



MASSACHUSETTS GAMING COMMISSION MEETING

May 28, 2015

10:30 a.m.

Boston Convention and Exhibition Center

415 Summer Street, Room 107B

Boston, MA



Massachusetts Gaming Commission

101 Federal Street, 23rd Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | www.massgaming.com



NOTICE OF MEETING and AGENDA

May 28, 2015

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

Thursday, May 28, 2015

10:30 a.m.

**Boston Convention and Exhibition Center
415 Summer Street – Room 107B
Boston, MA**

PUBLIC MEETING - #152

1. Call to order
2. Approval of Minutes
 - a. May 6, 2015
 - b. May 14, 2015
3. Administrative Update – Rick Day, Executive Director
 - a. Wynn Project Schedule – J. Ziemba, Ombudsman and PMA
 - b. Wynn Quarterly Report– J. Ziemba, Ombudsman and PMA
 - c. 3rd Quarter Budget Update – D. Lennon, CFAO
 - d. Diversity Update – D. Lennon, CFAO
 - e. Region C Update
 - i. KG Urban Update
 - ii. RFA2 Possible Revisions
 - f. Plainridge Park Casino Update
4. Investigations and Enforcement Division – Karen Wells, Director
 - a. Gaming Agents Training Plan – B. Band, Gaming Agents Division Chief
 - b. Temporary License Update
5. Ombudsman Report – John Ziemba
 - a. General Update
 - b. Local Community Mitigation Advisory Committee Appointments
6. Legal Division – Catherine Blue, General Counsel
 - a. Suffolk Downs Racing Application Update
 - b. Final Regulations and Amended SBIS – **VOTE**:
 - i. 205 CMR 101 Hearings
 - ii. 205 CMR 136 Gaming Beverage
 - iii. 205 CMR 150 Minor Protection
 - iv. 205 CMR 151 Operations Certificate
 - v. 205 CMR 152 Exclusion List
 - c. Emergency Regulations and SBIS
 - i. 205 CMR 102 Variance
 - ii. 205 CMR 134 Training Assistance

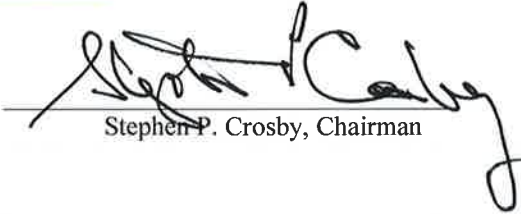


Massachusetts Gaming Commission

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

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

5/26/15
(date)


Stephen P. Crosby, Chairman

Date Posted to Website: May 26, 2015 at 10:30 a.m.



Massachusetts Gaming Commission

101 Federal Street, 23rd Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | www.massgaming.com



Meeting Minutes

Date/Time: May 6, 2015 – 10:30 a.m.

Place: Boston Convention and Exhibition Center
415 Summer Street Room 104B
Boston, Massachusetts

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

Absent: Chairman Stephen P. Crosby

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

Call to Order

See transcript page 2-7

[10:30 a.m.](#) Commissioner McHugh called to order the 151st Commission Meeting. Commissioner McHugh noted Chairman Crosby's absence and provided an overview of the applicant's suitability history and current suitability process.

Investigations and Enforcement Division

See transcript pages 7- 66

[10:35 a.m.](#) IEB Chief Enforcement Counsel/Deputy Director Loretta Lillios recognized the IEB team members that worked on the suitability report, which included: State Police, Financial Investigators, HLT Advisory, and Director Wells. Deputy Director Lillios acknowledged applicant representatives Attorney John Donnelly, Attorney Paul Seeman, Attorney Michael Morizio, and George and Laetitia Carney.

Deputy Director Lillios provided an overview of the investigative report relative to the suitability of the Mass Gaming and Entertainment's application, which included 9 entity qualifiers and 14 individual qualifiers. Qualifiers deemed suitable by the Commission in 2013 received an updated evaluation. With respect to the new qualifiers, all individuals underwent an extensive background check in the following areas: criminal, media, credit, litigation and political.

Deputy Director Lillios provided a summary of a 70 page report outlining the IEB's findings which included: tax obligations, criminal history search, ownership structure, trust investigations, gaming regulatory violations, and investigations of individual qualifiers.

Deputy Director Lillios also reported on the project site overview which included investigation of the Brockton Agricultural Society (Society) and four recommended conditions for the Society which included: documenting all transactions and provide to the IEB; the Society's books are to be maintained according to generally accepted accounting principles; the Society is to update contact information for shareholders and notify shareholders of all meetings; and the Society is to maintain all of the required filings with the Secretary of the Commonwealth.

Deputy Director Lillios recommended that the Commission find the applicant, Mass Gaming & Entertainment, suitable for licensure, subject to the conditions as outlined in report.

[11:16 a.m.](#) Attorney John Donnelly, representing Mass Gaming & Entertainment, stated he was excited about the Brockton project and partnership with George Carney. Attorney Donnelly noted they have been found suitable in other jurisdictions and that the process can be extremely intrusive. He also noted Bluhm and Carney's good character and reputation. Attorney Donnelly introduced Attorney Paul Seeman, representing LAM; and Attorney Michael Morizio, representing George Carney.

[11:24 a.m.](#) Attorney Donnelly answered questions with regard to a slot machine violation, shuffler red light mater, count room paperwork, and underage incident. Attorney Donnelly reported that they have a culture of self-reporting violations and they put together a system of internal controls and training to prevent these violations from happening again.

[11:34 a.m.](#) Attorney Michael Morizio addressed questions pertaining to the salt shed and cell tower on the casino land and notification of meetings to the Brockton Agricultural Society shareholders. Attorney Morizio reported that the salt shed and cell tower should have no effect on their ability to construct the casino. He also reported that they will notify shareholders by direct mailing and newspaper notification.

[11:42 a.m.](#) *Commissioner McHugh moved that the Commission find that the Mass Gaming and Entertainment entities and individuals are qualified to hold a Category 1 casino license in Massachusetts and is conditioned on four principles outlined in the investigative report. Motion Seconded by Commissioner Cameron. Motion passed unanimously.*

[11:45 a.m.](#) Deputy Director Lillios noted that since the Commissioners have voted for suitability, no notice has to be issued to the Brockton citizens with regard to the upcoming vote.

Legal Division

See transcript pages 67- 69

[11:46 a.m.](#) Deputy General Counsel Todd Grossman presented on draft regulation 205 CMR 140 – Gross Gaming Revenue Tax Remittance and Reporting and noted changes were made based upon recommendations.

[11:48 a.m.](#) *Commissioner Zuniga moved that the Commission approve the draft regulation 205 CMR 140 – Gross Gaming Revenue Tax Remittance and Reporting and the Amended Small Business Impact Statement. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

Other Business Not Reasonably Anticipated

See transcript page 69-70

[11:49 a.m.](#) Commissioner McHugh noted that item number 4 is being withdrawn from the meeting agenda.

[11:49 a.m.](#) *Having no further business, a motion to adjourn was made by Commissioner Cameron. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission May 6, 2015 Notice of Meeting and Agenda
2. Massachusetts Gaming Commission May 4, 2015 Updated Investigative Report for the Massachusetts Gaming Commission Applicant: Mass Gaming and Entertainment, LLC
3. 205 CMR 140 Gross Gaming Revenue Tax Remittance and Reporting
4. 205 CMR 140 Gross Gaming Revenue Tax Remittance and Reporting, Amended Small Business Impact Statement

/s/ Catherine Blue
Catherine Blue
Assistant Secretary



Meeting Minutes

Date/Time: May 14, 2015 – 10:30 a.m.

Place: Hynes Convention Center
900 Boylston Street, Room 210
Boston, Massachusetts

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

Absent: Commissioner James F. McHugh

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

Call to Order

See transcript page 2

[10:32 a.m.](#) Chairman Crosby called to order the 152nd Commission Meeting.

Approval of the Minutes

See transcript page 2

[10:33 a.m.](#) *Commissioner Zuniga moved for the approval of the April 30, 2015 minutes subject to typographical and mechanical corrections. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

Investigation and Enforcement Division

See transcript pages 3- 50

[10:33 a.m.](#) IEB Director Karen Wells presented on the granting of temporary primary vendor and key gaming employee licenses to the following: Interblock USA; Gary Pecorello, Player Services Director, Plainville Gaming and Redevelopment; and Valerie Bisset, Slot Operations Manager, Plainville Gaming and Redevelopment.

- [10:35 a.m.](#) Director Wells presented a status update for Region C which included the following: John Donnelly, Attorney for Rush Street Properties, self-reported to the IEB an issue with a vendor in their Illinois facility which will require follow up; Crossroads Massachusetts LLC has withdrawn their gaming license application; and KG Urban has identified partners but has not finalized the term sheet.
- [10:39 a.m.](#) Andrew Stern and Scott Butera, representing KG Urban, reported on status of negotiations.
- [10:50 a.m.](#) Director Wells expressed concern pertaining to scheduling and the timeframe for the RFA-2 process.
- [10:52 a.m.](#) Commissioners discussed if applicant KG Urban is substantially complete.
- [11:07 a.m.](#) *Commissioner Cameron moved that the Commission consider applicant KG Urban substantially complete. Commissioner Zuniga modified the motion with the condition that KG Urban come back in two weeks with status on progress of term sheet or the submission of additional qualifiers as discussed. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*
- [11:12 a.m.](#) Chairman Crosby noted that the RFA- 2 application is being slightly revised but that applicants can still proceed with working on forms.

Research and Responsible Gaming

See transcript pages 50-86

- [11:24 a.m.](#) Director Mark Vander Linden introduced Chief of Police James Alfred from Plainville, Det. Lt. Brian Connors from the MA Gaming Commission, and Crime Analyst Christopher Bruce. Director Vander Linden provided background on need for crime measures and professional background information on Christopher Bruce.
- [11:29 a.m.](#) Christopher Bruce, Trainer and Consultant in Crime Analysis and Data-Driven Policy, presented on report – Analyzing the Effects of Casinos on Public Safety which included the following project highlights: Collection of police department data from multiple jurisdictions, hotspots, analysis of changes, recording of casino related incidents, analysis of patterns, and establishing a baseline of data. He also noted examples of changes that may occur, including: increased traffic, parking lot vehicle thefts, loss of property, credit card and check fraud, and drug and alcohol related medical aid.
- [12:01 p.m.](#) The Commission recessed for lunch.
- [1:01 p.m.](#) The meeting resumed.

Legal Division

See transcript pages 87- 96

- [1:01 p.m.](#) General Counsel Blue presented on the exemption delegation – delegation of authority to the Director of the IEB to accept and grant or deny petitions for an exemption from non-gaming vendor licensing and registration requirements under 205 CMR 134.
- [1:05 p.m.](#) *Commissioner Stebbins moved that the Commission delegate to the Director of the IEB the authority to accept and grant or deny a petition for exemption under 205 CMR 134.04 6(n) from the non-gaming vendor requirements under 205 CMR 134. Motion seconded by Commissioner Cameron. Motion passed unanimously.*
- [1:06 p.m.](#) General Counsel Blue presented on the Executive Session Review Policy which provides a process for regular review of minutes taken in executive session to determine whether they should be released.
- [1:08 p.m.](#) *Commissioner Stebbins moved that the Commission adopt the Executive Session Review Policy as presented in the packet. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*
- [1:09 p.m.](#) General Counsel Blue presented on the Amended Small Business Impact Statement for regulation 205 CMR 14 – Supplemental Licensure Procedures.
- [1:10 p.m.](#) *Commissioner Stebbins moved that the Commission approve the Amended Small Business Impact Statement for regulation 205 CMR 14 – Supplemental Licensure Procedures. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

Administration

See transcript pages 97- 137

- [1:10 p.m.](#) Director Rick Day introduced individuals from Penn National.
- [1:12 p.m.](#) General Counsel Blue presented an update on a letter received from Counsel representing the Mashpee Wampanoag Tribe pertaining to slot machines and a request that the Attorney General's Office review our regulations on this issue. General Counsel Blue also noted that review of the Penn floor plan today does not pertain to this regulation.
- [1:16 p.m.](#) Jack Rauen from Penn National presented brief comments on report of Ray Porfilio, the consulting architect.
- [1:17 p.m.](#) Michael McGrew from Penn National provided an overview of the floor plans including orientation of 1st level entrances, lottery kiosk locations, local artist display, gaming area, security, garage, GameSense kiosk, food court, entertainment lounge and live racing areas.

