



**MASSACHUSETTS GAMING COMMISSION
PUBLIC MEETING #216**

May 10, 2017
10:00 a.m.

Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA



Massachusetts Gaming Commission



**NOTICE OF MEETING and AGENDA
May 10, 2017**

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:

**Wednesday, May 10, 2017
10:00 a.m.
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA**

PUBLIC MEETING - #216

1. Call to order
2. Approval of Minutes
 - a. April 27, 2017 – **VOTE**
3. Administrative Update – Karen Wells, Deputy Director
 - a. General Update
4. Research and Responsible Gaming – Mark Vander Linden, Director
 - a. Plainridge Park Casino New Employee Survey Report – Mark Melnik and Andrew Hall, UMASS Donahue Institute
5. Ombudsman – John Ziemba
 - a. Wynn Boston Harbor Quarterly Report
 - b. Plainridge Park Casino Quarterly Report
 - c. Community Mitigation Fund Request – Hampden County Sheriff's Department – **VOTE**
6. Workforce, Supplier and Diversity Development – Jill Griffin, Director
 - a. Diversity Recognition Program – Robert DeSalvio, President and Jacqui Krum, Senior Vice President and General Counsel – Wynn Boston Harbor
7. Investigations and Enforcement Bureau – Karen Wells, Director
 - a. Qualifier Suitability – **VOTE**

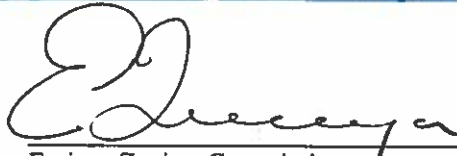


Massachusetts Gaming Commission

8. Legal Division – Catherine Blue, General Counsel
- a. Small Business Impact Statements – VOTES
 - i. 205 CMR 136.08 (removing names from alcoholic beverage license)
 - ii. 205 CMR 143.02 (transfer of progressive jackpots)
 - iii. 205 CMR 143.01 (adoption of GLI-11, 3.0 with amendments)
 - iv. 205 CMR 138.56 (updating ICs to reflect taxation and aggregate reporting changes)
 - v. 205 CMR 139.04 (updated slot machine data reporting)
 - b. 205 CMR 147: Uniform Standards and Rules of the Game – Final Draft and Amended Small Business Impact Statement (Torrissi/Band) – VOTE
 - c. 205 CMR 141 (updates to surveillance regulations) – Initial Review (Stempeck/Band)
 - d. 205 CMR 143.02: (updates to wide area progressive regulations) – Initial Review (Stempeck/Band/Glennon)
 - e. 205 CMR 115.01 – (continuing duty of gaming licensees and qualifiers to update and report certain events – Initial Review (Grossman/Wells)
 - f. 205 CMR 134.14 (administrative closure) – Formal Promulgation (Grossman/Connelly) – VOTE
9. Commissioner’s Updates
10. 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 “Massachusetts Gaming Commission Meeting” at www.massgaming.com and emailed to: regs@sec.state.ma.us, melissa.andrade@state.ma.us.

5/8/17
DATE


Enrique Zuniga, Commissioner

Date Posted to Website: May 8, 2017 at 10:00 a.m.



Massachusetts Gaming Commission



Massachusetts Gaming Commission Meeting Minutes

Date/Time: April 27, 2017 – 10:00 a.m.

Place: Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, Massachusetts

Present: Chairman Stephen P. Crosby
Commissioner Gayle Cameron
Commissioner Lloyd Macdonald
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

**Time entries are linked to
corresponding section in
Commission meeting video**

Call to Order

See transcript page 2

10:00 a.m. Chairman Crosby called to order the 215th Commission meeting.

Approval of Minutes

See transcript pages 2-4

10:00 a.m. *Commissioner Zuniga moved for the approval of the March 30, 2017, Commission meeting minutes as presented today. Motion seconded by Commissioner Stebbins. Commissioner Macdonald abstained from the vote as he was not present at the meeting. Motion passed 4 to 0 with 1 abstention.*

Commissioner Zuniga moved for the approval of the April 13, 2017, Commission meeting minutes as presented and subject to any typographical or nonmaterial corrections. Motion seconded by Commissioner Cameron. Commissioner Stebbins noted that Edward Bedrosian's name was misspelled at 10:18 a.m. Commissioner Macdonald abstained from the vote as he was not present at the meeting. Motion passed 4 to 0 with 1 abstention.

Administrative Update

See transcript pages 4-87

10:02 a.m. Executive Director Edward Bedrosian, Jr. requested a delay on agenda item 3c because folks from Springfield have not arrived.

Executive Director Bedrosian reported that the next Commission meeting will be held on Wednesday, May 10th, as opposed to a Thursday.

Executive Director Bedrosian stated that the Chairman requested a review of the mission statement and core values. The mission statement and core values focus on the Commission's casino licensing phase. Executive Director Bedrosian stated that we are past that phase and need to think about moving forward. He stated that he worked with Deputy General Counsel Todd Grossman on suggested changes. The Commissioners discussed and offered changes. Executive Director Bedrosian stated that he will incorporate their changes and bring it back for a final review. He also noted that we broadly use the terms license and licensee. He stated that at some point we may want to clarify these terms.

10:15 a.m. Executive Director Bedrosian presented on gaming service employee registrations and disqualifications due to certain criminal convictions. He recognized that the criminal offender record information ("CORI") debate is an important issue. He stated that it is our conclusion that all casino employees must be registered or licensed. He stated that we looked at the law for exemptions and could find none. He noted that we are approaching MGM Springfield's hiring phase and we need to work with stakeholders to educate job applicants on the criteria for criminal disqualification and any misconceptions. Executive Director Bedrosian outlined the process going forward. He stated that there are many people who are interested in this topic, some are here today, and they should have an opportunity to be heard. He suggested that the Commission may want to put specific questions out for public comment and address them at the next Commission meeting in Springfield on May 25th.

Mike Mathis, President of MGM Springfield, stated that he thinks the process outlined makes sense and he looks forward to a robust conversation at a meeting in May. Commissioner Zuniga noted that out of approximately 750 registrations we had only 1 service employee registration denied because of a criminal conviction. He stated that data is something that we could use to frame this issue. Mr. Mathis stated that data is important as well as analysis of the statute. He also stated that they have done a desktop analysis and they are concerned about the impact on their local hiring recruitment targets if we don't find a way to resolve this.

Commissioner Zuniga suggested looking at other comparative jurisdictions. Commissioner Cameron stated that an important piece is education of what is a disqualifier so that potential applicants do not deselect. She stated that she likes what our staff is doing to help folks with hurdles. Karen Wells, Director of the Investigation and Enforcement Bureau ("IEB"), stated that stakeholders may want to consider educating folks about sealing their records as the Commission has decided that matters sealed are not to be considered in the registration process. Commissioner Stebbins stated that we should find a way for Commission staff to answer questions that individuals may have and we should see what more we can

do with regard to education. Commissioner Macdonald noted that in a revised decision our Supreme Court has acknowledged the prejudice that people can endure with a single criminal conviction and, in effect, has encouraged greater access to sealing. He stated that he would encourage education in this area.

Mr. Mathis requested an opportunity to respond to some of the legal arguments and to present their own. Mr. Mathis noted that folks who attended today's meeting are representatives from the following groups: Mayor's Office, Urban League, NAACP, Habitat for Humanity, and Friends of the Homeless. Chairman Crosby stated that folks can submit comments in writing.

10:42 a.m. Chairman Crosby presented his analysis of the governing law on this issue and the ambiguity of sections 16 and 30 (M.G.L. c. 23K). He noted that there are four categories of employees that we qualify to work at a gaming establishment: gaming licensees, key gaming employees, gaming employees, and service employees. He provided an overview of the criteria for automatic disqualification for licenses and registrations and the opportunity to show rehabilitation for certain categories. He also provided an overview of requirements in section 30. He stated that he feels that the two sections, 16 and 30, are conflicting and create a barrier for a demographic class intended to benefit from casino job opportunities.

10:56 a.m. Commissioner Cameron stated that she believes this matter requires a legislative fix. She requested to hear from Attorney Loretta Lillios as she has experience interpreting conflicting statutes. Loretta Lillios, Chief Enforcement Counsel /Deputy Director of the IEB, provided a summary of her professional background which includes statutory analysis. She presented her analysis on the tensions between sections 16 and 30 (M.G.L. c. 23K). She provided an overview of the principals used to resolve ambiguities. Commissioner Macdonald stated that it is important for people to understand that staff could not come to a conclusion on this issue and we should focus on remedies that are available. General Counsel Catherine Blue stated that a legislative history search was conducted and there is no information on this issue.

11:23 a.m. Mr. Mathis offered a preview of their statutory interpretation which included allowance for discretion on non-gaming employees.

11:26 a.m. Jeff Hayden, from the Casino Careers Training Institute at Holyoke Community College, stated that he will have data on this issue to present at the Commission meeting in May. He estimated that 30% of the folks who inquire about the training program do not enroll or drop out after enrollment due to CORI issues. He expressed concern about a limited labor pool in Western Massachusetts.

11:31 a.m. The Commission took a brief recess.

11:40 a.m. The meeting resumed.

11:40 a.m. Executive Director Bedrosian announced that Wynn Boston Harbor will be hosting an event for former and current Suffolk Downs employees who are interested in job opportunities at the casino. The event will be held on Saturday, April 29th at the Hilton Garden Inn in East Boston.

Investigations and Enforcement Bureau (IEB)

See transcript pages 87-108

- [11:41 a.m.](#) Director Karen Wells presented on the licensee outside director background checks. She stated that they submitted a jurisdictional chart for the Commissioner's review, they put out a request for public comments, and they received comments from MGM, Wynn Resorts, the American Gaming Association, and Hal Shear from Board Assets. Director Wells stated that they currently conduct background checks for all outside directors and the question is if the Commission wants to make a change. Executive Director Bedrosian suggested that staff could explore the Pennsylvania model, look at our regulations and make sure that we can make the changes, and then offer the Commission a red line version. Chairman Crosby and Commissioners Stebbins and Zuniga stated that they would like to look at this further. Chairman Crosby stated that getting data would be helpful.
- [11:54 a.m.](#) Hal Shear, of Board Assets, stated that he has experience with corporate boards and training directors. He stated that the process for recruiting and electing directors to public company boards is very rigorous. He suggested that the Commission could rely on work that has already been done. He also suggested that the Commission look at the performance of the director in other corporations.
- [12:01 p.m.](#) Director Wells presented on an MGM qualifier suitability investigation for Yakima Brookins. Ms. Brookins is currently an executive director of internal audit at MGM Resorts. She provided a summary of her professional and educational background. She stated that an investigation was conducted with a positive determination for suitability. Ms. Brookins has also been found suitable in three gaming jurisdictions.
- [12:04 p.m.](#) *Commissioner Cameron moved that the Commission find Ms. Brookins suitable for this position. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

Licensing Division

See transcript pages 108-141

- [12:04 p.m.](#) Paul Connelly, Director of Licensing, provided an overview of the licensing quarterly report which included activity counts for vendors and employees licensed or registered in the first quarter. Commissioner Zuniga requested information on the average amount of time it takes to process a license and registration. Director Connelly stated that he will provide that information. Commissioner Stebbins requested tracking the administrative closures.
- [12:12 p.m.](#) Director Connelly presented on changes made to the license and registration forms. He stated that they looked at efficiency, order of questions, simplifying instructions, and adding the ability to select not applicable when a question does not apply. He also reported that for service employee registrants they removed the DOR (Department of Revenue) request on the application. Chairman Crosby inquired about Hispanic/Latino and gender selections. Director Connelly stated that they are revisiting the race and gender sections and he will come back before the Commission with recommendations.

[12:27 p.m.](#) *Commissioner Stebbins moved that the Commission approve the updated license and registration forms as provided in the packet. Motion seconded by Commissioner Macdonald. Chairman Crosby amended the motion to include - subject to a pending review of the demographic section. Motion passed unanimously.*

[12:28 p.m.](#) Director Connelly presented on the amendments to the administrative closure regulation. He stated that the administrative closure regulation allows the Commission to administratively close an application when someone is non-responsive in the process. He stated that we currently have the ability to do an administrative closure but there are two different closing time frames – 30 days for vendors and 14 days for employees. He proposed harmonizing the two categories and make them each 21days.

He also stated that we currently have a 30-day penalty period for individuals to reapply when an application has been administratively closed. He stated that our licensees expressed concern that a 30-day hold could be damaging on the employment side. He proposed that if an individual's application is closed they can immediately reapply with a new application. Commissioner Cameron noted that we have a system in place to notify an individual a number of times before their application is closed. General Counsel Catherine Blue stated that this is the initial review of the amendments and we will bring them back at the next Commission meeting for a formal promulgation vote.

Legal Division

See transcript pages 141-147

[12:35 p.m.](#) Deputy General Counsel Todd Grossman presented on amendments to 205 CMR 143.09 and reported that we received a comment from Scientific Games. He requested approval for the formal promulgation process. He noted that they are interested in receiving comment on a provision that provides that a malfunction voids all-pays.

[12:38 p.m.](#) *Commissioner Macdonald moved that the Commission approve the formal promulgation process for 205 CMR 143.01, 138.56, and 139.04. Deputy General Counsel Grossman stated that additional language pertains to slot machine data reports, and Gaming Technology Manager Floyd Barroga stated that they are seeking to standardize the report format for all licensees. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

12:40 p.m. The Commission took a brief recess.

12:43 p.m. The meeting resumed.

Research and Responsible Gaming

See transcript pages 147-174

[12:43 p.m.](#) Director Mark Vander Linden provided an update on the research agenda reports and studies that will be coming out over the next several months. He stated that wave two of the MAGIC (Massachusetts Gaming Impact Cohort) study will be released on June 9th at the University of Massachusetts (Amherst) annual meeting for Commission research activities. He also reported that the SEIGMA (Social and

Economic Impacts of Gaming in Massachusetts) study will release a CHIA (Center for Health Information and Analysis) Report that looks at the costs of treating problem gambling in Massachusetts. This report will also be presented at the annual meeting on June 9th. He noted that the CHIA Report has been submitted for a journal peer-review process. The Patron Survey report, expected in June 2017, will provide information about patron origin, how patrons are spending their money at the casino and in the surrounding areas, and patron knowledge and attitudes about GameSense. The updated General Population Baseline Survey report has new weighted methods to provide a more accurate description of problem gambling in Massachusetts. This report is expected in July. The Plainridge Park Casino (“PPC”) New Employee Survey report will be presented to the Commission at the meeting on May 10th. The survey focuses on what motivated employees to seek employment at PPC, their employment status prior to working at PPC, and their impact on the local economy. Director Vander Linden reported on the Shiny Interactive Web application and stated that they will continue to work on how to communicate research data to stakeholders and mitigate harm. The PPC 12-Month Operation Report will be presented at the annual meeting on June 9th. This report will provide information on operator and patron spending and fiscal impacts. Director Vander Linden reported that Crime Analyst Christopher Bruce will present an 18-month update on public safety measures at the casino and in the surrounding communities. He reported that the Foxborough Police Department is now on board and part of the study. The evaluation studies for key responsible gaming initiatives (Voluntary Self-Exclusion, GameSense, and PlayMyWay) are being conducted by the Harvard Medical School, Cambridge Health Alliance Division on Addiction. An update on the Voluntary Self-Exclusion report will be provided in June, a report on the GameSense program will be provided in the late summer of 2017, and the PlayMyWay evaluation report is expected in July 2017. He also reported that the SEIGMA team is conducting a targeted survey in Plainville and the surrounding communities.

Mr. Vander Linden stated that he will work with the Research Design and Analysis Subcommittee of the Gaming Research Advisory Committee to make sure there is an appropriate peer-review process in place. He also stated that he will work with the Director of Communications on a plan to rollout these studies. Chairman Crosby stated that we are beginning to collect data that will inform our work.

Director Vander Linden provided an update on the study of gambling behavior among special populations in Massachusetts. He stated that the identified special populations are as follows: African American/Black, Veterans, Immigrants, Asians, and Hispanics. He stated that he received three proposals to conduct this study and he hopes to have contracts soon.

Commissioner’s Update

See transcript page 174-179

1:15 p.m. Commissioner Stebbins stated that he had an opportunity to listen to an Innovation Group webinar about new developments in gaming which highlighted virtual reality games that appeal to a younger generation.

Chairman Crosby stated that he has been working with Commissioner Zuniga, Director Vander Linden, and the Mass. Council on Compulsive Gambling on a

regional (New England and New York) voluntary self-exclusion program. He stated that they are working on a standardized self-exclusion form.

Commissioner Stebbins noted that Senator Eric Lesser, Chairman of the Economic Development and Emerging Technologies Committee, had his Legislative Aid Samantha Kelly attend the Commission meeting today.

Other Business Not Reasonably Anticipated

See transcript pages 179-180

1:20 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, Notice of Meeting and Agenda dated April 27, 2017
2. Massachusetts Gaming Commission, Draft Meeting Minutes dated March 30, 2017
3. Massachusetts Gaming Commission, Draft Meeting Minutes dated April 13, 2017
4. Massachusetts Gaming Commission, Draft Core Values and Mission Statement
5. Massachusetts Gaming Commission, Memorandum dated April 27, 2017 regarding Gaming Service Employee Registration Review – Automatic Criminal Conviction Disqualifiers
6. Treatment of Outside Directors in Other Jurisdictions (Casino Companies), Chart
7. Letter from the American Gaming Association to the Massachusetts Gaming Commission, dated April 25, 2017 regarding Background Investigation Requirements/Outside Directors
8. Letter from MGM Resorts (Fox Rothschild) to the Massachusetts Gaming Commission, dated April 25, 2017 regarding Background Investigation Requirements/Outside Directors
9. Letter from Wynn Resorts Development to the Massachusetts Gaming Commission, dated April 25, 2017 regarding Background Investigation Requirements/Outside Directors
10. Email from Yin Kon, Intergeneration Capital Management, to the Massachusetts Gaming Commission, dated April 25, 2017 regarding Background Investigation Requirements /Outside Directors
11. Email from Hal Shear, Board Assets, to the Massachusetts Gaming Commission, dated April 25, 2017, regarding Background Investigation Requirements/Outside Directors
12. Massachusetts Gaming Commission, Licensing Quarterly Report, dated January-March 2017
13. Draft Non-Gaming Vendor Registration Form
14. Draft Gaming Service Employee Registration Form
15. Draft Gaming Employee License Application Form
16. Draft Key Gaming Employee-Standard License Application Form
17. Draft amendments to 205 CMR 134.00: Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations
18. Draft amendments to 205 CMR 143.00: Gaming Devices and Electronic Gaming Equipment
19. Draft amendments to 205 CMR 138.00: Uniform Standards of Accounting Procedures and Internal Controls
20. Draft amendments to 205 CMR 139.00: Continuing Disclosure and Reporting Obligations of Gaming Licensees
21. Massachusetts Gaming Commission, Research and Responsible Gaming Memorandum dated April 27, 2017 regarding Update on Research Deliverables

/s/ Catherine Blue
Catherine Blue, Assistant Secretary

No Documents

SEIGMA Overview

Dr. Mark Melnik, Co-Principal Investigator
Social and Economic Impacts of Gambling in
Massachusetts (SEIGMA) study

May 10, 2017

Measuring the Social & Economic Impacts of Gambling in Massachusetts

Mark Melnik
Co-Principal Investigator

May 10, 2017

Unique Aspects of the MA Law

- Regulators required to give equal importance to
 - establishing a viable casino industry
 - minimizing and mitigating negative impacts
- Host communities given a strong voice
- Problem gambling issue framed explicitly through a public health lens
- Funds to conduct research and provide services to problem gamblers and their families ensured

Expanded Gaming Act Research Requirements

- 2011 Expanded Gaming Act is unique in enshrining the role of research to enhance responsible gambling & minimize problem gambling in MA
- Establishes an “annual research agenda” to examine the social and economic effects of casino gambling in MA & in making annual scientifically-based recommendations to the Legislature

Annual Research Agenda

- Three essential elements
 - Understand the social & economic impacts of expanded gambling
 - Baseline study of problem gambling and existing prevention & treatment programs
 - Facilitate independent studies to obtain scientific information relevant to enhancing responsible gambling and minimizing harmful effects

SEIGMA Study Design

	Baseline			Operational: Construction			Operational: Post-Opening		
Focus Groups									
Key Informant Interviews									
Patron & License Plate Survey									
Gaming Employee Survey									
Gambling Venue & Gov't Data									
Targeted Surveys									
Population Surveys									
Treatment & Prevention									
Secondary Data Collection & Analysis									
	Prior to 2013	2013	2014	2015	2016	2017	2018	2019	2020

For more information, visit:

www.umass.edu/seigma

New Employee Survey Analysis: First Two Years of Data Collection

Purpose of Survey

- Provide a baseline understanding of the casino labor force
 - Where do they come from?
 - Employment status before being hired
 - Job training
- Data to inform turnover analysis
- Information about net new MA job creation
- Workforce analysis of labor supply constraints
- Insight into attitudes and work history of new casino employees

Who Are “New Employees”?

Captured in the Survey

- Newly hired gaming and non-gaming employees
- Employees who already worked for Plainridge Park
- Employees of food court vendors

Not Captured in the Survey

- Construction workers
- Penn National employees who temporarily helped during re-opening

Who Are “New Employees”?

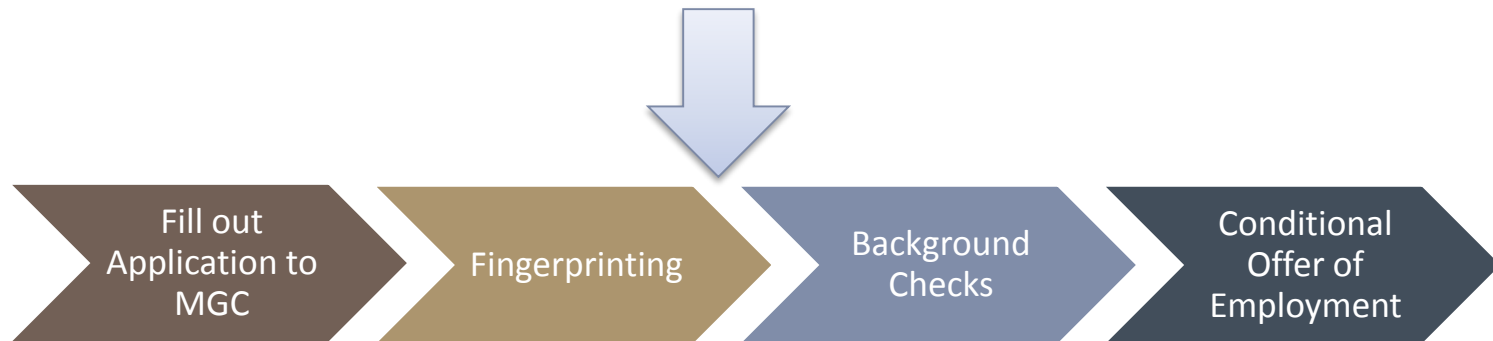
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The Gaming Licensing Process



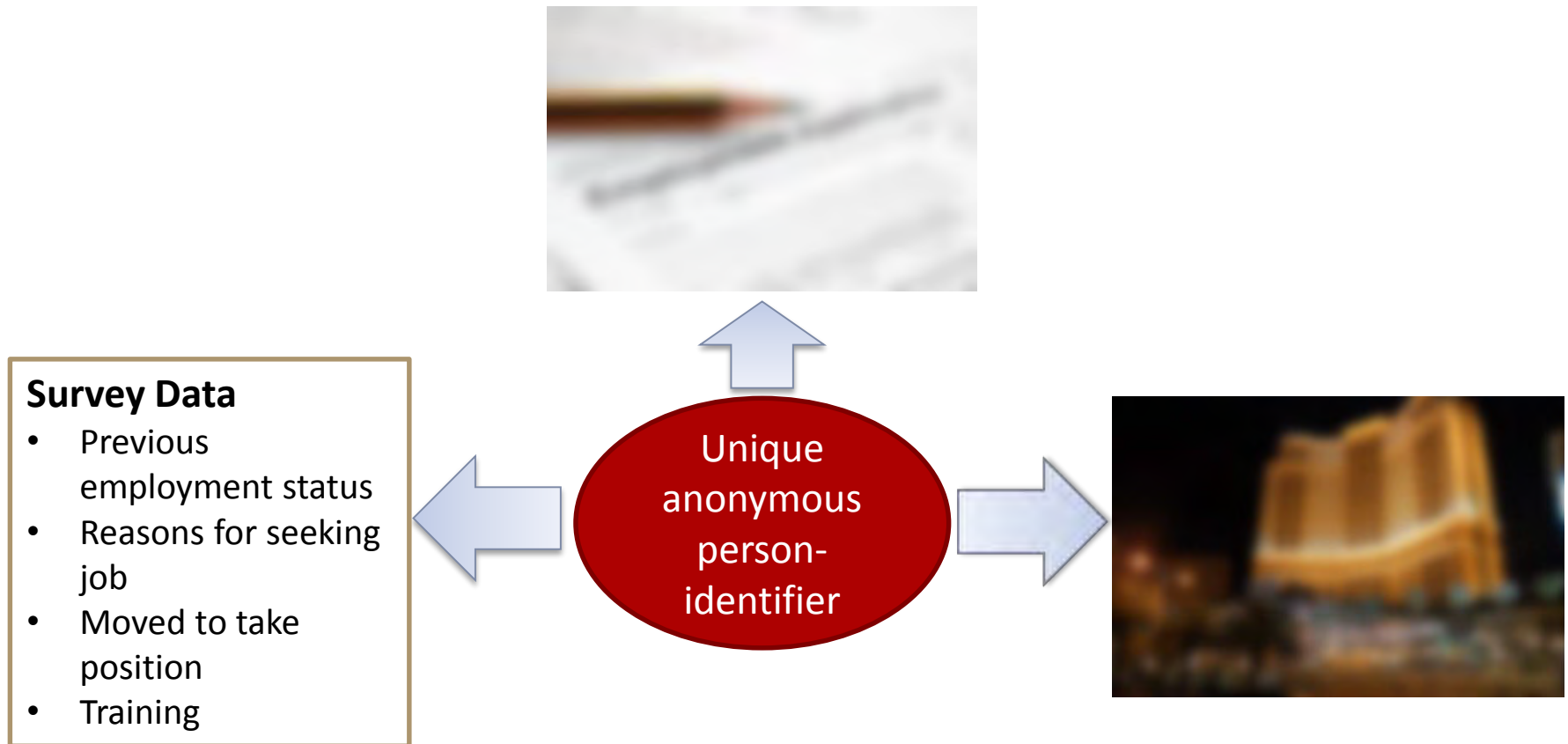
Key Data Collected in the Survey

- Employment status prior to hire
- Current or new employee
- Reasons for seeking the job
- Moved to take the position
- Training received

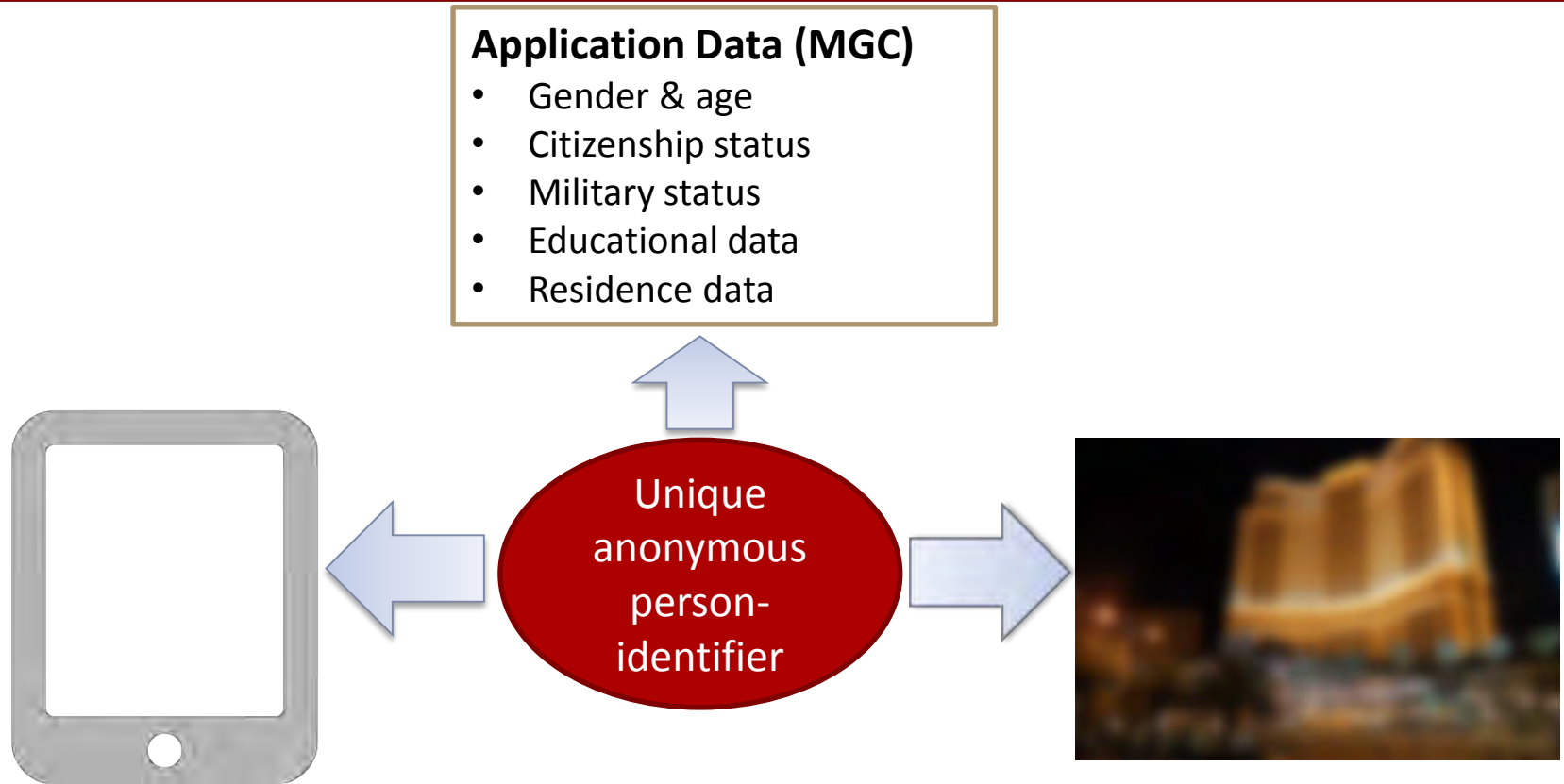
Linkages to Other Employee Data



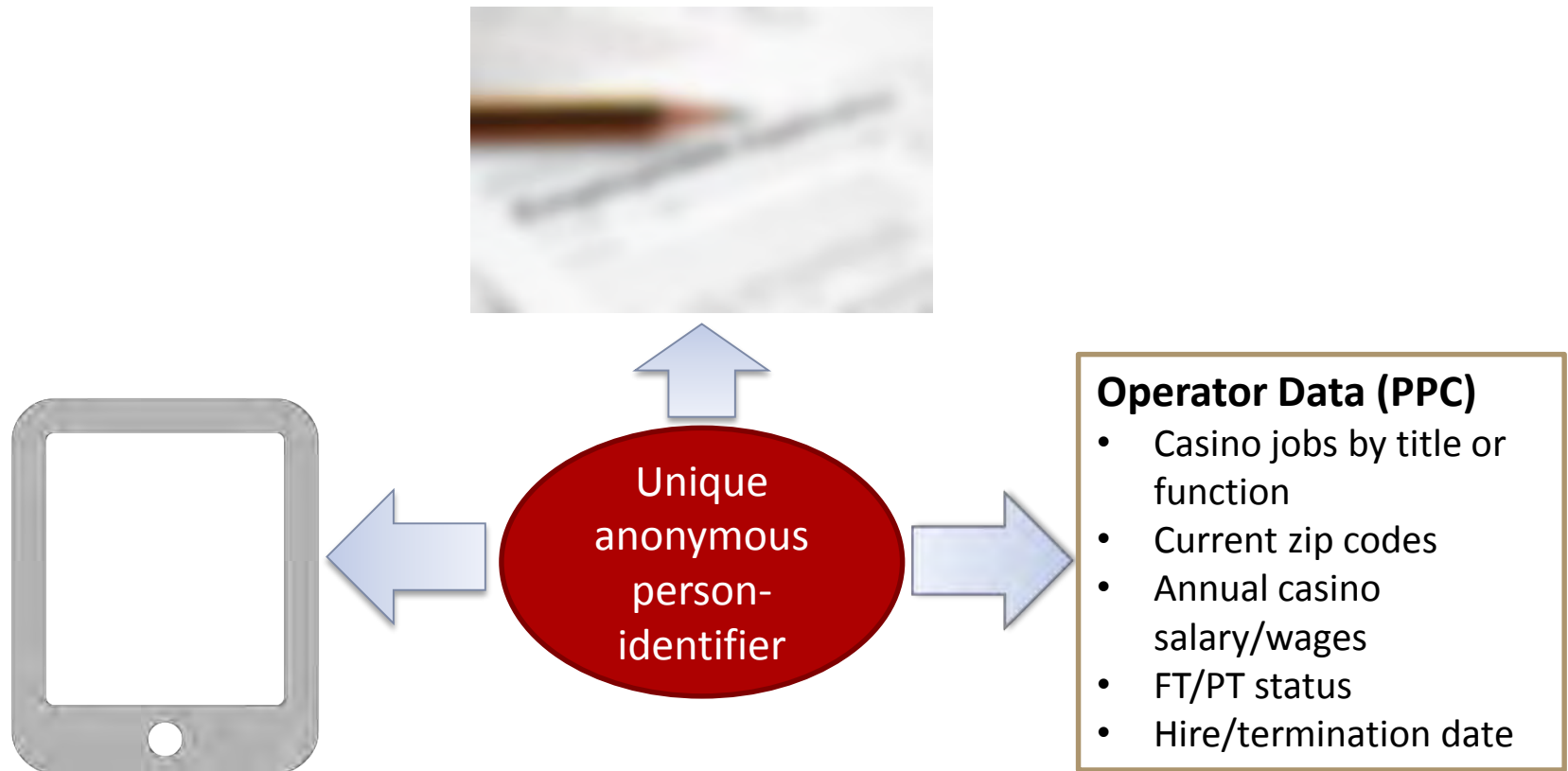
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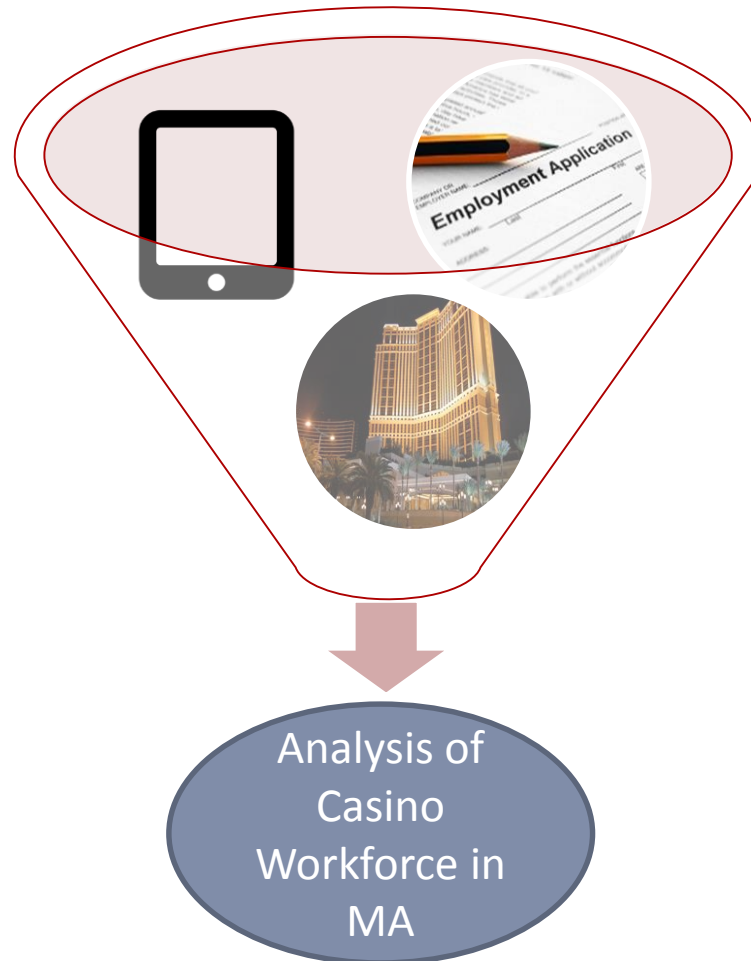
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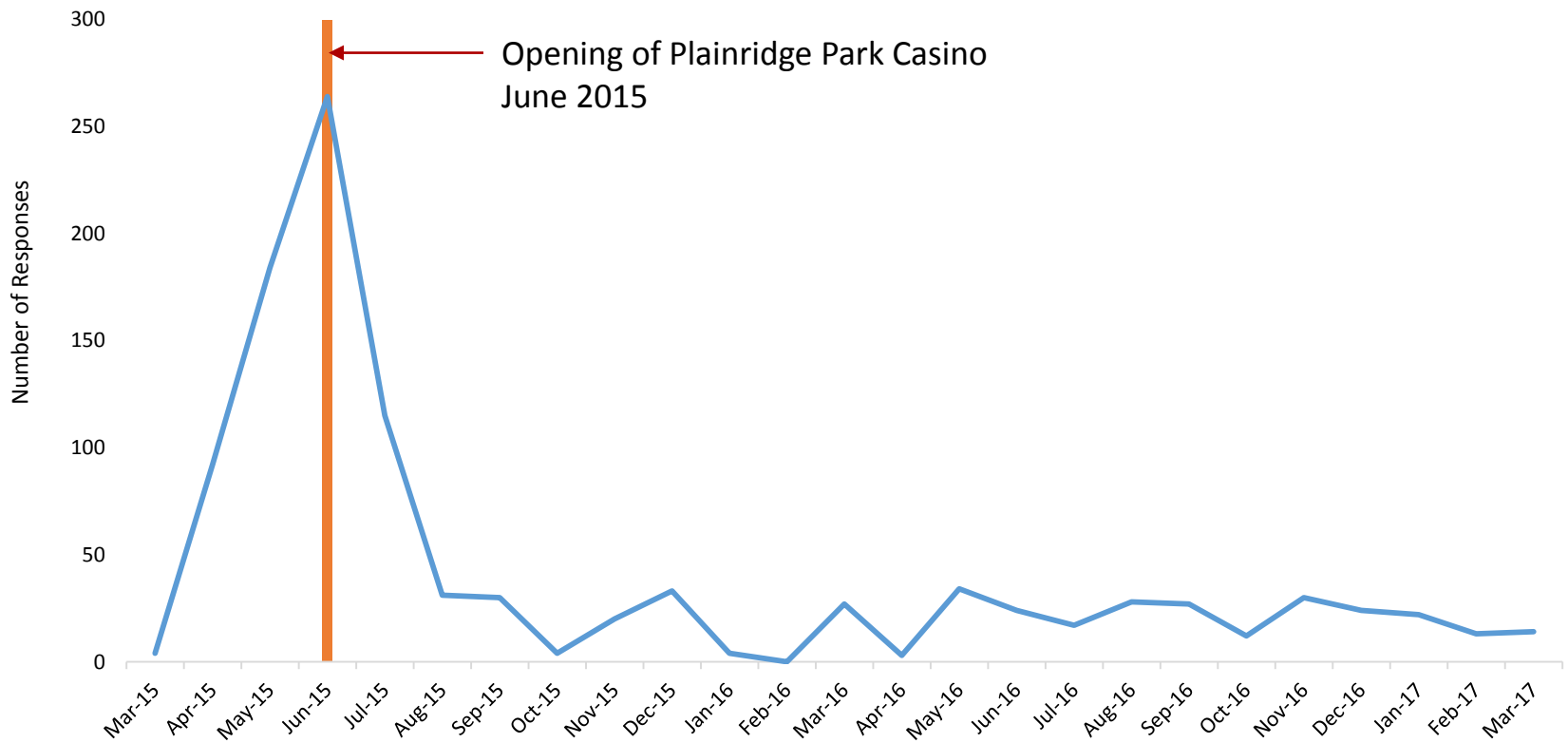
Survey Highlights

- Surveyed over 1,000 new employees of Plainridge Park Casino
- Most new hires did not transfer from Penn National Gaming locations.
- Approximately half of all new hires were working part-time or unemployed at the time of the hire.
- Most new employees sought casino employment to advance career and improve pay.
- Most workers did not receive pre-employment training.
- We identified enhancement to the survey to use in future data collection.

