allowing the operator to receive gaming equipment to prepare for go-live. As a short term alternative, we request the ability to ship products that are not yet permitted and could be noted as in progress on the shipping notification to allow product distribution for preparation of go-live. The permit details will be provided separately prior to go-live in order to the operator to seek registration to operate each product.

**Please see 1.c.**

Should you have any questions or wish to discuss further, please contact Carrie Porterfield at (702) 669-8966 or [Carrie.Porterfield@igt.com](mailto:Carrie.Porterfield@igt.com).

Sincerely,



Carrie Porterfield  
IGT Manager Regulatory Development