- [1:25 p.m.](#) Commissioner Stebbins the noted close proximity of the EMT and GameSense areas and concern regarding access through those areas.
- [1:29 p.m.](#) Darlene Whitmore from JCJ Architecture presented on construction progress, materials used in design, and various views of casino and game floor.
- [1:35 p.m.](#) *Commissioner Stebbins moved that the Commission approve the Plainridge Park Casino floor plan and recommendations from Epstein Joslin Architects. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*
- [1:36 p.m.](#) *Commissioner Zuniga moved that the Commission delegate to Commissioner Cameron the authority to make floor plan changes. Motion seconded by Commissioner Stebbins. Motion passed unanimously. Commissioner Cameron abstained from the vote.*
- [1:37 p.m.](#) Director Rick Day and Deputy Counsel Todd Grossman presented on amendment to 205 CMR 134.03 that will allow Penn National to temporarily utilize employees from other Penn properties to assist with training new employees without going through a license or registration process.
- [1:40 p.m.](#) *Commissioner Zuniga moved that the Commission adopt 205 CMR 134.03-Gaming Service Employee, as an emergency regulation. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*
- [1:43 p.m.](#) Senior Financial Analyst Doug O'Donnell presented on Suffolk Downs request for capital improvement trust fund monies and promotional trust fund monies.
- [1:49 p.m.](#) *Commissioner Zuniga moved that the Commission approve the Suffolk Downs requests for capital improvement trust fund monies and promotional trust fund monies as presented and discussed and further delegate to Director Day approval of subsequent requests for disbursements. Motion seconded by Commissioner Cameron. Motion passed unanimously.*
- [1:50 p.m.](#) Dr. Alexander Lightbown, Interim Director of Racing, presented on request to reschedule live racing days at Plainridge Park Casino.
- [1:54 p.m.](#) *Commissioner Cameron moved that the Commission approve the request by Plainridge Park Casino to change their racing days as presented in their letter in the packet dated May 11, 2015. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

Workforce, Supplier and Diversity Development

See transcript pages 137-152

[1:56 p.m.](#) Director Jill Griffin welcomed Corrine Reynolds, the first intern at the Massachusetts Gaming Commission, who will be supporting the work of the Access and Opportunity Committee. Director Griffin presented an update on activities of the Access and Opportunity Committee which included the establishment of two regional subcommittees and a second meeting that was held in Springfield and attended by Commissioners Stebbins and Zuniga.

[1:59 p.m.](#) Undersecretary Ron Marlow, Executive Office of Labor and Workforce Development, presented on the Access and Opportunity Committee and the development of relationships and partnerships to achieve common goals.

Other Business Not Reasonably Anticipated

See transcript page 152

[2:11 p.m.](#) *Having no further business, a motion to adjourn was made by Commissioner Zuniga. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission May 14, 2015 Notice of Meeting and Agenda
2. Massachusetts Gaming Commission April 30, 2015 Draft Meeting Minutes
3. Massachusetts Gaming Commission May 14, 2015 Memorandum Regarding Temporary Primary Vendor and Key Gaming Employee Licenses Issued
4. Letter from Attorney Robert Allen to Director Karen Wells, dated May 11, 2015 regarding Crossroads Massachusetts LLC
5. Massachusetts Gaming Commission List of Requests for Extensions – Region C
6. Letter from City of New Bedford Mayor Jon Mitchell to Chairman Crosby, dated May 4, 2015 regarding KG Urban
7. Presentation: Analyzing the Effects of Casinos on Public Safety (Christopher Bruce)
8. Plainridge Park Casino Floor Plans
9. Memorandum of Epstein Joslin Architects dated March 31, 2015 and Revised April 10, 2015 regarding Plainridge Park Casino Design Review
10. Draft 205 CMR 134 - Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations (*134.03 – Gaming Service Employees*)
11. Massachusetts Gaming Commission May 14, 2015 Memorandum Regarding Suffolk Downs Request for Capital Improvement Trust Fund Monies with attachment
12. Massachusetts Gaming Commission May 14, 2015 Memorandum Regarding Suffolk Downs Request for Promotional Trust Fund Monies with attachment
13. Massachusetts Gaming Commission May 12, 2015 Memorandum Regarding Plainridge Park Casino, Rescheduling Live Racing Days with attachments
14. Massachusetts Gaming Commission May 14, 2015 Memorandum Regarding Delegation of Authority to the Director of the Investigations and Enforcement Bureau

15. Massachusetts Gaming Commission Executive Session Minutes Policy
16. Amended Small Business Impact Statement, 205 CMR 14.00 – Supplemental Licensure Procedures
17. Draft 205 CMR 14.00 – Supplemental Licensure Procedures
18. Letter from Todd & Weld to Chairman Crosby, dated May 13, 2015 regarding the Mashpee Wampanoag Tribe
19. Letter from Todd & Well to Attorney General Healey, dated May 13, 2015 regarding the Massachusetts Gaming Commission Regulations as to Category 2 Licenses

/s/ Catherine Blue
Catherine Blue
Assistant Secretary

DRAFT

Wynn Everett Master Schedule

Activity Name	Early Start	Early Finish	2015																											
			A	A	A	A	M	M	M	M	J	J	J	J	J	J	J	J	J	J	A	A	A	A	A	S	S	S	S	O
Project Entitlement	08-May-15	18-Mar-16	[Gantt bar]																											
Land Aquisition	08-May-15	27-Oct-15	[Gantt bar]																											
Regulatory Approvals	08-May-15	18-Mar-16	[Gantt bar]																											
Environmental Permits	08-May-15	18-Mar-16	[Gantt bar]																											
Federal Permits	08-May-15	26-Feb-16	[Gantt bar]																											
Federal Aviation Administration (FAA)	08-May-15	24-Sep-15	[Gantt bar]																											
FAA Air Navigation Determination (Building Height)	08-May-15	24-Sep-15	[Gantt bar]																											
FAA Air Navigation Determination (Site Equipment Use)			[Gantt bar]																											
US Army Corps of Engineers (USACE) - MASS Individual Permit (Section 404/10)	08-May-15	26-Feb-16	[Gantt bar]																											
Navigational Dredging, Out Fall: Bulk Head:Shortline Work	08-May-15	29-Jan-16	[Gantt bar]																											
Remedial Dredging	08-May-15	26-Feb-16	[Gantt bar]																											
US Environmental Protection Agency NPDES Permit (EPA)			[Gantt bar]																											
State Permits	08-May-15	18-Mar-16	[Gantt bar]																											
Executive Office of Energy Environmental Affairs (EO EEA)	08-May-15	02-Oct-15	[Gantt bar]																											
Massachusetts Environmental Policy Act (MEPA)	08-May-15	14-Aug-15	[Gantt bar]																											
MEPA - ENF for Remedial Dredging	08-May-15	02-Oct-15	[Gantt bar]																											
MEPA - ENF for Harbor Walk	07-Jul-15	17-Sep-15	[Gantt bar]																											
MASS Office of Coastal Zone Management (CZM) - Federal Consistency Certification	08-May-15	29-Jan-16	[Gantt bar]																											
Consistency Review Main Project	08-May-15	29-Jan-16	[Gantt bar]																											
Consistency Review Sediment Dredging	08-May-15	08-Dec-15	[Gantt bar]																											
MASS Department of Environmental Protection	08-May-15	18-Mar-16	[Gantt bar]																											
Chapter 91 Main Project	08-May-15	18-Mar-16	[Gantt bar]																											
Chapter 91 DDRRC Harbor Walk	18-Sep-15	09-Nov-15	[Gantt bar]																											
Chapter 91 Remedial Dredging (If required)	08-May-15	10-Nov-15	[Gantt bar]																											
Local Permits	08-May-15	12-Nov-15	[Gantt bar]																											
Everett Planning Board - Site Plan Review	08-May-15	07-Aug-15	[Gantt bar]																											
Everett Conservation Commission - Wetlands Notice of Intent (Remediation Work)			[Gantt bar]																											
Everett Conservation Commission - Wetlands Notice of Intent (Harbor Walk / DCR Connec	18-Sep-15	12-Nov-15	[Gantt bar]																											
Everett Conservation Commission - Wetlands Notice of Intent (Full Project)	08-May-15	12-Aug-15	[Gantt bar]																											
Owner's Insurance			[Gantt bar]																											
Design	08-May-15	29-Dec-15	[Gantt bar]																											
Programing Design & Development (WDD)	08-May-15	29-Dec-15	[Gantt bar]																											
Property Survey	08-May-15	05-Jun-15	[Gantt bar]																											
Master Plan			[Gantt bar]																											
Hotel Tower	08-May-15	06-Nov-15	[Gantt bar]																											
Jacobs Foundation Design - Permit Set	08-May-15	22-May-15	[Gantt bar]																											
Interiors 30% Issue MEP Device Location	08-May-15	05-Jun-15	[Gantt bar]																											
All Discipline Coordination Work Shop	12-Jun-15	12-Jun-15	[Gantt bar]																											
Draft Architectural MEP Design & Development 60%	08-May-15	13-Jul-15	[Gantt bar]																											
Jacobs Internal QC	14-Jul-15	23-Jul-15	[Gantt bar]																											
Architectural MEP Design & Development 60%	24-Jul-15	24-Jul-15	[Gantt bar]																											
All Discipline Coordination Work Shop	07-Aug-15	07-Aug-15	[Gantt bar]																											
Interiors 60% Issue Pricing Set	10-Aug-15	11-Sep-15	[Gantt bar]																											
Draft Architectural Issue Core & Shell Pricing Set	27-Jul-15	14-Sep-15	[Gantt bar]																											
Jacobs Internal QC	15-Sep-15	24-Sep-15	[Gantt bar]																											
Architectural Issue Pricing Set	25-Sep-15	25-Sep-15	[Gantt bar]																											
All Discipline Coordination Work Shop	09-Oct-15	09-Oct-15	[Gantt bar]																											
Draft 90% Issue / Full Permit	29-Sep-15	26-Oct-15	[Gantt bar]																											
Jacobs Internal QC	27-Oct-15	05-Nov-15	[Gantt bar]																											
90% Issue / Full Permit Issue	06-Nov-15	06-Nov-15	[Gantt bar]																											

█ Actual Work
 █ Critical Remaining Work
 ▼ Summary
█ Remaining Work
 ◆ Milestone