Survey Results from First Two Years of Data Collection

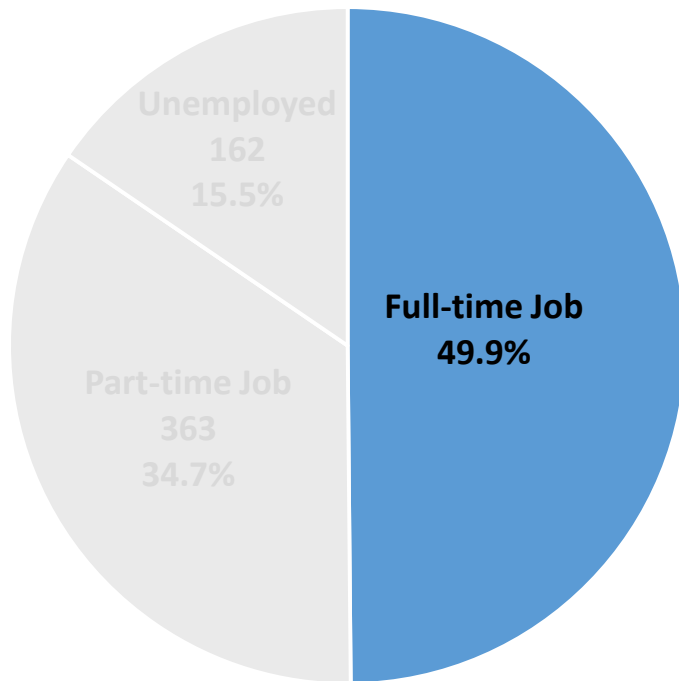
Frequency of Hiring

March 2015-March 2017



N=1,056

Work Status Prior to Hire



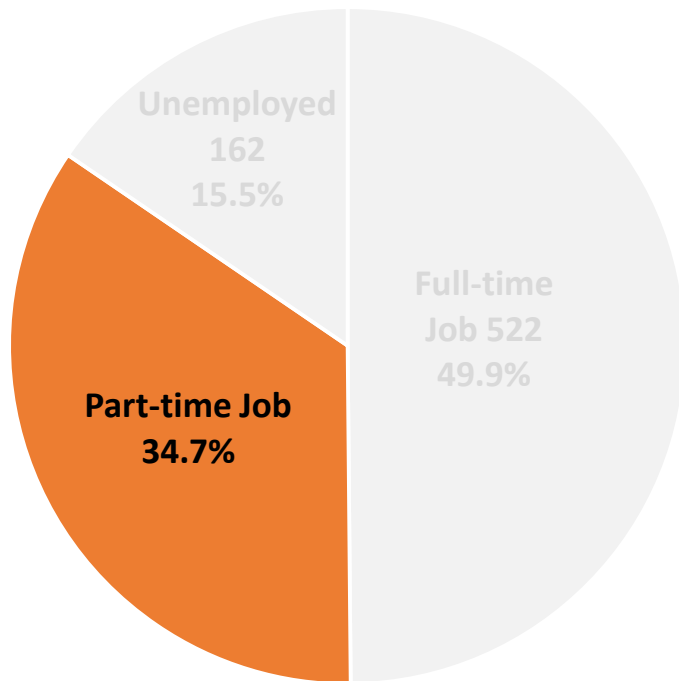
N=1,047

Number of respondents who were previously

- Employed full-time: 522

Note: The response percent is based on the number of answered questions. The total number of responses for each question varies because some respondents did not complete the survey or did not answer all of the questions.

Work Status Prior to Hire



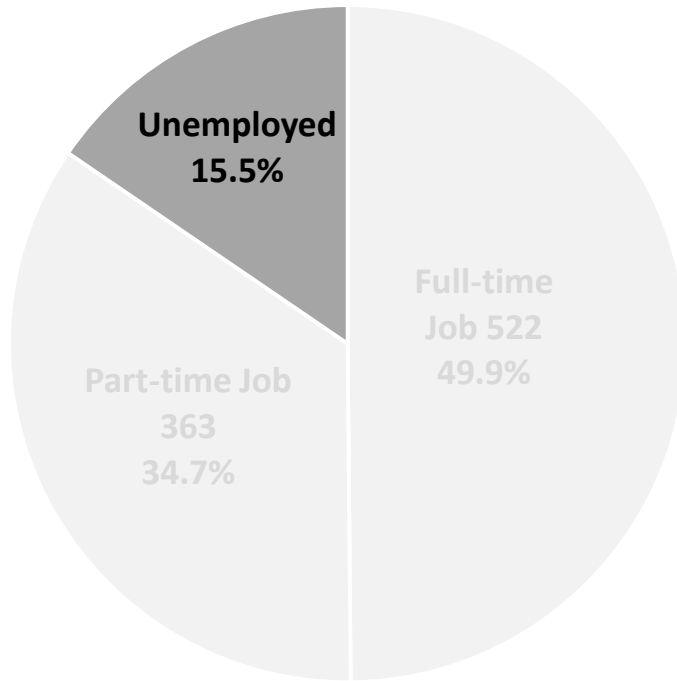
N=1,047

Number of respondents who were previously

– Employed part-time: 363

Note: The response percent is based on the number of answered questions. The total number of responses for each question varies because some respondents did not complete the survey or did not answer all of the questions.

Work Status Prior to Hire



N=1,047

Number of respondents who were previously

– Unemployed: 162

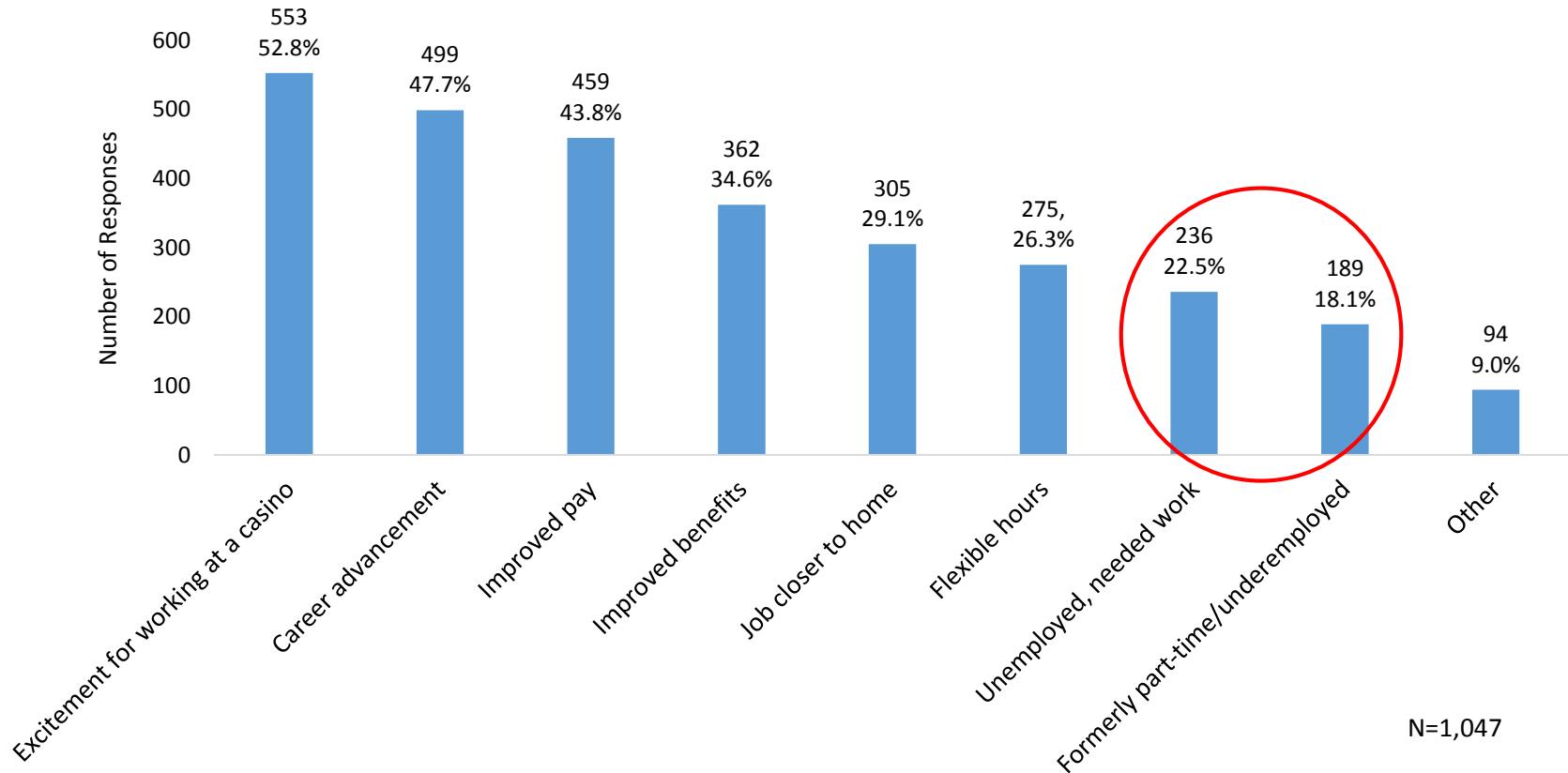
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Work Status Prior to Hire: Profile of Previously Unemployed

Respondents Who Were Previously Unemployed	Has Previous Experience		Received Training		Moved to Take Position	
	Response Count	Response Percentage	Response Count	Response Percentage	Response Count	Response Percentage
Yes	15	9.3%	27	16.8%	9	5.6%
No	147	90.7%	134	83.2%	153	94.4%
Total Answered Questions	162	100.0%	161	100.0%	162	100.0%

Note: The response percent is based on the number of answered questions. The total number of responses for each question varies because some respondents did not complete the survey or did not answer all of the questions.

Reasons for Seeking Employment



Note: Respondents were allowed to select more than one reason for seeking employment so response totals for this question will exceed the total number of survey respondents.

Reasons for Seeking Employment

Reasons for Seeking Employment at Plainridge Park Casino	Response Count			
	Full-time Job	Part-time Job	Unemployed	Total
Excitement for working at a casino	264 (50.6%)	203 (55.9%)	86 (53.1%)	553
Career advancement	277 (53.1%)	160 (44.1%)	62 (38.3%)	499
Improved pay	228 (43.7%)	188 (51.8%)	43 (26.5%)	459
Improved benefits	195 (37.4%)	118 (32.5%)	49 (30.2%)	362
Job closer to home	150 (28.7%)	96 (26.4%)	59 (36.4%)	305
Flexible hours	110 (21.1%)	130 (35.8%)	35 (21.6%)	275
Unemployed, needed work	81 (15.5%)	35 (9.6%)	120 (74.1%)	236
Formerly part-time/underemployed	39 (7.5%)	136 (37.5%)	14 (8.6%)	189
Other	58 (11.1%)	29 (8.0%)	7 (4.3%)	94
Total Respondents	522 (100.0%)	363 (100.0%)	162 (100.0%)	1,047

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Improved pay	228 (43.7%)	188 (51.8%)	43 (26.5%)	459
Improved benefits	195 (37.4%)	118 (32.5%)	49 (30.2%)	362
Job closer to home	150 (28.7%)	96 (26.4%)	59 (36.4%)	305
Flexible hours	110 (21.1%)	130 (35.8%)	35 (21.6%)	275
Unemployed, needed work	81 (15.5%)	35 (9.6%)	120 (74.1%)	236
Formerly part-time/underemployed	39 (7.5%)	136 (37.5%)	14 (8.6%)	189
Other	58 (11.1%)	29 (8.0%)	7 (4.3%)	94
Total Respondents	522 (100.0%)	363 (100.0%)	162 (100.0%)	1,047

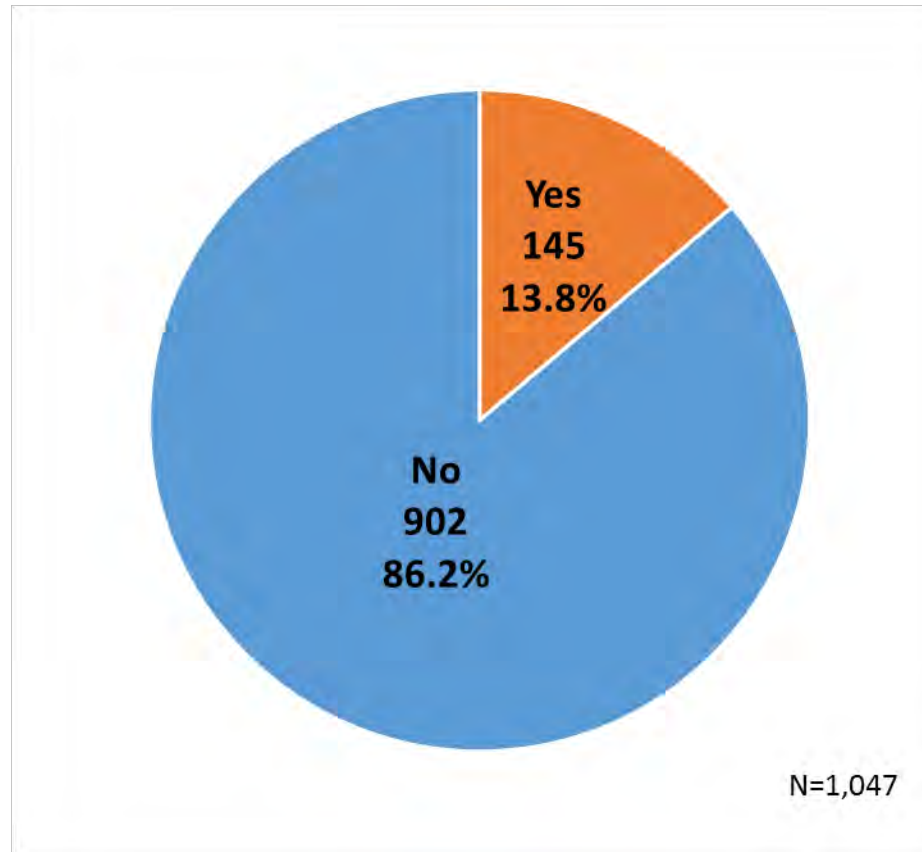
Note: Respondents were allowed to select more than one reason for seeking employment so response totals for this question will exceed the total number of survey respondents. The reasons have been ranked by the frequency of response counts and that rank is in parentheses.

Reasons for Seeking Employment

Reasons for Seeking Employment at Plainridge Park Casino	Response Count			
	Full-time job	Part-time Job	Unemployed	Total
Excitement for working at a casino	264 (50.6%)	203 (55.9%)	86 (53.1%)	553
Career advancement	277 (53.1%)	160 (44.1%)	62 (38.3%)	499
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Previous Gaming Work Experience



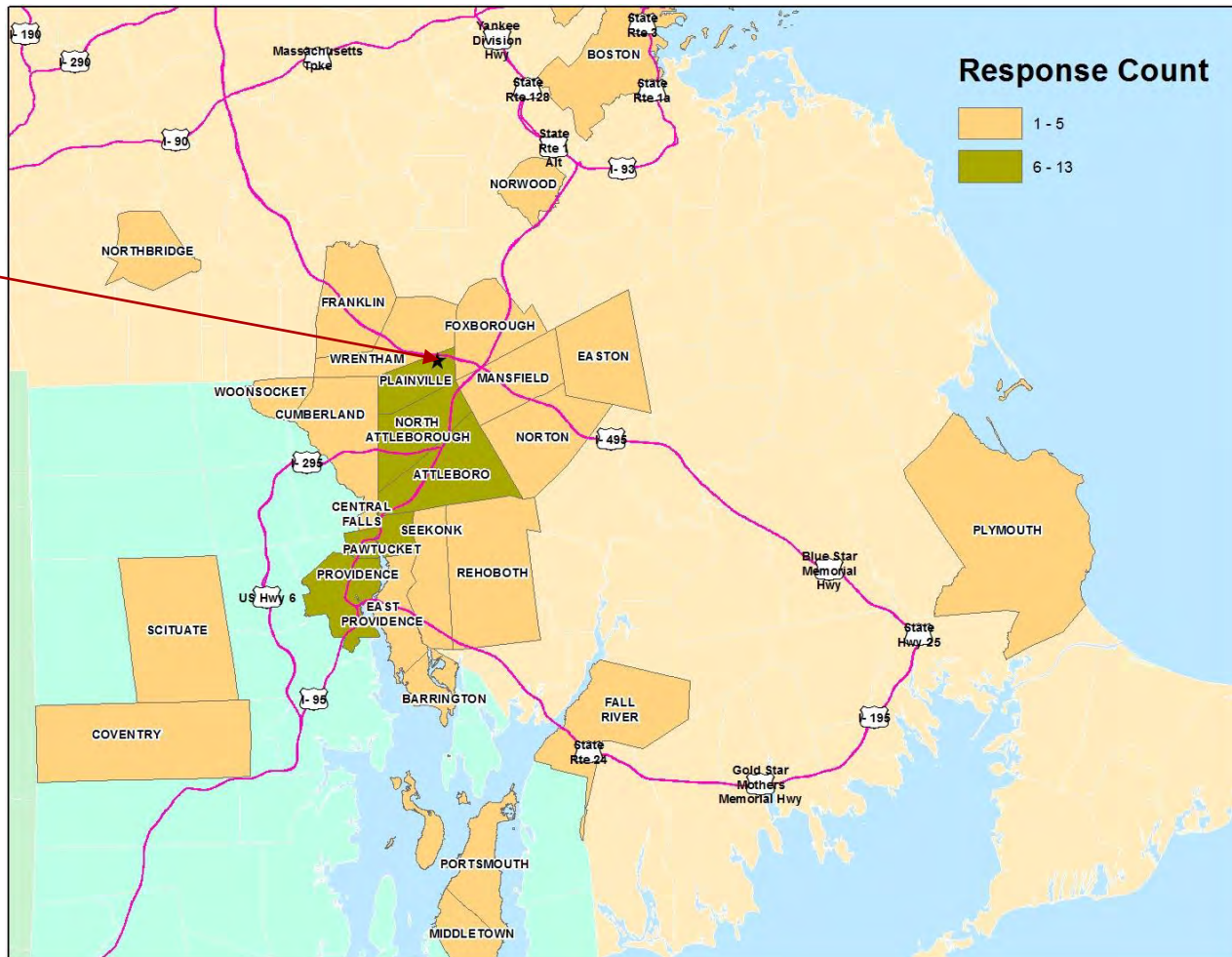
Note: The response percent is based on the number of answered questions. The total number of responses for each question varies because some respondents did not complete the survey or did not answer all of the questions.

Origins of New Employees Who Moved

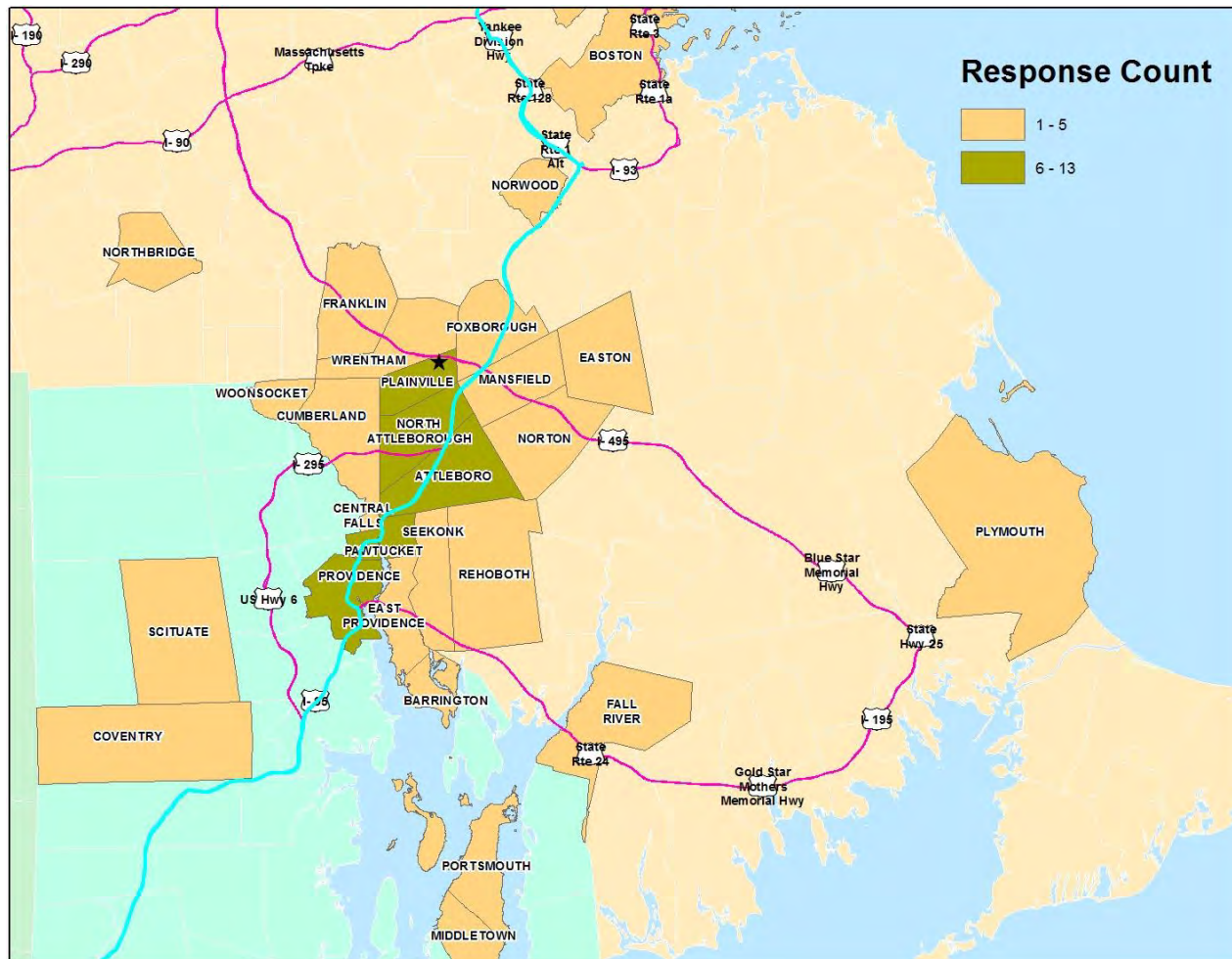
Origin	Response Count	Response Percent
Massachusetts	20	26.7%
Other New England States	22	29.3%
Mid-Atlantic States	13	17.3%
Midwest	11	14.7%
Other	8	10.7%
Not Reported	1	1.3%
Total	75	100.0%

Most Common Destinations for New Employees Who Moved

Plainridge
Park Casino

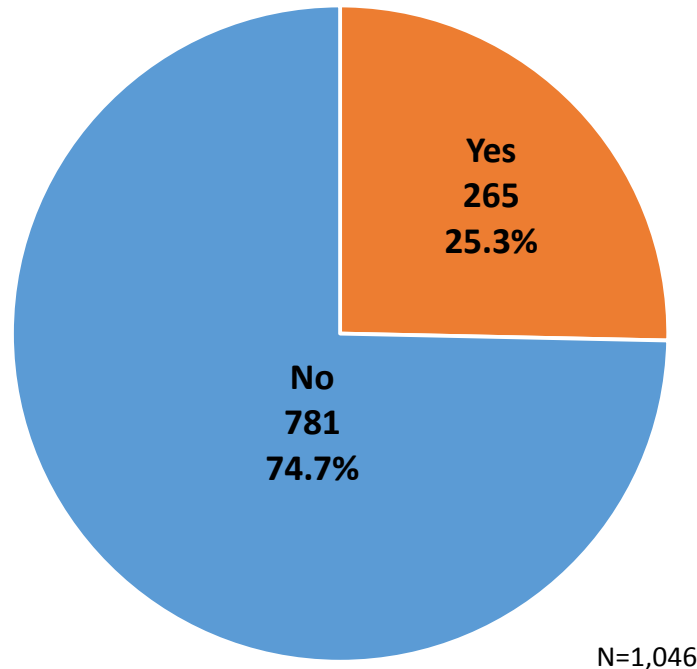


Where are People Moving?



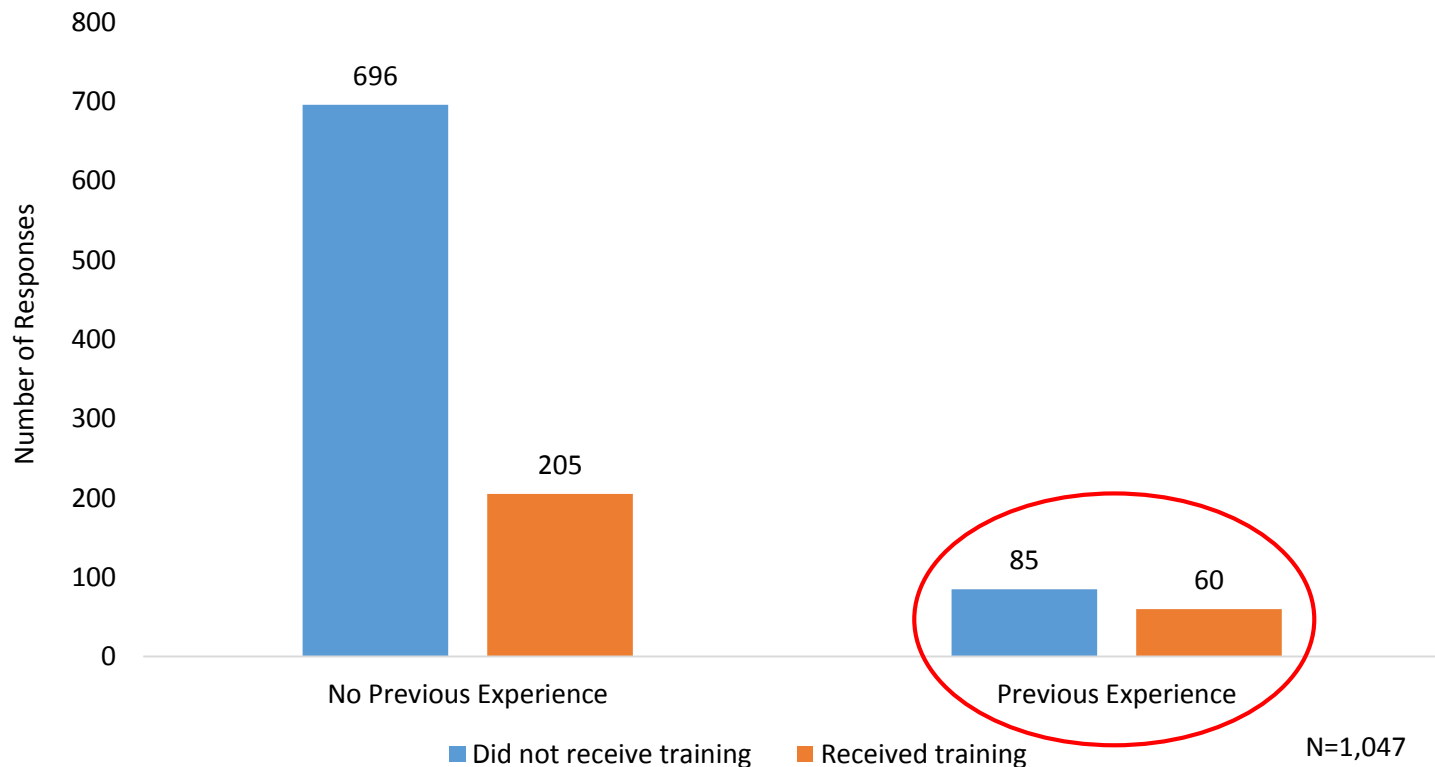
Training

Respondents Who Received Training to Raise Skills for Their New Position



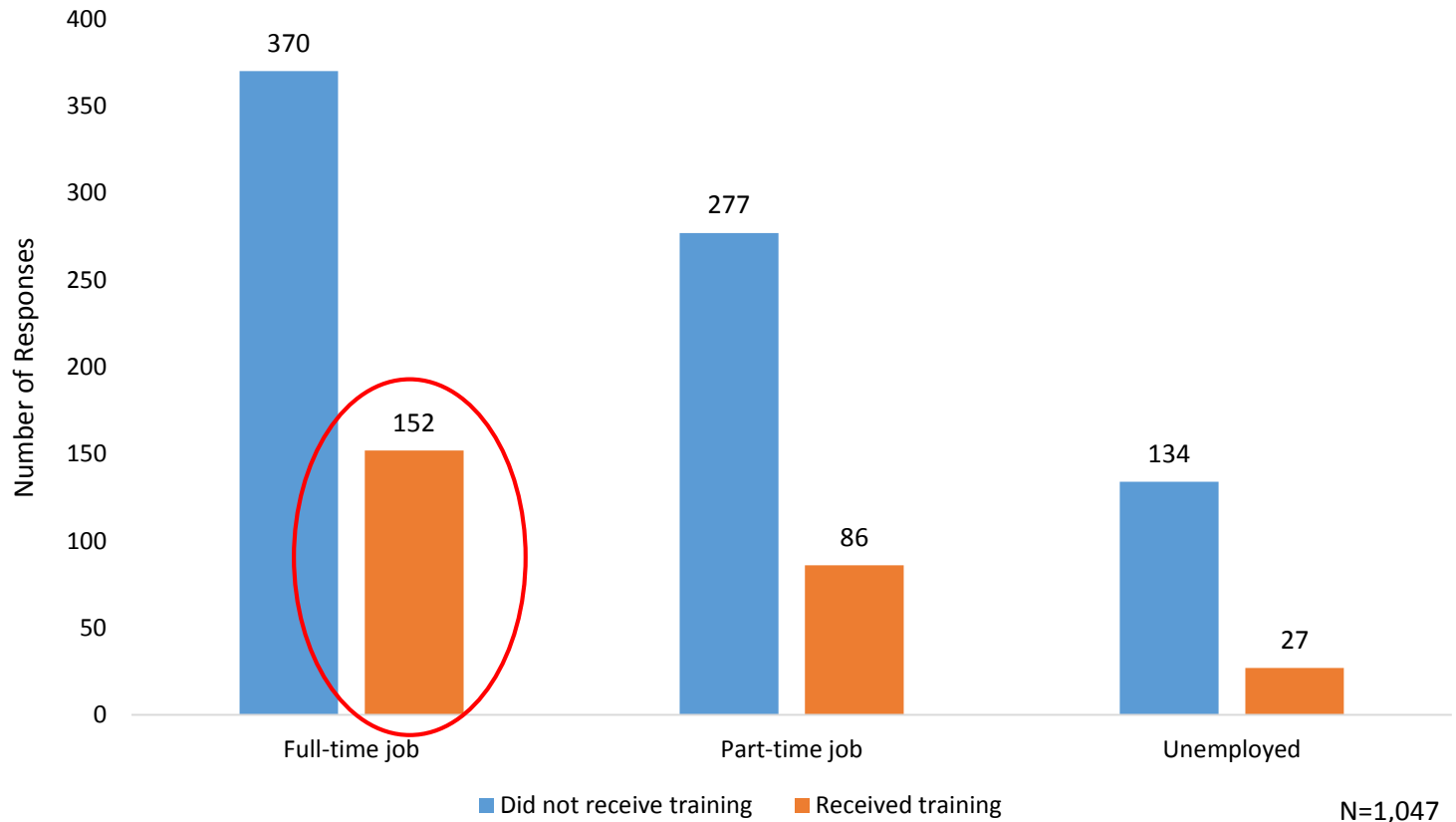
Note: The response percent is based on the number of answered questions. The total number of responses for each question varies because some respondents did not complete the survey or did not answer all of the questions.

Training and Previous Experience



Note: The response percent is based on the number of answered questions. The total number of responses for each question varies because some respondents did not complete the survey or did not answer all of the questions.

Training and Work Status Prior to Hire



Note: The response percent is based on the number of answered questions. The total number of responses for each question varies because some respondents did not complete the survey or did not answer all of the questions.

Summary Findings

- Approximately one half of new hires worked part-time or were unemployed before being hired.
- Major reasons for seeking employment:
 - Career advancement
 - Improved pay
 - Improved benefits
- More than 40% said they needed work due to being unemployed, part-time or underemployed.
- Nearly three-quarters of respondents come to their job without pre-employment training.
- Most new hires did not transfer from other Penn National locations.

Next Steps

- Minor revisions to the survey to refine questions in preparation for resort casinos
 - Elaborating reasons for seeking job
 - New questions: current residence, educational attainment, salary & wages, previous industry & occupation
 - More clarification on training
- Link survey results with other administrative data to tell larger workforce story
- Begin collecting data from resort casinos

QUESTIONS

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UNIVERSITY OF MASSACHUSETTS SCHOOL OF PUBLIC HEALTH AND HEALTH SCIENCES

New Employee Survey at Plainridge Park Casino: Analysis of First Two Years of Data Collection

May 10, 2017

University of Massachusetts Donahue Institute, Economic and Public Policy Research Group

Acknowledgements

Support for this study came from the Massachusetts Gaming Commission under ISA MGC10500003UMS15A establishing the Social and Economic Impacts of Gambling in Massachusetts study. This multi-year project was competitively bid via the Massachusetts Gaming Commission Request for Response (MGC-RA-2012) for Research Services and awarded to the University of Massachusetts Amherst in April 2013.

We would like to thank Mark Vander Linden, Director of Research and Responsible Gaming, Commissioner Bruce Stebbins, Director of Licensing Paul Connelly, and Director of Workforce, Supplier and Diversity Development Jill Griffin all of whose insight and careful review of draft versions of this report contributed to its clarity as well as utility to multiple audiences.

Introduction

The Social and Economic Impacts of Gambling in Massachusetts (SEIGMA) study, of which the Economic and Public Policy Research team at the UMass Donahue Institute (UMDI) is a part, strives to understand the impact of the introduction of casinos on the people and economy of the Commonwealth. Of interest in this endeavor is a better understanding of new employment opportunities offered by casino operators and characteristics of the workforce at point of hire. To this end, a survey was designed to gather a range of information on work-related characteristics and aspirations of new employees.¹ This report presents summary findings from the first two years of new employee survey data collection at Plainridge Park Casino. Over time, survey data from all three casinos will help workforce development boards and policymakers understand the types of employees who want to work at the casinos, the extent to which employees are being trained, the number of employees drawn from the local labor supply, and net new job creation.

Methodology

While data collection responsibilities for the New Employee Survey reside exclusively with the Massachusetts Gaming Commission (MGC), the research team collaborated with the MGC to create the survey instrument and is responsible for analyzing results. The survey instrument was designed to collect information from new casino employees that could not be garnered by any other means. The survey uses the online tool SurveyMonkey, and is administered during the gaming license application process. Several key pieces of data are collected from each applicant: employment status prior to hire, whether the applicant currently works for the operator or is a new hire, reasons for seeking the job, whether the applicant moved to take the position, and training received in preparation for work at the casino (see Appendix for a copy of the survey instrument).

The survey is administered electronically via tablet computers. To ensure that the maximum number of new employees are exposed to the survey, new employees are given the tablets while they wait during the final phase of the gaming license application process. Once security checks and identity have been confirmed, applicants receive a conditional offer of employment. Only a few applicants are rejected after this stage so there will be a small discrepancy in the total pool of applicants and the cumulative total of current and previous employees at Plainridge Park Casino.

The vast majority of survey respondents are people who are new to the gaming industry and are now being hired for gaming and non-gaming positions at Plainridge Park Casino, including its food court vendors. A small number of people included in the survey already worked for Plainridge Park Casino's parent company, Penn National Gaming, Inc., and were transferred to Plainridge Park to assist in coordinating the opening of the new property.² Responses may include Penn National employees who were borrowed by Plainridge Park Casino on a temporary basis as these employees did not go through the traditional licensing process and did not get fingerprinted.³ A report on the employment impacts of the construction of Plainridge Park Casino was completed in September 2016 and is available on the SEIGMA website (Motamedi & Peake, 2016).

¹ The survey itself is administered by the Massachusetts Gaming Commission and secondary data are shared with SEIGMA for analysis.

² Information about Penn National Gaming, Inc., the parent company of Plainridge Park Casino and owner of over 30 casinos across the United States, can be found on their website <http://www.pngaming.com/Locations>.