Wynn Everett Master Schedule

Activity Name	Early Start	Early Finish	2015																														
			A	A	A	A	M	M	M	M	J	J	J	J	J	J	J	J	J	A	A	A	A	A	S	S	S	S	O				
Gaming	08-May-15	13-Nov-15	[Gantt bars for Gaming activities]																														
WDD Core & Shell Schematic Design	08-May-15	01-Jun-15	[Gantt bar]																														
WDD Building Interior Schematic Design	18-May-15	15-Jun-15	[Gantt bar]																														
Jacobs Internal Draft Schematic Design	02-Jun-15	14-Jul-15	[Gantt bar]																														
Jacobs Internal QC	15-Jul-15	24-Jul-15	[Gantt bar]																														
Architectural Schematic Design Issue	24-Jul-15	24-Jul-15	[Milestone]																														
Interiors 30% Issue MEP Device Location	27-Jul-15	16-Oct-15	[Gantt bar]																														
All Discipline Coordination Work Shop	30-Oct-15	30-Oct-15	[Milestone]																														
Draft Architectural MEP Design Development 60%	28-Jul-15	13-Nov-15	[Gantt bar]																														
Executive Spa	08-May-15	09-Nov-15	[Gantt bars for Executive Spa activities]																														
WDD Core & Shell Schematic Design	08-May-15	01-Jun-15	[Gantt bar]																														
WDD Building Interior Schematic Design	18-May-15	15-Jun-15	[Gantt bar]																														
Draft Jacobs Schematic Design	02-Jun-15	14-Jul-15	[Gantt bar]																														
Jacobs Internal QC	15-Jul-15	24-Jul-15	[Gantt bar]																														
Architectural Schematic Design Issue	24-Jul-15	24-Jul-15	[Milestone]																														
Interiors 30% Issue MEP Device Location	27-Jul-15	16-Oct-15	[Gantt bar]																														
All Discipline Coordination Work Shop	30-Oct-15	30-Oct-15	[Milestone]																														
Draft Architectural MEP Design & Development 60%	27-Jul-15	09-Nov-15	[Gantt bar]																														
Convention	08-May-15	29-Dec-15	[Gantt bars for Convention activities]																														
Draft Jacobs Schematic Design	08-May-15	02-Jun-15	[Gantt bar]																														
Jacobs Internal QC	03-Jun-15	12-Jun-15	[Gantt bar]																														
Architectural Schematic Design Issue	12-Jun-15	12-Jun-15	[Milestone]																														
Interiors 30% Issue MEP Device Location	15-Jun-15	04-Sep-15	[Gantt bar]																														
All Discipline Coordination Work Shop	18-Sep-15	18-Sep-15	[Milestone]																														
Draft Architectural MEP Design & Development 60%	15-Jun-15	05-Oct-15	[Gantt bar]																														
Jacobs Internal QC	06-Oct-15	15-Oct-15	[Gantt bar]																														
Architectural MEP Design & Development 60%	16-Oct-15	16-Oct-15	[Milestone]																														
All Discipline Coordination Work Shop	06-Nov-15	06-Nov-15	[Milestone]																														
Draft Architectural Pricing Set	19-Oct-15	29-Dec-15	[Gantt bar]																														
Back of House	08-May-15	13-Nov-15	[Gantt bars for Back of House activities]																														
WDD Core & Shell Schematic Design	08-May-15	01-Jun-15	[Gantt bar]																														
WDD Building Interior Schematic Design	18-May-15	15-Jun-15	[Gantt bar]																														
Draft Jacobs Schematic Design	02-Jun-15	14-Jul-15	[Gantt bar]																														
Jacobs Internal QC	15-Jul-15	24-Jul-15	[Gantt bar]																														
Architectural Schematic Design Issue	24-Jul-15	24-Jul-15	[Milestone]																														
Interiors 30% Issue MEP Device Location	27-Jul-15	16-Oct-15	[Gantt bar]																														
All Discipline Coordination Work Shop	30-Oct-15	30-Oct-15	[Milestone]																														
Draft Architectural MEP Design & Development 60%	22-Jul-15	13-Nov-15	[Gantt bar]																														
Central Plant	08-May-15	06-Nov-15	[Gantt bars for Central Plant activities]																														
WDD Core & Shell Schematic Design	08-May-15	22-May-15	[Gantt bar]																														
WDD Building Interior Schematic Design	11-May-15	08-Jun-15	[Gantt bar]																														
Draft Jacobs Schematic Design	26-May-15	23-Jun-15	[Gantt bar]																														
Jacobs Internal QC	24-Jun-15	06-Jul-15	[Gantt bar]																														
Architectural Schematic Design Issue	29-Jun-15	06-Jul-15	[Milestone]																														
Interiors 30% Issue MEP Device Location	07-Jul-15	28-Sep-15	[Gantt bar]																														
All Discipline Coordination Work Shop	12-Oct-15	12-Oct-15	[Milestone]																														
Draft Architectural MEP Design & Development 60%	07-Jul-15	27-Oct-15	[Gantt bar]																														
Jacobs Internal QC	28-Oct-15	06-Nov-15	[Gantt bar]																														
Garage	08-May-15	03-Nov-15	[Gantt bars for Garage activities]																														
Jacobs Foundation Design - Permit Set	08-May-15	22-May-15	[Gantt bar]																														
Interiors 30% Issue MEP Device Location	08-May-15	05-Jun-15	[Gantt bar]																														
Draft Architectural MEP Design Development 60%	08-May-15	26-Jun-15	[Gantt bar]																														
Jacobs Internal QC	29-Jun-15	09-Jul-15	[Gantt bar]																														
Architectural MEP Design Developments 60%	10-Jul-15	10-Jul-15	[Milestone]																														

█ Actual Work
 █ Critical Remaining Work
 ▼ Summary
█ Remaining Work
 ◆ Milestone

Wynn Everett Master Schedule

Activity Name	Early Start	Early Finish	2015																											
			A	A	A	A	M	M	M	M	J	J	J	J	J	J	J	J	J	J	A	A	A	A	A	S	S	S	S	O
Interiors 60% Issue Pricing Set	08-Jun-15	07-Aug-15																												
Draft 100% Construction Documents Including Permit Review Comments	13-Jul-15	21-Oct-15																												
Jacobs Internal QC	22-Oct-15	02-Nov-15																												
100% Construction Documents Including Permit Review Comments	03-Nov-15	03-Nov-15																												
Food & Beverage / Retail	08-May-15	30-Nov-15																												
WDD Core & Shell Schematic Design	08-May-15	01-Jun-15																												
WDD Building Interior Schematic Design	18-May-15	15-Jun-15																												
Draft Jacobs Schematic Design	02-Jun-15	14-Jul-15																												
Jacobs Internal QC	15-Jul-15	24-Jul-15																												
Architectural Schematic Design Issue	12-Jun-15	24-Jul-15																												
Interiors 30% Issue MEP Device Location	27-Jul-15	30-Nov-15																												
On-site Enabling & Infrastructure	21-May-15	21-Sep-15																												
Grading & Drainage Permit Documents	21-May-15	28-May-15																												
Design Development Civil (Horz. Vert. Control / Site Plans / Site Utilities / SWPPP)	21-May-15	17-Jul-15																												
Permit Documents Civil	20-Jul-15	28-Aug-15																												
Construction Documents Civil	31-Aug-15	21-Sep-15																												
Marine	08-May-15	15-Sep-15																												
Marine Design Documents - includes partial Civil Design	08-May-15	15-Sep-15																												
Harbor Walk	08-May-15	12-May-15																												
Connecting Gateway	08-May-15	12-May-15																												
Off Site Infrastructure Projects	08-May-15	11-Dec-15																												
Procure Design & Engineering Firm	08-May-15	11-Aug-15																												
Design & Engineering RFP	08-May-15	01-Jun-15																												
Design & Engineering RFP Response	02-Jun-15	14-Jul-15																												
Design & Engineering RFP Award	15-Jul-15	11-Aug-15																												
Lower Broadway / Alford Street	12-Aug-15	04-Dec-15																												
Survey	12-Aug-15	16-Sep-15																												
Pre-Mtg and Concept Design Report	26-Aug-15	07-Oct-15																												
Meet with PIC Entities for Boston	17-Sep-15	14-Oct-15																												
25% Design	24-Sep-15	21-Oct-15																												
Meet with MWRA re: 8M Applicability	22-Oct-15	28-Oct-15																												
Review 25% Design (Everett)	22-Oct-15	04-Nov-15																												
MADOT Review (FHA Review by MADOT)	22-Oct-15	04-Dec-15																												
Boston Review (BDT)	22-Oct-15	04-Dec-15																												
Sweetser Circle Everett	12-Aug-15	11-Dec-15																												
Survey	12-Aug-15	23-Sep-15																												
Preliminary Design Package	12-Aug-15	07-Oct-15																												
Everett Review Preliminary Design Package	08-Oct-15	21-Oct-15																												
MADOT PD Review Preliminary Design Package	08-Oct-15	18-Nov-15																												
DCR PD Review Preliminary Design Package	08-Oct-15	18-Nov-15																												
Final Highway Design	05-Nov-15	11-Dec-15																												
Santilli Circle Everett	12-Aug-15	11-Dec-15																												
Survey	12-Aug-15	23-Sep-15																												
Preliminary Design Package	12-Aug-15	07-Oct-15																												
Everett Review Preliminary Design Package	08-Oct-15	21-Oct-15																												
MADOT FHA Review Preliminary Design Package	08-Oct-15	18-Nov-15																												
DCR Review Preliminary Design Package	08-Oct-15	18-Nov-15																												
Permitting NOI for Everett Conservation Commission	10-Sep-15	04-Dec-15																												
Final Highway Design	05-Nov-15	11-Dec-15																												
Wellington Circle Everett	12-Aug-15	04-Dec-15																												
Survey	12-Aug-15	07-Oct-15																												
Preliminary Design Package	12-Aug-15	21-Oct-15																												
Everett Review Preliminary Design Package	22-Oct-15	04-Nov-15																												
MADOT / FHA Review Preliminary Design Package	22-Oct-15	04-Dec-15																												

█ Actual Work
 █ Critical Remaining Work
 ▶ Summary
█ Remaining Work
 ◆ Milestone

Wynn Resort in Everett

Monitoring of Project Construction and Licensee Requirements 205 CMR 135

Quarterly Report Massachusetts Gaming Commission as of March 31, 2015



Monitoring of Project Construction and Licensee Requirements

Quarterly Report as of March 31, 2015

1.0 Project at a Glance

The Wynn Resort in Everett (the “Project”) is an approximately \$1.7 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 629 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 as soon as necessary approvals are received.

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.

Wynn is currently preparing for the remediation of the contaminated soils on the Project Site and has completed all pre-characterization work. Wynn is ready to solicit contractor proposals to execute this work and, pending any required approvals, anticipates that this work will start this fall and take about 4 months to complete.

Wynn is diligently working to review the remaining three principal areas of study that were outlined in the Certificate of the Secretary of Energy and Environmental Affairs on the Supplemental Final Environmental Impact Report ("SFEIR") dated April 3, 2015 (the "Secretary's Certificate") in order to obtain final approval for the Project in accordance with the Massachusetts Environmental Policy Act ("MEPA"). Following the receipt of the Secretary's Certificate, Wynn has had productive meetings with Massachusetts Department of Transportation ("MassDOT") and MEPA and is fully engaged in drafting its Second Supplemental Final Environmental Impact Report ("SSFEIR"). Wynn has not yet set a filing date as some actions are still evolving, but anticipates filing in summer 2015.

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.

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, 2015 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 Permitting

Environmental permitting activity continues at an aggressive pace, with significant effort focused on responding to the scope for a SSFEIR from MEPA, filing for Site Plan Approval from the City of Everett Planning Board, filing a Notice of Intent for the main portion of the Project with the City of Everett Conservation Commission, and filing a Chapter 91 application with the Massachusetts Department of Environmental Protection (“MassDEP”). The purpose of these technical filings is to ensure that input from regulators, local officials, and stakeholders is understood, analyzed, and incorporated. Significant field analysis has been done to properly understand the Project Site, including additional traffic analyses, nearly 2,000 borings in anticipation of the remediation of the Project Site, wetlands delineation, vegetation classifications, and various other data gathering activities on and off Project Site.

Pursuant to the terms of the Secretary’s Certificate on Wynn’s SFEIR, the Secretary of Energy and Environmental Affairs has required Wynn to file a SSFEIR with respect to the following limited scope items:

1. MBTA land transfer;
2. Impacts to MBTA operations and transit;
3. Traffic and Transportation (limited to establishing a process for integrating the City of Boston’s long-term plans for Sullivan Square and Rutherford Avenue and the impacts of casino-related traffic and additional information and clarification of modeling development to address concerns identified by municipalities);
4. Mitigation and Section 61 findings; and
5. Direct responses to comments to the extent that they are within MEPA jurisdiction.

Wynn is diligently working to respond to foregoing scope items in order to obtain final approval for the Project in accordance with MEPA. Wynn has had productive meetings with MassDOT, MEPA, DCR, the City of Everett, and others to advance those issues. Wynn has not yet set a filing date as some actions are still evolving, but anticipates filing in summer 2015.

The Site Plan Review application for the City of Everett Planning Board has been prepared and will be filed in early May, with a tentative hearing date of June 22, 2015. The next Notice of Intent for the main part of the Project is in draft form and will be filed in early June. The Chapter 91 application is in final draft form and will be filed, as required, at the conclusion of the SSFEIR process.

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*.

4.2 Site Remediation

Wynn has completed the field investigation related to the remediation including nearly 2,000 landside borings, sampling and borings in the river, and significant laboratory analysis of the samples. The Release Abatement Measures (“RAM”) plan for the landside remediation (known as Phase 1) has been drafted and submitted to the DEP. Development of plans and specifications for implementation of the landside remediation is underway.

4.3 Offsite Infrastructure

The Secretary’s Certificate on Wynn’s SFEIR did not require Wynn to conduct significant additional analysis of its proposed offsite traffic mitigation measures thereby indicating that Wynn’s robust program of offsite work is deemed as adequately mitigating any impacts of the Project. Armed with this positive response, a process is underway to select a design and permitting team to deliver the offsite roadway and transit station improvements. An RFP and candidate list is under development and will likely be issued in May 2015, resulting in the selection of a design team by the end of the summer. Once selected, that team will immediately start with site surveys and concept design.

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 for the improvements and has filed an application with the City of Boston’s Public Improvement Commission to advance the design.

All offsite improvements are envisioned to be completed and operable prior to the opening of the Project.

4.4 *Design*

The design and engineering of the Project continues to progress. Wynn anticipates having the plans for the foundation of the parking structure ready for permit review this summer. The full project documents for the parking structure are scheduled to be complete by the end of 2015.

The conceptual design is progressing in many areas of the podium and Wynn anticipates starting the engineering for the podium core and shell in May 2015. The majority of the podium is situated on the parking structure below and therefore the foundations for the podium are part of the parking structure package. Wynn anticipates being ready to submit for the core and shell permit in early summer.

The hotel tower consists of 629 guestrooms on 21 floors making up approximately 724,500 square feet. The design team is working on the schematic design documents and has started on the engineering of the tower foundation system.

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 will track with the environmental permitting and be established once the Project has completed the MEPA process.

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 Massachusetts Gaming Commission.

Appendix 1

Cost of Construction and Capitalization

As of March 31, 2015

Reference 205 CMR 135.02(5)(a) and (b)

Please see attached letter.



May 22, 2015

Massachusetts Gaming Commission
101 Federal St., 23rd Floor
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, 2015, 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:

(US\$ thousands)

Component	Cost Incurred as of March 31, 2015	Estimated Remaining Cost	Total Estimated Cost
On-Site Development	\$ 2,611	\$ 1,260,456	\$ 1,263,067
Land	39,261	57,550	96,811
Off-Site Improvements	-	45,254	45,254
Owner FF&E	-	126,167	126,167
Pre-Opening	10,932	76,784	87,716
Total	\$ 52,804	\$ 1,566,211	\$ 1,619,015

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' Annual Report on Form 10-K for the year ended December 31, 2014, filed with the Securities and Exchange Commission (the "SEC") on March 2, 2015, and Wynn Resorts' Quarterly Report on Form 10-Q for the quarter ended March 31, 2015, filed with the SEC on May 8, 2015 each of which are 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, Stephen Cootey, 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,

A handwritten signature in black ink that reads "S Cootey". The signature is fluid and cursive, with the first name "S" being particularly large and stylized.

Stephen Cootey
Chief Financial Officer & Treasurer

Appendix 2

Design and Construction Contracts

As of March 31, 2015

Reference 205 CMR 135.02(5)(c)

Vendor/Contractor	Date	Services	MGC Status
Arup USA, Inc.	12/10/14	Fire Protection Consulting	NGV102
Christopher Gordon		Project Management	NGV226
Fort Point Associates, Inc.	12/30/14	Planning and Environmental Consulting	NGV075
Gilbane Building Company	01/24/14	Preconstruction Consulting Services	NGV035
GZA GeoEnvironmental, Inc.	11/12/14	Geotechnical and Environmental Services	NGV013
Hirsch Bedner Associates dba HBA/Hirsch Bedner Associates	02/25/15	Hi-Rise Interior Design Services	NGV133
Howard/Stein-Hudson Associates, Inc.	12/30/14	Traffic Engineering	NGV079
Harry Feldman, Inc., dba Feldman Land Surveyors	02/06/15	Surveying	NGV071
JBA Consulting Engineers	10/08/13	Mechanical Engineers	Subcontract
Jacobs Consultants Inc.	12/04/14	Executive Architect	NGV181
Lifescapes International, Inc.	02/03/15	Landscape Architect	NGV151
Halifax Security Inc. dba M. Malia & Associates	01/23/15	Security and Surveillance Consulting	NGV123
Michael Hong Architects, Inc.	12/11/14	Architectural Design Services	NGV206
Vanasse & Associates, Inc.	02/06/15	Supplemental Final Environmental Impact Report - Transportation	NGV066

Appendix 3

Permits
As of March 31, 2015

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	Building: June 2015 Cranes: November 2015	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: June 2015	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: June 2015 Remediation: August 2015	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) Category 2	N/A	Projects authorized under the current GP, which expires on January 20, 2015, that are under construction or under contract have until January 20, 2016 to complete the activity under the terms and conditions of this GP.

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)
<p>U.S. Environmental Protection Agency (EPA)</p> <p>Federal Clean Water Act Section 402(p); 33 USC s. 1342(p); 40 CFR 122.26; NPDES Construction General Permit, Effective February 16, 2012</p>	<p>National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) NOI (for stormwater management)</p>	<p>On-site: June 2015 Off-site: March 2016</p>	<p>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.</p>
<p>U.S. Environmental Protection Agency (EPA)</p> <p>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</p>	<p>NPDES Remediation General Permit (RGP) (for construction dewatering)</p>	<p>TBD</p>	<p>When the RGP expires on September 10, 2015, those activities covered by the RGP will likely have to file a NOI under the new RGP.</p>
State			
<p>Executive Office of Energy and Environmental Affairs</p> <p>Massachusetts Environmental Policy Act; MGL c. 30 ss. 61-62I; 301 CMR 11.00</p>	<p>Massachusetts Environmental Policy Act (MEPA) Review</p>	<p><u>Project:</u></p> <p>Certificate on EENF received 11/26/13</p> <p>Certificate on DEIR received 2/21/14</p> <p>Certificate on FEIR received 8/15/14</p> <p>Certificate on SFEIR is due 4/03/15</p> <p>SSFEIR submittal anticipated summer 2014</p> <p><u>Sediment:</u> Filing EENF anticipated August 2015</p> <p><u>Remediation:</u> Filing EENF anticipated August 2015</p>	<p>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.</p> <p>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.</p> <p>Secretary determines whether a subsequent filing is required. MEPA review is complete if no further filings are required.</p>

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)
<p>Executive Office of Energy and Environmental Affairs</p> <p>MGL c. 21A ss. 2 and 4A; 301 CMR 23.00</p>	<p>Municipal Harbor Plan</p>	<p>Submitted on 10/16/13 Approved on 2/10/14</p>	<p>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.</p> <p>The Secretary's MHP decision provides an expiration date, after which Plan approval can be renewed for a comparable period pursuant to review procedures in 301 CMR 23.00. Alternatively, a Plan can be extended by the Secretary on request for up to one year.</p>
<p>Massachusetts Department of Environmental Protection (MassDEP)</p> <p>MGL c. 91 ss. 12-14; 310 CMR 9.00</p>	<p>Chapter 91 Waterways Determination of Applicability</p>	<p>Determination of Applicability re Chapter 91 jurisdictional boundaries received on July 29, 2013</p>	<p>Per 310 CMR 9.11(2)(b)4., standard target MassDEP timeline for license issuance (for projects also undergoing EIR review) is 180 days following FEIR Certificate.</p> <p>(Note: a pending regulatory amendment, if finalized, may shorten this time by approximately 30 days.)</p>
<p>Massachusetts Department of Environmental Protection (MassDEP)</p> <p>MGL c. 91 ss. 12-14; 310 CMR 9.00</p>	<p>Chapter 91 Waterways License</p>	<p>Project: August 2015 Remediation: September 2015</p>	<p>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.</p> <p>Dredging permits are in effect for 5 years except that maintenance dredging may be performed up to ten years after the permit has been issued.</p>

MassDEP MGL c. 21 s. 43; 314 CMR 7.00	Sewer Connection/ Extension Permit	N/A	The permit is effective for a stated fixed term that shall not exceed 5 years.
MassDEP MGL c. 111 ss. 142A-142E; 310 CMR 7.09	Notification of Construction and Demolition	June 2015	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)	Project: June 2015 Remediation: October 2015	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).
MassDEP Bureau of Waste Site Cleanup/Massachusetts Contingency Plan (MCP) MGL c. 21E; 310 CMR 40.000	(Submittals by Licensed Site Professional on behalf of Site Owner - do not need DEP approval)	Landside Remediation: Draft RAM Plan provided to DEP in May 2015; starting PIP process Waterside Remediation: Fall 2015	Agency decision time frame N/A under MCP privatized program.
Massachusetts Water Resources Authority (MWRA) Chapter 372 of the Acts of 1984, s. 8(m); 360 CMR 10.000	Section 8(m) Permit (to cross or construct within an MWRA easement)	January 2016	
Massachusetts Office of Coastal Zone Coastal Zone Management (CZM) 301 CMR 20.00, M.G.L. c. 21A, §§2 and 4A Coastal Zone Management Act of 1972, 16 U.S.C. 1451 et seq., 15 CFR §§ 923 and 930	Federal Consistency Certification	Project: October 2015 Remediation: January 2016	
Massachusetts Historical Commission (MHC) MGL c. 9 ss. 26 et seq.; 950 CMR 71.00	Review of project relative to potential effects on State Register historic/ archaeological resources.	Review Completed	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.

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)
Board of Underwater Archaeological Resources (BUAR) M.G.L. c. 6, ss. 179 and 180; 312 CMR 2.00	Permit for work on and/or access to DCR Park Lands and Roadways	TBD	Construction/access permits are effective for one year; DCR may extend for an additional year upon written request.
Massachusetts Department of Transportation (MassDOT) MGL c. 81 s. 21, 720 CMR 13.00	Non-Vehicular Access Permit - Off-site roadway improvements	TBD	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.
Massachusetts Department of Transportation (MassDOT) MGL c. 40 s. 54A	Consent to issuance of building permit for construction on land formerly used by railroad company	Public Hearing December 2015	
Massachusetts Department of Transportation (MassDOT) MGL c. 161A s. 5(b)	MBTA Land Disposition and Easement Agreements	Fall 2015	
Local			
City of Boston (Off-site Roadway) Public Improvement Commission (PIC) Boston Transportation Department (BTD) Revised Ordinances of City of Boston of 1961, Ch.21, Sect. 36	Approvals	Filed January 30, 2015	

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)
<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>May 2015</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>On-Site: June 2015 Remediation: Complete</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>TBD</p>	<p>30 days from submission of completed application. 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>Remediation: September 2015</p>	

Appendix 5

**Contracts and Payments to Minority, Women and
Veteran Business Enterprises for Design Phase
As of March 31, 2015**

Reference 205 CMR 135.02(5)(f)

As of March 31, 2015, Wynn had awarded contracts to two MBEs and 1 WBE for design work, with \$79,649.95 paid to date to MBEs.

	# Contracts*	Contract Value (\$)	% Total Design Contracts	% Goal	Paid to Date (\$)
MBE	2	1,306,105.00	2.6%	7.9%	79,649.95
WBE	1	324,000.00	0.6%	10.0%	--
VBE	0	--	0.0%	1.0%	--

*Note that 1 MBE and 1 WBE are sub-consultants to one of Wynn's consultants.



MASSACHUSETTS GAMING COMMISSION

MEMORANDUM

To: Chairman Crosby and Commissioners Cameron, McHugh, Stebbins and Zuniga
From: Rick Day, Executive Director
Derek Lennon, CFAO
Date: 5/28/2015
Re: Fiscal Year 2015 (FY15) 3rd Fiscal Update

Summary:

The Gaming Control Fund was initially approved in FY15 for \$24.5M in expenditures and net revenues of \$3.77M. This required an initial assessment of \$20.78M on licensees. There was also \$2.58M in contractual obligations as well as revenue balanced forward from fiscal year 2014. Since the initial approval and balance forward, the Commission has approved spending decreases of \$1.43M and revenue decreases of \$691.59K, which led to a subsequent decrease in the assessment by \$449.08K. The total impact of all these changes was MGC anticipated spending and revenue in the gaming control fund of \$25.69M for FY15. As of the close of April, the Commission has received the full \$20.332M assessment for FY15 and has transferred \$17.5M to the Community Mitigation Fund.

The third update for this fiscal year is recommending a decrease to the FY15 anticipated spending levels by \$1.037M. There are no revenue adjustments predicted at this time. The impact of this reduction will result in either a refund to licensees in FY15, or a reduction to licensee assessments in the FY15 budget.

The remainder of this correspondence is intended to provide details behind the recommended spending reductions.

FY15 Third Update:

Gaming Control Fund 1050-0001

Spending— The proposed adjustments column under the spending section reflects the following types of division changes division: where there is no alternative place within the division's own budget to accommodate the additional funding; net zero changes for the



Massachusetts Gaming Commission

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quarter; and, decreases that the division of administration and finance has identified based on delays in implementing contracts or hiring. The proposed adjustments total a decrease in projected spending of \$1.03M. If the Commission were to approve these adjustments, combined with the revenue adjustments the MGC's budget for the Gaming Control Fund would have a surplus of \$1.03M, which would result in either a refund to licensees at the close of FY15, or an offset to licensees FY16 assessments. A quick summary of the proposed adjustments is below. The details behind these adjustments are attached in appendix B

- JJ—Operational Services decrease of \$84K—There is a decrease of \$150K to the finger print chargeback from MSP. MSP is only billing MGC from 1/1/15 forward. Some of this savings is offset by the cost of temporary help (5 positions) to process and enter the employee and vendor license applications into the MGC database.
- KK—Office Equipment--
- PP—Grants decrease of \$80K—Reduce overall spending in Office of workforce and supplier diversity. Two grant programs will not be started until FY16.
- UU—IT Non-Payroll Expenses decrease of \$977.1K. Decrease of \$850K for remaining amount of CMS budgeted in FY15. GTECH has requested that payment begin with the go-live date which is currently anticipated in September of 2015. Increase of \$112K for manual testing of EGD configuration at Penn due to CMS not being available for opening of slots parlor. Decrease of licensing management system phase 2 budget by \$214.67K to allow for post-production support of phase 1, and decreasing remaining budget of phase 2 for licensing management system (\$239.76K) as phase 1 will need support throughout the end of the current fiscal year.