³ Current Penn National personnel go through an abbreviated process outlined in [2015 CMR 134.03 \(2\)](#).

It is important to note that the total number of survey responses does not necessarily equal the total employment at Plainridge Park Casino at any given time. Because the survey is administered to each applicant only once, it can neither reveal whether the respondent continues employment at the gaming establishment nor the duration of that employment. For this reason, it may be more useful to interpret the number of responses as a count of people going through the licensing process rather than total employment. When the survey data are combined with employment data provided by Plainridge Park Casino, we will be able to determine a rate of turnover and have a better understanding of total employment.

Finally, it is worth noting that some changes to the questionnaire are planned going forward. These changes will allow for a better understanding of where employees move from to take jobs at the casino as well as employees' employment status prior to working at the casino.

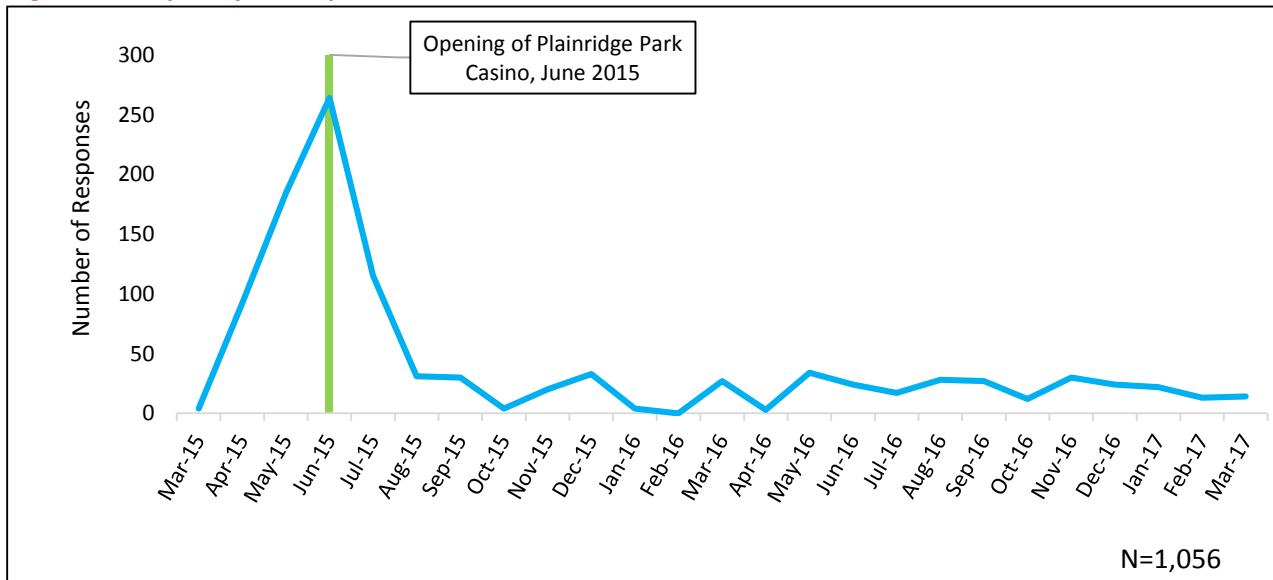
Results

Data collection began in March 2015 and will likely continue as long as the casino remains in operation. This section discusses survey results from the first two years of data collection, which is the time leading up to the grand opening of Plainridge Park Casino until the end of March 2017.

Frequency of Responses During Data Collection Period

In March and April 2015, the number of new hires, as indicated by the volume of survey responses collected, was less than 100 total for both months. However as Plainridge Park Casino prepared for its grand opening on June 24, 2015,⁴ hiring increased dramatically. Hiring peaked in June 2015 with 264 new hires in just that month and a cumulative total of 544 since the introduction of the survey. Hiring declined after operations commenced with 115 new hires in July 2015 and only 31 and 30 new hires in August and September, respectively. By the end of March 2017, a total of 1,056 people had taken the survey.

Figure 1. Frequency of Responses, March 2015-March 2017



⁴ Murphy, Sean P. "Gamblers Throng to Opening Day at Plainridge Casino". *Boston Globe*, June 24, 2015. Obtained online from <https://www.bostonglobe.com/metro/2015/06/24/plainridge-park-casino-open-its-doors-today/ahf0FOyZr4CV9G7V5MGcCK/story.html>.

Employee Transfers: Employees Who Currently Work for the Casino Operator

As noted earlier, a small subset of the survey respondents was previously employed at Plainridge Racecourse, the property that preceded the casino. Out of 1,012 respondents, only 3.5 percent (n=37), reported that they currently worked for the operator (Penn National Gaming, Inc.). Of those 37 employees, almost 29 percent indicated that they relocated to take the position at Plainridge Park Casino while 71 percent did not move for their position.

Understanding the destination of movers is just as important as their origins because some of these employees represent a new population to the Commonwealth. Without the new gaming position at Plainridge Park Casino, it is likely that the employee would have remained in their previous location and had no impact on the regional economy.

Table 1. Employees Who Currently Work for the Operator

Do you currently work for this casino operator but at a different location? (e.g., at another gaming establishment or headquarters/administrative office)	Response Count	Response Percent
Yes	37	3.5%
No	1,019	96.5%
Total Answered Questions	1,056	100.0%
Total Skipped Questions	1	

Note: The response percent is based on the number of answered questions. The total number of responses for each question varies because some respondents did not complete the survey or did not answer all of the questions.

Table 2. Employees Who Currently Work for the Operator and Moved to Take the Position

Current Employees Who Moved	Response Count	Response Percentage
Yes	10	28.6%
No	25	71.4%
Total Answered Questions	35	100.0%
Total Skipped Questions	2	

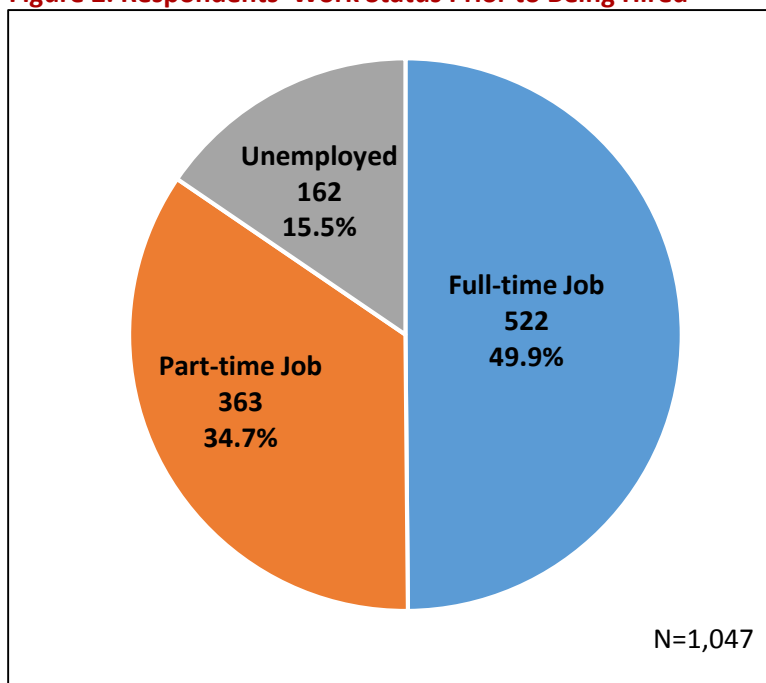
Note: The response percent is based on the number of answered questions. The total number of responses for each question varies because some respondents did not complete the survey or did not answer all of the questions.

Employees' Work Status Prior to Being Hired at Plainridge Park Casino

Creating employment opportunities for unemployed or underemployed Baystaters is a priority of the Expanded Gaming Act. According to evidence supplied by the survey responses, the hiring at Plainridge Park Casino is meeting this objective. Slightly over one half of the respondents (n=525) reported that they were either unemployed or were employed part-time prior to taking their positions at Plainridge Park Casino. The remaining respondents (n=522) were previously employed full-time. Using data from our revised survey instrument, we will be able to discern how many people experience a change in their employment status from part-time to full-time as a result of the introduction of casinos. The recruitment of workers who were previously unemployed is especially relevant because this group did not leave jobs in other industries and thus can be directly counted as new employment in Massachusetts. Those who are leaving other jobs will create vacancies which could be filled by someone who is underemployed or unemployed. All of these considerations will be vital to understanding the types of employees who work in the Commonwealth's new gaming establishments and the effects employment and hiring will have on the regional labor market.

Further exploration of the new employees who indicated that they were previously unemployed reveals a few important observations. First, unemployed workers comprised a sizable portion of initial hires at the casino. Plainridge Park Casino hired the highest number of previously unemployed workers in May 2015 with 41 new hires, or 25.3 percent of all previously unemployed respondents. In the two months following, June and July, 28 and 24 respondents (or 17.3 and 14.8 percent respectively) were unemployed before being hired by the casino. Second, most formerly unemployed workers were new to the gaming industry. Only 9.3 percent of applicants who were previously unemployed had previous experience working at a gaming establishment (n=15). Over 83 percent of previously unemployed respondents had not received training by the time of hire (n=134).⁵ Lastly, less than six percent of previously unemployed respondents moved in order to take their positions at Plainridge Park Casino (n=9). When considered together, the average applicant who was previously unemployed did not have experience working at a gaming establishment, did not receive training prior to their hiring and did not move to take their position at Plainridge Park Casino.

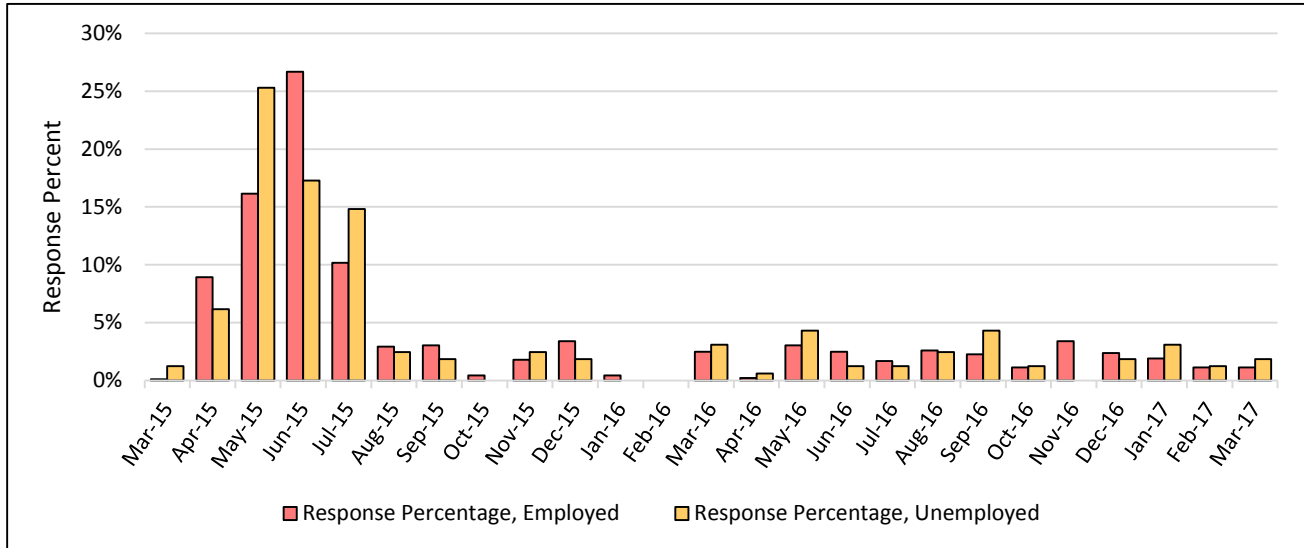
Figure 2. Respondents' Work Status Prior to Being Hired



Note: The response percent is based on the number of answered questions. The total number of responses for each question varies because some respondents did not complete the survey or did not answer all of the questions.

⁵ See “Employees Who Received Training” on [page 11](#) for more information.

Figure 3. Previously Employed and Unemployed by Month of Hire, March 2015 - March 2017



Note: The total number of responses for each question varies because some respondents did not complete the survey or did not answer all of the questions.

Table 3. Profile of Previously Unemployed Applicants

Response to Question	Has Previous Experience		Received Training		Moved to Take Position	
	Response Count	Response Percentage	Response Count	Response Percentage	Response Count	Response Percentage
Yes	15	9.3%	27	16.8%	9	5.6%
No	147	90.7%	134	83.2%	153	94.4%
Total Answered Questions	162	100.0%	161	100.0%	162	100.0%
Total Skipped Questions	0		1		0	

Note: The response percent is based on the number of answered questions. The total number of responses for each question varies because some respondents did not complete the survey or did not answer all of the questions.

Reasons for Seeking Employment at Plainridge Park Casino

According to the survey responses, the three most popular reasons for seeking employment at Plainridge Park Casino were excitement for working at a casino (52.8 percent), career advancement (47.7 percent) and improved pay (43.8 percent). Improved benefits was the fourth most common reason for working at the casino with 34.6 percent of respondents selecting this option. Only 29.1 percent of respondents specified that the job’s proximity to home contributed to their decision to apply to Plainridge Park Casino. Slightly over a quarter of total respondents stated that the casino’s flexible hours was a factor that attracted them.

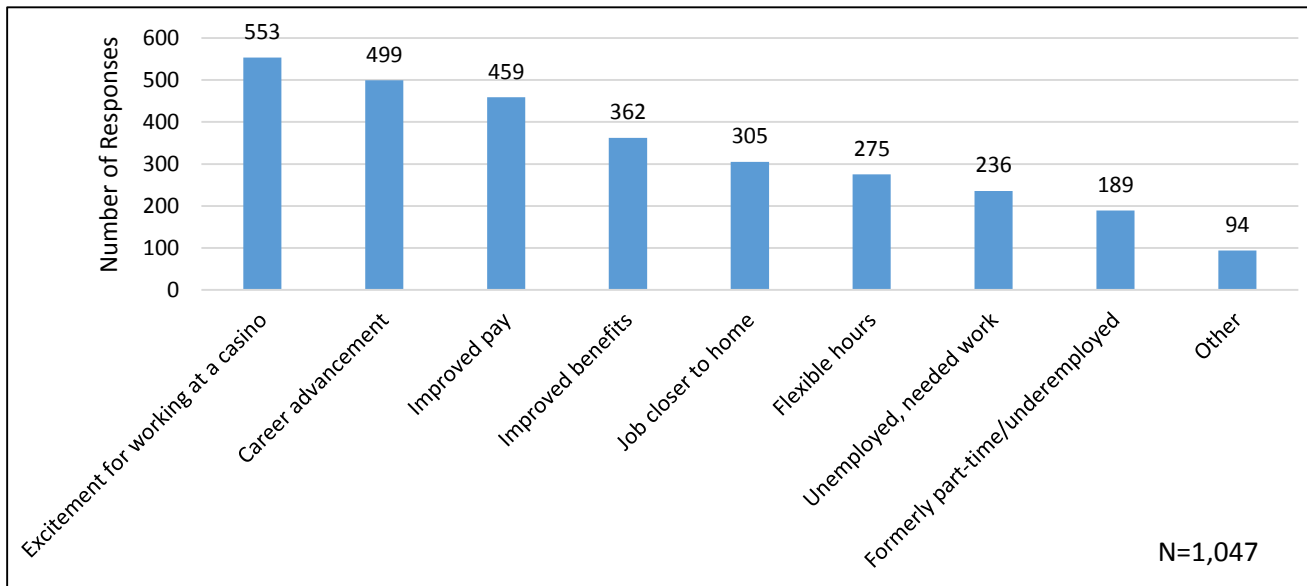
We encouraged respondents to convey their own reasons for seeking employment at the casino and the need for extra income was the top reason followed by having current employment at the gaming establishment. Respondents also cited wanting a change in career, graduating from college, using the position as an opportunity to work toward their career goals, and entering retirement as reasons for working at the casino.

Excitement for working at a casino and career advancement were among the top three reasons for new hires regardless of their employment status prior to hire. Career advancement was the most common response for new hires who had been previously employed full-time. Improved pay was a more common reason among previously employed respondents and was the sixth highest motive for respondents who had

been unemployed prior to hire. The casino’s proximity to home was a more popular reason among previously full-time or unemployed respondents.

It is important to note that the response rate for the unemployed and needed work option (n=236) is greater than the number of respondents who indicated that they were currently unemployed (n=162). We believe that the discrepancy results from a lack of clarity in the prior question: some respondents used it to indicate their need for work rather than an unemployed status. For example, some employees who held full-time jobs before working for Plainridge Park Casino indicated that one motivation for taking a position at the casino was that they were unemployed and needed work or were underemployed. While underemployment of formerly full-time workers is the most likely interpretation of these data, we have developed this question further to obtain more clarity in the updated survey.

Figure 4. Reasons for Seeking Employment at Plainridge Park Casino



Note: Respondents were allowed to select more than one reason for seeking employment so response totals for this question will exceed the total number of survey respondents.

Table 4. Other Reasons for Seeking Employment at Plainridge Park Casino

Other Reasons for Seeking Employment at Plainridge Park Casino	Response Count
Extra income	23
Current Plainridge Park employee	15
Wanted a change/new career	12
Opportunity to work towards career goals	5
Recent college graduate/seeking short-term employment	5
Currently employed at a franchise with a casino location	4
Already relocating to area	3
Benefits	3
Friends work here/referred to the job	3
Other	11
Total Answered Questions	84
Total Skipped Questions	18

Note: Eight respondents did not check the “Other” option but still wrote a comment in the text field. “Skipped” in this question indicates that the respondent selected the option for “Other” but did not type a response into the text field. The total of the “Answered” and “Skipped” questions will therefore exceed the original 94 respondents who answered “Other” to this question.

Table 5. Reasons for Seeking Employment at Plainridge Park Casino by Previous Employment Status

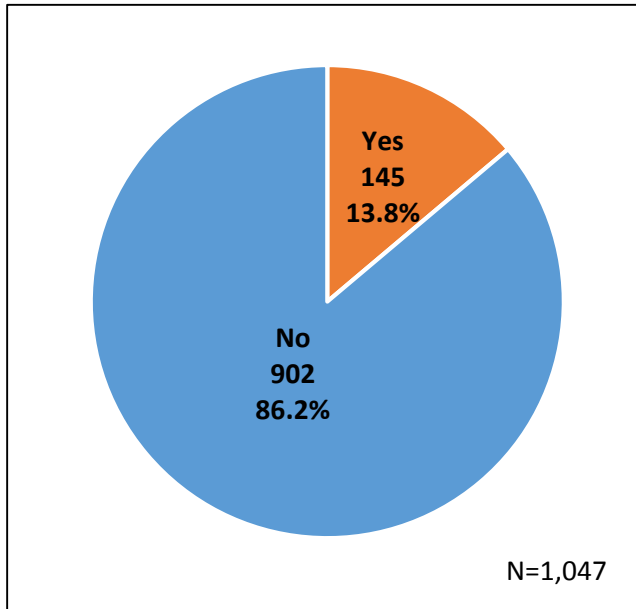
Reasons for Seeking Employment at Plainridge Park Casino	Response Count			
	Full-time Job	Part-time Job	Unemployed	Total
Excitement for working at a casino	264 (50.6%)	203 (55.9%)	86 (53.1%)	553
Career advancement	277 (53.1%)	160 (44.1%)	62 (38.3%)	499
Improved pay	228 (43.7%)	188 (51.8%)	43 (26.5%)	459
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Total Respondents	522 (100.0%)	363 (100.0%)	162 (100.0%)	1,047

Note: Respondents were allowed to select more than one reason for seeking employment so response totals for this question will exceed the total number of survey respondents. Percentages indicate every answer’s share of total responses for each previous employment status.

Respondents with Previous Experience Working at a Gaming Establishment

More than 80 percent of new hires (n=902) reported that they did not have previous experience in the gaming industry before taking a job at Plainridge Park Casino, while 13.8 percent of respondents (n=145) had previous experience. Establishing baseline experience levels of employees will inform us about opportunities that exist for employees to acquire training, grow in their occupations and advance their careers.

Figure 5. Respondents with Previous Experience Working at a Gaming Establishment



Note: The response percent is based on the number of answered questions. The total number of responses for each question varies because some respondents did not complete the survey or did not answer all of the questions.

Table 6. Respondents with Previous Experience at a Gaming Establishment

Do you have previous experience working at a gaming establishment?	Response Count		
	Current PPC Employees	Other New Employees	Total
Yes	17	128	145
No	18	884	902
Total Answered Questions	35	1,012	1,047
Total Skipped Questions	2	7	9

Note: The response percent is based on the number of answered questions. The total number of responses for each question varies because some respondents did not complete the survey or did not answer all of the questions.

Employees Who Moved to Take a New Position at Plainridge Park Casino

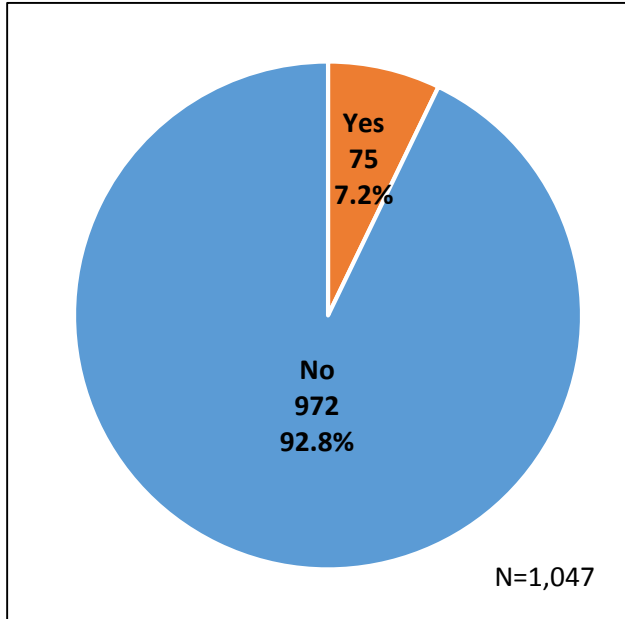
Another important piece of information is the residence of new employees at Plainridge Park Casino. The revised survey will collect information on home residences by town. In the meantime, the survey analysis shows that more than 92 percent of new employees did not move or plan to move to take their new job. We assume that this means that most new employees live within the immediate region—either within Massachusetts or Rhode Island. Detail on places of residence will be provided in the Plainridge Park Casino Operator Impacts Report due to be released in the spring of 2017.

The initial version of the survey collected information on new hires who moved home residences to take their new job. Only 7.2 percent of new hires (n=75) stated that they moved or planned to move in the next six months in order to take the new position at Plainridge Park Casino. Over one quarter of movers (n=20) relocated from other regions in Massachusetts, such as the Metro Boston area, Nantucket, Bristol County, and Norfolk County. These movers were already residents of Eastern Massachusetts and presumably lived farther than they were willing to commute for their position at Plainridge Park Casino. Twenty-nine percent of transplants (n=22) moved from other states in New England and more than 40 percent of movers (n=32) were from states outside of the New England region, such as Ohio, Pennsylvania, Nevada, and New Jersey.

The town with the highest number of movers was Plainville (n=13), although the majority of movers relocated to other cities and towns in Massachusetts or Rhode Island. Over one quarter of transplants (n=19) moved to MGC-designated surrounding communities and just over 30 percent (n=23) moved to Rhode Island. As can be seen in the map below, movers tended to gravitate towards communities along Interstate 95, stretching all the way from Pawtucket and Providence, in Rhode Island, to Attleboro and North Attleborough. Given the close proximity of Plainville to Rhode Island and its accessibility to the highway, it is reasonable that a number of employees would commute to their jobs from these locations.

The results of our analysis of movers show that most movers relocated from out-of-state and, while most did not move to Plainville, they still resettled in the immediate region.

Figure 6. Respondents Who Moved to Take the New Position at Plainridge Park Casino



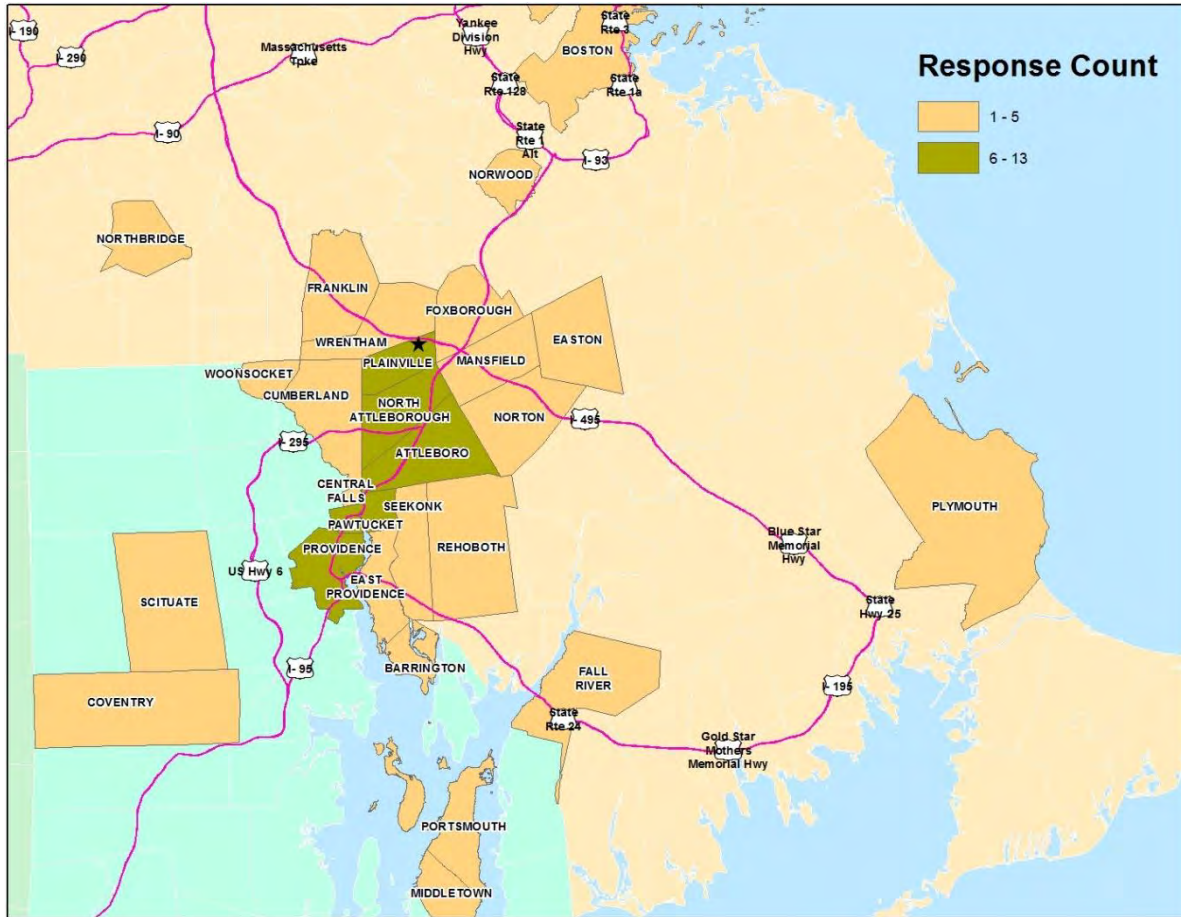
Note: The response percent is based on the number of answered questions. The total number of responses for each question varies because some respondents did not complete the survey or did not answer all of the questions.

Table 7. Origin and Destination of Employees Who Moved to Take the New Position⁶

Origin	Response Count	Response Percent	Destination	Response Count	Response Percent
Massachusetts	20	26.7%	Plainville, MA	13	17.3%
Other New England States	22	29.3%	Surrounding Communities	19	25.3%
Mid-Atlantic States	13	17.3%	Rhode Island	23	30.7%
Midwest	11	14.7%	Other MA Cities	16	21.3%
Other	8	10.7%	Not Reported	4	5.3%
Not Reported	1	1.3%	Total	75	100.0%
Total	75	100.0%			

⁶ The number of employees who did not report a destination represents those respondents who indicated that they planned to move or moved already but did not enter a city or town name into the answer field. We are currently working towards improving the survey instrument to improve completion of responses to this question.

Figure 7. Destinations of Employees Who Moved to Take the New Position



Employees Who Received Training

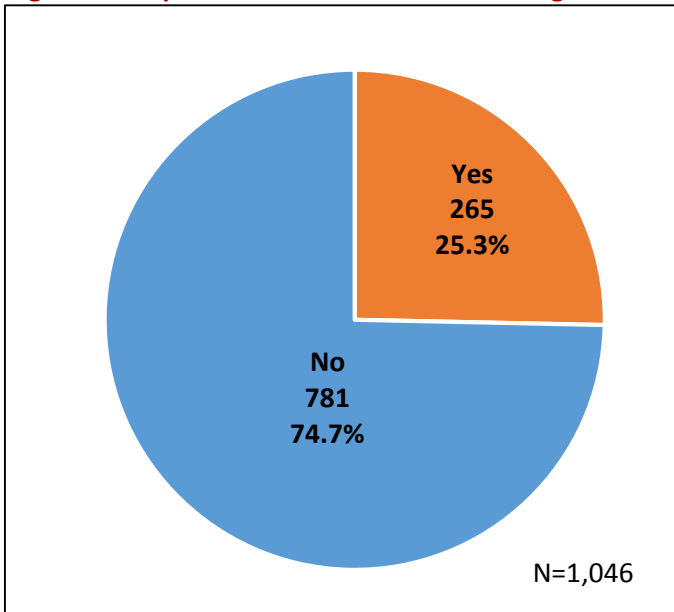
Similar to employees' previous experience, training is important to employees' longevity, career prospects and earning potential, regardless of whether it takes place as the employee works or before they start the job. Employees were asked about whether they received training to raise their skills prior to taking their new position at Plainridge Park Casino and 25.3 percent (n=265) reported that they received training while 74.7 percent (n=781) indicated that they did not receive training.

When we compare the distributions of training across respondents' casino-related experience, we see that the majority of the new casino workforce is not entering their new positions with previous experience and has not received training at the time of hire (n=696). The receipt of training was proportionally higher for employees who had experience prior to starting their job at Plainridge Park Casino. This suggests that training for this subset of employees (n=205) could lead to a more senior position or a different role in the operations of the casino. Job titles are included in the operator data and will help to answer questions about how training may affect employees' advancement within the casino. We are also seeking additional information about whether that training was obtained on-the-job or from a more institutional setting such as a college or training center. The Massachusetts Casino Career Training Institute (MCCTI), for instance, is a collaborative workforce development partnership of the state's 15 community colleges and currently offers education, training and certification programs (<http://www.mccti.org/home.html>).

Another important observation is that the recipients of training were more likely to have been previously employed full-time. Fifty seven percent of respondents who received training also reported that they

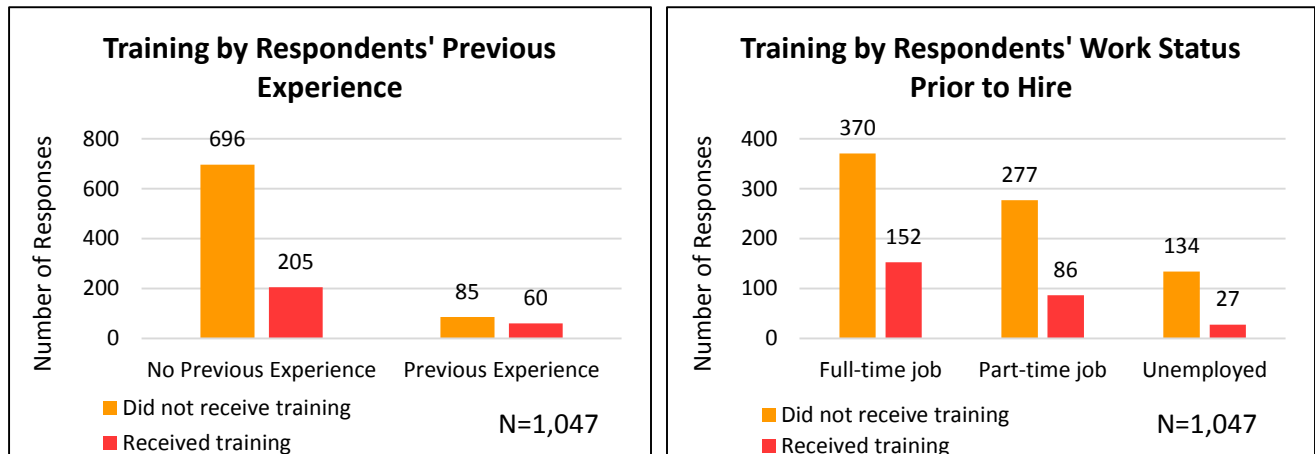
worked full-time before taking their positions at the casino (n=152). Conversely, the 52 percent of respondents who did not receive training was mostly comprised of those who were previously unemployed or worked part-time (n=411). This means that training is reaching more employees who came from full-time positions than from part-time positions or unemployment. Accessibility to – or knowledge of – training opportunities may be a contributing factor to higher response rates amongst those who were previously employed full-time. What constitutes “training” may also be at issue. The revised survey will collect more detailed information on the degree of interest in various types and sources of casino career training.

Figure 8. Respondents Who Received Training to Raise Skills for Their New Position



Note: The response percent is based on the number of answered questions. The total number of responses for each question varies because some respondents did not complete the survey or did not answer all of the questions.

Figure 9. Training by Respondents' Work Status Prior to Hire and Previous Experience



Note: The response percent is based on the number of answered questions. The total number of responses for each question varies because some respondents did not complete the survey or did not answer all of the questions.

Conclusion and Next Steps

Our findings from the first two years of data collection on newly licensed employees reveal several important characteristics of new hires at Plainridge Park Casino and the emergent casino workforce in Massachusetts. Most new hires did not transfer from other Penn National Gaming locations. Approximately one half of new hires worked part-time or were unemployed before obtaining their job at Plainridge Park Casino. Major reasons for seeking employment included career advancement and improved pay. And nearly three-quarters of respondents did not receive pre-employment training to raise their skills.

The initial employee survey also identified areas where the questionnaire requires further refinement to elicit the information we need for analysis. Employment status and residence are two key concepts that we will explore in greater depth in the revised survey. New questions about employees' place of residence will help us to understand where non-movers live. It will similarly be necessary to collect data on employees' occupation and salary before and after working at the casino, industry of previous employment, educational attainment, and sources and types of training. The survey itself has undergone extensive revisions to improve data quality and obtain more detail in these areas in order to collect a more comprehensive data set about new casino employees.

References

Motamedi, R. & Peake, T. (2016). *The Construction of Plainridge Park Casino: Spending, Employment, and Economic Impacts*. Amherst, MA: School of Public Health and Health Sciences, University of Massachusetts Amherst. Available at www.umass.edu/seigma.

Appendix

This survey is being conducted on behalf of the Massachusetts Gaming Commission to estimate the effects of gaming on the Massachusetts economy and its people. As a prospective employee at Plainridge Park Casino, your participation is requested as part of this effort. The survey focuses on your employment status prior to starting your job at Plainridge Park Casino, whether you moved to take the job, and your reasons for seeking a job. This optional questionnaire should take less than 5 minutes to complete and you can stop at any point. Please be assured that your responses will be held in the strictest confidence. No identifying information will be displayed in any public releases of survey results.

Thank you for your participation.

Indicate which gaming establishment you will be working for.

- MGM Springfield
- Plainridge Park Casino
- Wynn Boston Harbor

Do you currently work for this casino operator but at a different location?
(e.g., at another gaming establishment or headquarters/administrative office)

- Yes
- No

What is your Massachusetts Gaming Commission license or registration number?

Please indicate your work status prior to being hired by the gaming establishment.

- Full-time job
- Part-time job
- Unemployed

Please indicate your reason(s) for seeking a job at the gaming establishment. Check all that apply.

- Improved pay.
- Improved benefits (e.g., health insurance).
- Excitement/enthusiasm for working at a casino.
- Career advancement.
- Flexible hours.
- Job closer to home.
- Unemployed, needed work.
- Formerly part-time/underemployed, needed more work.
- Other

Other (please specify)

Do you have previous experience working at a gaming establishment?

- Yes
- No

Have you moved or do you plan to move in the next 6 months to take your new position?

- Yes
- No

What is the city of the residence you are moving from (e.g., Erie)?

What is the state of the residence you are moving from (e.g., Pennsylvania)?

- AL Alabama
- AK Alaska
- AS American Samoa
- AZ Arizona
- AR Arkansas
- CA California
- CO Colorado
- CT Connecticut
- DE Delaware
- DC District of Columbia
- FL Florida
- GA Georgia
- GU Guam
- HI Hawaii
- ID Idaho
- IL Illinois
- IN Indiana
- IA Iowa
- KS Kansas
- KY Kentucky
- LA Louisiana
- ME Maine
- MD Maryland
- MA Massachusetts
- MI Michigan
- MN Minnesota
- MS Mississippi
- MO Missouri
- MT Montana
- NE Nebraska
- NV Nevada
- NH New Hampshire
- NJ New Jersey
- NM New Mexico
- NY New York
- NC North Carolina
- ND North Dakota
- MP Northern Mariana Islands
- OH Ohio
- OK Oklahoma
- OR Oregon
- PA Pennsylvania
- PR Puerto Rico
- RI Rhode Island
- SC South Carolina
- SD South Dakota
- TN Tennessee
- TX Texas
- VI U.S. Virgin Islands
- UT Utah
- VT Vermont
- VA Virginia
- WA Washington
- WV West Virginia
- WI Wisconsin
- WY Wyoming

What is the city of the residence you are moving to (e.g., Erie)?

What is the state of the residence you are moving to (e.g., Pennsylvania)?

- AL Alabama
- AK Alaska
- AS American Samoa
- AZ Arizona
- AR Arkansas
- CA California
- CO Colorado
- CT Connecticut
- DE Delaware
- DC District of Columbia
- FL Florida
- GA Georgia
- GU Guam
- HI Hawaii
- ID Idaho
- IL Illinois
- IN Indiana
- IA Iowa
- KS Kansas
- KY Kentucky
- LA Louisiana
- ME Maine
- MD Maryland
- MA Massachusetts
- MI Michigan
- MN Minnesota
- MS Mississippi
- MO Missouri
- MT Montana
- NE Nebraska
- NV Nevada
- NH New Hampshire
- NJ New Jersey
- NM New Mexico
- NY New York
- NC North Carolina
- ND North Dakota
- MP Northern Mariana Islands
- OH Ohio
- OK Oklahoma
- OR Oregon
- PA Pennsylvania
- PR Puerto Rico
- RI Rhode Island
- SC South Carolina
- SD South Dakota
- TN Tennessee
- TX Texas
- VI U.S. Virgin Islands
- UT Utah
- VT Vermont
- VA Virginia
- WA Washington
- WV West Virginia
- WI Wisconsin
- WY Wyoming

Did you receive any training to raise your skills for your new position?