We are pleased to continue to report that each division has a budget loaded into the state accounting system, and the finance and administration team is continuing to track all payments and expenditures to each division's budget. The summary level budget, spending and contractual obligations report is attached to this document as appendix C.

Conclusion:

Staff is requesting the Commission to approve the aggregate proposed adjustments for this third update as shown in appendix A. This will result in a projected surplus of \$1.03M in the gaming control fund.

List of attached Appendices:

Appendix A: FY15 3rd Update Actuals and Adjustments

Appendix B: Qry—Step 16A Budget Amendment Requests by Qtr by Obj Class

Appendix C: Qry—Step 05A Expense Budget Form



Massachusetts Gaming Commission

TVG Live	\$ -		\$ -	\$ -		\$ 1,499.88				\$ 1,499.88			\$ 1,499.88						
TVG Simulcast	\$ -		\$ -	\$ -		\$ 37,147.27		\$ 56,792.67		\$ 41,759.63			\$ 135,699.57						
Twin Spires Live	\$ -		\$ -	\$ -		\$ 556.77							\$ 556.77						
Twin Spires Simulcast	\$ -		\$ -	\$ -		\$ 19,973.29		\$ 41,806.63		\$ 16,492.38			\$ 78,272.30						
Xpress Bets Live	\$ -		\$ -	\$ -		\$ 238.90							\$ 238.90						
Xpress Bets Simulcast	\$ -		\$ -	\$ -		\$ 10,541.84		\$ 16,613.57		\$ 13,148.65			\$ 40,304.06						
Grand Total	\$527,894.39	\$0.00	\$92,466.02	\$0.00	\$620,360.41	\$92,466.02	\$0.00	\$0.00	\$0.00	\$0.00	\$184,605.24	\$0.00	\$0.00	\$217,868.36	\$4,061.63	\$103,824.16	\$0.00	\$0.00	\$602,825.41

Row Labels	Budget Projections					Actuals													Actuals To Date Total	%Spent	% BFY Passed
	Initial Projection	FY14 Balance Forward	Approved Adjustments	Proposed Adjustments	Current Budget (Initial+Bal Fwd+Apvd Adjmts)	July	August	September	October	November	December	January	February	March	April	May	June				
10500140																					
TT LOANS AND SPECIAL PAYMENTS	\$ 1,150,000.00	\$ -	\$ -	\$ (20,585.00)	\$ 1,150,000.00	\$ -	\$ -	\$ -				\$ 261,235.57							\$ 261,235.57	23%	83%

QRY--Step 16A Budget Amendment Requests by Qtr and Object Class

Amendments for Quarter: **3**

Approp	Type	Obj Class	Division	Obj Code	Description of Change	Date Requested	Aprvd	Denied	Date Approved	Approved Denied By	Comments	Change Amount
10500001	Amendment	JJ										
			5000	J25	Finger Print Charge Back Reduction (MSP only charging back to 1/1/15)	5/6/2015	<input type="checkbox"/>	<input type="checkbox"/>				(\$150,000.00)
			5000	J46	Temp helps Services 1 @ 19.71 for 8 weeks	5/20/2015	<input type="checkbox"/>	<input type="checkbox"/>				\$40,000.00
			7000	J46	Temp Services 2@ 12 weeks 2 @ 8 weeks @ 17.25/hour	5/12/2015	<input type="checkbox"/>	<input type="checkbox"/>				\$26,000.00
Apvd/Pending Subtotal												(\$84,000.00)
Obj Class Totals												(\$84,000.00)
		KK										
			1000	K05	Office Equipment	5/21/2015	<input type="checkbox"/>	<input type="checkbox"/>				\$130,000.00
			7000	K06	Equipment Purchases	5/12/2015	<input type="checkbox"/>	<input type="checkbox"/>				(\$26,000.00)
Apvd/Pending Subtotal												\$104,000.00
Obj Class Totals												\$104,000.00
		PP										
			1600	P01	Grants for Small Business Development and Training (Regions A & B)	5/6/2015	<input type="checkbox"/>	<input type="checkbox"/>				(\$80,000.00)
Apvd/Pending Subtotal												(\$80,000.00)
Obj Class Totals												(\$80,000.00)
		UU										
			1400	U05	Machine Approval Start-up of Plainridge Increase for Actual Quote	5/8/2015	<input type="checkbox"/>	<input type="checkbox"/>				\$112,651.00
			1400	U05	NTT Data Phase 2 Not Used Closeout FY15	5/8/2015	<input type="checkbox"/>	<input type="checkbox"/>				(\$239,768.00)
			1400	U05	NTT Data Phase 1 Post Production Support through 6/30/15	5/8/2015	<input type="checkbox"/>	<input type="checkbox"/>				\$214,672.00
			1400	U05	NTT Data Phase 2 Decrease for additional post production support through 6/30/15	5/8/2015	<input type="checkbox"/>	<input type="checkbox"/>				(\$214,672.00)
			1400	U05	Central Management System (Payments start with Go-Live)	5/6/2015	<input type="checkbox"/>	<input type="checkbox"/>				(\$850,000.00)
Apvd/Pending Subtotal												(\$977,117.00)
Obj Class Totals												(\$977,117.00)

Amendments for Quarter: 3

Approp	Type	Obj Class	Division	Obj Code	Description of Change	Date Requested	Aprvd	Denied	Date Approved	Approved Denied By	Comments	Change Amount
<hr/>												
Type Totals												
<hr/>												
Appropriation Totals												

QRY--Step 05A Expense Budget Form

BFY	Appropriation	Division	Obj Clas	Object Class Name	Obligation Ceiling	Accrued Expenses	Cash Expenses	Total Expenses	Encumbered	Committed	Uncommitted	% Spent	% Comtd	% BFY Passed
2015														
	10500001													
		1000		Division of Finance and Administration										
			AA	REGULAR EMPLOYEE COMPENSATION	\$409,156.00	\$0.00	\$356,992.59	\$356,992.59	\$0.00	\$356,992.59	\$52,163.41	87.25%	87.25%	90.14%
			BB	REGULAR EMPLOYEE RELATED EXPEN	\$5,000.00	\$0.00	\$112.64	\$112.64	\$0.00	\$112.64	\$4,887.36	2.25%	2.25%	90.14%
			DD	PENSION & INSURANCE RELATED EX	\$118,087.00	\$0.00	\$92,751.66	\$92,751.66	\$3,023.92	\$95,775.58	\$22,311.42	78.55%	81.11%	90.14%
			EE	ADMINISTRATIVE EXPENSES	\$173,580.00	\$0.00	\$280,416.11	\$280,416.11	\$46,132.64	\$326,548.75	(\$152,968.75)	161.55%	188.13%	90.14%
			GG	ENERGY COSTS AND SPACE RENTAL	\$606,158.00	\$0.00	\$440,081.06	\$440,081.06	\$33,926.74	\$474,007.80	\$132,150.20	72.60%	78.20%	90.14%
			HH	CONSULTANT SVCS (TO DEPTS)	\$2,003,000.00	\$400.00	\$968,756.07	\$969,156.07	\$758,578.53	\$1,727,734.60	\$275,265.40	48.39%	86.26%	90.14%
			JJ	OPERATIONAL SERVICES	\$40,000.00	\$0.00	\$28,834.29	\$28,834.29	\$1,011.80	\$29,846.09	\$10,153.91	72.09%	74.62%	90.14%
			KK	EQUIPMENT PURCHASE	\$100,000.00	\$0.00	\$55,740.17	\$55,740.17	\$2,861.08	\$58,601.25	\$41,398.75	55.74%	58.60%	90.14%
			LL	EQUIPMENT LEASE-MAINTAIN/REPAR	\$23,458.00	\$0.00	\$23,511.94	\$23,511.94	\$8,543.75	\$32,055.69	(\$8,597.69)	100.23%	136.65%	90.14%
			UU	IT Non-Payroll Expenses	\$1,000.00	\$0.00	\$34,512.83	\$34,512.83	\$3,821.72	\$38,334.55	(\$37,334.55)	3451.28%	3833.46%	90.14%
			Total:	Division of Finance and Administration	\$3,479,439.00	\$400.00	\$2,281,709.36	\$2,282,109.36	\$857,900.18	\$3,140,009.54	\$339,429.46	65.59%	90.24%	90.14%
		1100		Human Resources										
			AA	REGULAR EMPLOYEE COMPENSATION	\$449,270.00	\$0.00	\$186,942.35	\$186,942.35	\$0.00	\$186,942.35	\$262,327.65	41.61%	41.61%	90.14%
			BB	REGULAR EMPLOYEE RELATED EXPEN	\$12,500.00	\$0.00	\$32.22	\$32.22	\$0.00	\$32.22	\$12,467.78	0.26%	0.26%	90.14%
			CC	SPECIAL EMPLOYEES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#Div/0!	#Div/0!	90.14%
			DD	PENSION & INSURANCE RELATED EX	\$96,467.00	\$0.00	\$48,512.56	\$48,512.56	\$0.00	\$48,512.56	\$47,954.44	50.29%	50.29%	90.14%
			EE	ADMINISTRATIVE EXPENSES	\$13,353.00	\$0.00	\$26,233.12	\$26,233.12	\$2,882.72	\$29,115.84	(\$15,762.84)	196.46%	218.05%	90.14%
			HH	CONSULTANT SVCS (TO DEPTS)	\$31,700.00	\$0.00	\$100.24	\$100.24	\$0.00	\$100.24	\$31,599.76	0.32%	0.32%	90.14%
			JJ	OPERATIONAL SERVICES	\$20,250.00	\$0.00	\$41,509.25	\$41,509.25	\$3,113.00	\$44,622.25	(\$24,372.25)	204.98%	220.36%	90.14%
			Total:	Human Resources	\$623,540.00	\$0.00	\$303,329.74	\$303,329.74	\$5,995.72	\$309,325.46	\$314,214.54	48.65%	49.61%	90.14%
		1200		Office of the General Counsel										
			AA	REGULAR EMPLOYEE COMPENSATION	\$562,331.00	\$0.00	\$338,476.58	\$338,476.58	\$0.00	\$338,476.58	\$223,854.42	60.19%	60.19%	90.14%
			BB	REGULAR EMPLOYEE RELATED EXPEN	\$6,500.00	\$0.00	\$3,900.32	\$3,900.32	\$0.00	\$3,900.32	\$2,599.68	60.00%	60.00%	90.14%
			DD	PENSION & INSURANCE RELATED EX	\$162,289.00	\$0.00	\$90,027.46	\$90,027.46	\$0.00	\$90,027.46	\$72,261.54	55.47%	55.47%	90.14%
			EE	ADMINISTRATIVE EXPENSES	\$15,500.00	\$562.12	\$73,816.97	\$74,379.09	\$8,008.33	\$82,387.42	(\$66,887.42)	479.87%	531.53%	90.14%
			HH	CONSULTANT SVCS (TO DEPTS)	\$707,603.00	\$0.00	\$430,313.78	\$430,313.78	\$73,388.54	\$503,702.32	\$203,900.68	60.81%	71.18%	90.14%

BFY	Appropriation	Division	Obj Clas	Object Class Name	Obligation Ceiling	Accrued Expenses	Cash Expenses	Total Expenses	Encumbered	Committed	Uncommitted	% Spent	% Comtd	% BFY Passed
2015														
	10500001													
		1200		Office of the General Counsel										
			JJ	OPERATIONAL SERVICES	\$800,000.00	\$0.00	\$3,045.11	\$3,045.11	\$392.75	\$3,437.86	\$796,562.14	0.38%	0.43%	90.14%
			Total:	Office of the General Counsel	\$2,254,223.00	\$562.12	\$939,580.22	\$940,142.34	\$81,789.62	\$1,021,931.96	\$1,232,291.04	41.71%	45.33%	90.14%
		1300		Executive Director										
			AA	REGULAR EMPLOYEE COMPENSATION	\$253,888.00	\$0.00	\$226,827.23	\$226,827.23	\$0.00	\$226,827.23	\$27,060.77	89.34%	89.34%	90.14%
			BB	REGULAR EMPLOYEE RELATED EXPEN	\$8,000.00	\$0.00	\$3,050.57	\$3,050.57	\$0.00	\$3,050.57	\$4,949.43	38.13%	38.13%	90.14%
			DD	PENSION & INSURANCE RELATED EX	\$73,272.00	\$0.00	\$58,452.00	\$58,452.00	\$0.00	\$58,452.00	\$14,820.00	79.77%	79.77%	90.14%
			EE	ADMINISTRATIVE EXPENSES	\$17,200.00	\$0.00	\$72,404.99	\$72,404.99	\$9,112.23	\$81,517.22	(\$64,317.22)	420.96%	473.94%	90.14%
			HH	CONSULTANT SVCS (TO DEPTS)	\$708,500.00	\$0.00	\$504,035.45	\$504,035.45	\$298,273.55	\$802,309.00	(\$93,809.00)	71.14%	113.24%	90.14%
			Total:	Executive Director	\$1,060,860.00	\$0.00	\$864,770.24	\$864,770.24	\$307,385.78	\$1,172,156.02	(\$111,296.02)	81.52%	110.49%	90.14%
		1400		Information Technology										
			AA	REGULAR EMPLOYEE COMPENSATION	\$460,035.00	\$0.00	\$293,275.79	\$293,275.79	\$0.00	\$293,275.79	\$166,759.21	63.75%	63.75%	90.14%
			BB	REGULAR EMPLOYEE RELATED EXPEN	\$5,500.00	\$0.00	\$1,975.35	\$1,975.35	\$0.00	\$1,975.35	\$3,524.65	35.92%	35.92%	90.14%
			DD	PENSION & INSURANCE RELATED EX	\$132,821.00	\$0.00	\$75,778.57	\$75,778.57	\$0.00	\$75,778.57	\$57,042.43	57.05%	57.05%	90.14%
			EE	ADMINISTRATIVE EXPENSES	\$46,185.00	\$0.00	\$155,588.67	\$155,588.67	\$62,880.95	\$218,469.62	(\$172,284.62)	336.88%	473.03%	90.14%
			GG	ENERGY COSTS AND SPACE RENTAL	\$27,000.00	\$0.00	\$15,930.00	\$15,930.00	\$8,820.00	\$24,750.00	\$2,250.00	59.00%	91.67%	90.14%
			UU	IT Non-Payroll Expenses	\$3,894,465.00	\$44.90	\$1,574,694.16	\$1,574,739.06	\$386,278.90	\$1,961,017.96	\$1,933,447.04	40.44%	50.35%	90.14%
			Total:	Information Technology	\$4,566,006.00	\$44.90	\$2,117,242.54	\$2,117,287.44	\$457,979.85	\$2,575,267.29	\$1,990,738.71	46.37%	56.40%	90.14%
		1500		Commissioners										
			AA	REGULAR EMPLOYEE COMPENSATION	\$860,717.00	\$0.00	\$758,232.69	\$758,232.69	\$0.00	\$758,232.69	\$102,484.31	88.09%	88.09%	90.14%
			BB	REGULAR EMPLOYEE RELATED EXPEN	\$18,400.00	\$0.00	\$6,972.47	\$6,972.47	\$0.00	\$6,972.47	\$11,427.53	37.89%	37.89%	90.14%
			DD	PENSION & INSURANCE RELATED EX	\$248,403.00	\$0.00	\$198,996.08	\$198,996.08	\$0.00	\$198,996.08	\$49,406.92	80.11%	80.11%	90.14%
			EE	ADMINISTRATIVE EXPENSES	\$103,200.00	\$0.00	\$191,586.49	\$191,586.49	\$65,681.91	\$257,268.40	(\$154,068.40)	185.65%	249.29%	90.14%
			HH	CONSULTANT SVCS (TO DEPTS)	\$1,708,682.00	\$0.00	\$606,338.66	\$606,338.66	\$580,488.51	\$1,186,827.17	\$521,854.83	35.49%	69.46%	90.14%
			JJ	OPERATIONAL SERVICES	\$54,600.00	\$1,581.50	\$49,343.25	\$50,924.75	\$17,806.54	\$68,731.29	(\$14,131.29)	93.27%	125.88%	90.14%
			Total:	Commissioners	\$2,994,002.00	\$1,581.50	\$1,811,469.64	\$1,813,051.14	\$663,976.96	\$2,477,028.10	\$516,973.90	60.56%	82.73%	90.14%
		1600		Office of Workforce, Supplier and Diversity Development										
			AA	REGULAR EMPLOYEE COMPENSATION	\$150,177.00	\$0.00	\$137,514.13	\$137,514.13	\$0.00	\$137,514.13	\$12,662.87	91.57%	91.57%	90.14%

BFY	Appropriation	Division	Obj Clas	Object Class Name	Obligation Ceiling	Accrued Expenses	Cash Expenses	Total Expenses	Encumbered	Committed	Uncommitted	% Spent	% Comtd	% BFY Passed
2015														
	10500001													
		1600		Office of Workforce, Supplier and Diversity Development										
			BB	REGULAR EMPLOYEE RELATED EXPEN	\$5,000.00	\$0.00	\$3,314.18	\$3,314.18	\$0.00	\$3,314.18	\$1,685.82	66.28%	66.28%	90.14%
			CC	SPECIAL EMPLOYEES	\$13,650.00	\$0.00	\$420.00	\$420.00	\$0.00	\$420.00	\$13,230.00	3.08%	3.08%	90.14%
			DD	PENSION & INSURANCE RELATED EX	\$43,341.00	\$0.00	\$36,803.15	\$36,803.15	\$0.00	\$36,803.15	\$6,537.85	84.92%	84.92%	90.14%
			EE	ADMINISTRATIVE EXPENSES	\$15,000.00	\$0.00	\$16,430.82	\$16,430.82	\$0.00	\$16,430.82	(\$1,430.82)	109.54%	109.54%	90.14%
			PP	STATE AID/POL SUB	\$150,000.00	\$0.00	\$5,625.00	\$5,625.00	\$0.00	\$5,625.00	\$144,375.00	3.75%	3.75%	90.14%
			Total:	Office of Workforce, Supplier and Diversity D	\$377,168.00	\$0.00	\$200,107.28	\$200,107.28	\$0.00	\$200,107.28	\$177,060.72	53.06%	53.06%	90.14%
		1700		Office of Research and Problem Gambling										
			AA	REGULAR EMPLOYEE COMPENSATION	\$245,847.00	\$0.00	\$131,742.65	\$131,742.65	\$0.00	\$131,742.65	\$114,104.35	53.59%	53.59%	90.14%
			BB	REGULAR EMPLOYEE RELATED EXPEN	\$6,000.00	\$0.00	\$3,559.44	\$3,559.44	\$0.00	\$3,559.44	\$2,440.56	59.32%	59.32%	90.14%
			CC	SPECIAL EMPLOYEES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#Div/0!	#Div/0!	90.14%
			DD	PENSION & INSURANCE RELATED EX	\$70,952.00	\$0.00	\$34,097.07	\$34,097.07	\$0.00	\$34,097.07	\$36,854.93	48.06%	48.06%	90.14%
			EE	ADMINISTRATIVE EXPENSES	\$33,652.00	\$0.00	\$19,594.96	\$19,594.96	\$302.65	\$19,897.61	\$13,754.39	58.23%	59.13%	90.14%
			FF	FACILITY OPERATIONAL EXPENSES	\$500.00	\$0.00	\$179.32	\$179.32	\$0.00	\$179.32	\$320.68	35.86%	35.86%	90.14%
			HH	CONSULTANT SVCS (TO DEPTS)	\$539,000.00	\$0.00	\$35,712.72	\$35,712.72	\$254,816.03	\$290,528.75	\$248,471.25	6.63%	53.90%	90.14%
			JJ	OPERATIONAL SERVICES	\$4,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,500.00	0.00%	0.00%	90.14%
			MM	PURCHASED CLIENT/PROGRAM SVCS	\$35,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$35,000.00	0.00%	0.00%	90.14%
			PP	STATE AID/POL SUB	\$3,345,714.00	\$0.00	\$977,065.01	\$977,065.01	\$2,255,719.09	\$3,232,784.10	\$112,929.90	29.20%	96.62%	90.14%
			Total:	Office of Research and Problem Gambling	\$4,281,165.00	\$0.00	\$1,201,951.17	\$1,201,951.17	\$2,510,837.77	\$3,712,788.94	\$568,376.06	28.08%	86.72%	90.14%
		1800		Office of Communications										
			AA	REGULAR EMPLOYEE COMPENSATION	\$193,742.00	\$0.00	\$165,062.06	\$165,062.06	\$0.00	\$165,062.06	\$28,679.94	85.20%	85.20%	90.14%
			CC	SPECIAL EMPLOYEES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#Div/0!	#Div/0!	90.14%
			DD	PENSION & INSURANCE RELATED EX	\$55,914.00	\$0.00	\$43,307.02	\$43,307.02	\$0.00	\$43,307.02	\$12,606.98	77.45%	77.45%	90.14%
			EE	ADMINISTRATIVE EXPENSES	\$15,000.00	\$0.00	\$43,090.58	\$43,090.58	\$9,929.79	\$53,020.37	(\$38,020.37)	287.27%	353.47%	90.14%
			HH	CONSULTANT SVCS (TO DEPTS)	\$181,250.00	\$0.00	\$164,213.03	\$164,213.03	\$13,518.75	\$177,731.78	\$3,518.22	90.60%	98.06%	90.14%
			KK	EQUIPMENT PURCHASE	\$1,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,500.00	0.00%	0.00%	90.14%
			Total:	Office of Communications	\$447,406.00	\$0.00	\$415,672.69	\$415,672.69	\$23,448.54	\$439,121.23	\$8,284.77	92.91%	98.15%	90.14%
		1900		Ombudsman										