- Yes
- No

Thank you for taking the time to complete this survey.

Wynn BOSTON HARBOR
®

Wynn Boston Harbor

QUARTERLY REPORT AS OF MARCH 31, 2017

Wynn Boston Harbor

PERMITTING

Permitting – State

MEPA Review (EOEEA) –
Notice of Project Change, filed February 28, 2017; Secretary’s Certificate received April 7, 2017

Chapter 91 (DEP) –
For Sediment Remediation, anticipated filing date – Spring 2017

Minor Modifications Received – February 28, 2018 and March 29, 2017

Massachusetts Contingency Plan (DEP) – **Revised Phase II submitted December 30, 2016; Phase III/IV, anticipated submittal date – May 2017**

Federal Consistency Certification (CZM) – **For Sediment Remediation, anticipated filing date – Summer 2017**

Review of Waterside Activities (Board of Underwater Archaeological Resources) – **For Sediment Remediation, review completed under NPC**

Permitting – Federal and Local

Federal

Clean Water Act (Section 404) Individual Permit (U.S. Army Corps of Engineers –
Received December 12, 2016

Work in Navigable Waters (Section 10) Permit (U.S. Army Corps of Engineers –
Received December 12, 2016

Local

City of Boston Approval for Offsite Infrastructure (Public Improvement Commission and Boston Transportation Department) –
Under review

Wetlands Order of Conditions (Everett Conservation Commission) –
For Sediment Remediation, anticipated filing date – Summer 2017

Wetlands Order of Conditions (Boston Conservation Commission) –
For Sediment Remediation, anticipated filing date – Summer 2017

Wynn Boston Harbor

CONSTRUCTION

Aerial, April 27, 2017



B2 decking



Decking and rebar in garage



Concrete forms along the south wall



Wood piles are finishing in the marine area, while foundation work in the convention area continues



Final scoopful of soil



Major Milestones

- ☑ Installed 100% of the tie-backs
 - ☑ Completed 100% of the cap beam
 - ☑ Completed 100% of the mass excavation
 - ☑ Completed drilling, grouting, testing, and capping 52% of the rock anchors
 - ☑ Continued waterfront work
 - ☑ Completed utility work for the Service Road
- ☑ Completed 100% of the pile caps in the CUP and along the east facade
 - ☑ Completed steel erection in CUP area
 - ☑ Completed approximately 10% of the slab on grade in CUP
 - ☑ Completed concrete for B4 mat slab and started garage pours

Wynn Boston Harbor

SAFETY



BREAK AREA



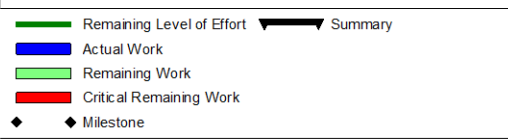
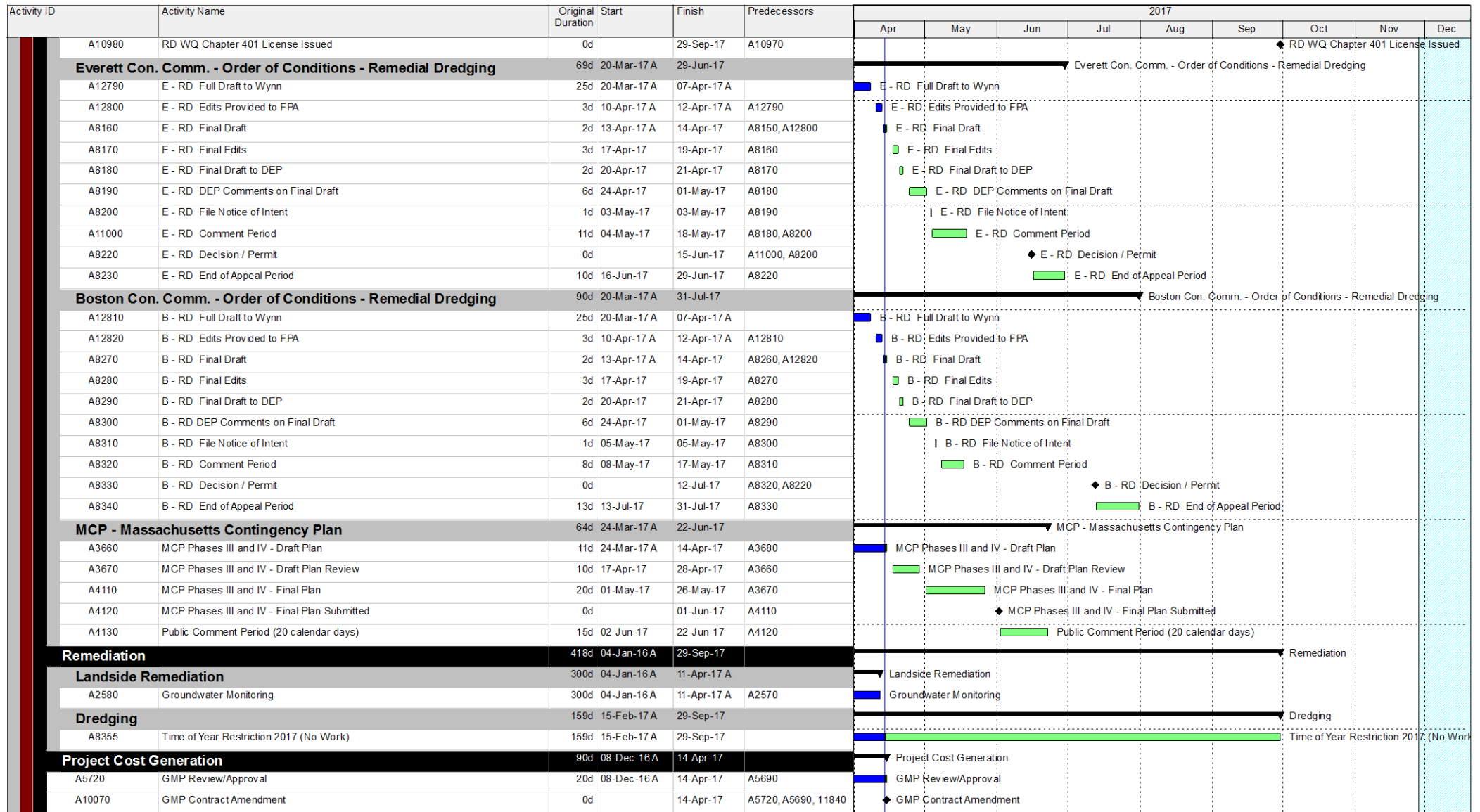
Wynn Boston Harbor

PROJECT SCHEDULE

Activity ID	Activity Name	Original Duration	Start	Finish	Predecessors	2017											
						Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
Wynn Boston Harbor						744d 04-Jan-16 A 10-Dec-18											
Main Project						683d 04-Jan-16 A 17-Oct-18											
Environmental Permits						133d 20-Mar-17 A 29-Sep-17											
USACE GP17 - Remedial Dredging (requires Ch.91, WQ, CZM)						122d 07-Apr-17 A 29-Sep-17											
A3700	Draft ACOE Plans	0d		07-Apr-17 A		◆ Draft ACOE Plans											
A3420	RD Full Draft	10d	10-Apr-17 A	21-Apr-17	A3410, A3700	■ RD Full Draft											
A3560	RD Edits Provided to FPA	5d	24-Apr-17	28-Apr-17	A3420	■ RD Edits Provided to FPA											
A3650	RD Final Draft to Wynn	5d	01-May-17	05-May-17	A3560	■ RD Final Draft to Wynn											
A3690	RD Final Edits	3d	08-May-17	10-May-17	A3650	■ RD Final Edits											
A3430	RD File Application - General Permit 17	1d	12-May-17	12-May-17	A3420, A3690	■ RD File Application - General Permit 17											
A7440	RD Technical Review	97d	15-May-17	29-Sep-17	A3430	■ RD Technical Review											
A7450	RD Decision / Permit	0d		29-Sep-17	A7440, A6660	◆ RD Decision / Permit											
MEPA - NPC - Remedial Dredging						1d 07-Apr-17 A 07-Apr-17 A											
A3510	RD Secretary Decision	1d	07-Apr-17 A	07-Apr-17 A	A3500	■ RD Secretary Decision											
Chapter 91 - Remedial Dredging (requires WQ)						133d 20-Mar-17 A 29-Sep-17											
A4320	RD 91 Full Draft to Wynn	25d	20-Mar-17 A	21-Apr-17		■ RD 91 Full Draft to Wynn											
A4340	RD 91 Edits Provided to FPA	5d	24-Apr-17	28-Apr-17	A4320	■ RD 91 Edits Provided to FPA											
A4280	RD 91 Final Draft to Wynn	5d	01-May-17	05-May-17	A3790, A4340	■ RD 91 Final Draft to Wynn											
A3800	RD 91 Final Edits	3d	08-May-17	10-May-17	A3790, A4280, A4280	■ RD 91 Final Edits											
A3810	RD 91 Draft to MASS DEP	3d	11-May-17	15-May-17	A3800, A3800	■ RD 91 Draft to MASS DEP											
A3820	RD 91 Final Application DEP comments	4d	16-May-17	19-May-17	A3810	■ RD 91 Final Application DEP comments											
A3830	RD Chapter 91 Filing	1d	22-May-17	22-May-17	A3820, A5172, A3510	■ RD Chapter 91 Filing											
A3840	RD 91 Notice in Environmental Monitor	11d	23-May-17	07-Jun-17	A3830	■ RD 91 Notice in Environmental Monitor											
A3850	RD 91 Comment Period / Public Hearing	13d	09-Jun-17	27-Jun-17	A3840	■ RD 91 Comment Period / Public Hearing											
A3860	RD 91 End of Chapter 91 Technical Review (3 Months)	43d	28-Jun-17	28-Aug-17	A3850, A3330	■ RD 91 End of Chapter 91 Technical Review (3 Months)											
A3880	RD 91 Chapter 91 License Issued (Fast Track Agreement)	0d		29-Sep-17	A3860, A8230, A834	◆ RD 91 Chapter 91 License Issued (Fast Track Agreement)											
Water Quality Certificate 401 - Remedial Dredging (before Ch. 91)						133d 20-Mar-17 A 29-Sep-17											
A12750	RD WQ Full Draft to Wynn	25d	20-Mar-17 A	21-Apr-17		■ RD WQ Full Draft to Wynn											
A12760	RD WQ Edits Provided to FPA	5d	24-Apr-17	28-Apr-17	A12750	■ RD WQ Edits Provided to FPA											
A12770	RD WQ Final Draft to Wynn	5d	01-May-17	05-May-17	A12760	■ RD WQ Final Draft to Wynn											
A12780	RD WQ Final Edits	3d	08-May-17	10-May-17	A12770, A12770	■ RD WQ Final Edits											
A10920	RD WQ Draft to MASS DEP	3d	11-May-17	15-May-17	A12780	■ RD WQ Draft to MASS DEP											
A10930	RD WQ Final Application DEP comments	4d	16-May-17	19-May-17	A10920	■ RD WQ Final Application DEP comments											
A10940	RD Chapter 401 Filing	1d	22-May-17	22-May-17	A10930, A3510	■ RD Chapter 401 Filing											
A10950	RD WQ Notice in Environmental Monitor	11d	23-May-17	07-Jun-17	A10940	■ RD WQ Notice in Environmental Monitor											
A10960	RD WQ Comment Period / Public Hearing	14d	09-Jun-17	28-Jun-17	A10950	■ RD WQ Comment Period / Public Hearing											
A10970	RD WQ End of Chapter 401 Technical Review (3 Months)	42d	29-Jun-17	28-Aug-17	A10960	■ RD WQ End of Chapter 401 Technical Review (3 Months)											

- Remaining Level of Effort
- Actual Work
- Remaining Work
- Critical Remaining Work
- ◆ Milestone





Activity ID	Activity Name	Original Duration	Start	Finish	Predecessors	2017											
						Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
Construction - Main Project																	
Subcontractor Procurement Milestones						Subcontractor Procurement Milestones											
A12730	GWB Award	0d	12-May-16 A	17-Oct-18	A12180	◆ GWB Award											
A12600	Site Improvements	0d	12-May-16 A	17-Oct-18	A12590	◆ Site Improvements											
A12720	Finishes Trades	0d	12-May-16 A	17-Oct-18	A12180	◆ Finishes Trades											
A12610	Site Concrete Award	0d	12-May-16 A	17-Oct-18	A12180	◆ Site Concrete Award											
A12640	Misc. Metals Award	0d	12-May-16 A	17-Oct-18	A12180	◆ Misc. Metals Award											
Summary Schedule (SCCI)																	
Garage																	
SUMM-380	SOE & Foundations Summary - Garage	302d	24-May-16 A	06-Apr-17 A		■ SOE & Foundations Summary - Garage											
SUMM-230	Garage Structure Summary	137d	21-Feb-17 A	13-Jun-17	A11495, 13080, A12180	■ Garage Structure Summary											
SUMM-360	Interior Fit-up Summary - Garage	279d	14-Jun-17	16-May-18	M1020, A3100, A266	■ Interior Fit-up Summary - Garage											
Central Utility Plant																	
SUMM-165	Concrete Slab on Metal Decks Summary - CUP	35d	06-Mar-17 A	03-May-17	SUMM-145	■ Concrete Slab on Metal Decks Summary - CUP											
SUMM-400	Facade Summary - CUP	42d	04-May-17	22-Jun-17	SUMM-165	■ Facade Summary - CUP											
SUMM-140	Interior Fit-Up Summary - CUP	357d	16-May-17	17-Oct-18	SUMM-165	■ Interior Fit-Up Summary - CUP											
Convention Area																	
SUMM-250	Foundation Summary - Convention Center	123d	13-Aug-16 A	31-Jul-17	SUMM-155	■ Foundation Summary - Convention Center											
SUMM-180	Structural Steel Summary - Convention Center	74d	14-Aug-17	09-Nov-17	SUMM-250	■ Structural Steel Summary - Convention Center											
Hotel Tower																	
SUMM-340	Superstructure Summary - Hotel Tower	250d	19-Apr-17	14-Feb-18	SUMM-230	■ Superstructure Summary - Hotel Tower											
Podium																	
SUMM-310	Structural Steel Summary - Podium	115d	30-May-17	13-Oct-17	SUMM-230	■ Structural Steel Summary - Podium											
SUMM-450	Concrete Slab on Deck Summary - Podium	82d	15-Jul-17	20-Oct-17	SUMM-310	■ Concrete Slab on Deck Summary - Podium											
SUMM-430	Facade Summary - Podium	159d	14-Aug-17	03-Apr-18	SUMM-450	■ Facade Summary - Podium											
Tenant Retail																	
A7570	Identify Lease Tenants	131d	12-May-16 A	05-May-17		■ Identify Lease Tenants											
A7580	Negotiate Lease Terms	21d	01-Feb-17 A	05-May-17	A7570	■ Negotiate Lease Terms											
A7590	Tenant Design Concept	30d	01-Feb-17 A	19-May-17	A7580	■ Tenant Design Concept											
A7600	Tenant Present / Wynn Approve Design Concept	20d	22-May-17	19-Jun-17	A7590	■ Tenant Present / Wynn Approve Design Concept											
A7610	Tenant Design	63d	20-Jun-17	18-Sep-17	A7600	■ Tenant Design											
A7640	Tenant Submit to Everett for Permit approval	5d	19-Sep-17	25-Sep-17	A7610	■ Tenant Submit to Everett for Permit approval											
A7650	Everett Review & Approve Permit	30d	26-Sep-17	06-Nov-17	A7640	■ Everett Review & Approve Permit											
Service Road and Utilities Projects																	
Service Road Construction						Service Road Construction											
12080	Service Road - Phases 2, 3, 4a and 4b	44d	01-Aug-16 A	19-Apr-17	A6570, 14420, 12200	■ Service Road - Phases 2, 3, 4a and 4b											
12160	Roadway Top Course, Private SR Punchlist	22d	14-Apr-17*	15-May-17	12010, 12180, 12080	■ Roadway Top Course, Private SR Punchlist											

- Remaining Level of Effort
- Actual Work
- Remaining Work
- Critical Remaining Work
- ◆ Milestone

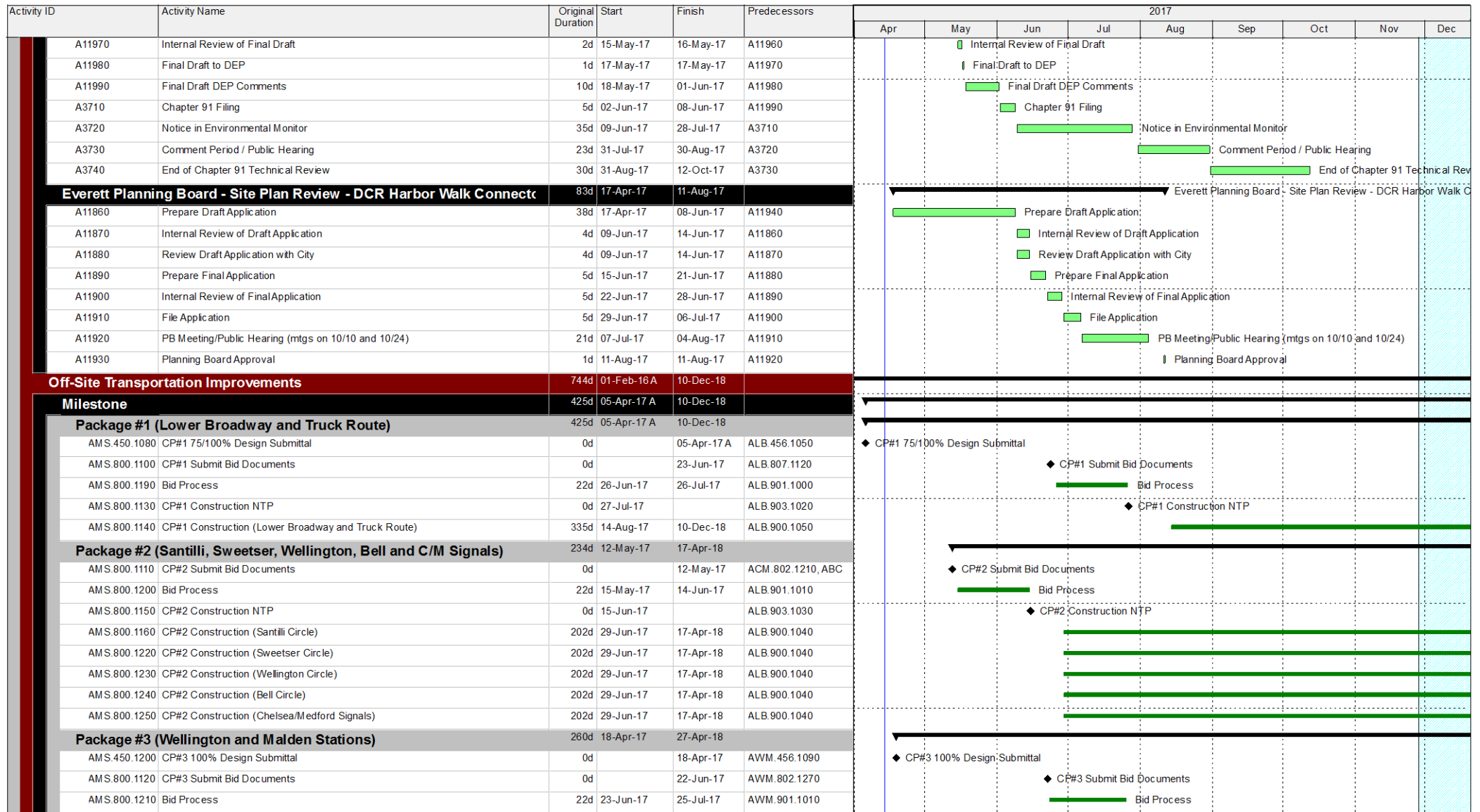


Activity ID	Activity Name	Original Duration	Start	Finish	Predecessors	2017											
						Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
14860	Landscaping, Punchlist, Cleanup (PRIVATE)	22d	14-Apr-17	15-May-17	12160	Landscaping, Punchlist, Cleanup (PRIVATE)											
14870	Landscaping, Punchlist, Cleanup (PUBLIC)	22d	14-Apr-17	15-May-17	14860	Landscaping, Punchlist, Cleanup (PUBLIC)											
MBTA Loading Dock and New Gatehouse						MBTA Loading Dock and New Gatehouse											
12975	Build New Entrance/Gates	39d	06-Sep-16 A	26-Apr-17	12900	Build New Entrance/Gates											
13280	MBTA New Entrance Complete	0d		26-Apr-17	12975, 11990	◆ MBTA New Entrance Complete											
128 Broadway (McDonald's)						128 Broadway (McDonald's)											
Broadway/Beacham Permanent Intersection						Broadway/Beacham Permanent Intersection											
12640	New Beacham Utilities, Intersection, Traffic Signals	112d	15-May-17	20-Oct-17	11090, 11110	New Beacham Utilities, Intersection, Traffic Signals											
National Grid Gas Line Extension on Broadway						National Grid Gas Line Extension on Broadway											
A2380	National Grid Complete Gas Line Design Documents	30d	21-Apr-17	02-Jun-17	A2360	National Grid Complete Gas Line Design Documents											
A2970	National Grid Complete Gas Line Relocation	41d	07-Jul-17	01-Sep-17	A5172, A2380	National Grid Complete Gas Line Relocation											
A9810	Relocation Completed	0d		01-Sep-17	A2970	◆ Relocation Completed											
115Kv High Tension Tower Relocation						115Kv High Tension Tower Relocation											
A2350	National Grid Complete Engineered Docs, Site Testing, Procurement	541d	23-May-16 A	27-Apr-17	A2410	National Grid Complete Engineered Docs, Site Testing, Procurement											
A2340	National Grid Complete Construction/Relocation of High Tension Tower	169d	15-May-17	15-Jan-18	A2350	National Grid Complete Construction/Relocation of High Tension Tower											
Bridge Study						Bridge Study											
DCR Harbor Walk Connector						DCR Harbor Walk Connector											
Design						Design											
A4090	75% CDs	31d	14-Apr-17	26-May-17	A3870, A4098	75% CDs											
A4100	100% CDs	120d	30-May-17	15-Nov-17	A4090	100% CDs											
Everett Con. Comm. - Wetlands Notice of Intent (DCR Harbor Walk Con						Everett Con. Comm. - Wetlands Notice of Intent (DCR Harbor Walk Con											
A2470	Execution of Easement Agreement with DDRRC	30d	23-May-16 A	31-Jul-17	A3470, A5172, A3870	Execution of Easement Agreement with DDRRC											
A1600	Prepare Notice of Intent	8d	17-Apr-17*	26-Apr-17	A2470, A3870	Prepare Notice of Intent											
A1610	Internal Review of Draft	2d	27-Apr-17	28-Apr-17	A1600	Internal Review of Draft											
A1730	Final Draft	5d	01-May-17	05-May-17	A1610	Final Draft											
A1740	Internal Review of Final Draft	2d	08-May-17	09-May-17	A1730	Internal Review of Final Draft											
A1750	Final Draft to DEP	1d	10-May-17	10-May-17	A1740	Final Draft to DEP											
A1760	Final Draft DEP Comments	10d	11-May-17	24-May-17	A1750	Final Draft DEP Comments											
A1770	File Notice of Intent	5d	25-May-17	01-Jun-17	A1760	File Notice of Intent											
A1780	Review and Public Hearing (mtgs on 9/15 and 10/20)	43d	02-Jun-17	02-Aug-17	A1760, A1770	Review and Public Hearing (mtgs on 9/15 and 10/20)											
A1790	Decision	1d	03-Aug-17	03-Aug-17	A1780	Decision											
A1800	End of Appeal Period	10d	04-Aug-17	17-Aug-17	A1790, A1780	End of Appeal Period											
A1810	Order of Conditions Issued	0d	18-Aug-17	18-Aug-17	A1800	Order of Conditions Issued											
MADEP Chapter 91 DCR Harbor Walk Connector						MADEP Chapter 91 DCR Harbor Walk Connector											
A11940	Prepare Draft Chapter 91 application	13d	17-Apr-17	03-May-17	A1600	Prepare Draft Chapter 91 application											
A11950	Internal Review of Draft	2d	04-May-17	05-May-17	A11940	Internal Review of Draft											
A11960	Final Draft	5d	08-May-17	12-May-17	A11950	Final Draft											

- █ Remaining Level of Effort
- █ Actual Work
- █ Remaining Work
- █ Critical Remaining Work
- ◆ Milestone

Wynn Boston Harbor
Six Month Lookahead Schedule (4/1/2017 - 9/30/2017)
24-Apr-17 **Page 4 of 6**





- █ Remaining Level of Effort
- █ Actual Work
- █ Remaining Work
- █ Critical Remaining Work
- ◆ Milestone



Activity ID	Activity Name	Original Duration	Start	Finish	Predecessors	2017											
						Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
AMS.800.1170	CP#3 Construction NTP	0d	26-Jul-17		AWM.903.1030					◆ CP#3 Construction NTP							
AMS.800.1180	CP#3 Construction (Wellington and Malden Stations)	182d	09-Aug-17	27-Apr-18	AWM.900.1040												
Package #4 (Sullivan Square)		117d	10-Apr-17 A	25-Sep-17													
AMS.400.1200	CP#4 25% Design Submittal	0d		10-Apr-17 A	A7220	◆ CP#4 25% Design Submittal											
AMS.450.1210	CP#4 100% Design Submittal	0d		17-Jul-17	A7330				◆ CP#4 100% Design Submittal								
AMS.800.1270	CP#4 Submit Bid Documents	0d		25-Sep-17	A7380						◆ CP#4 Submit Bid Documents						
Construction Package #1 - Lower Broadway & Truck Route		510d	05-Dec-16 A	10-Dec-18													
Construction Package #2 - Route 16		308d	30-Jan-17 A	17-Apr-18													
Construction Package #3 - MBTA Wellington & Malden Station		311d	06-Feb-17 A	27-Apr-18													
Construction Package #4 - Sullivan Square Charlestown		449d	09-May-16 A	09-Oct-17													
Woods Memorial Bridge (by DOT)		520d	01-Feb-16 A	06-Apr-18													

- █ Remaining Level of Effort
- █ Actual Work
- █ Remaining Work
- █ Critical Remaining Work
- ◆ Milestone



Wynn Boston Harbor

PROJECT RESOURCES / DIVERSITY

Contracts Awarded to Minority, Women and Veteran Business Enterprises for Design Phase

MBE

12 contract awards:

\$4,786,558

% of total contracts: **8.7%**

Goal: **7.9%**

WBE

11 contract awards:

\$2,927,277

% of total contracts: **5.3%**

Goal: **10.0%**

VBE

4 contract awards:

\$3,751,118

% of total contracts: **6.8%**

Goal: **1.0%**

SUMMARY

27 total M/W/VBE contracts:

\$11,464,953

% of total contracts: **20.9%**

Goal: **18.9%**

Contracts Awarded to Minority, Women and Veteran Business Enterprises for Construction Phase

MBE

35 contract awards:

\$46,537,890

% of total contracts: **5.7%**

Goal: **5.0%**

WBE

72 contract awards:

\$58,500,597

% of total contracts: **7.1%**

Goal: **5.4%**

VBE

27 contract awards:

\$41,536,799

% of total contracts: **5.1%**

Goal: **1.0%**

SUMMARY*

109 total M/W/VBE contracts:

\$99,085,414

% of total contracts: **12.1%**

Goal: **11.4%**

*M/W/VBE construction contract awards report includes awards and payments made to businesses with more than one diverse classification (i.e. M/WBE). Totals reported deduct any double counting due to awards to businesses with more than one diverse classification.

Minority, Women and Veteran Workforce Participation for Construction Phase

Minority

326 workers:

100,911 hours

% of total work hours:

25.3%

Goal: **15.3%**

Female

80 workers:

27,387 hours

% of total work hours: **6.9%**

Goal: **6.9%**

Veteran

61 workers:

24,601 hours

% of total work hours: **6.2%**

Goal: **3.0%**

Wynn Boston Harbor

COMMUNITY EVENTS AND OUTREACH

Outreach: Q1 2017

- 1/9: Regional Employment Board
- 1/9: Everett United
- 1/10: Mystic Valley Development Corporation
- 1/12: Furniture, Fixtures & Equipment Vendor Outreach Event
- 1/25: Greater Boston Boys and Girls Clubs
- 1/30: Scholar Athletes
- 2/7: Bike to the Sea
- 2/8: Girls in Trades Alumni Event
- 2/8: Environmental League of Massachusetts
- 2/10: Monthly Education Site Tour with Everett High School Students
- 2/15: Charlestown Update Meeting
- 2/15: The Light Foundation
- 2/15: Building Pathways in Everett
- 2/16: North American Indian Center of Boston
- 2/16: Kiwanis and Rotary Clubs of Somerville
- 2/17: La Comunidad, Everett Haitian Community Center
- 2/17: Boston Harbor Now
- 2/21: Carpenters Women's Committee

Outreach: Q1 2017

- 2/21: Boston Pearl Foundation
- 2/22: Annual Planning with Inner City Capital Connections
- 2/22: UMASS Boston Presentation
- 2/24: Hispanic American Institute Quarterly Breakfast
- 3/1: Friends of the Navy Yard
- 3/2: Second Annual Girls in Trades Conference & Career Day
- 3/3: Greater Boston Boys and Girls Club
- 3/3: DiDomenico Foundation's St. Patrick's Day Event
- 3/6: ROCA Chelsea
- 3/6: Medford Vocational Technical High School
- 3/8: Lynn Chamber of Commerce
- 3/8: The Children's Trust
- 3/8: Everett United
- 3/10: Supplier Diversity Office Update Meeting
- 3/10: BRAVE for Veterans
- 3/21: Chelsea Little League
- 3/22: SCI Social Capital Inc.
- 3/29: Chelsea Chamber of Commerce

Outreach: Q1 2017

- 3/22: Triangle Inc.
- 3/23: Youth Build Boston
- 3/27: Bay State Reading Institute
- 3/29: Mass Mayors Association Site Tour
- 3/30: El Mundo Diversity Job Fair
- 3/30: Everett Chamber of Commerce



Wynn BOSTON HARBOR

Wynn







Massachusetts Girls In Trades











Wynn Boston Harbor

QUESTIONS

Wynn BOSTON HARBOR
®

Wynn Boston Harbor

Monitoring of Project Construction and Licensee Requirements 205 CMR 135

Quarterly Report Massachusetts Gaming Commission as of March 31, 2017



Monitoring of Project Construction and Licensee Requirements

Quarterly Report as of March 31, 2017

1.0 Project at a Glance

The Wynn Boston Harbor (the “Project”) is an approximately \$2.4 billion luxury resort that will transform a blighted section of the City of Everett, Massachusetts adjacent to the Mystic River, into a world-class destination. The Project will contribute hundreds of millions of dollars, including tens of millions of dollars in infrastructure contributions to the City of Everett, the region, and the Commonwealth of Massachusetts. The Project will be constructed on the contaminated site of a former chemical manufacturing plant totaling approximately 33.9 acres (the “Project Site”).



The Project will be comprised of a luxury hotel with 671 rooms, a gaming area, retail space, food and beverage outlets, convention and meeting space, a spa and gym, a parking garage, and other complementary amenities. The Project will also include extensive landscape and open space amenities including a public gathering area with an outdoor park-like open space, a pavilion, waterfront features, a public harborwalk, and water transportation docking facilities reconnecting the City of Everett to the Mystic River and Boston Harbor for the first time in generations.

The Project will also include off-site improvements including extensive transportation improvements and a multiuse path from the Project's harborwalk to the existing paths at the Massachusetts Department of Conservation and Recreation ("DCR") Gateway Park. The Project will be developed in a single phase.

Wynn MA, LLC ("Wynn") received a conditional Category 1 gaming license for Region A (the "Gaming License") in November 2014. Since receiving the conditional Gaming License, Wynn has made significant progress on community outreach, project entitlements, permitting, land acquisition, and the design of the Project.

In August 2015, Wynn selected Charter Contracting Company, LLC, a Massachusetts limited liability company, as its remediation contractor. Remediation of the Project Site commenced in October 2015, and final completion documentation was filed on August 4, 2016.

On July 15, 2015, Wynn filed its Second Supplemental Final Environmental Impact Report ("SSFEIR") to address the remaining three principal areas of study that were outlined in the Certificate of the Secretary of Energy and Environmental Affairs on Wynn's Supplemental Final Environmental Impact Report ("SFEIR") dated April 3, 2015. On August 28, 2015, Wynn received a Certificate of the Secretary of Energy and Environmental Affairs on its SSFEIR (the "Secretary's Certificate") concluding that Wynn's SSFEIR "adequately and properly complies" with the Massachusetts Environmental Policy Act ("MEPA").

In accordance with MEPA, following the receipt of its Secretary's Certificate, Wynn worked with various state agencies to obtain "Section 61 findings," a determination made by an agency of the Commonwealth describing the environmental impact, if any, of the Project and a finding that all feasible measures have been taken to avoid or minimize said impact. Wynn received its Section 61 findings from the following agencies on the dates set forth below:

Massachusetts Water Resources Authority:	January 12, 2016
Massachusetts Port Authority:	January 21, 2016
Massachusetts Department of Transportation & Department of Conservation and Recreation:	April 5, 2016
Massachusetts Gaming Commission:	April 25, 2016

On August 24, 2015, Wynn filed its Chapter 91 License Application for the Project with the Massachusetts Department of Environmental Protection (“MassDEP”) to obtain license authorization for the development of portion of the Project on private filled and flowed tidelands. MassDEP issued the Chapter 91 License on August 3, 2016.

On February 28, 2017, Wynn filed a Notice of Project Change (“NPC”) identifying changes to programming and design refinements for the Project and including a sediment remediation plan for a portion of the Project Site and an adjacent area of the Mystic River.

2.0 Cost of Construction and Capitalization of Gaming Licensee

Pursuant to 205 CMR 135.02(5)(a) and (b), please see Appendix 1 for a sworn certification regarding (a) the total estimated cost of construction of the Project and related infrastructure improvements and (b) the capitalization of the Wynn for the quarter ending March 31, 2017.

3.0 Design and Construction Contracts

Pursuant to 205 CMR 135.02(5)(c), please see Appendix 2 for a list of all design and construction contracts executed for the quarter ending March 31, 2017 to design and construct the gaming establishment and related infrastructure improvements.

4.0 Progress of Construction

Pursuant to 205 CMR 135.02(5) (d), the following is a status report regarding the progress of the construction of the Project.

4.1 Federal Permits.

No additional Federal permits were applied for and/or received in the first quarter of 2017.

4.2 State Permits.

On July 15, 2015, Wynn filed its SSFEIR to address the remaining three principal areas of study that were outlined in the Certificate of the Secretary of Energy and Environmental Affairs on Wynn’s SFEIR dated April 3, 2015. On August 28, 2015, Wynn received a Secretary’s Certificate concluding that Wynn’s SSFEIR “adequately and properly complies” with MEPA.

The Secretary's Certificate confirmed that Wynn's traffic analysis and mitigation plans are effective to mitigate the Project's impacts on existing transportation infrastructure. With respect to broader regional transportation impacts, the Secretary's Certificate required the establishment of a "Regional Working Group" to be led by MassDOT for the purpose of assessing and developing long-term transportation improvements that will support sustainable redevelopment and economic growth in and around Sullivan Square. Wynn committed to participating in this Regional Working Group and providing a proportionate share of funding to support this effort.

Wynn has attended all monthly meetings of the Lower Mystic Regional Working Group ("LMRWG"). In addition, the LMRWG held its first public meeting on November 9, 2016. Wynn continues to be an active participant in the quarterly meetings of the LMRWG.

The Secretary's Certificate also required enhanced public review during permitting and development of Section 61 findings by MassDOT and the Massachusetts Gaming Commission ("MGC"). Following the receipt of the Secretary's Certificate, Wynn had productive meetings with each of the State Agencies with permitting authority over the Project for the purpose of preparing Section 61 findings to be issued by each such State Agency. Wynn received its Section 61 findings from the following agencies on the dates set forth below:

Massachusetts Water Resources Authority:	January 12, 2016
Massachusetts Port Authority:	January 21, 2016
Massachusetts Department of Transportation & Department of Conservation and Recreation:	April 5, 2016
Massachusetts Gaming Commission:	April 25, 2016

On February 28, 2017, Wynn filed an NPC with MEPA. The primary purpose of the NPC was to describe the sediment remediation plans for a portion of the Project Site and an adjacent parcel located in the Mystic River. The NPC also described refinements to the program and interior layout of the building to reflect current market conditions as they have changed since prior MEPA filings. Program changes include a reduction in retail space, a reduction of hotel suites to provide for additional rooms, an increase in food and beverage space, the addition of a larger luxury ballroom space, and an increase in "back of house" support space. The NPC contained updated square footage for each of the Project components as they were further refined and finalized as part of the design process. Other minor changes that developed over the course of designing and preparing construction documents for the Project were also included in the NPC (e.g., minor adjustments to the elevation of the salt

marsh to improve viability, minor changes to the docking and float systems to accommodate Americans with Disabilities Act (“ADA”) and other passenger needs, and a minor reduction in the navigational dredge footprint).

On August 24, 2015, Wynn filed its Chapter 91 License Application for the Project with the MassDEP to obtain license authorization for the development of portion of the Project on private filled and flowed tidelands. Pursuant to M.G.L. c. 21A, § 18(d) (2), (3) and (6), MassDEP and Wynn entered into a Memorandum of Agreement regarding Project specific schedule and fees for the Project (the “Fast Track Agreement”).

Pursuant to the schedule set forth in the Fast Track Agreement, the comment period for Wynn’s Chapter 91 License Application began on September 9, 2015 and concluded on October 9, 2015. On September 24, 2015, MassDEP held a public meeting at Everett City Hall for the purpose of receiving comments on Wynn’s Chapter 91 License Application. The meeting was well attended and the comments received were all positive. Following the meeting, written comments were submitted to MassDEP for its consideration.