BFY	Appropriation	Division	Obj Clas	Object Class Name	Obligation Ceiling	Accrued Expenses	Cash Expenses	Total Expenses	Encumbered	Committed	Uncommitted	% Spent	% Comtd	% BFY Passed
2015														
	10500001													
	1900			Ombudsman										
		AA		REGULAR EMPLOYEE COMPENSATION	\$190,731.00	\$0.00	\$172,388.00	\$172,388.00	\$0.00	\$172,388.00	\$18,343.00	90.38%	90.38%	90.14%
		DD		PENSION & INSURANCE RELATED EX	\$55,045.00	\$0.00	\$45,406.62	\$45,406.62	\$0.00	\$45,406.62	\$9,638.38	82.49%	82.49%	90.14%
		HH		CONSULTANT SVCS (TO DEPTS)	\$40,000.00	\$0.00	\$16,800.00	\$16,800.00	\$19,200.00	\$36,000.00	\$4,000.00	42.00%	90.00%	90.14%
		PP		STATE AID/POL SUB	\$871,341.00	\$0.00	\$474,548.82	\$474,548.82	\$0.00	\$474,548.82	\$396,792.18	54.46%	54.46%	90.14%
		Total:		Ombudsman	\$1,157,117.00	\$0.00	\$709,143.44	\$709,143.44	\$19,200.00	\$728,343.44	\$428,773.56	61.29%	62.94%	90.14%
	3000			Racing Division										
		AA		REGULAR EMPLOYEE COMPENSATION	\$0.00	\$0.00	\$4,673.08	\$4,673.08	\$0.00	\$4,673.08	(\$4,673.08)	#Div/0!	#Div/0!	90.14%
		CC		SPECIAL EMPLOYEES	\$0.00	\$0.00	\$740.00	\$740.00	\$0.00	\$740.00	(\$740.00)	#Div/0!	#Div/0!	90.14%
		DD		PENSION & INSURANCE RELATED EX	\$0.00	\$0.00	\$1,401.76	\$1,401.76	\$0.00	\$1,401.76	(\$1,401.76)	#Div/0!	#Div/0!	90.14%
		Total:		Racing Division	\$0.00	\$0.00	\$6,814.84	\$6,814.84	\$0.00	\$6,814.84	(\$6,814.84)	#Div/0!	#Div/0!	90.14%
	5000			Investigations Enforcement										
		AA		REGULAR EMPLOYEE COMPENSATION	\$795,903.00	\$0.00	\$475,288.50	\$475,288.50	\$0.00	\$475,288.50	\$320,614.50	59.72%	59.72%	90.14%
		BB		REGULAR EMPLOYEE RELATED EXPEN	\$14,000.00	\$0.00	\$10,490.54	\$10,490.54	\$0.00	\$10,490.54	\$3,509.46	74.93%	74.93%	90.14%
		CC		SPECIAL EMPLOYEES	\$76,812.00	\$0.00	\$79,447.50	\$79,447.50	\$0.00	\$79,447.50	(\$2,635.50)	103.43%	103.43%	90.14%
		DD		PENSION & INSURANCE RELATED EX	\$229,698.00	\$0.00	\$117,061.04	\$117,061.04	\$0.00	\$117,061.04	\$112,636.96	50.96%	50.96%	90.14%
		EE		ADMINISTRATIVE EXPENSES	\$77,000.00	\$247.68	\$218,809.00	\$219,056.68	\$30,957.93	\$250,014.61	(\$173,014.61)	284.49%	324.69%	90.14%
		HH		CONSULTANT SVCS (TO DEPTS)	\$593,658.00	\$0.00	\$359,407.03	\$359,407.03	\$175,434.50	\$534,841.53	\$58,816.47	60.54%	90.09%	90.14%
		JJ		OPERATIONAL SERVICES	\$2,020,166.00	\$0.00	\$920,427.39	\$920,427.39	\$445,723.78	\$1,366,151.17	\$654,014.83	45.56%	67.63%	90.14%
		UU		IT Non-Payroll Expenses	\$12,000.00	\$0.00	\$3,826.84	\$3,826.84	\$8,056.50	\$11,883.34	\$116.66	31.89%	99.03%	90.14%
		Total:		Investigations Enforcement	\$3,819,237.00	\$247.68	\$2,184,757.84	\$2,185,005.52	\$660,172.71	\$2,845,178.23	\$974,058.77	57.21%	74.50%	90.14%
	7000			Licensing										
		AA		REGULAR EMPLOYEE COMPENSATION	\$413,565.00	\$0.00	\$341,806.20	\$341,806.20	\$0.00	\$341,806.20	\$71,758.80	82.65%	82.65%	90.14%
		BB		REGULAR EMPLOYEE RELATED EXPEN	\$2,000.00	\$0.00	\$421.17	\$421.17	\$0.00	\$421.17	\$1,578.83	21.06%	21.06%	90.14%
		DD		PENSION & INSURANCE RELATED EX	\$119,355.00	\$0.00	\$88,838.09	\$88,838.09	\$0.00	\$88,838.09	\$30,516.91	74.43%	74.43%	90.14%
		EE		ADMINISTRATIVE EXPENSES	\$21,900.00	\$0.00	\$36,338.89	\$36,338.89	\$876.01	\$37,214.90	(\$15,314.90)	165.93%	169.93%	90.14%
		HH		CONSULTANT SVCS (TO DEPTS)	\$20,250.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20,250.00	0.00%	0.00%	90.14%
		KK		EQUIPMENT PURCHASE	\$60,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$60,000.00	0.00%	0.00%	90.14%

BFY	Appropriation	Division	Obj Clas	Object Class Name	Obligation Ceiling	Accrued Expenses	Cash Expenses	Total Expenses	Encumbered	Committed	Uncommitted	% Spent	% Comtd	% BFY Passed
2015														
	10500001													
		7000		Licensing										
			Total:	Licensing	\$637,070.00	\$0.00	\$467,404.35	\$467,404.35	\$876.01	\$468,280.36	\$168,789.64	73.37%	73.51%	90.14%
Total:	10500001				\$25,697,233.00	\$2,836.20	\$13,503,953.35	\$13,506,789.55	\$5,589,563.14	\$19,096,352.69	\$6,600,880.31	52.56%	74.31%	90.14%
	10500002													
		3000		Racing Division										
			TT	LOANS AND SPECIAL PAYMENTS	\$743,988.00	\$1,535.47	\$742,580.14	\$744,115.61	\$0.00	\$744,115.61	(\$127.61)	100.02%	100.02%	90.14%
			Total:	Racing Division	\$743,988.00	\$1,535.47	\$742,580.14	\$744,115.61	\$0.00	\$744,115.61	(\$127.61)	100.02%	100.02%	90.14%
Total:	10500002				\$743,988.00	\$1,535.47	\$742,580.14	\$744,115.61	\$0.00	\$744,115.61	(\$127.61)	100.02%	100.02%	90.14%
	10500003													
		1200		Office of the General Counsel										
			AA	REGULAR EMPLOYEE COMPENSATION	\$0.00	\$0.00	\$10,596.15	\$10,596.15	\$0.00	\$10,596.15	(\$10,596.15)	#Div/0!	#Div/0!	90.14%
			BB	REGULAR EMPLOYEE RELATED EXPEN	\$0.00	\$0.00	\$62.01	\$62.01	\$0.00	\$62.01	(\$62.01)	#Div/0!	#Div/0!	90.14%
			DD	PENSION & INSURANCE RELATED EX	\$0.00	\$0.00	\$2,003.55	\$2,003.55	\$0.00	\$2,003.55	(\$2,003.55)	#Div/0!	#Div/0!	90.14%
			Total:	Office of the General Counsel	\$0.00	\$0.00	\$12,661.71	\$12,661.71	\$0.00	\$12,661.71	(\$12,661.71)	#Div/0!	#Div/0!	90.14%
		3000		Racing Division										
			AA	REGULAR EMPLOYEE COMPENSATION	\$615,691.00	\$0.00	\$555,721.59	\$555,721.59	\$0.00	\$555,721.59	\$59,969.41	90.26%	90.26%	90.14%
			BB	REGULAR EMPLOYEE RELATED EXPEN	\$5,000.00	\$0.00	\$3,030.16	\$3,030.16	\$0.00	\$3,030.16	\$1,969.84	60.60%	60.60%	90.14%
			CC	SPECIAL EMPLOYEES	\$559,855.00	\$0.00	\$284,061.05	\$284,061.05	\$0.00	\$284,061.05	\$275,793.95	50.74%	50.74%	90.14%
			DD	PENSION & INSURANCE RELATED EX	\$136,908.00	\$0.00	\$156,052.09	\$156,052.09	\$0.00	\$156,052.09	(\$19,144.09)	113.98%	113.98%	90.14%
			EE	ADMINISTRATIVE EXPENSES	\$30,290.00	\$0.00	\$119,797.51	\$119,797.51	\$4,708.91	\$124,506.42	(\$94,216.42)	395.50%	411.05%	90.14%
			FF	FACILITY OPERATIONAL EXPENSES	\$1,000.00	\$0.00	\$348.48	\$348.48	\$1,148.00	\$1,496.48	(\$496.48)	34.85%	149.65%	90.14%
			HH	CONSULTANT SVCS (TO DEPTS)	\$120,000.00	\$0.00	\$31,216.00	\$31,216.00	\$11,284.00	\$42,500.00	\$77,500.00	26.01%	35.42%	90.14%
			JJ	OPERATIONAL SERVICES	\$244,400.00	\$0.00	\$131,195.94	\$131,195.94	\$64,183.50	\$195,379.44	\$49,020.56	53.68%	79.94%	90.14%
			LL	EQUIPMENT LEASE-MAINTAIN/REPAR	\$7,650.00	\$0.00	\$4,333.90	\$4,333.90	\$689.78	\$5,023.68	\$2,626.32	56.65%	65.67%	90.14%
			MM	PURCHASED CLIENT/PROGRAM SVCS	\$165,000.00	\$0.00	\$2,104.71	\$2,104.71	\$17,895.29	\$20,000.00	\$145,000.00	1.28%	12.12%	90.14%
			NN	INFRASTRUCTURE:	\$1,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,000.00	0.00%	0.00%	90.14%
			UU	IT Non-Payroll Expenses	\$77,754.00	\$1,190.00	\$54,971.39	\$56,161.39	\$11,804.21	\$67,965.60	\$9,788.40	72.23%	87.41%	90.14%
			Total:	Racing Division	\$1,964,548.00	\$1,190.00	\$1,342,832.82	\$1,344,022.82	\$111,713.69	\$1,455,736.51	\$508,811.49	68.41%	74.10%	90.14%
Total:	10500003				\$1,964,548.00	\$1,190.00	\$1,355,494.53	\$1,356,684.53	\$111,713.69	\$1,468,398.22	\$496,149.78	69.06%	74.74%	90.14%

BFY	Appropriation	Division	Obj Clas	Object Class Name	Obligation Ceiling	Accrued Expenses	Cash Expenses	Total Expenses	Encumbered	Committed	Uncommitted	% Spent	% Comtd	% BFY Passed
2015														
10500012														
	3000			RACING DIVISION										
			TT	LOANS AND SPECIAL PAYMENTS	\$0.00	\$0.00	\$117,600.00	\$117,600.00	\$0.00	\$117,600.00	(\$117,600.00)	#Div/0!	#Div/0!	90.14%
	Total:			RACING DIVISION	\$0.00	\$0.00	\$117,600.00	\$117,600.00	\$0.00	\$117,600.00	(\$117,600.00)	#Div/0!	#Div/0!	90.14%
Total:	10500012				\$0.00	\$0.00	\$117,600.00	\$117,600.00	\$0.00	\$117,600.00	(\$117,600.00)	#Div/0!	#Div/0!	90.14%
10500013														
	3000			Racing Division										
			TT	LOANS AND SPECIAL PAYMENTS	\$125,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$125,000.00	0.00%	0.00%	90.14%
	Total:			Racing Division	\$125,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$125,000.00	0.00%	0.00%	90.14%
Total:	10500013				\$125,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$125,000.00	0.00%	0.00%	90.14%
10500021														
	3000			Racing Division										
			TT	LOANS AND SPECIAL PAYMENTS	\$146,000.00	\$0.00	\$128,298.70	\$128,298.70	\$0.00	\$128,298.70	\$17,701.30	87.88%	87.88%	90.14%
	Total:			Racing Division	\$146,000.00	\$0.00	\$128,298.70	\$128,298.70	\$0.00	\$128,298.70	\$17,701.30	87.88%	87.88%	90.14%
Total:	10500021				\$146,000.00	\$0.00	\$128,298.70	\$128,298.70	\$0.00	\$128,298.70	\$17,701.30	87.88%	87.88%	90.14%
10500022														
	3000			Racing Division										
			HH	CONSULTANT SVCS (TO DEPTS)	\$1,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,500.00	0.00%	0.00%	90.14%
			TT	LOANS AND SPECIAL PAYMENTS	\$525,500.00	\$0.00	\$277,071.06	\$277,071.06	\$0.00	\$277,071.06	\$248,428.94	52.73%	52.73%	90.14%
	Total:			Racing Division	\$527,000.00	\$0.00	\$277,071.06	\$277,071.06	\$0.00	\$277,071.06	\$249,928.94	52.58%	52.58%	90.14%
Total:	10500022				\$527,000.00	\$0.00	\$277,071.06	\$277,071.06	\$0.00	\$277,071.06	\$249,928.94	52.58%	52.58%	90.14%
10500140														
	3000			Racing Division										
			PP	STATE AID/POL SUB	\$1,150,000.00	\$0.00	\$549,437.85	\$549,437.85	\$0.00	\$549,437.85	\$600,562.15	47.78%	47.78%	90.14%
	Total:			Racing Division	\$1,150,000.00	\$0.00	\$549,437.85	\$549,437.85	\$0.00	\$549,437.85	\$600,562.15	47.78%	47.78%	90.14%
Total:	10500140				\$1,150,000.00	\$0.00	\$549,437.85	\$549,437.85	\$0.00	\$549,437.85	\$600,562.15	47.78%	47.78%	90.14%

Massachusetts Gaming Commission

DEPARTMENT NAME:

Dept. Total By Sources of Funding	<i>Fiscal Year 2015 - Department Total</i>			
	Appropriation Amount	Exempted Amount	IE Amount	ISA Amount
State	\$0	\$0	\$0	\$0
Federal	\$0	\$0	\$0	\$0
Trust	\$14,241,144	\$3,362,411	\$2,068,505	\$913,000
Capital	\$0	\$0	\$0	\$0
FY2015 Total	\$14,241,144	\$3,362,411	\$2,068,505	\$913,000