Wynn received its “Written Determination” from MassDEP on January 22, 2016. On February 11, 2016, Mayor Joseph A. Curtatone, in his capacity as Mayor of the City of Somerville (“Somerville”), filed a “Notice of Claim” with the Executive Office of Energy and Environmental Affairs, Department of Environmental Protection, requesting an adjudicatory hearing with respect to the Written Determination. On February 18, 2016, the Office of Appeals and Dispute Resolution of MassDEP issued a Scheduling Order pursuant to which a hearing on Somerville’s appeal was set for June 2, 2016. As a direct result of this appeal, Wynn was unable to commence construction activities within those portions of the Project Site that are subject to Chapter 91.

On June 2, 2016, Wynn, Somerville and the DEP participated in the adjudicatory hearing. On July 15, 2016, MassDEP’s Office of Appeals and Dispute Resolution issued a “Recommended Final Decision” affirming Wynn’s Written Determination. MassDEP issued the Chapter 91 License on August 3, 2016.

On February 22, 2017, Wynn filed a request with DEP for a Minor Project Modification, pursuant to CMR 9.22(3), to modify the below-grade footprint of underground parking facility. The requested modifications included (i) decreasing the below-grade parking structure from three (3) levels to one (1) level under the peninsular portion of the building footprint, (ii) a setback of the below-grade parking structure footprint under the main entrance, and (iii) increasing the below-grade parking structure from three (3) levels to four

(4) levels under the remaining portion of the main building footprint. None of the foregoing modifications extended the below-grade building footprint, increased the total number of parking spaces, or changed any previously authorized uses. On February 28, 2017, the DEP determined that the proposed modifications comply with the minor project modification provisions set forth in 310 CMR 9.22(3)(a) and that the submission of a Chapter 91 Waterways License Application was not required for such modifications.

On March 16, 2017, Wynn filed a request with DEP for a second Minor Project Modification, pursuant to CMR 9.22(3), to (1) reduce the living shoreline elevation, (2) increase the total number of hotel rooms from 629 to 671, (3) modify the docking facility of the Project to accommodate an improved accessible ramping system, (4) install three fender piles to protect an outfall structure, and (5) in response to market conditions, change the size and location of some first floor uses. On March 29, 2017, the DEP determined that the proposed modifications (1) through (4) above comply with the minor project modification provisions set forth in 310 CMR 9.22(3)(a) and that the proposed modification (5) complies with 310 CMR 9.22(3)(b). Therefore, DEP determined that the submission of a Chapter 91 Waterways License Application was not required for such modifications.

4.3 Local Permits.

On May 11, 2015, Wynn submitted its Form 19A Site Plan Review Application to the Everett Planning Board. The City of Everett engaged outside consultants, LDD Collaborative, Inc. and TranSystems, to provide Site Plan Review services for the Project. On July 13, 2015, Wynn presented its Site Plan Review Application at the Everett Planning Board public meeting and advised the Everett Planning Board that it would be modifying its application to address comments raised by the City of Everett's outside consultants. On August 24, 2015, Wynn presented its modified application to the Everett Planning Board and the Everett Planning Board heard public comments. On September 16, 2015, the Everett Planning Board concluded the public hearing and unanimously approved the application.

The service road Application Site Plan Review and Special Permit was submitted to the City of Everett Planning Board for review in January 2016. On May 5, 2016, the Everett Planning Board issued the Site Plan Approval for the Service Road.

On August 11, 2015, Wynn submitted its Notice of Intent for the Project to the City of Everett Conservation Commission in order to obtain approval under the Massachusetts Wetland Protection Act for work within wetlands resource areas and buffer zones. The Everett Conservation Commission held an initial public meeting on August 20, 2015. On

September 17, 2015, the Everett Conservation Commission held another public meeting and voted unanimously to approve Wynn's Notice of Intent. The Everett Conservation Commission issued its Order of Conditions with respect to the Project on September 24, 2015.

Pursuant to 205 CMR 135.02(6), please see [Appendix 3](#) for an updated permits chart and all documents and information listed in 205 CMR 120.01: *Permitting Requirements*.

4.4 Site Remediation.

Prior to the commencement of the remediation, Wynn completed field investigation including nearly 2,000 samples landside and in the river, and significant laboratory analysis of the samples. On April 8, 2015, Wynn received a petition from residents of the City of Everett requesting that the disposal site be designated as a Public Involvement Plan ("PIP") site in accordance with Massachusetts General Laws (MGL) c. 21E §14(a). This law requires that, upon receiving such a petition, a plan for involving the public in decisions regarding response actions must be prepared and a public meeting held to present the proposed plan. The disposal site was designated as a PIP site on April 28, 2015. The PIP process was used to educate the public on the remediation process and provide a forum for addressing any comments. The PIP process will continue through the completion of the construction related remediation activities.

Wynn and GZA GeoEnvironmental, Inc., the Licensed Site Professional ("LSP") for the Project Site, presented the draft PIP plan at a public meeting on June 2, 2015 at Everett City Hall. In addition, the draft Release Abatement Measure ("RAM") plan was also presented at the meeting. The comment period for the PIP plan was scheduled to end on June 22, 2015, but was extended by Wynn at the request of the petitioners for an additional 21 days to July 13, 2015. In addition, the comment period for the draft RAM plan was extended an additional 30 days to July 22, 2015.

On August 19, 2015, the Release Abatement Measure ("RAM") plan for the landside remediation (known as Phase 1) was submitted to the MassDEP and all petitioners were notified accordingly.

Pursuant to the RAM Plan, Wynn held public meetings in Everett and Charlestown on October 15 and 16, 2015, respectively, for the purpose of informing the public regarding the remediation prior to commencement. Remediation of the Project Site began following such meetings. Weekly updates on the remediation were posted on Wynn's website

(www.wynnbostonharbor.com). The perimeter air-monitoring system was operational throughout the remediation and no alarm conditions attributable to the RAM work were recorded.

Phase 1 remediation of the Project Site was completed in the second quarter of 2016. A total of approximately 10,680 tons of contaminated soil was transported off-site for proper disposal during Phase 1. The soil was transported in lined trailers that were cleaned prior to leaving the Project Site. The Draft Phase I RAM Completion Report and Immediate Response Action Report was submitted on August 4, 2016. A public meeting on the Phase I RAM Completion Report was held on September 7, 2016. The public comment period ended September 27, 2016, and no comments were received.

A separate RAM Plan has been prepared to address construction-related RAM activities. Response actions to be conducted under this RAM Plan will include the excavation of contaminated soil, the dredging of contaminated sediment, and the placement of clean fill materials at the properties identified in the RAM Plan. On February 17, 2016, a public meeting on the construction-related RAM Plan was held at the Everett City Hall. The public comment period for the construction-related RAM Plan ended on March 9, 2016. No comments were received. On May 2, 2016 the construction-related RAM Plan and a Final Revised Public Involvement Plan was filed. On August 30, 2016, constructed-related RAM Status Report No. 1 was filed. On October 28, 2016 and November 16, 2016, RAM Modifications were filed with DEP to address the detection of asbestos in soil associated with demolition debris. On February 2, 2017, a RAM Modification was filed with DEP to revise perimeter and interior air sampling for airborne fibers.

4.5 Offsite Infrastructure.

As described above, the Secretary's Certificate confirmed that Wynn's traffic analysis and mitigation plans are effective to mitigate the Project's impacts on existing transportation infrastructure. In light of this positive response, an RFP was issued on June 26, 2015 to select a design and permitting team to deliver the offsite roadway and transit station improvements. In November 2015, Wynn entered into an agreement with AECOM USA of America, a Massachusetts corporation ("AECOM"), to provide civil and geotechnical engineering and construction oversight services for off-site infrastructure related to the Project. During first quarter 2016, AECOM completed the applicable Roadway Safety Audits and continued with site surveys and concept design. During the second quarter 2016, site surveys were completed as well as the development of the 25% design plans and functional

design reports. On April 26, 2016, Wynn and AECOM staff met with MassDOT, MBTA and DCR transportation officials to discuss the projects and schedule.

On June 14, 2016, the 25% design plans and functional design reports were submitted to the City of Everett and their peer review consultant, Weston & Sampson, at a design briefing meeting. The 25% design plans and functional design reports were submitted for review to MassDOT at a design briefing meeting held on June 24, 2016. MassDOT and the City of Everett both submitted comments in the third quarter 2016. Coordination with the Massachusetts Central Transportation Planning staff continued regarding the progression of the 25% design. Work continues on further developing the design documents to the 75%/100% stage and submittals were made to MassDOT as well as the Cities of Everett, Medford, Boston, and Chelsea for the Route 16 Roadway improvement projects that included Wellington, Sweetser, and Santilli Circles as well as Broadway and the proposed truck route.

On a separate track, Howard/Stein-Hudson Associates, Inc., Wynn's design team for the Sullivan Square improvements, has been working since last year on conceptual designs. During the first quarter of 2017, the MBTA contracted with Urban Idea Lab to conduct a peer review of the current design alternatives and coordination continues with the MBTA on advancing the Sullivan Square station design. Wynn anticipates filing 25% design documents for the roadway and station improvements to the City, MBTA, MassDOT, and Massport in early April 2017. On March 22, 2017, Wynn filed a Notice of Intent ("NOI") application with the City of Boston Conservation Commission for its proposed improvements to the Sullivan Square Rotary and its approaches.

Subject to Wynn receiving all permits required to complete the work, all offsite improvements are envisioned to be completed and operable prior to the opening of the Project.

In addition to the foregoing mitigation improvements, in accordance with Wynn's Section 61 findings, Wynn is an active participant in the LMRWG. The LMRWG was convened by MassDOT to assess and develop short and long-range transportation improvements that can support sustainable redevelopment and economic growth for the Lower Mystic River area. MassDOT has engaged the services of staff from the Boston Region Metropolitan Planning Organization – including from the Metropolitan Area Planning Council ("MAPC") and from the Central Transportation Planning Staff – to provide technical assistance and study support.

The Working Group is chaired by the Secretary of Transportation, and consists of elected officials and staff of the three communities of Boston, Everett and Somerville as well as MAPC. Representatives from the Executive Office of Housing and Economic Development, the Attorney General's Office of Massachusetts, the Massachusetts Gaming Commission, Congressman Capuano's office, the Massachusetts Port Authority, and the Wynn Boston Harbor are also participants of the LMRWG.

4.6 Design.

Construction Drawings (dated September 16, 2016) were issued on September 30, 2016. The hotel tower, podium, site, and interiors were reviewed by the City of Everett and a Building Permit was issued on December 15, 2016. Project design is complete with the exception of redesign for the meeting and event space area and food and beverage modifications as outlined in the NPC.

4.7 Construction Services.

On January 8, 2016, Wynn entered into an Agreement for Guaranteed Maximum Price Construction Services with Suffolk Construction Company, Inc. ("Suffolk"). Following the receipt of Wynn's Chapter 91 License, construction activities were commenced on all portions of the Project Site. Below is a summary of the construction activities through March 31, 2017:

- Completed the tie-backs;
- Completed the cap beam;
- Completed the mass excavation;
- Completed all pile caps in the CUP along the east facade;
- Completed steel erection in the CUP area;
- Completed approximately 10% of the slab on grade in the CUP;
- Completed concrete for the B4 mat slab and started the garage deck pours;
- Completed drilling, grouting, testing, and capping 52% of the rock anchors; and
- Continued waterfront work.

Dust control measures that are in-place include a water truck dedicated full time to the Project Site when work is occurring on the Project Site and covering dirt stockpiles at night with Gorilla Snot (liquid copolymer soil stabilizer and dust control product).

In February 2017, the wheel wash was reconstructed to accommodate changes to the Project Site. Street sweeping is done daily on Horizon Way, Broadway, Dexter Street, and the adjacent MBTA property.

Soil disposal via rail car was completed in February 2017.

4.8 Service Road.

The service road and utilities drawings were prepared and issued on March 31, 2016. Bids were received in early May to allow early construction of this critical work. On May 25, 2016, J. Derenzo Co. was awarded the Service Road and Utility Relocation contract.

As of March 31, 2017, the following utility work was completed for the Service Road:

- Approximately 2,200 linear feet (lf) (100%) NGrid 23kv ductbank including 5 MHs;
- Approximately 900 lf (100 %) Verizon ductbank including 3 MHs;
- NGrid and Verizon ductbank crossings beneath 115 kV lines;
- NGrid 12" gas line;
- The public section of the Service Road (Charlton St.) was paved and opened to service the New MBTA entrance and the Service Road to the resort construction site;
- Approximately 125 lf 12" ductile iron water line; and
- Approximately 400 lf 18" ductile iron water line.

4.9 Procurement.

Proposals were received for Commissioning, Independent Testing, and Room Controls. Fenagh Engineering and HAKS were selected for special inspections in June 2016. BR+A was selected for commissioning services in June 2016.

4.10 Owner Controlled Insurance Program ("OCIP").

Wynn, in conjunction with Willis Towers Watson initiated an Owner Controlled Insurance Program for the Project. This Worker's Compensation and General Liability insurance programs were implemented on July 1, 2016 and Builder's Risk was implemented on August 15, 2016.

4.11 *Project Labor Agreement.*

Following the engagement of Suffolk, Wynn and Suffolk re-engaged in discussions with local labor leaders and finalized the draft Project Labor Agreement for the Project. The Project Labor Agreement was executed on May 5, 2016.

4.12 *Construction Management Plan.*

Howard/Stein-Hudson Associates, Inc. prepared a Construction Management Plan (“CMP”) for the purpose of mitigating any adverse impacts to the host and surrounding communities. The CMP was submitted to the City of Everett on April 21, 2016.

5.0 Project Schedule

5.1 *Six Month Look Ahead*

The 6-month look ahead schedule is attached hereto as Appendix 4.

5.2 *Project Master Schedule*

The development of the Master Schedule has evolved from a high level schedule to a more detailed schedule. This coincides with the contractor’s efforts to increase the detail level of their schedule by working with the subcontractors as they are selected for the Project.

6.0 Project Resources/Diversity

Pursuant to 205 CMR 135.02(5)(f), please see Appendix 5 for a report describing the number of contracts, total dollars amounts contracted with and actually paid to minority business enterprises, women business enterprises and veteran business enterprises for design and construction of the Project and related infrastructure, and the total number and value of all subcontracts awarded to a minority, women and veteran owned business, and a comparison of these reports with the goals established by Wynn as approved by the MGC .



May 5, 2017

Massachusetts Gaming Commission
101 Federal St., 12th
Boston, MA 02110

Dear Commissioners:

In accordance with 205 CMR 135.02(5)(a), please see below for the total estimated cost of construction of the project and related infrastructure improvements and the costs incurred as of March 31, 2017, calculated pursuant to 205 CMR 122.03: *Costs Included in the Calculation of Capital Investment*, and separately identifying detailed costs for design, land acquisition, site preparation and construction and off-site improvements:

MGC Quarterly Report

Appendix 1

(US\$ thousands)

Component	Cost Incurred 3/31/2017	Estimated Remaining Cost	Total Estimated Cost
Construction / on-site development	\$ 281,117	\$ 1,279,829	\$ 1,560,946
Design and engineering	78,444	53,310	131,754
Site preparation	25,462	47,014	72,476
Off-Site Improvements	3,454	34,978	38,432
Land acquisition	61,787	5,634	67,421
Pre-opening	28,740	75,872	104,612
Owner FF&E	1,359	142,290	143,649
Total	\$ 480,363	\$ 1,638,927	\$ 2,119,290

In addition, in accordance with 205 CMR 135.02(5)(b), I direct you to the financial statements of Wynn Resorts, Limited (NASDAQ: WYNN), the parent of Wynn MA, LLC (the "Licensee"), including Wynn Resorts' Quarterly Report on Form 10-Q for the quarter ended March 31, 2017, filed with the Securities and Exchange Commission (the "SEC") on May 4, 2017, which is available at www.sec.gov. As reflected in these financial statements, Licensee has sufficient financial resources in order to meet all expected financial obligations relating to the completion of the Project and related infrastructure improvements associated with the Project.

I, Craig S. Billings, hereby certify to my knowledge and in my capacity as Chief Financial Officer of Wynn Resorts, Limited, as to the material veracity of the foregoing.

Sincerely,



Craig S. Billings
Chief Financial Officer and Treasurer

3131 Las Vegas Boulevard South Las Vegas NV 89109 tel (702) 770 7000

Appendix 2

Design and Construction Contracts

As of March 31, 2017

Reference 205 CMR 35.02(5)(c)

Vendor/Contractor	Date	Services	MGC Status
AECOM	11/4/15	Civil and Geotechnical Eng. – Offsite Infrastructure	NGV092
	1/18/16	Design and Construction Phase Services – MBTA Everett Maintenance Facility	
AMEC Massachusetts Inc.	08/25/16	Peer Review – Supplemental Phase II Site Assessment	NGV952
Alliance Detective & Security	12/31/15	Site Security	NGV326
Arup USA, Inc.	12/10/14	Fire Protection Consulting	NGV102
Bard, Roa + Athanas Consulting Engineers, Inc.	08/31/16	Commissioning Services	NGV884
Bohler Engineering MA, LLC	06/08/16	Engineering Services – Property Redevelopment - McDonalds	NGV845
Building Enclosure Associates, LLC	08/30/16	Building Enclosure – Commissioning Svcs.	NGV989
Bukhari Design Studio, LLC	7/15/15	Concept and Documentation Services – High Limit Gaming	NGV434
Cashman Dredging & Marine Contracting and Company, LLC	9/2/15	Site Clean-up/Fencing	NGV450
Charter Contracting Company	11/10/15	Site Remediation Services	NGV479
Christopher Gordon		Project Management	NGV226
Cleo Design, LLC	7/15/15	Design Consultant – Staff Dining	NGV500
	7/15/15	Design Consultant – Executive Offices	
Code Red Consultants LLC	10/04/16	Life & Safety Systems Commissioning	NGV844
Cross Spectrum Acoustics	02/06/17	Acoustical Consultants	NGV1149
DHA Design Services LTD	9/24/15	Exterior Lighting Design	NGV522
Design Enterprise	9/17/15	Design Consultant – High Limit Gaming	NGV460
Eslick Design Associates	05/22/15	Design Consultant – Site Signage	NGV383
	7/15/15	Design Consultant – Low-Rise and Garage Signage	
	7/15/15	Design Consultant – High-Rise Signage	
First Circle Design, Inc.	10/14/15	Design Consultant – Interior Lighting – Meeting & Convention/Gaming	NGV518
Fenagh Engineering & Testing, LLC	09/08/16	Quality Control and Inspection Services	NGV185
Fort Point Associates, Inc.	12/30/14	Planning and Environmental Consulting	NGV075
	06/28/16	Environmental Consulting – Harbor Walk	
Foundry Interior Design	10/21/15	Design Consultant – Performance Lounge	NGV535
Gilbane Building Company	01/24/14	Preconstruction Consulting Services	NGV035
GZA GeoEnvironmental, Inc.	11/12/14	Geotechnical and Environmental Services	NGV013
	04/21/16	Geotechnical and Environmental Services – Harbor Walk	

Haks Engineers, P.C.	09/08/16	Quality Control and Testing	NGV894
Hirsch Bedner Associates dba HBA/Hirsch Bedner Associates	02/25/15	Design Consultant – High-Rise Interiors	NGV133
	05/22/15	Design Consultant – Public Areas	
	05/22/15	Design Consultant – F&B	
	05/22/15	Design Consultant – Public Areas	
	05/22/15	Design Consultant – Buffet	
	05/22/15	Design Consultant – Public Restrooms	
	05/22/15	Design Consultant – Meeting and Convention	
Howard/Stein-Hudson Associates, Inc.	12/30/14	Traffic Engineering	NGV079
	4/28/15	Traffic Engineering	
Harry Feldman, Inc., dba Feldman Land Surveyors	02/06/15	Surveying	NGV071
JBA Consulting Engineers	09/30/15	A/V Engineering Services	NGV642
Jacobs Consultants Inc.	12/04/14	Executive Architect	NGV181
John A. Martin & Associates of Nevada, Inc.	07/29/16	Structural Expansion Joint Review	NGV919
John Lyons Systems - Moonlighting	05/09/16	A/V Engineering Services	NGV805
Koncerted LLC	11/11/16	Low Voltage Project Oversight	NGV1070
Lifescapes International, Inc.	02/03/15	Landscape Architect	NGV151
Lighting Design Alliance	10/29/15	Design Consultant – Interior Lighting – Food and Beverage/Public Areas	NGV439
	05/11/16	Design Consultant – Interior Lighting – Meeting and Convention Areas	
Halifax Security Inc. dba M. Malia & Associates	01/23/15	Security and Surveillance Consulting	NGV123
Medcor, Incorporated	08/31/16	On-site Safety Services Program	NGV851
Michael Hong Architects, Inc.	12/11/14	Architectural Design Services	NGV206
National Grid	04/11/16	Relocation of Utilities – Service Road	Exempt
	06/08/16	Relocation of Gas Main – Main Site	
Oguz Cem Yazici	3/23/16	Construction Consultant – Scheduling	NGV801
PMA Consultants LLC	03/21/17	Audit Soil Disposal , PCO and Contract Document Review	NGV1185
RF Networks	11/12/15	Communication Systems Specifications	NGV688
Ryan Biggs Clark Davis Engineers	10/29/15	Structural Peer Review of Jacobs Drawings	NGV508
SJ Lighting Inc.	11/03/16	Theatrical Engineering and Special Effects	NGV1111
Sound Investment Audio	11/03/16	Audio Design	NGV1129
Suffolk Construction Company, Inc.	01/08/16	Construction Management	NGV163
TRC Environmental Corporation	09/30/15	Construction Consultant - Building Demolition	NGV067
Vanasse & Associates, Inc.	02/06/15	Supplemental Final Environmental Impact Report - Transportation	NGV066
Vermuelens, Inc.	02/03/16	Construction Consultant – Construction Cost Analysis	NGC072
Vicente Wolf Associates	05/22/15	Design Consultant – F&B	NGV283
WES Construction Corporation	11/16/16	MBTA Maintenance Facility Improvements	NGV948

Appendix 3

Permits As of December 31, 2016

Reference 205 CMR 135.02(6)

Agency Governing Legal Authority (Statute/Regulation/Ordinance)	Permit, Review, or Approval	Date Application Submitted or Estimated Anticipated Application Date	Maximum Agency Decision Time Maximum Effective Period (if provided in applicable statute, regulation or ordinance)
Federal			
Federal Aviation Administration (FAA) 49 U.S.C. Subtitle VII, Aviation Programs, Part A and B; 14 CFR 77, Subpart D; Order JO 7400.2J, Procedures for Handling Airspace Matters, Ch. 7 Determinations	Determination Regarding Air Navigation	<u>Building:</u> Received January 9, 2016 <u>Cranes:</u> Cranes 1 & 2 received August 18, 2016 Cranes 3-8 received August 11, 2016 <u>Podium:</u> Received August 10, 2016	Determination is effective for 18 months and may apply for one 18-month renewal.
U.S. Army Corps of Engineers (ACOE) Section 10 of Federal Rivers and Harbors Act; 33 USC s. 403; 33 CFR Parts 322, 325	Work in Navigable Waters (Section 10) Permit	Project: Received December 12, 2016	No fixed maximum decision time. For individual permits, ACOE will be guided by the target schedule of decision within 60 days of receiving completed application, subject to receipt of any additional information needed for decision and processes required by other state and federal laws (such as CZM Act) to precede decision.
U.S. Army Corps of Engineers (ACOE) Section 404 of Federal Clean Water Act; 33 USC s. 1344; 33 CFR Parts 323, 325	Clean Water Act (Section 404) Individual Permit	Project: Received December 12, 2016	Individual permits for a permanent structure or activity typically do not expire, but may specify when the work must start - usually within 1 year of issuance.
U.S. Army Corps of Engineers (ACOE) Massachusetts General Permit issued January 10, 21 2010, modified November 13, 2012; pursuant to 33 CFR Part 330	Massachusetts General Permit (GP) 17	Sediment Remediation: Anticipated submittal Summer 2017	Massachusetts General Permit ("GP") includes 41 general conditions for all activities and identifies 23 differentiated GPs based on activity. GP 17 applies to activities that affect the containment, stabilization, or removal of hazardous materials, or toxic waste materials, including court-

			ordered remedial action plans or related settlements, which are performed, ordered, or sponsored by a government agency with established legal or regulatory authority. Under GP 17, work in navigable waters with permanent impacts that meet or exceed the PCN limits on page 4 of the GP of less than or equal to ½ acres, is eligible for review under a PCN.
U.S. Environmental Protection Agency (EPA) Federal Clean Water Act Section 402(p); 33 USC s. 1342(p); 40 CFR 122.26; NPDES Construction General Permit, Effective February 16, 2012	National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) NOI (for stormwater management)	On-site: April 6, 2016 On-site under 2017 CGP: Anticipated May 2017	Decision time for CGP and RGP: effective 14 days after NOI submittal to and acknowledged by EPA. When the CGP expires on February 16, 2017, those activities covered by the CGP will likely have to file a NOI under the new CGP.
U.S. Environmental Protection Agency (EPA) Federal Clean Water Act Section 402(a), 33 USC s. 1342(a); 40 CFR 122.28; 314 CMR 4.00; NPDES Remediation General Permit, NPDES Permit No. MAG910000, Effective September 10, 2010	NPDES Remediation General Permit (RGP) (for construction dewatering)	NOI Submitted May 25, 2016, 10 day waiting period ended June 9, 2016 NOI under 2017 RGP: Anticipated submittal June 2017	When the RGP expired on September 10, 2015, those activities covered by the RGP will likely have to file a NOI under the new RGP. The new RGP is not yet in place.
State			
Executive Office of Energy and Environmental Affairs Massachusetts Environmental Policy Act; MGL c. 30 ss. 61-62I; 301 CMR 11.00	Massachusetts Environmental Policy Act (MEPA) Review	<u>Project:</u> Certificate on EENF received 11/26/13 Certificate on DEIR received 2/21/14 Certificate on FEIR received 8/15/14 Certificate on SFEIR Received 4/03/15 Certificate on SSFEIR Received 8/28/15 <u>Sediment Remediation:</u> Filing-Notice of Project Change anticipated filed 2/28/17, Certificate received 4/7/17 February/March 2017	Secretary determines whether a Draft EIR, or Final EIR, as applicable, is adequate within 37 days of notice of availability of the EIR in the Environmental Monitor. A project that has not commenced either construction, or other project development activities (including final design, property acquisition, or marketing), within five years of notice of availability of Final EIR must file a Notice of Project Change. Secretary determines whether a subsequent filing is required.

			MEPA review is complete if no further filings are required.
Executive Office of Energy and Environmental Affairs MGL c. 21A ss. 2 and 4A; 301 CMR 23.00	Municipal Harbor Plan	Submitted on 10/16/13 Approved on 2/10/14	After publication of proposed Plan in Environmental Monitor and 30 day public comment period, Secretary has 60 days to consult with municipality proposing the Plan and other applicable agencies/entities, and 21 days thereafter to issue a written decision on the MHP.
Massachusetts Department of Environmental Protection (MassDEP) MGL c. 91 ss. 12-14; 310 CMR 9.00	Chapter 91 Waterways Determination of Applicability	Determination of Applicability re Chapter 91 jurisdictional boundaries received on July 29, 2013	
Massachusetts Department of Environmental Protection (MassDEP) MGL c. 91 ss. 12-14; 310 CMR 9.00	Chapter 91 Waterways License	<u>Project</u> : Submitted August 19, 2015 License Received August 3, 2016 Minor Project Modification (MPM) #1 received February 28, 2017 MPM #2 received March 29, 2017 <u>Sediment Remediation</u> : Submittal Anticipated Spring 2017	Licenses are issued for a fixed term; the standard term is 30 years but a license may be issued for an extended term (maximum of 99 years) if certain additional requirements are met.
MassDEP MGL c. 21 s. 43; 310 CMR 7.12	Compliance Certification for Stationary Engine	TBD	Required for CHP and generator
MassDEP MGL c. 111 ss. 142A-142E; 310 CMR 7.09	Notification of Construction and Demolition	TBD	Effective 10 working days after filing of notification.
MassDEP Section 401 of Federal Clean Water Act, 33 USC s. 1341; Massachusetts Clean Waters Act, MGL c. 21 ss. 26 et seq.; 314 CMR 9.00 (which cites to 310 CMR 4.00)	Water Quality Certification (401)	<u>Project</u> : Submitted September 8, 2015 Approval received January 22, 2016 <u>Sediment Remediation</u> : Submittal Anticipated Spring 2017	Standard MassDEP technical review period is 120 days (24 days for determination of administrative completeness and 96 days for technical review). No fixed maximum decision time.
MassDEP MGL c. 131 s. 40; 310 CMR 10.00	Wetlands Superseding Order of Conditions	Only in event of appeal of Order of Conditions issued by Everett Conservation Commission	Per 310 CMR 10.05 (7)(f) Issued within 70 days of request for superseding action (unless MassDEP

			requests additional information).
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<p>MassDEP Bureau of Waste Site Cleanup/Massachusetts Contingency Plan (MCP)</p> <p>MGL c. 21E; 310 CMR 40.000</p>	<p>(Submittals by Licensed Site Professional on behalf of Site Owner - do not need DEP approval)</p>	<p><u>Landside Remediation:</u> Draft RAM Plan provided to DEP in May 2015; PIP process underway</p> <p><u>Sediment Remediation:</u> Phase II Submitted December 2015 Revised Phase II Submitted December 30, 2016</p> <p>Phase III/IV Submittal Anticipated February/March May 2017</p>	<p>Agency decision time frame N/A under MCP privatized program.</p>
<p>Massachusetts Water Resources Authority (MWRA)</p> <p>Chapter 372 of the Acts of 1984, s. 8(m); 360 CMR 10.000</p>	<p>Section 8(m) Permit (to cross or construct within an MWRA easement)</p>	<p><u>Project:</u> Submittal Anticipated May/June 2017 TBD</p>	
<p>Massachusetts Office of Coastal Zone Coastal Zone Management (CZM)</p> <p>301 CMR 20.00, M.G.L. c. 21A, §§2 and 4A</p> <p>Coastal Zone Management Act of 1972, 16 U.S.C. 1451 et seq., 15 CFR §§ 923 and 930</p>	<p>Federal Consistency Certification</p>	<p><u>Project:</u> Received August 12, 2016</p> <p><u>Sediment Remediation:</u> Anticipated Submittal Summer 2017</p>	
<p>Massachusetts Historical Commission (MHC)</p> <p>MGL c. 9 ss. 26 et seq.; 950 CMR 71.00</p>	<p>Review of project relative to potential effects on State Register historic/ archaeological resources.</p>	<p>Review Completed</p>	<p>Within 30 days of receipt of a completed Project Notification Form or ENF, the MHC will determine whether further information is needed and/or consultation is needed because the project may affect State Register properties. Beyond initial period, no other maximum decision times apply.</p>
<p>Board of Underwater Archaeological Resources (BUAR)</p> <p>M.G.L. c. 6, ss. 179 and 180; 312 CMR 2.00</p>	<p>Review of waterside activities</p>	<p><u>Project:</u> Review Completed</p> <p><u>Sediment Remediation:</u> Anticipated review concurrent with MEPA ENF Review Completed under NPC</p>	

<p>Massachusetts Department of Transportation (MassDOT)</p> <p>MGL c. 81 s. 21, 720 CMR 13.00</p>	<p>Non-Vehicular Access Permit - Off-site roadway improvements</p>	<p>TBD</p>	<p>MassDOT completes technical reviews of the Access Permit application in 75 business days (35 business days following receipt of the 25% design submission, 20 business days following receipt of the 75%/100% design submission, and 20 business days following receipt of the PS&E submission.) Following technical review and approval, Section 61 Finding, and completion of MHC review and Mass. Wetlands Protection Act permitting, the MassDOT permit is issued 5 to 7 business days following final design approval.</p>
<p>Massachusetts Department of Transportation (MassDOT)</p> <p>MGL c. 40 s. 54A</p>	<p>Consent to issuance of building permit for construction on land formerly used by railroad company</p>	<p><u>Project:</u> Approval issued May 2, 2016</p>	
<p>Massachusetts Department of Transportation (MassDOT)</p> <p>MGL c. 161A s. 5(b)</p>	<p>MBTA Land Disposition and Easement Agreements</p>	<p>Issued November 2016</p>	
<p>Local</p>			
<p>City of Boston (Off-site Roadway) Public Improvement Commission (PIC) Boston Transportation Department (BTD)</p> <p>Revised Ordinances of City of Boston of 1961, Ch.21, Sect. 36</p>	<p>Approvals</p>	<p>Filed January 30, 2015</p>	

<p>Everett Planning Board</p> <p>M.G.L. 40A, as amended, and Everett Zoning Ordinance, Section 28A, Resort Casino Overly District (RCOD) in Lower Broadway Economic Development District (LBEDD)</p>	<p>Site Plan Review</p>	<p><u>Project:</u> Approval Received October 14, 2015</p> <p><u>Access Road:</u> Approval Received May 5, 2016</p>	<p>Site Plan Review decisions shall be issued within 180 calendar days after filing of a completed application. Everett Zoning Ordinance, Sec. 28A(10)(B)(iii).</p> <p>Everett has accepted expedited permitting processes for Priority Development Sites pursuant to MGL c. 43D. All lots located in the LBEDD and RCOD are Priority Development Sites, Everett Zoning Ordinance Section 28A(10)(B).</p>
<p>Everett Conservation Commission</p> <p>Everett City Charter, c. 2, Article III, Division 7, Section 2-252 M.G.L. c. 131 §40; 310 CMR 10.00</p>	<p>Wetlands Order of Conditions</p>	<p><u>Project:</u> Order of Conditions issued September 24, 2015</p> <p><u>Landside Remediation:</u> Order of Conditions Issued 2015</p> <p><u>Sediment Remediation:</u> Submittal Anticipated Summer 2017</p>	<p>Decision time (about 42 days plus duration of public hearing which may consist of more than one ConComm meeting):</p> <ul style="list-style-type: none"> - A public hearing must be held within 21 days of receiving NOI. - Orders of Conditions issued within 21 days of the close of the public hearing. <p>Orders of Conditions are valid for 3 years unless extended.</p>
<p>Everett Fire Department</p> <p>Rev. Ordinance 1976, Pt.2, Ch.7, §33</p> <p>Everett City Charter, Chapter 8, Article I, §2-252</p> <p>M.G.L. c. 148 §10A</p>	<p>Review of Plans Fire Suppression System Installation Fuel Storage Permit LP Gas Storage Permit Underground Storage Tank Removal Permit (Commercial)</p>	<p>TBD</p>	
<p>Everett Health Department</p> <p>M.G.L. c. 140</p>	<p>Food Establishment Permit Application</p>	<p>TBD</p>	<p>Permits are annual, and expire May 31st of each year.</p>
<p>Everett Licensing Commission</p> <p>Victualler License: M.G.L. c. 140</p>	<p>Alcohol License Common Victualler License</p>	<p>TBD</p>	
<p>Everett Public Works</p> <p>Sewer: M.G.L., c. 83; Everett City Charter, Chapter 15</p> <p>Water: Everett City Charter, Chapter 20</p>	<p>Sewer Connection Permit Water Connection Permit</p>	<p>TBD TBD</p>	

<p>Everett Building Department</p> <p>State Building Code, 780 CMR 105.3.1</p>	<p>Building Permit</p> <ul style="list-style-type: none"> • Plumbing • Gas • Electrical • Wire • Trench • Mechanical • Foundation 	<p>Foundation Permit May 2, 2016</p> <p>Building Permit December 15, 2016</p>	<p>30 days from submission of completed application.</p> <p>Specific permits (plumbing, gas, etc.) to be requested and issued at various times during construction period within 30 days following application</p>
<p>Boston Conservation Commission</p> <p>M.G.L. c. 131 §40; 310 CMR 10.00</p>	<p>Wetlands Order of Conditions</p>	<p><u>Sediment Remediation:</u></p> <p>Submittal Anticipated Summer 2017</p>	

Activity ID	Activity Name	Original Duration	Start	Finish	Predecessors	2017											
						Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
Wynn Boston Harbor						744d 04-Jan-16 A 10-Dec-18											
Main Project						683d 04-Jan-16 A 17-Oct-18											
Environmental Permits						133d 20-Mar-17 A 29-Sep-17											
USACE GP17 - Remedial Dredging (requires Ch.91, WQ, CZM)						122d 07-Apr-17 A 29-Sep-17											
A3700	Draft ACOE Plans	0d		07-Apr-17 A		◆ Draft ACOE Plans											
A3420	RD Full Draft	10d	10-Apr-17 A	21-Apr-17	A3410, A3700	■ RD Full Draft											
A3560	RD Edits Provided to FPA	5d	24-Apr-17	28-Apr-17	A3420	■ RD Edits Provided to FPA											
A3650	RD Final Draft to Wynn	5d	01-May-17	05-May-17	A3560	■ RD Final Draft to Wynn											
A3690	RD Final Edits	3d	08-May-17	10-May-17	A3650	■ RD Final Edits											
A3430	RD File Application - General Permit 17	1d	12-May-17	12-May-17	A3420, A3690	■ RD File Application - General Permit 17											
A7440	RD Technical Review	97d	15-May-17	29-Sep-17	A3430	■ RD Technical Review											
A7450	RD Decision / Permit	0d		29-Sep-17	A7440, A6660	◆ RD Decision / Permit											
MEPA - NPC - Remedial Dredging						1d 07-Apr-17 A 07-Apr-17 A											
A3510	RD Secretary Decision	1d	07-Apr-17 A	07-Apr-17 A	A3500	■ RD Secretary Decision											
Chapter 91 - Remedial Dredging (requires WQ)						133d 20-Mar-17 A 29-Sep-17											
A4320	RD 91 Full Draft to Wynn	25d	20-Mar-17 A	21-Apr-17		■ RD 91 Full Draft to Wynn											
A4340	RD 91 Edits Provided to FPA	5d	24-Apr-17	28-Apr-17	A4320	■ RD 91 Edits Provided to FPA											
A4280	RD 91 Final Draft to Wynn	5d	01-May-17	05-May-17	A3790, A4340	■ RD 91 Final Draft to Wynn											
A3800	RD 91 Final Edits	3d	08-May-17	10-May-17	A3790, A4280, A4280	■ RD 91 Final Edits											
A3810	RD 91 Draft to MASS DEP	3d	11-May-17	15-May-17	A3800, A3800	■ RD 91 Draft to MASS DEP											
A3820	RD 91 Final Application DEP comments	4d	16-May-17	19-May-17	A3810	■ RD 91 Final Application DEP comments											
A3830	RD Chapter 91 Filing	1d	22-May-17	22-May-17	A3820, A5172, A3510	■ RD Chapter 91 Filing											
A3840	RD 91 Notice in Environmental Monitor	11d	23-May-17	07-Jun-17	A3830	■ RD 91 Notice in Environmental Monitor											
A3850	RD 91 Comment Period / Public Hearing	13d	09-Jun-17	27-Jun-17	A3840	■ RD 91 Comment Period / Public Hearing											
A3860	RD 91 End of Chapter 91 Technical Review (3 Months)	43d	28-Jun-17	28-Aug-17	A3850, A3330	■ RD 91 End of Chapter 91 Technical Review (3 Months)											
A3880	RD 91 Chapter 91 License Issued (Fast Track Agreement)	0d		29-Sep-17	A3860, A8230, A834	◆ RD 91 Chapter 91 License Issued (Fast Track Agreement)											
Water Quality Certificate 401 - Remedial Dredging (before Ch. 91)						133d 20-Mar-17 A 29-Sep-17											
A12750	RD WQ Full Draft to Wynn	25d	20-Mar-17 A	21-Apr-17		■ RD WQ Full Draft to Wynn											
A12760	RD WQ Edits Provided to FPA	5d	24-Apr-17	28-Apr-17	A12750	■ RD WQ Edits Provided to FPA											
A12770	RD WQ Final Draft to Wynn	5d	01-May-17	05-May-17	A12760	■ RD WQ Final Draft to Wynn											
A12780	RD WQ Final Edits	3d	08-May-17	10-May-17	A12770, A12770	■ RD WQ Final Edits											
A10920	RD WQ Draft to MASS DEP	3d	11-May-17	15-May-17	A12780	■ RD WQ Draft to MASS DEP											
A10930	RD WQ Final Application DEP comments	4d	16-May-17	19-May-17	A10920	■ RD WQ Final Application DEP comments											
A10940	RD Chapter 401 Filing	1d	22-May-17	22-May-17	A10930, A3510	■ RD Chapter 401 Filing											
A10950	RD WQ Notice in Environmental Monitor	11d	23-May-17	07-Jun-17	A10940	■ RD WQ Notice in Environmental Monitor											
A10960	RD WQ Comment Period / Public Hearing	14d	09-Jun-17	28-Jun-17	A10950	■ RD WQ Comment Period / Public Hearing											
A10970	RD WQ End of Chapter 401 Technical Review (3 Months)	42d	29-Jun-17	28-Aug-17	A10960	■ RD WQ End of Chapter 401 Technical Review (3 Months)											

- Remaining Level of Effort
- Actual Work
- Remaining Work
- Critical Remaining Work
- ◆ Milestone

Wynn Boston Harbor
Six Month Lookahead Schedule (4/1/2017 - 9/30/2017)
24-Apr-17 **Page 1 of 6**



Activity ID	Activity Name	Original Duration	Start	Finish	Predecessors	2017											
						Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
A10980	RD WQ Chapter 401 License Issued	0d		29-Sep-17	A10970												◆ RD WQ Chapter 401 License Issued
Everett Con. Comm. - Order of Conditions - Remedial Dredging						Everett Con. Comm. - Order of Conditions - Remedial Dredging											
A12790	E - RD Full Draft to Wynn	25d	20-Mar-17 A	07-Apr-17 A		█											
A12800	E - RD Edits Provided to FPA	3d	10-Apr-17 A	12-Apr-17 A	A12790	█											
A8160	E - RD Final Draft	2d	13-Apr-17 A	14-Apr-17	A8150, A12800	█											
A8170	E - RD Final Edits	3d	17-Apr-17	19-Apr-17	A8160	█											
A8180	E - RD Final Draft to DEP	2d	20-Apr-17	21-Apr-17	A8170	█											
A8190	E - RD DEP Comments on Final Draft	6d	24-Apr-17	01-May-17	A8180	█											
A8200	E - RD File Notice of Intent	1d	03-May-17	03-May-17	A8190	█											
A11000	E - RD Comment Period	11d	04-May-17	18-May-17	A8180, A8200	█											
A8220	E - RD Decision / Permit	0d		15-Jun-17	A11000, A8200												◆ E - RD Decision / Permit
A8230	E - RD End of Appeal Period	10d	16-Jun-17	29-Jun-17	A8220	█											
Boston Con. Comm. - Order of Conditions - Remedial Dredging						Boston Con. Comm. - Order of Conditions - Remedial Dredging											
A12810	B - RD Full Draft to Wynn	25d	20-Mar-17 A	07-Apr-17 A		█											
A12820	B - RD Edits Provided to FPA	3d	10-Apr-17 A	12-Apr-17 A	A12810	█											
A8270	B - RD Final Draft	2d	13-Apr-17 A	14-Apr-17	A8260, A12820	█											
A8280	B - RD Final Edits	3d	17-Apr-17	19-Apr-17	A8270	█											
A8290	B - RD Final Draft to DEP	2d	20-Apr-17	21-Apr-17	A8280	█											
A8300	B - RD DEP Comments on Final Draft	6d	24-Apr-17	01-May-17	A8290	█											
A8310	B - RD File Notice of Intent	1d	05-May-17	05-May-17	A8300	█											
A8320	B - RD Comment Period	8d	08-May-17	17-May-17	A8310	█											
A8330	B - RD Decision / Permit	0d		12-Jul-17	A8320, A8220												◆ B - RD Decision / Permit
A8340	B - RD End of Appeal Period	13d	13-Jul-17	31-Jul-17	A8330	█											
MCP - Massachusetts Contingency Plan						MCP - Massachusetts Contingency Plan											
A3660	MCP Phases III and IV - Draft Plan	11d	24-Mar-17 A	14-Apr-17	A3680	█											
A3670	MCP Phases III and IV - Draft Plan Review	10d	17-Apr-17	28-Apr-17	A3660	█											
A4110	MCP Phases III and IV - Final Plan	20d	01-May-17	26-May-17	A3670	█											
A4120	MCP Phases III and IV - Final Plan Submitted	0d		01-Jun-17	A4110												◆ MCP Phases III and IV - Final Plan Submitted
A4130	Public Comment Period (20 calendar days)	15d	02-Jun-17	22-Jun-17	A4120	█											
Remediation						Remediation											
Landside Remediation						Landside Remediation											
A2580	Groundwater Monitoring	300d	04-Jan-16 A	11-Apr-17 A	A2570	█											
Dredging						Dredging											
A8355	Time of Year Restriction 2017 (No Work)	159d	15-Feb-17 A	29-Sep-17		█											
Project Cost Generation						Project Cost Generation											
A5720	GMP Review/Approval	20d	08-Dec-16 A	14-Apr-17	A5690	█											
A10070	GMP Contract Amendment	0d		14-Apr-17	A5720, A5690, 11840												◆ GMP Contract Amendment

- █ Remaining Level of Effort
- █ Actual Work
- █ Remaining Work
- █ Critical Remaining Work
- ◆ Milestone



Activity ID	Activity Name	Original Duration	Start	Finish	Predecessors	2017											
						Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
Construction - Main Project						616d 12-May-16 A 17-Oct-18											
Subcontractor Procurement Milestones						11d 12-Apr-17 A 27-Apr-17											
A12730	GWB Award	0d		12-Apr-17 A	A12180	<ul style="list-style-type: none"> ◆ Subcontractor Procurement Milestones ◆ GWB Award ◆ Site Improvements ◆ Finishes Trades ◆ Site Concrete Award ◆ Misc. Metals Award 											
A12600	Site Improvements	0d		26-Apr-17	A12590												
A12720	Finishes Trades	0d		26-Apr-17	A12180												
A12610	Site Concrete Award	0d		27-Apr-17	A12180												
A12640	Misc. Metals Award	0d		27-Apr-17	A12180												
Summary Schedule (SCCI)						581d 24-May-16 A 17-Oct-18											
Garage						566d 24-May-16 A 16-May-18											
SUMM-380	SOE & Foundations Summary - Garage	302d	24-May-16 A	06-Apr-17 A		SOE & Foundations Summary - Garage											
SUMM-230	Garage Structure Summary	137d	21-Feb-17 A	13-Jun-17	A11495, 13080, A12:	Garage Structure Summary											
SUMM-360	Interior Fit-up Summary - Garage	279d	14-Jun-17	16-May-18	M1020, A3100, A266												
Central Utility Plant						412d 06-Mar-17 A 17-Oct-18											
SUMM-165	Concrete Slab on Metal Decks Summary - CUP	35d	06-Mar-17 A	03-May-17	SUMM-145	Concrete Slab on Metal Decks Summary - CUP											
SUMM-400	Facade Summary - CUP	42d	04-May-17	22-Jun-17	SUMM-165	Facade Summary - CUP											
SUMM-140	Interior Fit-Up Summary - CUP	357d	16-May-17	17-Oct-18	SUMM-165												
Convention Area						373d 13-Aug-16 A 09-Nov-17											
SUMM-250	Foundation Summary - Convention Center	123d	13-Aug-16 A	31-Jul-17	SUMM-155	Foundation Summary - Convention Center											
SUMM-180	Structural Steel Summary - Convention Center	74d	14-Aug-17	09-Nov-17	SUMM-250	Structural Steel Summary - Convention Center											
Hotel Tower						250d 19-Apr-17 14-Feb-18											
SUMM-340	Superstructure Summary - Hotel Tower	250d	19-Apr-17	14-Feb-18	SUMM-230	Superstructure Summary - Hotel Tower											
Podium						214d 30-May-17 03-Apr-18											
SUMM-310	Structural Steel Summary - Podium	115d	30-May-17	13-Oct-17	SUMM-230	Structural Steel Summary - Podium											
SUMM-450	Concrete Slab on Deck Summary - Podium	82d	15-Jul-17	20-Oct-17	SUMM-310	Concrete Slab on Deck Summary - Podium											
SUMM-430	Facade Summary - Podium	159d	14-Aug-17	03-Apr-18	SUMM-450	Facade Summary - Podium											
Tenant Retail						377d 12-May-16 A 06-Nov-17											
A7570	Identify Lease Tenants	131d	12-May-16 A	05-May-17		Identify Lease Tenants											
A7580	Negotiate Lease Terms	21d	01-Feb-17 A	05-May-17	A7570	Negotiate Lease Terms											
A7590	Tenant Design Concept	30d	01-Feb-17 A	19-May-17	A7580	Tenant Design Concept											
A7600	Tenant Present / Wynn Approve Design Concept	20d	22-May-17	19-Jun-17	A7590	Tenant Present / Wynn Approve Design Concept											
A7610	Tenant Design	63d	20-Jun-17	18-Sep-17	A7600	Tenant Design											
A7640	Tenant Submit to Everett for Permit approval	5d	19-Sep-17	25-Sep-17	A7610	Tenant Submit to Everett for Permit approval											
A7650	Everett Review & Approve Permit	30d	26-Sep-17	06-Nov-17	A7640	Everett Review & Approve Permit											
Service Road and Utilities Projects						541d 23-May-16 A 15-Jan-18											
Service Road Construction						180d 01-Aug-16 A 15-May-17											
12080	Service Road - Phases 2, 3, 4a and 4b	44d	01-Aug-16 A	19-Apr-17	A6570, 14420, 12200	Service Road - Phases 2, 3, 4a and 4b											
12160	Roadway Top Course, Private SR Punchlist	22d	14-Apr-17*	15-May-17	12010, 12180, 12080	Roadway Top Course, Private SR Punchlist											

- █ Remaining Level of Effort
- █ Actual Work
- █ Remaining Work
- █ Critical Remaining Work
- ◆ Milestone



Activity ID	Activity Name	Original Duration	Start	Finish	Predecessors	2017											
						Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
14860	Landscaping, Punchlist, Cleanup (PRIVATE)	22d	14-Apr-17	15-May-17	12160	Landscaping, Punchlist, Cleanup (PRIVATE)											
14870	Landscaping, Punchlist, Cleanup (PUBLIC)	22d	14-Apr-17	15-May-17	14860	Landscaping, Punchlist, Cleanup (PUBLIC)											
MBTA Loading Dock and New Gatehouse						MBTA Loading Dock and New Gatehouse											
12975	Build New Entrance/Gates	39d	06-Sep-16 A	26-Apr-17	12900	Build New Entrance/Gates											
13280	MBTA New Entrance Complete	0d		26-Apr-17	12975, 11990	◆ MBTA New Entrance Complete											
128 Broadway (McDonald's)						128 Broadway (McDonald's)											
Broadway/Beacham Permanent Intersection						Broadway/Beacham Perman											
12640	New Beacham Utilities, Intersection, Traffic Signals	112d	15-May-17	20-Oct-17	11090, 11110	New Beacham Utilities, Inters											
National Grid Gas Line Extension on Broadway						National Grid Gas Line Extension on Broadway											
A2380	National Grid Complete Gas Line Design Documents	30d	21-Apr-17	02-Jun-17	A2360	National Grid Complete Gas Line Design Documents											
A2970	National Grid Complete Gas Line Relocation	41d	07-Jul-17	01-Sep-17	A5172, A2380	National Grid Complete Gas Line Relocation											
A9810	Relocation Completed	0d		01-Sep-17	A2970	◆ Relocation Completed											
115Kv High Tension Tower Relocation						115Kv High Tension Tower Relocation											
A2350	National Grid Complete Engineered Docs, Site Testing, Procurement	541d	23-May-16 A	27-Apr-17	A2410	National Grid Complete Engineered Docs, Site Testing, Procurement											
A2340	National Grid Complete Construction/Relocation of High Tension Tower	169d	15-May-17	15-Jan-18	A2350	National Grid Complete Construction/Relocation of High Tension Tower											
Bridge Study						Bridge Study											
DCR Harbor Walk Connector						DCR Harbor W											
Design						Design											
A4090	75% CDs	31d	14-Apr-17	26-May-17	A3870, A4098	75% CDs											
A4100	100% CDs	120d	30-May-17	15-Nov-17	A4090	100% CDs											
Everett Con. Comm. - Wetlands Notice of Intent (DCR Harbor Walk Con						Everett Con. Comm. - Wetlands Notice of Intent (DCR Harbo											
A2470	Execution of Easement Agreement with DDRC	30d	23-May-16 A	31-Jul-17	A3470, A5172, A3870	Execution of Easement Agreement with DDRC											
A1600	Prepare Notice of Intent	8d	17-Apr-17*	26-Apr-17	A2470, A3870	Prepare Notice of Intent											
A1610	Internal Review of Draft	2d	27-Apr-17	28-Apr-17	A1600	Internal Review of Draft											
A1730	Final Draft	5d	01-May-17	05-May-17	A1610	Final Draft											
A1740	Internal Review of Final Draft	2d	08-May-17	09-May-17	A1730	Internal Review of Final Draft											
A1750	Final Draft to DEP	1d	10-May-17	10-May-17	A1740	Final Draft to DEP											
A1760	Final Draft DEP Comments	10d	11-May-17	24-May-17	A1750	Final Draft DEP Comments											
A1770	File Notice of Intent	5d	25-May-17	01-Jun-17	A1760	File Notice of Intent											
A1780	Review and Public Hearing (mtgs on 9/15 and 10/20)	43d	02-Jun-17	02-Aug-17	A1760, A1770	Review and Public Hearing (mtgs on 9/15 and 10/20)											
A1790	Decision	1d	03-Aug-17	03-Aug-17	A1780	Decision											
A1800	End of Appeal Period	10d	04-Aug-17	17-Aug-17	A1790, A1780	End of Appeal Period											
A1810	Order of Conditions Issued	0d	18-Aug-17	18-Aug-17	A1800	Order of Conditions Issued											
MADEP Chapter 91 DCR Harbor Walk Connector						MADEP Chapter 91 DCR Harbor											
A11940	Prepare Draft Chapter 91 application	13d	17-Apr-17	03-May-17	A1600	Prepare Draft Chapter 91 application											
A11950	Internal Review of Draft	2d	04-May-17	05-May-17	A11940	Internal Review of Draft											
A11960	Final Draft	5d	08-May-17	12-May-17	A11950	Final Draft											

- █ Remaining Level of Effort
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Activity ID	Activity Name	Original Duration	Start	Finish	Predecessors	2017											
						Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
A11970	Internal Review of Final Draft	2d	15-May-17	16-May-17	A11960												
A11980	Final Draft to DEP	1d	17-May-17	17-May-17	A11970												
A11990	Final Draft DEP Comments	10d	18-May-17	01-Jun-17	A11980												
A3710	Chapter 91 Filing	5d	02-Jun-17	08-Jun-17	A11990												
A3720	Notice in Environmental Monitor	35d	09-Jun-17	28-Jul-17	A3710												
A3730	Comment Period / Public Hearing	23d	31-Jul-17	30-Aug-17	A3720												
A3740	End of Chapter 91 Technical Review	30d	31-Aug-17	12-Oct-17	A3730												
Everett Planning Board - Site Plan Review - DCR Harbor Walk Connect		83d	17-Apr-17	11-Aug-17													
A11860	Prepare Draft Application	38d	17-Apr-17	08-Jun-17	A11940												
A11870	Internal Review of Draft Application	4d	09-Jun-17	14-Jun-17	A11860												
A11880	Review Draft Application with City	4d	09-Jun-17	14-Jun-17	A11870												
A11890	Prepare Final Application	5d	15-Jun-17	21-Jun-17	A11880												
A11900	Internal Review of Final Application	5d	22-Jun-17	28-Jun-17	A11890												
A11910	File Application	5d	29-Jun-17	06-Jul-17	A11900												
A11920	PB Meeting/Public Hearing (mtgs on 10/10 and 10/24)	21d	07-Jul-17	04-Aug-17	A11910												
A11930	Planning Board Approval	1d	11-Aug-17	11-Aug-17	A11920												
Off-Site Transportation Improvements		744d	01-Feb-16 A	10-Dec-18													
Milestone		425d	05-Apr-17 A	10-Dec-18													
Package #1 (Lower Broadway and Truck Route)		425d	05-Apr-17 A	10-Dec-18													
AMS.450.1080	CP#1 75/100% Design Submittal	0d		05-Apr-17 A	ALB.456.1050												
AMS.800.1100	CP#1 Submit Bid Documents	0d		23-Jun-17	ALB.807.1120												
AMS.800.1190	Bid Process	22d	26-Jun-17	26-Jul-17	ALB.901.1000												
AMS.800.1130	CP#1 Construction NTP	0d	27-Jul-17		ALB.903.1020												
AMS.800.1140	CP#1 Construction (Lower Broadway and Truck Route)	335d	14-Aug-17	10-Dec-18	ALB.900.1050												
Package #2 (Santilli, Sweetser, Wellington, Bell and C/M Signals)		234d	12-May-17	17-Apr-18													
AMS.800.1110	CP#2 Submit Bid Documents	0d		12-May-17	ACM.802.1210, ABC												
AMS.800.1200	Bid Process	22d	15-May-17	14-Jun-17	ALB.901.1010												
AMS.800.1150	CP#2 Construction NTP	0d	15-Jun-17		ALB.903.1030												
AMS.800.1160	CP#2 Construction (Santilli Circle)	202d	29-Jun-17	17-Apr-18	ALB.900.1040												
AMS.800.1220	CP#2 Construction (Sweetser Circle)	202d	29-Jun-17	17-Apr-18	ALB.900.1040												
AMS.800.1230	CP#2 Construction (Wellington Circle)	202d	29-Jun-17	17-Apr-18	ALB.900.1040												
AMS.800.1240	CP#2 Construction (Bell Circle)	202d	29-Jun-17	17-Apr-18	ALB.900.1040												
AMS.800.1250	CP#2 Construction (Chelsea/Medford Signals)	202d	29-Jun-17	17-Apr-18	ALB.900.1040												
Package #3 (Wellington and Malden Stations)		260d	18-Apr-17	27-Apr-18													
AMS.450.1200	CP#3 100% Design Submittal	0d		18-Apr-17	AWM.456.1090												
AMS.800.1120	CP#3 Submit Bid Documents	0d		22-Jun-17	AWM.802.1270												
AMS.800.1210	Bid Process	22d	23-Jun-17	25-Jul-17	AWM.901.1010												

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Activity ID	Activity Name	Original Duration	Start	Finish	Predecessors	2017											
						Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
AMS.800.1170	CP#3 Construction NTP	0d	26-Jul-17		AWM.903.1030					◆ CP#3 Construction NTP							
AMS.800.1180	CP#3 Construction (Wellington and Malden Stations)	182d	09-Aug-17	27-Apr-18	AWM.900.1040												
Package #4 (Sullivan Square)		117d	10-Apr-17 A	25-Sep-17													
AMS.400.1200	CP#4 25% Design Submittal	0d		10-Apr-17 A	A7220					◆ CP#4 25% Design Submittal							
AMS.450.1210	CP#4 100% Design Submittal	0d		17-Jul-17	A7330					◆ CP#4 100% Design Submittal							
AMS.800.1270	CP#4 Submit Bid Documents	0d		25-Sep-17	A7380									◆ CP#4 Submit Bid Documents			
Construction Package #1 - Lower Broadway & Truck Route		510d	05-Dec-16 A	10-Dec-18													
Construction Package #2 - Route 16		308d	30-Jan-17 A	17-Apr-18													
Construction Package #3 - MBTA Wellington & Malden Station		311d	06-Feb-17 A	27-Apr-18													
Construction Package #4 - Sullivan Square Charlestown		449d	09-May-16 A	09-Oct-17											▼ Construction Package #4 - Sullivan		
Woods Memorial Bridge (by DOT)		520d	01-Feb-16 A	06-Apr-18													

- Remaining Level of Effort
- Actual Work
- Remaining Work
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- ◆ Milestone



Summary



Appendix 5

**Project Construction Workforce:
Women, Minority, Veteran Participation**
As of March 31, 2017

Reference 205 CMR 135.02(5)(e)

As of March 31, 2017, 399,133.7 person-hours of work was completed on the Project Site by 1,353 individuals, with 326 minorities, 80 females, and 61 veterans, performing work on site.

	# of Workers	Participation to Date (% of workforce hours)	Goal (% of workforce hours)
Minority	326	25.3%	15.3%
Female	80	6.9%	6.9%
Veteran	61	6.2%	3.0%

LOCAL TRADE UNION	PROJECT TO DATE										
	Total Hours	Total # Workers	MINORITY - Goal: 15.3%			FEMALE - Goal: 6.9%			VETERAN - Goal: 3.0%		
			# Workers	Hours	%	# Workers	Hours	%	# Workers	Hours	%
Asbestos Workers Local 6	0.0	0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Boilermakers Local 29	63.0	2	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Bricklayers Local 3 Eastern Mass.	893.5	9	3	288.0	32.2%	0	0.0	0.0%	0	0.0	0.0%
Carpenters Local 107	787.0	1	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Carpenters Local 111	167.0	1	1	167.0	100.0%	0	0.0	0.0%	0	0.0	0.0%
Carpenters Local 1305	456.0	4	1	212.0	46.5%	0	0.0	0.0%	0	0.0	0.0%
Carpenters Local 218	15,497.5	57	19	4,756.5	30.7%	7	1,848.5	11.9%	2	851.0	5.5%
Carpenters Local 26	799.0	2	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Carpenters Local 275	1,520.5	3	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Carpenters Local 33	10,064.0	30	5	2,064.0	20.5%	1	608.0	6.0%	3	1,435.0	14.3%
Carpenters Local 40	1,035.0	2	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Carpenters Local 424	48.0	1	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Carpenters Local 475	1,160.0	1	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Carpenters Local 535	16.0	1	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Carpenters Local 624	833.5	2	1	809.5	97.1%	0	0.0	0.0%	0	0.0	0.0%
Carpenters Local 67	2,372.5	10	4	1,160.5	48.9%	0	0.0	0.0%	0	0.0	0.0%
Electricians Local 103 I.B.E.W.	16,796.0	118	23	3,570.0	21.3%	6	667.5	4.0%	4	331.0	2.0%
Electricians Local 104 I.B.E.W (Utilities)	728.0	10	1	116.0	15.9%	1	40.0	5.5%	0	0.0	0.0%
Elevator Constructors Local 4	1,984.3	6	1	577.3	29.1%	0	0.0	0.0%	1	569.5	28.7%
Floorcoverers Local 2168	0.0	0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Iron Workers Local 7	43,110.8	224	64	12,339.0	28.6%	14	2,673.5	6.2%	9	2,673.0	6.2%
Laborers Local 133	986.0	3	1	37.0	3.8%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 138	476.5	6	2	370.0	77.6%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 14	0.0	0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 1421 (Wreckers)	6,496.5	27	26	6,449.5	99.3%	4	1,412.0	21.7%	1	56.0	0.9%
Laborers Local 146	0.0	0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 151	9,061.0	26	5	2,718.5	30.0%	2	1,944.5	21.5%	0	0.0	0.0%
Laborers Local 175	2,324.0	17	6	1,422.5	61.2%	0	0.0	0.0%	1	128.0	5.5%
Laborers Local 22	78,777.9	237	73	28,632.0	36.3%	26	10,622.5	13.5%	5	1,843.5	2.3%
Laborers Local 223	7,167.5	22	8	2,844.5	39.7%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 230	0.0	0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 243	2,225.0	5	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 271	1,640.0	7	3	725.0	44.2%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 385	1,997.5	9	3	88.0	4.4%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 39	10.0	1	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 401	72.0	5	0	0.0	0.0%	0	0.0	0.0%	2	24.0	33.3%
Laborers Local 401E	0.0	0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 429	1,331.0	1	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 455	0.0	0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 473	162.5	1	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 547	0.0	0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 560	2,283.5	9	4	1,858.5	81.4%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 596	0.0	0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 609	4,299.5	22	6	2,021.5	47.0%	0	0.0	0.0%	2	378.0	8.8%
Laborers Local 610	2,173.0	10	3	91.0	4.2%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 611	0.0	0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 665	0.0	0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 675	0.0	0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 721	1,994.0	4	2	58.0	2.9%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 876	2,012.0	7	1	1,896.0	94.2%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 88 (Tunnel Workers)	14,852.5	36	5	1,575.5	10.6%	1	44.0	0.3%	1	403.5	2.7%
Laborers Local 999	0.0	0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Operating Engineers Local 4	127,742.3	245	37	19,751.0	15.5%	10	5,615.5	4.4%	19	11,262.5	8.8%
Painters & Allied Trades D.C. #35	238.0	8	1	21.0	8.8%	0	0.0	0.0%	0	0.0	0.0%
Piledrivers Local 56	27,138.5	80	6	3,182.0	11.7%	7	1,767.0	6.5%	9	4,260.0	15.7%
Pipe Fitters Local 537	50.0	3	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Plasterers & Cement Masons Local 534	2,412.0	50	5	126.5	5.2%	0	0.0	0.0%	1	101.5	4.2%
Plasterers Local 534	59.5	4	1	6.0	10.1%	0	0.0	0.0%	0	0.0	0.0%
Plumbers & Gasfitters Local 12	2,584.0	19	5	978.0	37.8%	1	144.0	5.6%	1	285.0	11.0%
Roofers & Slaters Local 33	0.0	0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Sheet Metal Workers Local 17	228.0	4	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Shop and Mill Cabinet Local 51	0.0	0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Sprinkler Fitters Local 550	0.0	0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Teamsters Local 25	0.0	0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Woodframe Local 723	8.0	1	0	2	0.0%	0	0.0	0.0%	0	0.0	0.0%
Total	399,133.7	1,353	326	100,911.8	25.3%	80	27,387.0	6.9%	61	24,601.5	6.2%

CONTRACTOR	PROJECT TO DATE										
	Total Hours	Total # Workers	MINORITY - Goal: 15.3%			FEMALE - Goal: 6.9%			VETERAN - Goal: 3.0%		
			# Workers	Hours	%	# Workers	Hours	%	# Workers	Hours	%
AmQuip Crane Rental, LLC	7,302.0	34	4	1,198.0	16.4%	1	19.0	0.3%	2	576.0	7.9%
Andella Iron Inc.	565.0	4	3	511.0	90.4%	0	0.0	0.0%	0	0.0	0.0%
Anvil Steel Engineering, Inc.	777.5	9	4	311.0	40.0%	0	0.0	0.0%	1	264.5	34.0%
Back Bay Concrete Corp.	871.0	24	2	141.5	16.2%	0	0.0	0.0%	0	0.0	0.0%
BOSS Steel Inc.	18,547.3	71	21	4,468.5	24.1%	3	1,166.0	6.3%	3	1,245.5	6.7%
Cashman Dredging & Marine Contracting	200.0	2	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Cavallieri Construction Company, Inc.	2,102.5	21	5	1,326.0	63.1%	0	0.0	0.0%	1	462.5	22.0%
Coastal Marine Construction	2,223.5	15	0	0.0	0.0%	1	84.0	3.8%	1	116.5	5.2%
Coghlin Electrical Contractors, Inc.	40.0	2	1	24.0	60.0%	0	0.0	0.0%	1	16.0	40.0%
Construction Drilling, Inc.	499.5	4	1	8.0	1.6%	0	0.0	0.0%	0	0.0	0.0%
Dagle Electrical Construction Corporation	3,401.0	26	3	462.0	13.6%	0	0.0	0.0%	0	0.0	0.0%
Daniel Marr and Son Co.	3,543.5	38	8	802.0	22.6%	2	230.5	6.5%	0	0.0	0.0%
DeLucca Fence Company	539.5	28	6	123.0	22.8%	1	16.0	3.0%	1	24.0	4.4%
Dependable Masonry Construction Co.	836.5	6	2	203.0	24.3%	0	0.0	0.0%	0	0.0	0.0%
Don Martin Corporation	476.5	18	7	191.0	40.1%	0	0.0	0.0%	1	12.0	2.5%
D's Welding	438.0	9	2	181.0	41.3%	0	0.0	0.0%	0	0.0	0.0%
E.H. Marchant Co. Inc.	41.0	2	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Easton Concrete Cutting & Drilling LLC	566.0	12	1	27.0	4.8%	0	0.0	0.0%	0	0.0	0.0%
Edward G. Sawyer Co., Inc.	3,261.5	34	8	720.0	22.1%	3	371.5	11.4%	2	194.5	6.0%
Fischbach & Moore Electric Group, LLC	996.0	7	1	8.0	0.8%	0	0.0	0.0%	0	0.0	0.0%
Geologic Earth Exploration, Inc.	72.5	2	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Griffin Door dba Overhead Door Specialities	112.0	2	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Hayward Baker Inc.	8,131.0	40	4	1,312.0	16.1%	2	250.0	3.1%	1	365.5	4.5%
Hub Foundation Co., Inc.	11,963.5	36	6	2,022.5	16.9%	2	751.0	6.3%	6	2,794.0	23.4%
J Rams Inc	17.0	2	0	0.0	0.0%	0	0.0	0.0%	1	8.0	47.1%
J. Derenzo Co.	87,252.9	88	15	18,365.5	21.0%	10	6,426.5	7.4%	8	6,063.0	6.9%
J.C. Cannistraro	497.0	5	2	181.0	36.4%	1	144.0	29.0%	0	0.0	0.0%
J.C. Higgins Corp	2,096.0	15	3	797.0	38.0%	0	0.0	0.0%	1	285.0	13.6%
J.F. White Contracting Company, Inc	9,913.0	23	3	1,398.5	14.1%	2	1,620.0	16.3%	2	846.5	8.5%
John W. Egan Co., Inc.	40.0	1	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
JR Vinagro Corp.	884.0	11	4	780.0	88.2%	0	0.0	0.0%	0	0.0	0.0%
K&H Electrical Systems, Inc.	6,148.5	23	6	2,007.0	32.6%	1	182.0	3.0%	1	120.5	2.0%
LCN, Inc.	82.0	1	0	0.0	0.0%	1	82.0	100.0%	0	0.0	0.0%
Leading Way Construction Co., Inc.	40.0	1	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Liberty Construction Services	51,337.5	143	41	14,232.0	27.7%	12	4,634.0	9.0%	4	2,016.0	3.9%
Liberty Equipment and Supply	4,017.0	7	2	1,289.0	32.1%	1	239.0	5.9%	1	765.0	19.0%
Lockwood Remediation	32.0	1	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Lund Rebar Services, Inc.	12,531.0	61	18	4,540.0	36.2%	6	664.0	5.3%	4	1,077.0	8.6%
M.L. McDonald Sales Company, LLC	104.0	7	0	0.0	0.0%	0	0.0	0.0%	2	24.0	23.1%
Mass Bay Electrical Corp.	1,389.0	15	0	0.0	0.0%	1	40.0	2.9%	0	0.0	0.0%
McCusker-Gill, Inc.	228.0	4	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
McGregor Industries, Inc.	8.0	1	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
McPhee Electric Ltd.	1,512.0	9	2	333.0	22.0%	1	32.0	2.1%	0	0.0	0.0%
Melo's Rodbusters, Inc.	273.0	4	2	110.0	40.3%	0	0.0	0.0%	1	86.0	31.5%
Midnight Iron Construction Management Inc.	32.0	1	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
MON Landscaping Inc.	96.0	7	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Moretrench	18,620.5	37	11	5,826.0	31.3%	3	302.0	1.6%	2	1,157.5	6.2%
MTK Construction Services, Inc.	287.0	10	9	279.0	97.2%	0	0.0	0.0%	0	0.0	0.0%
NewRoads Environmental	6,661.5	30	29	6,614.5	99.3%	4	1,412.0	21.2%	1	56.0	0.8%
NorthStar Contracting Group, Inc	37.0	2	1	12.0	32.4%	0	0.0	0.0%	0	0.0	0.0%
P.J. Spillane Company, Inc.	599.0	10	3	153.0	25.5%	0	0.0	0.0%	0	0.0	0.0%
R.J. Cobb LTD	48.0	2	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Rapid Flow Inc.	982.5	1	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Regis Steel Corporation	6,283.5	24	6	1,415.5	22.5%	3	613.0	9.8%	0	0.0	0.0%
Richard W. Reid Electric Company Inc.	34.0	3	2	16.0	47.1%	0	0.0	0.0%	0	0.0	0.0%
S&A Cranes LLC	9.0	1	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
S&F Concrete Contractors, Inc.	33,142.5	181	48	10,050.5	30.3%	6	1,913.5	5.8%	5	977.5	2.9%
Silverback Construction Inc.	416.0	18	1	27.0	6.5%	0	0.0	0.0%	0	0.0	0.0%
The Railroad Associates Corporation	68.5	3	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
The Welch Corporation	11,582.5	21	2	1,308.0	11.3%	3	1,057.0	9.1%	2	1,225.0	10.6%
TREVIICOS CORPORATION	58,865.0	85	22	15,277.5	26.0%	7	4,090.5	6.9%	3	2,630.0	4.5%
UTEC Constructors LLC	688.0	9	1	116.0	16.9%	0	0.0	0.0%	0	0.0	0.0%
Vynorius Piledriving Inc.	10,782.5	23	2	1,383.8	12.8%	2	649.5	6.0%	3	1,193.5	11.1%
WES Construction Corp	3,982.0	15	1	356.5	9.0%	1	398.0	10.0%	0	0.0	0.0%
Wood & Wire Fence Co. Inc	8.0	2	1	4.0	50.0%	0	0.0	0.0%	0	0.0	0.0%
TOTAL	399,133.7	1,353	326	100,911.8	25.3%	80	27,387.0	6.9%	61	24,601.5	6.2%

**Contracts and Payments to Minority, Women and
Veteran Business Enterprises for Construction Phase
As of March 31, 2017**

Reference 205 CMR 135.02(5)(f)

As of March 31, 2017, Wynn had awarded \$99,085,414 or 12.1% of qualified construction contracts, in contracts to M/W/VBEs. As of March 31, 2017, Wynn and Wynn contractors and sub-contractors awarded 35 contracts to MBEs, 72 contracts to WBEs, and 27 contracts to VBEs for construction.

	# Contract Awards*	Contract Award Value (\$)	% of Total Construction Contracts Awarded to Date	% Goal	Paid to Date (\$)
MBE	35	46,537,890	5.7%	5.0%	10,540,045
WBE	72	58,500,597	7.1%	5.4%	5,387,278
VBE	27	41,536,799	5.1%	1.0%	2,468,220
TOTAL**	109	\$99,085,414	12.1%	11.4%	\$17,691,134

*Note that a majority of M/W/VBEs are sub-contracted with Wynn's contractors and sub-contractors.

M/W/VBE contract awards and payments report includes awards and payments made to businesses with more than one diverse classification (i.e. M/WBE). **Totals reported deduct any double counting due to awards to businesses with more than one diverse classification.

**Contracts and Payments to Minority, Women and
Veteran Business Enterprises for Design Phase
As of March 31, 2017**

Reference 205 CMR 135.02(5)(f)

As of March 31, 2017, Wynn had awarded \$11,465,699, or 20.9% of qualified design contracts, to M/W/VBEs for design work. As of March 31, 2017, Wynn and Wynn consultants awarded twelve contracts to MBEs, eleven contracts to WBEs, and four contracts to VBEs for design work.

	# Contract Awards*	Contract Award Value (\$)	% Total Design Contract*	% Goal	Paid to Date (\$)
MBE	12	4,786,558	8.7%	7.9%	3,963,078
WBE	11	2,927,277	5.3%	10.0%	1,836,159
VBE	4	3,751,118	6.8%	1.0%	3,329,234
TOTAL	27	\$11,464,953	20.9%	18.9%	\$9,128,470

*Note that 9 MBE contracts, 8 WBE contracts, and 2 VBE contract, are sub-contracted with Wynn's consultants.

Plainridge Park Casino

Report to the Massachusetts Gaming Commission

Q1 2017



PLAINRIDGE PARK
CASINO

Employment

As of March 31, 2017:

	Employees	Full-time	Part-time
Totals	474	315	159
	100%	66%	34%



Employment

As of March 31, 2017:

	Employees
Diversity	22%
Veterans	3%
Massachusetts	68%
Local	33%
Male/Female	51% / 49%



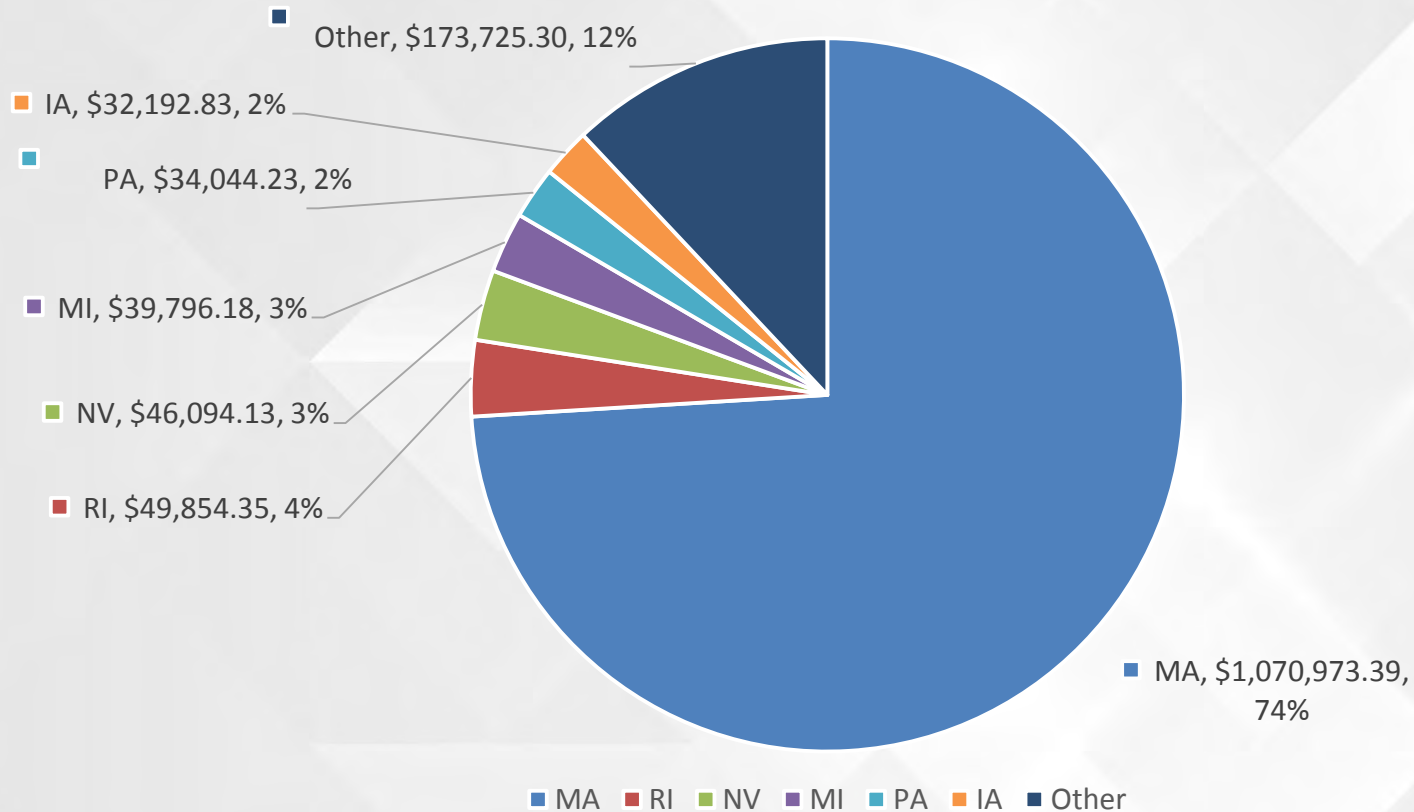
Gaming Revenue & Taxes

	Net Slot Revenue	State Taxes	Race Horse Taxes	Total Taxes	
2016	1st	\$38,663,540	\$15,481,836	\$3,479,719	\$18,961,555
	2nd	\$39,185,244	\$15,641,803	\$3,526,672	\$19,168,475
	3rd	\$39,756,060	\$15,923,121	\$3,578,045	\$19,501,166
	4th	\$37,388,890	\$14,973,358	\$3,365,000	\$18,338,358
Total	\$154,993,734	\$62,020,118	\$13,949,436	\$75,969,554	
2017	1st	\$38,440,289	\$15,352,221	\$3,459,626	\$18,811,847
	2nd				\$0
	3rd				\$0
	4th				\$0
Total	\$38,440,289	\$15,352,221	\$3,459,626	\$18,811,847	



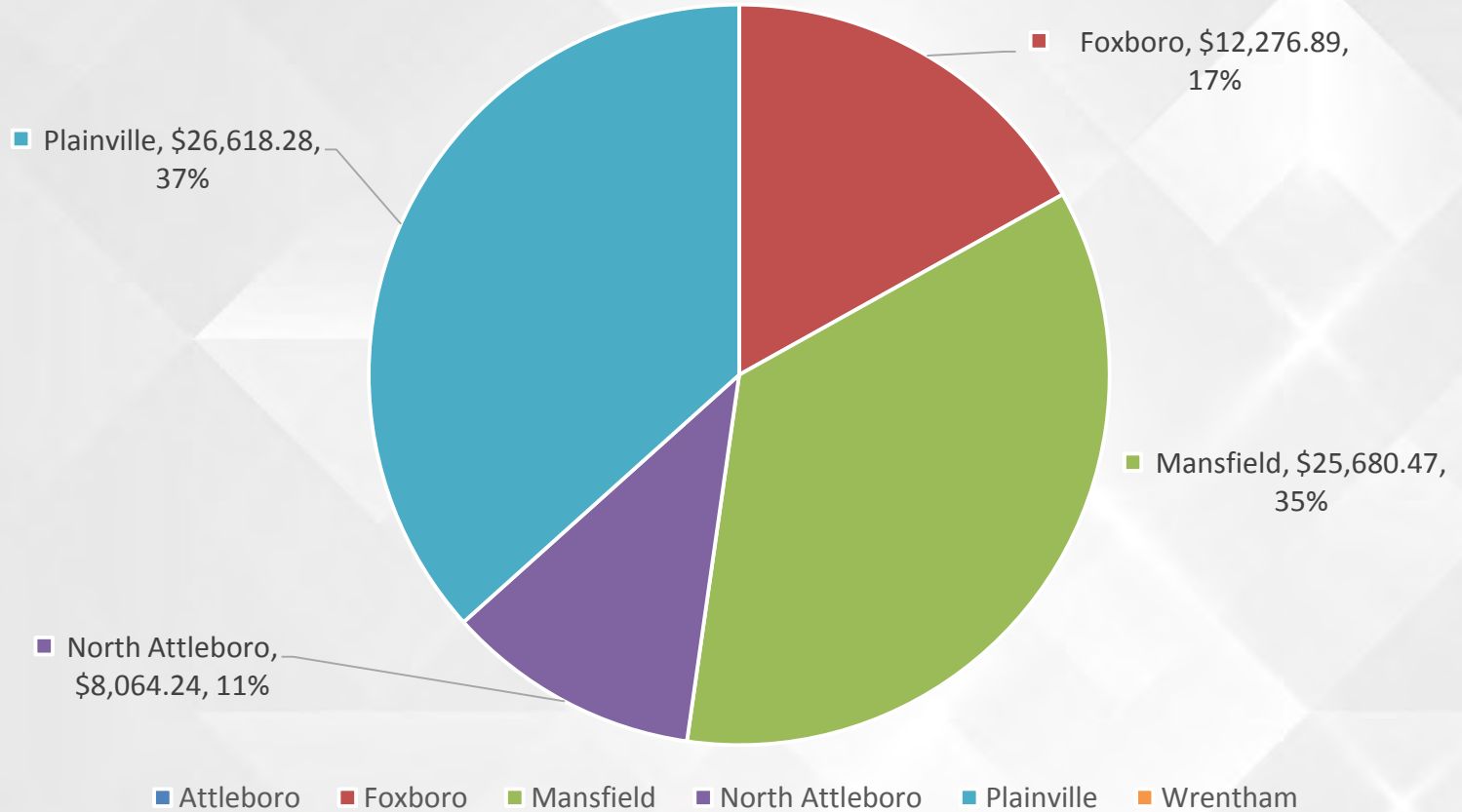
Spend by State

Total Q1 Spend: \$1,446,680.41



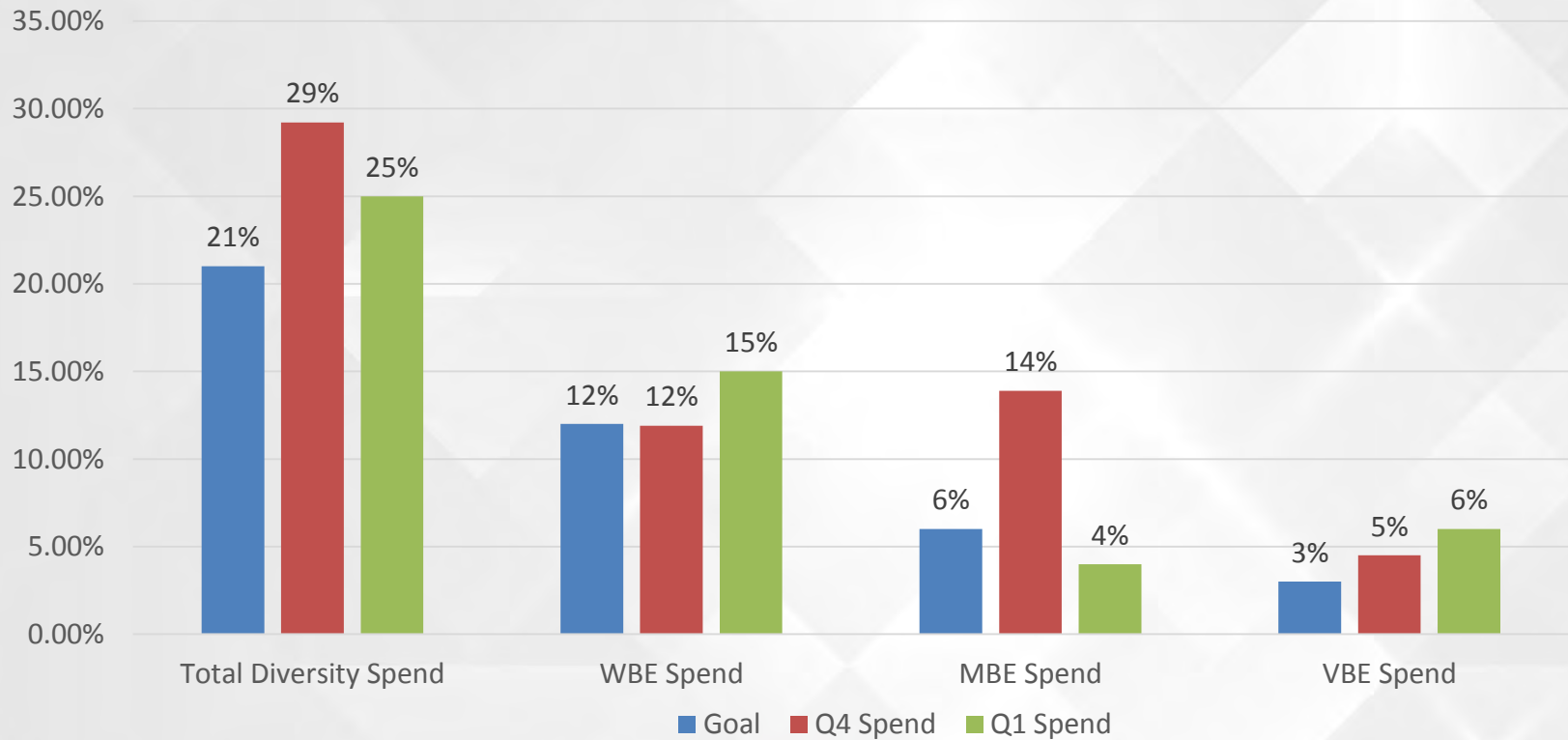
Local Spend

Total Q1 Host & Surrounding Community Spend: \$72,639.88



Vendor Diversity Spend

Q1 2017



Q1 Diverse Vendor Spend Statistics

Q1 WBE Vendors

21 Vendors used totaling \$219,278.27

Q1 MBE Vendors

5* Vendors used totaling \$55,236.55

Q1 VBE Vendors

5* Vendors totaling \$81,170.08

*Includes vendors that are certified in multiple diversity categories.
Spend is only reported in one category.



Lottery Sales

Quarter	2016	2017	\$ Difference	% Difference
1st	\$705,304	\$750,871	\$45,567	6.46%
2nd	\$758,852	\$0	\$0	0.00%
3rd	\$738,116	\$0	\$0	0.00%
4th	\$748,919	\$0	\$0	0.00%
Total	\$2,951,191	\$750,871	\$45,567	6.46%

PPC currently has 5 instant ticket machines and 4 online terminals on site. Prior to the Casino opening the Property had 1 instant ticket machine and 2 online machines



Compliance with Regulations

Month	Number of Patron ID Checks	Prevented from entering gaming Establishment			Minors and Underage Escorted from the gaming area	Minors and Underage Found gambling at slot machines	Minors and Underage Found consuming alcoholic beverages
		Total	Minors ¹	Underage ²			
January	8,695	223	6	45	0	0	0
February	8,366	155	10	20	0	0	0
March	9,648	159	7	25	0	0	0
Total	26,709	537	23	90	0	0	0

1 Person is under 18 years of age

2 Person is 18-21 years of age



Local Community

- Charitable Giving in Q1
 - Boys & Girls Club
 - St. Vincent de Paul Society
 - Relay for Life Chili Cook off
- Sponsorships
 - Adopt a Highway



Q1 Marketing - Partnerships

- Patriots - Foxboro
 - Season Play Off Ticket Giveaway's
 - Billboard
 - Renaissance Stay and Play Packages



- NESN
 - Bruins
 - Celtics



- Wrentham Village Premium Outlets



Q1 Marketing

- Make a Plainridge Deal
- Winter Gear Wednesday – Home Depot Mansfield
- NCL Cruise Giveaway
- Mini Slot Machine Bank Giveaway
- Dunkin Donuts Coffee Giveaway

**MAKE A
PLAINRIDGE
DEAL**



NCL
NORWEGIAN
CRUISE LINE®



PLAINRIDGE PARK
CASINO



TO: Commissioners

FROM: John Ziemba

CC: Edward R. Bedrosian, Jr.

DATE: May 5, 2017

RE: Hampden County Sheriff's Department A ("HCSD") Grant Amendment

The Commission awarded \$280,000 to HCSD in lease assistance from the Community Mitigation Fund in 2016 "for Fiscal Year 2017". HCSD began paying rent for 155 Mill Street in December 2016. The Grant Agreement dated September 29, 2016 anticipated the commencement of the lease to be November 2016. As a result of the month's delay in the lease \$35,000 (1/8 of the anticipated value of Fiscal Year 2017 lease assistance) became unallocated.

We are requesting the Commission's approval to use this fund for the first month's lease assistance in Fiscal Year 2018 (July 2017). Approval is necessary because the Commission specified that such lease assistance was for Fiscal Year 2017.



Massachusetts Gaming Commission

Wynn Boston Harbor

QUARTERLY DIVERSITY RECOGNITION PROGRAM

Program Objective

“To recognize and reward outstanding subcontractor achievements in meeting and exceeding workforce diversity goals and local hiring preferences established for the Wynn Boston Harbor project”

Selection Criteria, Considerations

1. Minority, Female, Veteran workforce participation
2. Local workforce participation
3. Workforce hours: size of crew, length of time on the job
4. Cooperation with Wynn, Suffolk compliance team
5. Support for diversity program (i.e., donating time for diversity outreach events)

Incentives

1. Certificate of Achievement signed by Bob DeSalvio and John Fish
2. Formal Letter of Recognition signed by Bob DeSalvio, John Fish, Chris Gordon, and Shelley Webster
3. Recognition in Suffolk project-wide communication
4. \$200 dining gift cards for up to four individuals – Project Managers, Compliance Officer
5. On-site Team Lunch, Wynn Dice for entire work crew
6. Entrance into annual drawing for an **all-expenses paid weekend stay at Wynn Las Vegas** including airfare, meals, hotel, and show

DIVERSITY RECOGNITION



AWARDED TO

J. Derenzo Co.

In recognition of your outstanding efforts to promote local, minority, women and veteran workforce diversity on the Wynn Boston Harbor construction project.

Signed April 6, 2017

A handwritten signature in black ink, appearing to read 'John F. Fish', written over a horizontal line.

John F. Fish, *Chairman & CEO, Suffolk Construction*

A handwritten signature in black ink, appearing to read 'Robert DeSalvio', written over a horizontal line.

Robert DeSalvio, *President, Wynn Boston Harbor*





April 6, 2017

Mr. David Howe, President
J. Derenzo Company
338 Howard Street
Brockton, MA 02333

Re: Diversity Quarterly Recognition for Best Performance

Dear Mr. Howe:

We are writing to recognize and congratulate you for outstanding workforce diversity performance on the Wynn Boston Harbor project.

Every quarter the Wynn and Suffolk executive teams acknowledge outstanding diversity performers. Over the last several months, the J. Derenzo Company team demonstrated a strong commitment to meeting and exceeding the workforce goals. Your efforts resulted in an on-site Trade workforce of 21.0% minorities, 7.4% females, and 7.0% veterans.

These results were achieved under the supervision and daily efforts of Mr. Stephen Stuart and Ms. Caitlin Spector. We commend the hard work and dedication of these individuals, including their efforts to engage with International Union of Operating Engineers Local 4, Massachusetts Laborers Local 22 and other various local unions under Massachusetts Laborers to build and maintain a diverse crew of workers. Specifically, J. Derenzo Company has exceeded the goals in all three categories, submitted certified payrolls in a timely manner, and demonstrated effective oversight of their subcontractors to also report and meet the workforce goals.

Wynn and Suffolk see diversity as an important and valuable component of the Wynn Boston Harbor project. Diversity expands economic opportunities in our community and brings a broad and valuable range of perspectives and talents to the job site.

We sincerely THANK YOU, and look forward to your continued outstanding performance.

With appreciation,

Handwritten signatures of Bob DeSalvio and Chris Gordon in black ink.

Bob DeSalvio
President
Wynn Boston Harbor

Chris Gordon
President
Wynn Design & Development

Handwritten signature of John Fish in blue ink.

John Fish
Chairman & CEO
Suffolk Construction

Handwritten signature of Shelley Webster in blue ink.

Shelley Webster
Compliance Officer
Suffolk Construction



UNIVERSITY RECOGNITION
J. Derenzo Co.
[The certificate contains several lines of smaller text and logos, including a university logo on the right side.]

No Documents



Legal Division

SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this small business impact statement in accordance with G.L. c.30A, §2 relative to the proposed amendments in 205 CMR 136.00: Sale and Distribution of Alcoholic Beverages at Gaming Establishments; notice of which was filed this day with the Secretary of the Commonwealth. These amendments were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. The amendments eliminate the requirement to list on a gaming beverage license the names and contact information for managers or other principals. These regulations are largely governed by G.L. c.23K, §§4 and 26.

These amendments apply directly to gaming licensees and accordingly, are unlikely to have an impact on small businesses. In accordance with G.L. c.30A, §2, the Commission offers the following responses:

1. Estimate of the number of small businesses subject to the proposed regulation:

There are no small businesses that the Commission anticipates will be impacted by these regulations as they apply solely to gaming licensees.

2. State the projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation:

There are no projected reporting, recordkeeping or administrative costs created by these regulations that would affect small businesses as these regulations apply solely to gaming licensees.

3. State the appropriateness of performance standards versus design standards:

These regulations do not implicate a design or performance standard for small businesses.

4. Identify regulations of the promulgating agency, or of another agency or department of the commonwealth, which may duplicate or conflict with the proposed regulation:

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

5. State whether the proposed regulation is likely to deter or encourage the formation of new businesses in the commonwealth:

The proposed amendments to the regulation are not likely to deter or encourage the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission

By:

Cecelia M. Porché

Paralegal

Legal Division

Dated: _____



Massachusetts Gaming Commission

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 136.00: SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES AT
GAMING ESTABLISHMENTS

136.08: Form of the Gaming Beverage License

(2) Licensed Area Addendum. As part of the Gaming Beverage License, the commission shall issue a licensed area addendum for each licensed area approved pursuant to 205 CMR 136.03(4). Each licensed area addendum shall contain the following:

(j) ~~The identity and contact information for all managers or other principal representatives.~~



Legal Division

SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this small business impact statement in accordance with G.L. c.30A, §2 relative to the proposed amendments in 205 CMR 143.00: Gaming Devices and Electronic Gaming Equipment; notice of which was filed this day with the Secretary of the Commonwealth. These amendments were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. The amendments set forth the requirements for a gaming licensee to transfer a progressive jackpot. These regulations are largely governed by G.L. c.23K, §§ 4 and 5.

These amendments apply directly to gaming licensees and accordingly, are unlikely to have an impact on small businesses. In accordance with G.L. c.30A, §2, the Commission offers the following responses:

1. Estimate of the number of small businesses subject to the proposed regulation:

There are no small businesses that the Commission anticipates will be impacted by these regulations as they apply solely to gaming licensees.

2. State the projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation:

There are no projected reporting, recordkeeping or administrative costs created by these regulations that would affect small businesses as these regulations apply solely to gaming licensees.

3. State the appropriateness of performance standards versus design standards:

These regulations do not implicate a design or performance standard for small businesses.

4. Identify regulations of the promulgating agency, or of another agency or department of the commonwealth, which may duplicate or conflict with the proposed regulation:

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

5. State whether the proposed regulation is likely to deter or encourage the formation of new businesses in the commonwealth:

The proposed amendments to the regulation are not likely to deter or encourage the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission

By:

Cecelia M. Porché

Paralegal

Legal Division

Dated: _____



Massachusetts Gaming Commission

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

143.02: Progressive gaming devices

(e) Delete in section 2.5.14 the words “local Internal Control procedures” and add the following: “following requirements: A gaming licensee may transfer a progressive jackpot amount on a stand-alone slot machine or a local area progressive with a common progressive meter, from the gaming area provided the gaming licensee receives written approval from the IEB prior to the transfer, and the accrued amount minus the seed amount of the progressive jackpot is:

- (1) Transferred in its entirety; and
- (2) Transferred to one of the following:
 - (a) The progressive meter for a slot machine with the same or similar probability of winning the progressive jackpot, the same or lower wager requirement to be eligible to win the progressive jackpot, and the same type of progressive jackpot (cash, annuity, annuity/cash option or a combination/alternate jackpot) as the slot machine from which the jackpot is being transferred; or
 - (b) The progressive meters of two or more slot machines, provided that each slot machine to which the jackpot is transferred individually satisfies the requirements of 205 CMR 143.02(e)(2)(a).

Further, notice of intent to transfer the progressive jackpot, which shall be subject to approval by the IEB, shall be conspicuously displayed on the front of each applicable slot machine for at least 10 days in advance of the transfer.



Legal Division

SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this small business impact statement in accordance with G.L. c.30A, §2 relative to the proposed amendments in the following:

- **205 CMR 143.00: Gaming Devices and Electronic Gaming Equipment.** The amendments adopts the GLI-11, version 3.0, by reference (including skill based gaming standards) with MA specific modifications and creates a standard distinguishing a slot machine from an automatic amusement device.
- **205 CMR 138.56: Uniform Standards of Accounting Procedures and Internal Controls.** The amendments requires a gaming licensee to ensure that the taxation provisions of the commission’s regulations are incorporated into its internal control procedures, and acknowledges the aggregate reporting of slot machine winnings provisions recently adopted by the IRS.
- **205 CMR 139.04: Continuing Disclosure and Reporting Obligations of Gaming Licensees.** The amendments require reports to be filed with the Commission pertaining to slot machines in a gaming establishment.

These amendments were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. These regulations are largely governed by G.L. c.23K, §§4(37), 5, and 25(d).

These amendments apply directly to gaming licensees and gaming device vendors. To the extent that a gaming device vendor is a small business, small businesses may be impacted. In accordance with G.L. c.30A, §2, the Commission offers the following responses:

1. Estimate of the number of small businesses subject to the proposed regulation:

There could be approximately 50 licensed gaming device vendors, but a very small percentage, if any, would be classified as a small business.

2. State the projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation:

There are no additional projected reporting, recordkeeping or administrative costs created by these regulations that would affect small businesses. These amendments are updates to existing standards.



Massachusetts Gaming Commission

3. State the appropriateness of performance standards versus design standards:

These regulations are performance standards. The regulations provide flexibility for businesses to design new products.

4. Identify regulations of the promulgating agency, or of another agency or department of the commonwealth, which may duplicate or conflict with the proposed regulation:

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.

5. State whether the proposed regulation is likely to deter or encourage the formation of new businesses in the commonwealth:

The proposed amendments to the regulations are not likely to deter or encourage the formation of new businesses in the Commonwealth. However, skill-based games may encourage the formation of new businesses.

Massachusetts Gaming Commission

By:

Cecelia M. Porché

Paralegal

Legal Division

Dated: _____



Massachusetts Gaming Commission

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

143.01: Standards for Gaming Devices

(1) A gaming licensee and gaming device vendor shall comply with and the commission adopts and incorporates by reference *Gaming Laboratories International, LLC Standard GLI-11: Gaming Devices in Casinos*, version ~~2-1~~ 3.0, released ~~August 25, 2011~~ September 21, 2016, subject to the following amendments:

- (a) Delete section 1.1.1 and replace with the following: “The following sets forth the technical standards for electronic gaming devices as identified in 205 CMR 144.01(2).
- (b) Delete section 1.1.2.
- (c) Delete section 1.2.
- (d) ~~Delete section 1.4.~~ Delete section 1.3.3 and replace with: “This GLI technical standard is adopted in whole subject to the modifications described in 205 CMR 143.01. The standard and modifications should at all times be read in conjunction with 205 CMR and the standards referenced in section 1.4.1 so as to create a harmonious regulatory framework.”
- (e) Add the following after section 2.3.2: “2.3.3 Game integrity. The gaming licensee shall develop and submit to the IEB and the commission’s gaming lab for approval a preventive maintenance program for the care and upkeep of any such mechanical pieces or any physical moving parts and/or any physical parts of any slot machine, or player interaction devices, that may affect the outcome of any game to ensure the integrity of the outcomes. The IEB may require any such part to be replaced.”
- (f) Delete the last sentence of section 3.6.1 and replace with: “If a cryptographic RNG is used, it shall comply with section 3.6.2.”
- (g) Delete section 4.6.6.
- (h) ~~(e)~~ Replace in section ~~3.4.1~~ 4.8.1 “seventy-five percent (75%)” with “eighty percent (80%)”.
- (i) ~~(f)~~ Add the following after the first paragraph of section ~~3.4.1~~ 4.8.1: “The calculation of minimum payout percentage excludes the cash equivalent value of any merchandise or other thing of value that cannot be converted into cash by the gaming establishment licensee, but may include the acquisition cost to the gaming licensee of the merchandise or other thing of value. The calculation shall include the value of promotional gaming credit (i.e.- “free play”).”
- (j) Add the following after the first sentence in section 4.8.1(a): “If necessary to ensure the fairness of the game to patrons, the Commission may require a gaming vendor to submit a device for testing to determine whether it meets the requirements of section 4.8.1 when using average or counter-optimal methods of play in addition to, or in lieu of, an optimal method of play.”

- (k) ~~(g)~~ Replace in section ~~3.4.1~~ 4.8.1(b) “75%” with “80%”.
- (l) Add the following after section 4.8.1(b): “(c) Games of pure skill and/or games that do not utilize an RNG are not required to achieve a minimum theoretical payout percentage.”
- (m) ~~(h)~~ Replace in section 3.10.1(f) “seventy five percent (75%)” with “eighty percent (80%)”.
- (n) Delete section 4.16.1 and replace with the following: “For games of chance, the gaming device shall cease play, display an appropriate message, and require attendant intervention to resolve player payment for the payment of winnings of \$1200 or more from a single *game cycle*. For a *game with skill*, the gaming device shall cease play, display an appropriate message, and require attendant intervention to resolve player payment for the payment of winnings of \$1200 or more from a single *gaming session*. In determining whether winnings equal or exceed the \$1,200 threshold, the amount of winnings shall not be reduced by the amount wagered. It is permissible to provide a mechanism to accrue taxable winnings to a separate meter, however, this meter must not support any direct wagers. See also M.G.L. c.62B, §2, 26 CFR §1.6041-10, and GLI-13, section 2.4.2.”
- (o) Add the following after the first paragraph of section 4.20.1: “For purposes of independent testing in accordance with 205 CMR 144.00, the gaming device manufacturer shall determine in the first instance, subject to the acceptance of the independent test laboratory, whether a gaming device qualifies as a *game with skill*, a game of pure chance, or a game of pure skill. Such determination shall be subject to review and reclassification by the commission.”
- (p) Replace in section 4.20.3 “75%” with “80%”.
- (q) Add the following to section 5.4.1(k): “provided, however, no slot machine intended for use at a gaming establishment in Massachusetts may accept debit cards, credit cards, or government-issued electronic benefits transfer cards for purposes of purchasing any form of gaming value;”
- (r) Add the following in Glossary of Key Terms in the definition of *Player Interaction Device* after the term “camera systems”: “smartphones, keypads, gamepads, audio sensors, motion sensors, image sensors, image displays, infrared emitters and detectors, accelerometers,”.
- (s) Delete section 4.4.1(v) and replace with the following: “Signage indicating that a “malfunction voids all pays” or some equivalent verbiage shall be clearly displayed and permanently affixed to the exterior of the slot machine and not be readily removable. For purposes of 205 CMR, a malfunction shall be an event in which a slot machine:
- (1) In some way performs contrary to a rule or other language describing the performance or payout of the game exhibited on the exterior display of the slot machine or contained in the rules section of the slot machine; or

- (2) In some way performs contrary to the manufacturer design or operational specifications; or
- (3) In some way performs contrary to the requirements of 205 CMR including the specifications contained in the certification for the slot machine issued in accordance with 205 CMR 144.00.”

(2) For purposes of M.G.L. c. 23K and 205 CMR the term slot machine as defined by M.G.L. c. 23K, § 2 shall not include automatic amusement devices as defined by M.G.L. c. 140, § 177A(2). For clarification, as a general matter, the distinction between a slot machine and an automatic amusement device is that unlike an automatic amusement device a slot machine is capable of paying out a cash prize, and/or the value of the merchandise being offered is, over \$1000.

(3) For purposes of M.G.L. c. 23K and 205 CMR a slot machine that has multiple gaming positions, as defined by M.G.L. c. 23K, § 2, shall be considered a single slot machine. Provided, however, a Category 2 licensee shall not have more than 1,500 gaming positions available for play at any one time.

(4) 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 monitoring system fails, the slot machine shall not continue to operate unless it records all required 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.

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 138.00: UNIFORM STANDARDS OF ACCOUNTING PROCEDURES AND
INTERNAL CONTROLS

138.56: Attendant Paid Jackpots and Credit Meter Payouts

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and procedures governing the payment of jackpots and credit meter payouts if and when the payment is not automatically disbursed from a slot machine or electronic gaming device in the form of a gaming voucher. Such procedure shall at a minimum address the provisions of 205 CMR 143.01(1)(n) and, if the gaming licensee elects to do so, incorporate provisions outlining the process to be followed for the aggregate reporting of slot machine winnings as allowed by 26 CFR §1.6041-10(g).

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

139.04: Reports and Information to Be Filed with the Commission

(15) Analysis reports which, by each slot machine/electronic gaming device, compare actual payout percentages by month to theoretical payout percentages as established in accordance with 205 CMR 143.01(1). See GLI 13, section 3.4.2(d).

(16) A daily meter-cash comparison report and export file, in a format prescribed by the commission, submitted after appropriate financial meter or accounting adjustments have been made, which contains the following information relative to each slot machine in use in the gaming establishment: the location of the slot machine, the state identification number, the venue identification number, the gross gaming revenue figure, the total cash in the bill validator stacker. See GLI 13, section 3.4.2(f).

(17) A daily gaming day summary report, in a format prescribed by the commission, submitted after appropriate financial meter or accounting adjustments have been made, which contains the following information relative to each slot machine in use in the gaming establishment: the location of the slot machine, the state identification number, the venue identification number, total cash wagered, total cash won, total promotional gaming credits played, the gross gaming revenue figure. See GLI 13, section 3.4.2(f).



Legal Division

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 new regulations in 205 CMR 147.00: Uniform Standards of Rules of the Games, for which a public hearing was held on May 3, 2017. These regulations were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. These new regulations govern the authorization of the rules of the game for table games offered for play in a gaming establishment and the standards applicable to table games offered for play in a gaming establishment. These regulations are largely governed by G.L. c.23K, §§2, 4(37), and 5.

These regulations apply directly to gaming licensees, patrons, and petitioners. To the extent that a petitioner is a small business, these regulations may impact small businesses.

In accordance with G.L. c.30A, §5, the Commission offers the following responses on whether any of the following methods of reducing the impact of the proposed regulation on small businesses would hinder achievement of the purpose of the proposed regulation:

1. Establishing less stringent compliance or reporting requirements for small businesses:

There are no compliance or reporting requirements for small businesses.

2. Establishing less stringent schedules or deadlines for compliance or reporting requirements for small businesses:

There are no schedules or deadlines for compliance or reporting requirements for small businesses created by these regulations.

3. Consolidating or simplifying compliance or reporting requirements for small businesses:

There are no compliance or reporting requirements for small businesses.

4. Establishing performance standards for small businesses to replace design or operational standards required in the proposed regulation:

There are no performance standards for small businesses to replace design or operational standards required in the proposed regulation.



Massachusetts Gaming Commission

5. An analysis of whether the proposed regulation is likely to deter or encourage the formation of new businesses in the Commonwealth:

G.L. c.23K was enacted to create a new industry in the Commonwealth and to promote and grow local small businesses and the tourism industry, including the development of new small businesses. The proposed regulations are designed to effectuate those intentions and growth.

6. Minimizing adverse impact on small businesses by using alternative regulatory methods:

These regulations do not create any adverse impact on small businesses.

Massachusetts Gaming Commission

By:

Cecelia M. Porché
Paralegal
Legal Division

Dated: _____



Massachusetts Gaming Commission

205 CMR: MASSACHUSETTS GAMING COMMISSION

205 CMR 147.00: UNIFORM STANDARDS OF RULES OF THE GAMES

- 147.01: Scope and Purpose
- 147.02: Rules of the Game
- 147.03: Notice and Patron Access
- 147.04: Petition for a New Game or Game Variation
- 147.05: Gaming Tournaments
- 147.06: Electronic, Electrical, and Mechanical Devices Prohibited
- 147.07: Minimum and Maximum Wagers; Additional Wagering Requirements

147.01: Scope and Purpose

205 CMR 147.00 shall govern the authorization of the rules of the game for table games offered for play in a gaming establishment and the standards applicable to table games offered for play in a gaming establishment.

147.02: Rules of the Game

Only those table games and their rules authorized by the Commission and posted on the Commission's website in accordance with 205 CMR 147.03(1) may be offered for play in a gaming establishment. A gaming licensee shall not offer a new game or game variation for play until the new game or game variation has been approved by the Commission in accordance with 205 CMR 147.04.

147.03: Notice and Patron Access

- (1) The Commission shall maintain on its website the complete text of the rules of all authorized table games.
- (2) Each gaming licensee shall maintain in the Game Sense area a printed or digital copy of the complete text of the rules of all authorized table games.
- (3) A gaming licensee shall not change the rules of a table game that is presently being operated from one authorized rule to another or add, change, or delete any additional wagering requirement permitted by 205 CMR 147.07(65) unless, at least one-half hour in advance of such change, the gaming licensee:
 - (a) Posts a sign at the gaming table advising patrons of the rule or wager change and the time that it will go into effect;
 - (b) Announces the rule or wager change to patrons who are at the table; and
 - (c) Notifies the Bureau of the rule or wager change, the gaming table where it will be implemented, and the time that it will become effective.
- (4) A gaming licensee may, at any time, change the permissible minimum or maximum wager at a table game without notifying the Bureau of such change upon posting a sign at the gaming table advising patrons of the new permissible minimum or maximum wager and announcing the change to patrons who are at the table.

- (5) The location, size, and language of each sign required by 205 CMR 147.03(3) and 205 CMR 147.03(4) shall be submitted to and approved by the Bureau prior to its use.

147.04: Petition for a New Game or Game Variation

- (1) A petitioner may petition the Bureau for approval of a new game or game variation.
- (2) A proposed new game or game variation may be a variation of an authorized game, a composite of authorized games, or a new game.
- (3) A petition for a proposed new game or game variation shall be in writing, signed by the petitioner(s), and shall include, at a minimum, the following information:
 - (a) The name(s) and address(es) of petitioner(s);
 - (b) The name of the game, which must be different than the name of a game previously approved by the Commission;
 - (c) Whether the game is a variation of an authorized game, a composite of authorized games, or a new game;
 - (d) The name of the gaming licensee serving as a sponsor of the new game or game variation petition;
 - (e) A complete and detailed description of the game for which approval is sought, including:
 1. A summary of the game, including the objectives of the game, the method of play, and the wagers offered;
 2. A draft of the proposed rules of the game including a description of the equipment used to play the game and specific examples and dealing procedures;
 3. Specific procedures to remedy all misdeals and malfunctions of any gaming equipment utilized;
 4. The true odds, the payout odds, and the house advantage for each wager;
 5. Sample(s) of new or modified gaming accessories or apparatuses associated with the game;
 6. A sketch or picture of the game layout, if any;
 7. Sketches or pictures of the equipment used to play the game; and
 8. The report of the Commission-certified independent testing laboratory issued pursuant to 205 CMR 147.04(4).
 - (f) Whether the game, its name, or any of the equipment used to play it is covered by any copyrights, trademarks or patents, either issued or pending;
 - (g) A request for a test or experiment of the game in accordance with 205 CMR 147.04(5);
 - (h) Any other information or material requested by the Bureau.
- (4) Independent Certified Testing. In addition to filing a request with the Bureau, the petitioner shall, at its expense, submit copies of the items listed in 205 CMR 147.04(3)(e)(1)-(7) for review to an independent testing laboratory certified by the Commission pursuant to 205 CMR 144.06 to conduct a mathematical analysis of the game pursuant to 205 CMR 147.03(e)(4).
- (5) Field Trials.

- (a) Petitioners shall submit the following in connection with any proposed test of the game in accordance with 205 CMR 147.04(3)(g):
 1. The name of the gaming establishment where the test of the proposed new game or wager will take place;
 2. The dates and times when the test will take place, and the gaming tables or other gaming equipment that will be involved;
 3. The proposed signage to be posted at ~~the entrance to the gaming establishment or~~ **within the direct vicinity of the table** where the test is to be conducted;
 4. The criteria proposed for use in determining the success of the test, and the methods proposed for documenting it, including any necessary forms; and
 5. Any other materials or information requested by the Bureau.
 - (b) A test of the new game or wager shall take place at such times and places and under such conditions as the Bureau may require. The rules of the game and the test may be modified at any time during the test period if the Bureau deems it necessary to do so.
- (6) Comment Period. There shall be a public comment period during which comments on proposed new games or game variations may be submitted to the Bureau for review. This comment period shall begin on the first day of the new game or game variation field trial and shall conclude on the final day of the new game or game variation field trial.
- (7) Review. In reviewing a petition for a new game or game variation, the Bureau may consider rules and method of play; true and payout odds; wagers offered; layout; equipment used to play the game; personnel requirements; game security and integrity; similarity to other authorized games or other games of chance; other variations or composites of the game previously approved as authorized games; results of the field trials conducted pursuant to 205 CMR 147.04(5), as well as any other relevant factors. The Commission shall have the discretion to approve or deny **with reasonable cause** the gaming licensee's petition for a new game or game variation following a recommendation from the Bureau.

147.05: Gaming Tournaments.

- (1) A gaming licensee may conduct a gaming tournament for any table game authorized by the Commission pursuant to 205 CMR 147.00.
- (2) No gaming tournament shall be conducted unless the gaming licensee files a written notice with the Bureau at least five business days prior to the commencement of such tournament, which shall include, at a minimum, the following information:
 - (a) The date(s), time(s), and location(s) of the scheduled gaming tournament;
 - (b) The number of participants expected;
 - (c) The game type;
 - (d) Rules concerning tournament play and participation;
 - (e) The prize structure;
 - (f) Dealer tips, if applicable;
 - (g) Participant registration procedures;
 - (h) The methodology for determining winners;
 - (i) The equipment to be used; and

- (j) Forms utilized in connection with the tournament.
 - (k) A description of security and surveillance measures that will be implemented for the gaming tournament;
 - (l) A certification from the supervisors of the gaming licensee's security, gaming operations, and surveillance departments that the proposed gaming tournament will not adversely affect the security and integrity of gaming operations;
 - (m) A certification from the gaming establishment controller or designee that he or she has reviewed the rules for the tournament in regard to gaming tournament revenue reporting; and
 - (n) A certification from a holder of key gaming employee license that the tournament will be conducted in accordance with 205 CMR 147.05(2).
- (3) The Bureau may, at any time, require the gaming licensee to immediately cease any gaming tournament conducted if the gaming tournament is in any material manner different from the description contained in the information provided pursuant to 205 CMR 147.05(2).
 - (4) All funds collected by a gaming licensee to fund the prize pool (for example, buy-in, re-buy, or add-on) shall be disbursed to the participants as a prize pool, except that a gaming licensee may withhold dealer tips in an authorized tournament upon notification to the participants.
 - (5) A gaming licensee shall make available to the public on its website the information required by 205 CMR 147.05(2).

147.06: Electronic, Electrical, and Mechanical Devices Prohibited

Except as specifically permitted by the Commission, no person shall possess with the intent to use, or actually use, at any table game, either by himself or in concert with others, any calculator, computer, phone, watch, camera or other electronic, electrical or mechanical cheating and swindling device pursuant to M.G.L. c. 23K, § 40, to assist in projecting an outcome at any table game or in keeping track of or analyzing the cards having been dealt, the changing probabilities of any table game, or the playing strategies to be utilized. No electronic, electrical, or mechanical device will be permitted on the gaming table.

147.07: Minimum and Maximum Wagers; Additional Wagering Requirements

- ~~(1) Except as otherwise specifically provided in the rules of the game, the minimum and maximum wagers permitted at any authorized table game in a gaming establishment shall be established by the gaming licensee; provided, however, that any required minimum wager of \$100 or less which has corresponding payout odds of 5 to 1 or less shall be required to have a maximum wager which is at least 10 times the amount of the minimum wager.~~
- (1) A gaming licensee may offer:
 - (a) Different maximum wagers at one gaming table for each permissible wager in an authorized game;
 - (b) Different maximum wagers at different gaming tables for each permissible wager in an authorized game.

- (2) A gaming licensee shall provide notice of the minimum and maximum wagers in effect at each gaming table and any changes thereto in accordance with 205 CMR 147.03(3) and 205 CMR 147.03(4).
- (3) Notwithstanding 205 CMR 147.07(~~32~~), a gaming licensee may, in its discretion, permit a player to wager below the established minimum wager or above the established maximum wager at a gaming table.
- (4) Any wager accepted by a dealer shall be paid or lost in its entirety in accordance with the rules of the game, notwithstanding that the wager exceeded the current table maximum or was lower than the current table minimum.
- (5) Nothing in this section shall preclude a gaming licensee from establishing additional wagering requirements that are consistent with the rules of the game, such as a requirement that wagers be made in specified increments, provided that the gaming licensee satisfies the notice requirements of 205 CMR 147.03(3).

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205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 141.00: SURVEILLANCE OF THE GAMING ESTABLISHMENT

- 141.01: Approval of Surveillance System
- 141.02: Commission Access to the Surveillance System
- 141.03: CCTV Equipment
- 141.04: Areas to be Monitored and Recorded
- 141.05: Requirements of the Surveillance System Plan
- 141.06: Notice to the Commission of Changes
- 141.07: Recording Transmission Outside of the Gaming Establishment
- 141.08: Independence of the Surveillance Department
- 141.09: Access to the Monitoring Room

141.01: Approval of Surveillance System

(1) In accordance with 205 CMR, all gaming licensees must submit a plan to the commission for a system of effective closed circuit television (“CCTV”) surveillance of the gaming establishment. No gaming licensee may commence gaming operations without the commission’s approval of its CCTV surveillance plan as part of its system of internal controls. The surveillance plan must adequately address, at a minimum, all elements included in 205 CMR 141.00.

(2) Nothing in 205 CMR 141.00 shall be construed so as to limit a gaming licensee’s use of advanced technology or new technology, provided that if the gaming licensee intends to utilize any new technology not identified in its initial proposal submitted in accordance with 205 CMR, it shall submit for commission approval the changes to its system of internal controls to incorporate the use of any such new technology in accordance with 205 CMR.

(3) The term commission in 205 CMR 141.00 shall include staff assigned to the IEB and any other designated staff of the commission.

(4) The term division in 205 CMR 141.00 shall include Assistant Attorneys General and State Police assigned to the Division of Gaming Enforcement in accordance with M.G.L. c. 12, § 11M.

141.02: Commission Access to the Surveillance System

A surveillance plan must provide for the commission and the division to be afforded access to the CCTV system and its transmissions including, at a minimum:

(1) Use of and unfettered access, by way of keycard or other similar mechanism, to the monitoring room in the gaming establishment and all materials therein;

(2) Ability of commission and the division, upon written approval from the director of the IEB, the commander of the gaming enforcement unit of the State Police, or chief of the division to direct employees of the gaming establishment to vacate the monitoring room in the event that such presence would, in the determination of the commission or the division, compromise the integrity of an investigation and there are no alternative means available to pursue the information;

(3) Monitors located within the commission office in the gaming establishment which

are capable of accessing all video and audio and still photography available to the gaming licensee, with the ability for the commission to independently control any camera;

(4) Ability of the commission and the division, or its designated staff, to access the CCTV system and its transmissions, that have been encrypted to ensure security, remotely outside of the gaming establishment;

(5) Recording(s) or photographs(s) to be made by the gaming licensee at the direction of the commission or the division; and

(6) Integration of a priority system preventing staff of the gaming establishment from controlling a segment of the system when being utilized by the commission, the division, or its staff.

141.03: CCTV Equipment

A surveillance plan must provide for the utilization of a CCTV surveillance system which includes at a minimum the following equipment and specifications:

(1) Light sensitive cameras, with lenses of sufficient magnification to allow for the reading of information on gaming chips, playing cards, dice, tiles, slot machine reel symbols, slot machine credit meters, and employee credentials and with 360° pan, tilt and zoom (“PTZ”) capabilities ~~without camera stops~~ to effectively and clandestinely monitor in detail and from various vantage points;

(2) Equipment and supplies as may be required by the commission, taking into consideration current developments in electronic and computer technology, for the effective performance of the activities to be conducted therein including, without limitation:

- (a) A communication system capable of monitoring all gaming establishment security department activities; and
- (b) If computerized monitoring systems are used by the gaming licensee in its gaming operations, view-only terminals which allow access to all information concerning cage, slot, and table games operations;

(3) High definition digital recording equipment which:

- (a) Permits the preservation and viewing of transmissions produced by all cameras;
- (b) Is capable of the superimposition of time and date stamping on each recording;
- (c) Possesses the ability to identify and locate a particular event that was recorded;
- (d) Reproduces events in color, unless otherwise approved by the commission;
- (e) Records all images on a hard drive or server;
- (f) Locks such that access to the erase and reformat functions, and system data files is restricted to employees specifically authorized for those purposes;
- (g) Provides uninterrupted recording of surveillance during playback or copying;
- (h) Is capable of copying original images while maintaining the original native format and that can store the images at a rate of not less than 30 frames per second;
- (i) Will record images at a minimum resolution of 320 x 240 and display during playback at a minimum resolution of 640 x 480;
- (j) Will store images in a format that is readable by the commission’s equipment;
- (k) Will store images in a format such that they can be verified and authenticated;
- (l) Is equipped with an uninterruptible power source to allow a proper system shutdown;
- (m) Films at four CIF (Common Intermediate Format) minimum 704 x 576 pixels resolution;

- (n) Films at 30 frames per second (real time recording) for all required filming, all operator observed activity, and all events requested by the commission; **and**
~~(o) Films at four frames per second for all facial recognition recordings; and~~
~~(p)~~ Ensures that all complimentary kiosk machines, self-redemption machines, change booths, and access to the surveillance server have dedicated **coverage sufficient to identify patrons and employees.** ~~facial recognition coverage.~~

- (4) Recording media, which shall be replaced as expeditiously as possible upon the manifestation of any significant degradation in the quality of the images or sound; and
- (5) Audio capability in the soft count room **and an alternative method to visually identify the drop box or asset number being processed from surveillance footage.**
- (6) Watermarking and encryption systems shall be explained in detail as part of the surveillance plan.

141.04: Areas to be Monitored and Recorded

- (1) A surveillance plan must provide, at a minimum, for the effective monitoring of the following areas of the gaming establishment in detail and from various vantage points:
- (a) The gaming area, including, but not limited to effective and clandestine observation of:
1. Slot machine play;
 2. Table game play including:
 - a. One or more fixed or PTZ cameras focused over each gambling table, covering the entire table layout, provided that each table is viewable by at least three PTZ cameras;
 - b. A sufficient number of cameras to monitor players and dealers at each gambling table that are:
 - i. Dedicated to each table; and
 - ii. Able to determine the card, **tile, dice** and chip values for winning hands.
 3. Each simulcast window that is open for business;
 4. Operations conducted in cashier cages, and the offices ancillary thereto, to include coverage sufficient to observe the face of each patron transacting business at each cage and satellite cage window from the direction of the cashier; and to include a fixed camera over each money drawer;
 - ~~5. Operations conducted at slot booths;~~
 65. All processes conducted in count rooms, within which there must be audio capability;
 76. Movement and storage of cash, gaming chips, and all other representatives of value, cards, dice, tiles, and any other equipment used in table games, drop boxes, slot drop boxes and ~~slot drop buckets~~ within the gaming establishment;
 87. All entrances and exits to and within the gaming area;
and
 98. The operation of gaming voucher redemption machines and gaming voucher systems and electronic transfer credit systems.
- (b) The following locations, persons or transactions:
1. A slot machine **or table game** that is connected to a progressive payout meter displaying a potential payout of \$50,000 or more;
 2. ~~uch~~ **Main** bank areas where gross revenue functions are performed as may be required by the commission;
 3. The execution of fills and credits at the chip bank;
 4. The collection of drop boxes, slot drop boxes, and slot cash storage boxes;

5. Any armored car collection or delivery of cash for which security escort or surveillance coverage is required;
 6. The inspection and distribution to gaming pits of cards, dice and tiles;
 7. Each transaction conducted at an automated bill breaker, voucher/coupon redemption and jackpot payout machine, as well as each replenishment or other servicing of any such machines;
 8. The count area or count room;
 9. Counting of dealer tips in accordance with 205 CMR and the policies and procedure submitted in accordance therewith.
- (c) The non-gaming area, including, but not limited to the effective and clandestine observation of:
1. Any location within the gaming establishment wherein any armored car collection or delivery of cash occurs;
 2. Any area where slot machines and gaming equipment or their respective parts are stored;
 - ~~3.~~ Parking areas of the gaming establishment; and
 - ~~4.~~ Public areas of the gaming establishment, designated by the commission for these purposes, including outside the entrances to the gaming area.
 5. Surveillance review area, (the area where all non-surveillance employees review coverage); Surveillance monitor room, surveillance rack room and server room.
- (d) Any other area so directed by the commission

(2) The gaming licensee shall submit for approval the ratio between the number of surveillance operators and the square footage of areas to be covered, which includes the minimum staffing in the monitor room at all times.

(3) Cameras shall be positioned:

- (a) In a manner that will prevent them from being obstructed, tampered with, or disabled; and
- (b) Behind a smoked dome, one-way mirror, or similar materials that conceal the camera from view.

141.05: Requirements of the Surveillance System Plan

A surveillance plan must, at a minimum, incorporate the following:

(1) A training and qualifications program that shows surveillance operations personnel are properly trained or certified to recognize abnormalities and violations in procedures, including documentation of on-going training.

~~(1)~~(2) An adequate emergency power system at all times sufficient to prevent required monitoring from being unreasonably delayed, and a contingency plan to be utilized whenever a power failure occurs that can be used to operate the CCTV system in the event of a power failure. Such power system shall be tested in the presence of the commission at 12-month intervals subject to more frequent re-testing upon failure of a test;

~~(2)~~(3) A preventive maintenance program, implemented by technicians assigned to the surveillance department or, if assigned to another department, subject to the direction and control of the director of surveillance, which ensures that the entire CCTV system is maintained in proper working order and that transparent covers over CCTV system cameras are cleaned in accordance with a routine maintenance schedule. In the event that preventive maintenance to be performed by a technician assigned to another department is required on

an emergency basis, the surveillance department shall have priority with respect to personnel resources of such other department to ensure the efficacy of the CCTV system;

~~(3)~~(4) Connection to all gaming establishment alarm systems enabling instant notification of any such alarm and monitoring of any area to which the alarm applies and which provides a visible, audible or combination signal; provided, however, that any robbery or other emergency-type alarm shall be perceptually distinguishable from all non-emergency alarm types in a manner approved by the commission (for example, robbery alarm is the only audible alarm);

~~(4)~~(5) An updated photo library, consisting of photographs that are no more than four years old, of all current employees of the gaming establishment, which photo library shall be available to the commission upon request;

~~(5)~~(6) Provision for an updated operational blueprint depicting all areas of the gaming establishment, and elsewhere where CCTV coverage is available that is readily accessible to all monitoring room personnel and representatives of the commission. **In a PDF or other such common electronic format.**

~~(6)~~(7) A surveillance log securely maintained that includes detailed reports of all surveillances conducted. The log shall be maintained by monitoring room personnel and shall be stored securely, in a manner approved by the commission, within the surveillance department. The surveillance log shall be available for inspection at any time by the commission. At a minimum, the following information shall be recorded in a surveillance log:

- (a) Date and time each surveillance commenced;
- (b) The name and license credential number of each person who initiates, performs or supervises the surveillance;
- (c) Reason for surveillance, including the name, if known, alias or description of each individual being monitored, and a brief description of the activity in which the person being monitored is engaging;
- (d) The times at which each video or audio recording is commenced and terminated;
- (e) The time at which each suspected criminal offense is observed, along with a notation of the reading on the meter, counter or device that identifies the point on the video recording at which such offense was recorded;
- (f) Time of termination of surveillance; and
- (g) Summary of results of the surveillance.

~~(7)~~(8) Signals from all cameras required in accordance with 205 CMR 141.04 shall be recorded and retained for a minimum of 30 days unless notified by the commission or the division within that period that any such recordings must be retained for any longer period so designated by the commission or the division and shall be made available for review upon request by the commission. In addition, any such recordings which are determined by the commission to be of potential evidentiary value shall be retained and stored pursuant to commission directives. Upon written request by a gaming licensee, the commission may allow a gaming licensee to retain surveillance recordings of certain areas of the gaming establishment for less than 30 days;

~~(8)~~(9) Continuous lighting of all areas, including gaming tables, **offices, cages, equipment storage rooms, card and dice destruction rooms** and pits, where CCTV system camera coverage is required by 205 CMR 141.04 that is of sufficient quality to produce clear recordings and still picture reproductions.

~~(9)~~(10) No use of multiplexing and quad recording devices for required surveillance recordings in accordance with 205 CMR 141.04.

~~(10)~~(11) That surveillance room entrances are not visible from the gambling floor;
and

~~(11) That a surveillance employee is present in the room and monitoring activities using the equipment any time the gaming establishment is conducting gambling activities and during the count process unless otherwise directed by the commission or division in accordance with 205 CMR 141.02(2).~~

141.06: Notice to the Commission of Changes

A licensee must notify the commission prior to any of the following occurring:

- (1) CCTV equipment is replaced; **including any change/upgrade to system hardware, firmware or software, including identifying the reason for the change.**
- (2) Slot machine or table game locations are modified (so as to enable the commission to review the new locations for adequate coverage);
- (3) Equipment Failure Occurs. Notice of such shall be immediately made to the IEB, upon discovery by the gaming licensee, and include the time and cause of the malfunction, if known, the time that the security department was apprised of the malfunction by the surveillance department, and any communications with the security department by the surveillance department relating to the malfunction; or
- (4) Camera relocation occurs.

141.07: Recording Transmission Outside of the Gaming Establishment

A surveillance plan must provide limitations on CCTV transmissions that, at a minimum, do not allow transmissions outside the gaming establishment with the exception of:

- (1) Wide-area progressive slot machine systems monitoring;
- (2) Remote access to the system exclusively by the commission and the division at an off-site commission office or division office via an encrypted transmission; and
- (3) Such transmissions as may be permitted outside the gaming establishment by written order of the commission.
- (4) Transmission of signal to the man-trap to allow department to view who is trying to gain entry.**

141.08: Independence of the Surveillance Department

A surveillance plan must provide for the independence of surveillance department employees assigned to monitor the activities of the gaming establishment. 205 CMR 141.08 shall include, at a minimum, that those employees shall be independent of all other departments. 205 CMR 141.08 must include the period of time that must lapse before:

- (a) ~~any~~ **Any** surveillance department employee who monitored the activities of the

gaming establishment may become employed in any department that said employee had monitored; and

(b) ~~any~~ Any non-surveillance employee who works in the gaming establishment of the gaming licensee can become employed in the surveillance department. Upon petition to the ~~commission~~ IEB and for good cause shown, the gaming licensee may request a relaxation of the time periods herein for individual cases.

141.09: Access to the Monitoring Room

A surveillance plan must provide for limited access to the monitoring room which, at a minimum, shall include:

(1) That the entrances to the monitoring room not be visible from the gaming area or any other public area;

(2) Identification by position of each employee allowed access to the monitoring room or any other designated area capable of receiving CCTV transmission. Any person who enters any monitoring room or such designated area who is not a surveillance department employee shall sign the Monitoring Room Entry Log upon entering the restricted area. The Monitoring Room Entry Log shall be:

(a) Kept in the CCTV monitoring room;

(b) Maintained in a book with bound numbered pages that cannot be readily removed or via an electronic equivalent;

(c) Signed by each person whose presence is not expressly authorized in accordance with 205 CMR 141.09(2), with each entry containing, at a minimum, the following information:

1. The date and time of entering into the monitoring room or designated area;

2. The entering person's name and his or her department or affiliation;

3. The reason for entering the monitoring room or designated area;

4. The name of the person authorizing the person's entry into the monitoring room or designated area; and

5. The date and time of exiting the monitoring room or designated area.

(3) The Monitoring Room Entry Log shall be made available for inspection by the commission at all times.

(4) For server based monitoring systems, a plan for restricting access to monitoring and recording by unauthorized personnel such as IT personnel and members of management.

(5) All servers and related equipment associated with the surveillance system shall be under control of the surveillance department.

(6) There shall be limited access to the surveillance server equipment. Notification in writing shall be made to the on-site IEB in advance of any outside vendor having access to the surveillance system. Emergency service access notification may be made via telephone to the on-site IEB, but shall be followed up with notification in writing as to the nature of the emergency. An electronic log shall be generated for any remote access into the system. The log entries shall contain the name of the person and company accessing the system, their license or registration number, the identity of the individual authorizing the access, the access method, the reason for access, the date of the access, and the time access was started and ended.

REGULATORY AUTHORITY

205 CMR 141.00: M.G.L. c. 23K, §§ 4(28), 4(37) and 5(9).

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 143.02: GAMING DEVICES AND ELECTRONIC GAMING EQUIPMENT

143.02: Progressive Gaming Devices

- (1) A gaming licensee and gaming device vendor shall comply with and the commission adopts and incorporates by reference Gaming Laboratories International, LLC Standard GLI-12: Progressive Gaming Devices in Casinos, version 2.1, released September 6, 2011, subject to the following amendments:
- (a) Delete section 1.1.
 - (b) Delete section 1.2.
 - (c) Delete section 1.3.2.
 - (d) Delete section 1.4.
 - (e) Add the following after 2.4.2(a): “(b) No progressive meter(s) shall be turned back to a lesser amount unless:
 - (1) The amount indicated has been paid to a winning patron;
 - (2) The progressive jackpot amount won by the patron has been recorded in accordance with a gaming licensee’s system of internal controls;
 - (3) The change is necessitated by a slot machine or meter(s) malfunction, in which case for wide area progressive jackpots an explanation shall be entered on the Progressive Summary report described in GLI-12, section 3.2.9(a) and the Commission shall be informed; and
 - (4) The patron has opted to risk the progressive award as permitted by the rules of the slot machine game; or
 - (5) The jackpot has been removed or transferred in a manner consistent with Commission rules and 205 CMR 143.02(f)”
 - (f) Delete the last sentence of section 2.5.9 and replace with: “Such access shall be detailed in the gaming licensee’s approved system of internal controls in accordance with 205 CMR 138.53 and shall, at a minimum, incorporate the following requirement. The external progressive controller shall be in a location approved by the Commission in a compartment or cabinet which has two separate locking mechanisms. One locking mechanism shall be maintained and controlled by the security department and the second locking mechanism shall be maintained and controlled by the slot department. Whenever the progressive controller has been accessed written notification shall be provided to the Commission.”
 - (g) Delete in section 2.5.14 the words “local Internal Control procedures” and add the following: “following requirements: A gaming licensee may transfer a progressive jackpot amount on a stand-alone slot machine or a local area progressive with a common progressive meter, from the gaming area provided the gaming licensee receives written approval from the IEB prior to the transfer, and the accrued amount minus the seed amount of the progressive jackpot is:
 - (1) Transferred in its entirety; and
 - (2) Transferred to one of the following:
 - a. The progressive meter for a slot machine with the same or similar probability of winning the progressive jackpot, the same or lower

- wager requirement to be eligible to win the progressive jackpot, and the same type of progressive jackpot (cash, annuity, annuity/cash option or a combination/alternate jackpot) as the slot machine from which the jackpot is being transferred; or
- b. The progressive meters of two or more slot machines, provided that each slot machine to which the jackpot is transferred individually satisfies the requirements of 205 CMR 143.02(e)(2)(a).

Further, notice of intent to transfer the progressive jackpot, which shall be subject to approval by the IEB, shall be conspicuously displayed on the front of each applicable slot machine for at least 10 days in advance of the transfer.

(h) Add the following after section 3.1.1:

“Gaming licensees may operate multi-site progressive gaming devices, also known as wide area progressives (WAP). WAPs shall consist of networks of linked gaming devices within Massachusetts and/or between Massachusetts and other casinos licensed in other states of the United States.

- (1) Each WAP shall be operated and administered:
 - a. By the participating gaming establishments in accordance with the terms of a written slot system agreement that has been executed by each participant and filed and approved by the Commission; or
- (2) The person designated in a slot system agreement responsible for the operation and administration of a WAP shall be referred to as a slot system operator and shall be licensed under 205 CMR 143 as a gaming vendor primary.
 - a. More than one slot system operator may be involved in the operation and administration of a WAP. A slot system operator may be involved in the operation and administration of more than one WAP.
 - b. An agreement between a slot system manufacturer and a casino licensee pursuant to which the slot system manufacturer agrees to sell, lease, or service, but not operate or administer, WAP components shall not be considered a slot system agreement. A separate agreement may be entered between the slot system manufacturer and each casino licensee participating in the WAP.
- (3) Each slot system agreement shall specifically identify and describe the role, authority, and responsibilities of each participating casino and each slot system operator in the conduct of the WAP. The agreement shall comply with GLI-12 or specifically identify where it deviates from the GLI-12 standards. The agreement shall include the following:
 - a. A description of the WAP including the process by which significant decisions that affect the operation of the game are approved and implemented by each casino or slot system operator;

- b. If applicable, the casino or slot system operator responsible for establishing and serving as trustee of a trust for a WAP offering an annuity jackpot;
- c. The casino or slot system operator initially responsible for the funding and payment of all jackpots, fees, and taxes associated with the operation of the WAP; and
- d. The casino or slot system operator responsible for generating, maintaining and filing all records and reports required by G.L. c. 23K and any applicable rules or regulations of the Commission.
- e. The method to ensure the accurate accounting of all contributions;
- f. The method to ensure that each participating state's tax laws are adhered to;
 - i. Said method to include a description for determining the pro rata share of a system payout for purposes of gross revenue deductibility and its method for determining the proportionate share of gaming taxes and fees owed by the operator to the casino. In calculating gross revenue, a casino may deduct its pro rata share of a payout from a game played in a WAP system. The amount of the deduction must be determined based upon the written agreement among the licensed gaming establishments participating in the WAP system and the operator of the system. All cash prizes and the value of noncash prizes awarded during a contest or tournament conducted in conjunction with a WAP system are also deductible on a pro rata basis to the extent of the compensation received for the right to participate in that contest or tournament. The deductions may be taken only by those participating licensed gaming establishments that held an active gaming license at any time during the month in which the payout was awarded.
- g. Procedures to address dispute resolution;
- h. Procedures to accept additional participants once the link is established in casinos of more than one state;
- i. Procedures to ensure the multistate progressive system operator is credentialed in all participating states;
- j. The method for withdrawal from the WAP, including the specific method in which progressive values are transferred when removing or replacing machines. At the minimum, said method should account for the transfer of jackpots, less the reset value, to other progressive slot machine jackpots of similar progressive wager and probability at the same facility within 30 days from the removal date. In the event that a similar progressive jackpot at the same facility is unavailable, other transfers shall be allowed. A Commission representative shall be notified in writing prior to a removal or transfer.
- k. Multistate progressive system parameter requirements including:
 - i. Maximum odds for obtaining the multistate jackpot;

- ii. The base amount of the multistate jackpot award;
 - iii. The reset amount of the multistate jackpot award;
 - iv. The rate of increment of the multistate jackpot award;
 - v. The hidden rate, which means the increment rate for one or more reserve pools used to fund the next reset amount when applicable;
 - vi. The minimum wager required to qualify for the progressive jackpot; and
 - vii. Any other parameter as may be required in order to ensure the proper accounting and auditing of the multistate progressive system
- l. Procedures for the independent reconciliation of the multistate jackpot amount when won.
- m. Each gaming licensee or slot system operator seeking approval to participate in a WAP shall confirm to the Commission that they have in place a system of accounting and internal controls that satisfy the requirements of G.L. c. 23K and any applicable rules or regulations concerning the operation of slot machines and WAPs. The internal controls shall include a list of each employee serving in a slot system operator position title.
- n. Each WAP shall be controlled and operated from a computer monitoring room subject to inspection by the Commission. The computer monitoring room for a WAP shall:
- i. Be under the sole possession and control of, and maintained and operated by, employees of the slot system operator designated in the slot system agreement for that slot system;
 - ii. Have continuous surveillance coverage of the operation of the slot system and its equipment in a manner approved by the Commission. Said surveillance coverage shall include the secure retention of recordings for a period of no less than 30 days or for such longer period if requested by the Commission if particular recordings are determined to hold evidentiary value;
 - iii. Have a Computer Monitoring Room Entry Log, which Log shall be:
 - 1. Kept in the computer monitoring room;
 - 2. Maintained in a book with bound numbered pages that cannot be readily removed or in an electronic format as approved by the Commission; and
 - 3. Signed by each person whose presence is not expressly authorized and identified in the internal controls of the computer monitoring room slot system operator, with each Log entry containing, at a minimum, the following information:
 - a. The date and time entering the computer monitoring room;

- b. The entering person's name, his or her department or employer and, if applicable, his or her employee license number;
 - c. The reason for entering the computer monitoring room;
 - d. The name of the person authorizing the person's entry into the computer monitoring room; and
 - e. The date and time of exiting the computer monitoring room;
 - f. Be readily accessible to Commission personnel 24 hours a day;
 - g. Be housed in a facility approved by the Commission that is owned or leased by a slot system operator; and
 - h. Be designed in a manner that assures that the multi-casino progressive slot system shall not be disrupted."
- (i) Add the following after "Initial laboratory testing" in section 3.1.2(a) and "set up are tested" in section 3.1.2 (b): "in accordance with 205 CMR 144.04"
- (j) From section 3.4.1 delete "gaming regulator shall adopt" and replace it with "each player shall be"

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 115.00: PHASE 1 AND NEW QUALIFIER SUITABILITY DETERMINATION,
STANDARDS, AND PROCEDURES

115.01: Phase 1 and New Qualifier Determination Standards

- (1) Phase 1 Determination Standards. The commission shall not issue an affirmative determination of suitability for any Category 1 or Category 2 applicants unless:
- a) The applicant meets the standards in M.G.L. c. 23K, §§ 12, 16, 46 and 47.
 - b) The applicant complies with the provisions of 205 CMR 111.00: *Phase 1 Application Requirements* and 205 CMR 115.00.
 - c) The commission has determined that the applicant has demonstrated financial stability pursuant to 205 CMR 117.00: *Phase I Determination of Financial Stability*.
 - d) All qualifiers under 205 CMR 116.02: *Persons Required to be Qualified* have been determined to be suitable by the commission or received a waiver under 205 CMR 116.03: *Waivers*.
- (2) Burden of Proof. All applicants for a Phase 1 suitability determination must establish their qualifications by clear and convincing evidence.
- (3) New Qualifiers. Subsequent to the issuance of a positive determination of suitability in accordance with 205 CMR 115.05(3) relative to a gaming licensee or applicant for a gaming license, if a new person is designated by the bureau as a person required to be qualified in accordance with 205 CMR 116.02: *Persons Required to be Qualified*, they shall submit a completed application to the bureau. An entity qualifier shall submit to the bureau a *Business Entity Disclosure Form - Category 1 and Category 2 Entity Applicants and Holding/Intermediary Companies* in accordance with 111.02. An individual qualifier shall submit to the bureau a *Multi-jurisdictional Personal History Disclosure Form* in accordance with 205 CMR 111.03 and a Massachusetts Supplemental Form in accordance with 205 CMR 111.04. A new qualifier designated in accordance with 205 CMR 116.02: *Persons Required to be Qualified* must establish their qualifications and meet the standards in M.G.L. c. 23K, §§ 12 and 16 by clear and convincing evidence and shall be subject to all applicable procedures contained in 205 CMR 115.00.
- (4) Continuing duty. Once issued a positive determination of suitability, the gaming licensee and all qualifiers shall have a continuing duty to maintain suitability in accordance with 205 CMR 115.01(1) and (2). The gaming licensee and each qualifier shall have a continuing duty to notify and update the IEB, in writing, within ten days of the occurrence, or where applicable, gaining knowledge of the following:
- (a) Any denial, suspension or revocation by a government agency in any jurisdiction of a gaming related license, registration, certification, permit or approval held by or applied for by the gaming licensee or qualifier;

- (b) Any discipline, including a fine or warning, related to gaming operations imposed upon the gaming licensee or qualifier by any government agency in any jurisdiction;
- (c) Any fine related to gaming operations assessed on any gaming entity owned or operated by the parent to the gaming licensee by any government agency in any jurisdiction.
- (d) Any arrest, indictment, charge or criminal conviction of any qualifier in any jurisdiction;
- (e) Any complaints, allegations, or notice of investigation thereof made or known to be contemplated by a gaming regulator or other governmental agency against the gaming licensee, qualifier, or any gaming entity owned or operated by the parent to the gaming licensee, of which the gaming licensee or qualifier is or should reasonably be aware, involving conduct that if substantiated could reasonably lead to potential revocation or suspension of the license or approval held by the gaming licensee, qualifier, or gaming entity owned or operated by the parent to the gaming licensee, in that jurisdiction and/or imposition of a fine of \$50,000 or greater;
- (f) Any reports, complaints, allegations, or material legal proceedings made, commenced, or known to be contemplated by a governmental agency against the gaming licensee or qualifier, of which the gaming licensee or qualifier is or should reasonably be aware, involving conduct that if substantiated could reasonably lead to potential criminal charges, including but not limited to allegations of theft or embezzlement;
- (g) Any information known or that should reasonably be known to the gaming licensee or qualifier, including by way of receipt of a subpoena, that the gaming licensee or qualifier is or may be the subject of a criminal investigation by a law enforcement or regulatory agency;
- (h) Any exclusion or barring of a qualifier from any casino, gaming establishment or gambling/gaming related entity in any jurisdiction;
- (i) The termination, suspension from employment, or other discipline of any key gaming employee licensed in accordance with 205 CMR 134.00 or qualifier;
- (j) Any material pending legal proceedings required to be reported in accordance with 17 CFR 229.103 - (Item 103) *Legal proceedings*. For purposes of 205 CMR 115.01(4)(j) the registrant referred to in 17 CFR 229.103 - (Item 103) shall be both the gaming licensee and the parent company of the gaming licensee as determined by the IEB. Additionally, the gaming licensee and each qualifier shall provide notice of any pending legal proceeding which includes any allegation of fraudulent conduct by the gaming licensee or a qualifier, that may reasonably threaten the economic viability of the gaming licensee or a qualifier, or that alleges a pattern of improper conduct by the gaming licensee or a qualifier over a sustained period of time;
- (k) Any *significant financial event* related to a gaming licensee or entity qualifier. For purposes of 205 CMR 115.01(4)(k) a *significant financial event* means a merger, acquisition, consolidation, debt restructuring, material change in debt rating by major credit rating agencies (US/International), legal entity change, material ownership change, the assessment of a fine or penalty of \$250,000 or greater by the SEC or international equivalent, restatement of previously issued financial statement(s), late filing of financial

statement(s) with the SEC or international equivalent, US or international equivalent bankruptcy petition, default of financial debt covenants and receivership, disposal of a material business segment or asset, or adverse action(s) taken by the IRS;

- (l) Issuance of an “Adverse” or “Qualified” audit opinion, or the international equivalent, by an independent accountant to the gaming licensee or qualifier;
- (m) A change in accounting firm engaged to perform attestation and/or assurance services for the gaming licensee or qualifier; and
- (n) Issuance of a delisting notice from a United States or international stock exchange relative to the gaming licensee or qualifier.

DRAFT

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

134.14: Administrative Closure of Applications for Registration or Licensure

(1) All applicants for a Key Gaming Employee License, a Gaming Employee License, a Gaming Vendor License, a Gaming Service Employee Registration or a Non-gaming Vendor Registration shall promptly respond to any request for information from the Division of Licensing and/or the Bureau. This obligation is in addition to the continuing duty set forth in 205 CMR 134.18(1).

(2) Failure of an applicant for a Key Gaming Employee License, a Gaming Employee License, a **Gaming Vendor License**, or a Gaming Service Employee Registration, **or a Non-gaming Vendor Registration** to respond to a request for information from the Division of Licensing and/or the Bureau within ~~14~~ **21** days of the request may result in the administrative closure of the application for registration or licensure **and the corresponding administrative revocation of a registration or temporary license, if applicable.**

~~(3) Failure of an applicant for a Gaming Vendor License or a Non-gaming Vendor Registration to respond to a request for information from the Division of Licensing and/or the Bureau within 30 days of the request may result in the administrative closure of that license application or registration.~~

~~(4)~~ (3) In the event that an application for registration or licensure is administratively closed for failure to provide requested information or to comply with the obligations set forth in **either 205 CMR 134.14 or 205 CMR 134.18(1)**, the Division of Licensing will notify the applicant of the **determination by writing which identifies the specific deficiencies in the application that served as the basis for the closure.** Additionally, the following conditions will apply:

- a) ~~Once an application for registration or licensure has been administratively closed it shall not be re-opened for a minimum of 30 days.~~
- b) ~~Any request to re-open an application for registration or licensure previously subject to administrative closure requires the applicant to provide all outstanding information as previously detailed in the administrative closure notification from the Division of Licensing. The submission of outstanding information is not a guarantee of licensure/registration. The Division of Licensing and/or the Bureau may in its discretion require a revised full application after considering the potential for stale information in the original application.~~

~~(5) An application that has been administratively closed for failure to maintain ongoing employment by a gaming licensee shall not be subject to the 30-day minimum closure period set forth in 205 CMR 134.14(4)(a) if the applicant provides new proof of employment from a gaming licensee in a manner prescribed by the Division of Licensing within 29 days of the notice of administrative closure.~~

~~(6) Any request to re-open an application for registration or licensure previously subject to administrative closure requires the applicant to provide all outstanding information as previously detailed in the administrative closure notification from the Division of Licensing. The submission of outstanding information is not a guarantee of licensure/registration. The Division of Licensing and/or the Bureau may in its discretion require a revised full application after considering the potential for stale information in the original application.~~

(4) An applicant may submit a new application for a Key Gaming License, Gaming Employee License, Gaming Vendor License, Gaming Service Employee Registration, or Non-Gaming Vendor Registration after an application has been administratively closed in accordance with 205 CMR 134.14(3). In that event, the applicant shall submit a complete application including all outstanding information as previously detailed in the administrative closure notification from the Division of Licensing. The submission of outstanding information is not a guarantee of licensure/registration, but is a prerequisite for the application to be deemed administratively complete.

(5) An applicant whose application has been administratively closed for failure to maintain ongoing employment by a gaming licensee in accordance with 205 CMR 134.08(b) may submit a new application for licensure or registration provided the application is submitted with proof of a new offer of employment from a gaming licensee.