Column 1 Column 2 Column 3 83%

MINORITY BUSINESS BENCHMARK			Expended
FY15 Discretionary Budget	FY15 Benchmark	FY15 Departmental Benchmark	
7,897,228	6%	473,834	23% 108,175
WOMEN BUSINESS BENCHMARK			152% 1,435,879
FY15 Discretionary Budget	FY15 Benchmark	FY15 Departmental Benchmark	
7,897,228	12%	947,667	
SMALL BUSINESS BENCHMARK			228% 450,634
FY15 Discretionary Budget	FY15 Benchmark	FY15 Departmental Benchmark	
7,897,228	2.5%	197,431	

Approved By: Agency Head

Signature

SD Officer Signarture

Date

Date

Discretionary Amount	
	\$0
	\$0
	\$7,897,228
	\$0
	\$7,897,228

Encumbered

150%
603,746

239%
825,508

278%
98,039

budget_fiscal_year 2015

Sum of pymt_actg_line_amount	Column Labels		
Row Labels	Minority-Owned	Small Business	Women-Owned
BOSTON CAFE & CATERING INC		446.00	
CITY POINT PARTNERS LLC		343,942.50	343,942.50
COMPUWORKS SYSTEMS INC		795.00	795.00
DOUGHBOY POLICE SUPPLY		750.00	
EOS APPROACH LLC		1,065.00	1,065.00
FUTURE TECHNOLOGIES GROUP INC		33,921.00	
GREAT GETAWAYS INC		34,972.65	34,972.65
KENNISON & ASSOC INC			74,550.40
LANE PRINTING CO INC		1,114.01	
MASS REPRO LTD			4,216.48
NEW ENGLAND OFFICE SUPPLY, INC.	34,567.90		34,567.90
PEOPLESERVE PRS INC		28,452.63	28,452.63
PINCK & CO INC			903,938.52
PMA CONSULTANTS LLC	65,698.00		
PROAV SYSTEMS INC	1,162.50		1,162.50
SHI INTERNATIONAL CORP	6,395.00		6,395.00
TARGET LITIGATION CONSULTING		3,107.25	
THE RESOURCE CONNECTION INC		1,716.38	1,716.38
USA COURIERS INC			103.80
WESTNET INC	352.00	352.00	
Grand Total	108,175.40	450,634.42	1,435,878.76

Grand Total

446.00

687,885.00

1,590.00

750.00

2,130.00

33,921.00

69,945.30

74,550.40

1,114.01

4,216.48

69,135.80

56,905.26

903,938.52

65,698.00

2,325.00

12,790.00

3,107.25

3,432.76

103.80

704.00

1,994,688.58

budget_fiscal_year	2015
fiscal_year	(All)

Sum of encumb_open_amount Row Labels	Column Labels		
	Minority-Owned	Small Business	Women-Owned
10500001	603,746.30	98,039.66	825,507.99
BOSTON CAFE & CATERING INC		-	
CITY POINT PARTNERS LLC		17,592.50	17,592.50
COMPUWORKS SYSTEMS INC		205.00	205.00
DOUGHBOY POLICE SUPPLY		3,995.00	
EOS APPROACH LLC		541.00	541.00
FUTURE TECHNOLOGIES GROUP INC		3,582.40	
GREAT GETAWAYS INC		21,710.02	21,710.02
KENNISON & ASSOC INC			-
LANE PRINTING CO INC		-	
MASS REPRO LTD			3,403.50
NEW ENGLAND OFFICE SUPPLY, INC.	19,464.30		19,464.30
PEOPLESERVE PRS INC		21,737.37	21,737.37
PINCK & CO INC			698,758.48
PMA CONSULTANTS LLC	571,366.00		
PROAV SYSTEMS INC	126.00		126.00
SHI INTERNATIONAL CORP	12,790.00		12,790.00
TARGET LITIGATION CONSULTING		392.75	
THE RESOURCE CONNECTION INC		28,283.62	28,283.62
USA COURIERS INC			896.20
10500003	3,115.80	1,290.33	2,990.15
GREAT GETAWAYS INC		142.33	142.33
MASS REPRO LTD			880.02
NEW ENGLAND OFFICE SUPPLY, INC.	1,967.80		1,967.80
WESTNET INC	1,148.00	1,148.00	
Grand Total	606,862.10	99,329.99	828,498.14

Grand Total

1,527,293.95

-

35,185.00

410.00

3,995.00

1,082.00

3,582.40

43,420.04

-

-

3,403.50

38,928.60

43,474.74

698,758.48

571,366.00

252.00

25,580.00

392.75

56,567.24

896.20

7,396.28

284.66

880.02

3,935.60

2,296.00

1,534,690.23

No Documents



MEMORANDUM

DATE: May 27, 2015

TO: Chairman Steven Crosby
Chairman Gayle Cameron
Chairman James McHugh
Chairman Bruce Stebbins
Chairman Enrique Zuniga

FROM: Rick Day
Executive Director

RE: RFA – 2 Questions

Commissioners:

The attached documents include the Commissioner proposed revisions to the RFA-2 questions for all 5 categories. These revisions are based on experience during the Casino evaluations for Regions A & B and the modifications made to the questions after the slot parlor evaluations. This spreadsheet captures the original text of questions alongside the proposed revised text.

After the Commissioners review and approve revisions we may need to complete non-material edits to prepare the revisions for the applicants. The revisions will be discussed with applicants when they come to the MGC for a meeting to review the mechanics of the RFA-2 application process. This is the same process we followed for the slots, Region A and B applicants.

The goal is to streamline the review process. In general, each Commissioner worked with his/her advisors to identify questions where there had been difficulties in interpreting the information provided by the applicants, where one or more Request for Clarification (RFC) was required, where regulations have now been adopted by the MGC, and where there seemed to be unnecessary repetition. As with previous revisions Templates were developed and/or updated to help standardize the information for evaluation. Copies of the new TEMPLATES are also attached and we may need to confirm appropriate references to the Templates with the final document for the applicants.



Massachusetts Gaming Commission

Some of the more substantial revisions are in the Category 1/Overall questions, where they minimized repetition and overlap by reducing from 9 questions to 4. Similarly, in the Responsible Gaming questions in Category 5/Mitigation, questions were updated to bring them into conformance with the recently adopted Responsible Gaming Framework and related regulations resulting in a reduction of questions from 10 to 6.

Recommendation: Approve the drafts and allow further clarification with individual Commissioners and non-material edits.



Massachusetts Gaming Commission

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RFA - 2 Application for Casino Resort Licence - Draft Changes to Application			
Category: Overall/WOW			
Question	Question Title	Original Question	Proposed Revisions
1-1	Massachusetts Brand	How does the project you propose manifest an appreciation for and collaboration with the existing Massachusetts "brand," i.e., our intellectual/knowledge economy; our biomedical, life sciences, educational and financial services economic driver; and our long history of innovation and economic regeneration over the 400 years of our existence?	New Question 1-2 Marketing the Massachusetts Brand In a competitive and crowded regional and global gaming market, how will you differentiate the visitor experience at your casino, and how will it reinforce and amplify the unique Massachusetts brand? And specifically, how do you intend to market to prospective customers outside Massachusetts, regionally, nationally and internationally?
1-2	Destination Resort	Some visionaries in the gaming business describe an evolution of gaming facilities from "convenience casinos" to "destination resorts" to "city integrated resorts." Explain what, if any, meaning "city integrated resorts" has to you, and how you anticipate following its principles, if in fact you subscribe to them. Additionally, please explain how the project you propose embraces the Legislature's mandate to present "destination resort casinos" rather than "convenience casinos"?	New Question 1-3 Destination Resort in a Competitive Environment Tell us specifically why your particular business model and marketing plan is unique, and superior to your competitors. How does your proposal assure the Legislature's aspiration for "destination resort casinos" rather than a "convenience casino"?
1-3	Outward Looking	How do you propose to merge the creation of a destination resort casino or slots parlor with the concept of creating an outward looking physical structure; that is, an establishment that relates to and is integrated with the host and surrounding communities, leverages Massachusetts' existing assets, and enhances and coordinates with Massachusetts' existing tourism and other leisure venues?	New Question 1-1 Looking Outward: Enhancing the Context How will you connect your casino's physical facilities to its neighborhood and regional economy through infrastructure investments, marketing, and programmatic collaborations? Please provide concrete images and strategies. Please be specific in how your proposal fits with the ongoing planning for your community and region, and adds to a collective sense of place. In particular, how will your project support and enhance other cultural and tourism venues in your community and region?
1-4	Competitive Environment	Describe the competitive environment in which you anticipate operating over the next 10 years and how you plan to succeed in that environment without taking revenues away from other Massachusetts gaming establishments, race tracks or businesses.	See Question 1-3 Destination Resort in a Competitive Environment
1-5	Meeting Unmet Needs	How do you propose to work with affiliated attractions and amenities to broaden the market base of the gaming facility and to meet unmet needs in our array of entertainment, education and leisure resources?	See Question 1-1 Looking Outward: Enhancing the Context
1-6	Collaborative Marketing	How do you intend to market aggressively outside Massachusetts and internationally, perhaps in cooperation with our existing industries and organizations such as MassPort and the Massachusetts Office of Travel and Tourism ("MOTT"), and certainly in collaboration with our existing institutional drivers of economic and international development?	See Question 1-2 Marketing the Massachusetts Brand
1-7	Diverse Workforce & Supplier Base	Describe your commitment to a diverse workforce and supplier base, and an inclusive approach to marketing, operations and training practices that will take advantage of the broad range of skills and experiences represented in our Commonwealth's evolving demographic profile. Further, identify and discuss the diversity within the leadership and ownership of the applicant, if any.	New Question 1-4 Diverse Workforce and Supplier Base How will you guarantee that you will hire and train a truly diverse workforce, and procure products and services from a diverse range of vendors? Further, please identify the diversity within your project's leadership and ownership.
1-8	Broadening the Region's Tourism Appeal	What is your overall perspective and strategy for broadening the appeal of your region and the Commonwealth to travelers inside and outside of Massachusetts?	See Question 1-2 Marketing the Massachusetts Brand
1-9	Post Licensing	Describe any post-licensing actions by the Commission or the Commonwealth of Massachusetts that you believe will be essential for the success of the project you are proposing.	DELETED
Category: Financial			
Question	Question Title	Original Question	Proposed Revisions

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2-11	Pro-Forma Cash Flow	An applicant must demonstrate its financial stability by clear and convincing evidence. Provide an enterprise pro-forma with a summary budget and cash-flow. Identify sources and uses of cash on a quarterly basis during the construction period and annually for five years (Category 2 gaming establishment) or 15 years (Category 1 gaming establishment) after opening. Provide the following 3 calculations: (1) Present value discounting cash flows at 4%, (2) Present value discounting cash flows at 15%, and (3) Estimating the project's internal rate of return.	Provide information in a Income and Expenses Template. May reference response to question 2-18, 2-19, 2-20 and 2-21
2-16	Minority Sources of Financing	Identify any minority sources of financing for the project.	Please identify any financing amounts or ownership interests that are anticipated to come from minorities, women or disadvantaged businesses. If the applicant or any portion of the applicant is a public company, it is not necessary to list any shareholders.
2-18	Revenue Generation	Provide completed studies and reports showing the estimated municipal and state tax revenue to be generated by the gaming establishment.	Provide estimates and any completed studies of municipal revenue to be generated by or attributed to the gaming establishment. Provide information in a Income and Expenses Template. May reference response to question 2-11, 2-19, 2-20 and 2-21
2-19	Projected Gaming Revenue	Provide projections for gross gaming revenue each year for the first five years of gaming operations on a best, average and worst case basis.	Provide information in a Income and Expenses Template. May reference response to question 2-11, 2-18, 2-20 and 2-21
2-20	Projected Non-Gaming Revenue	Provide projections for gross non-gaming revenue generated by elements of the gaming establishment complex each year for the first five years of operations on a best, average and worst case basis, identifying the source of each element of the non-gaming revenue.	Provide information in a Income and Expenses Template. May reference response to question 2-11, 2-18, 2-19 and 2-21
2-21	Projected Tax Revenue to the Commonwealth	Provide projections for all tax revenue to the Commonwealth (gaming, sales, etc.) each year for the first five years of operations on a best, average and worst case basis, identifying the source of each element of the tax revenue.	Provide projections for additional tax revenue to the Commonwealth exclusive of taxes on Gross Gaming Revenues (sales, etc.) each year for the first five years of operations. Provide information in a Income and Expenses Template. May reference response to question 2-11, 2-18, 2-19 and 2-20
2-22	Internal Controls	The Commission will develop regulations governing internal controls for gaming establishments in Massachusetts in the near future. However, in order to assist its evaluation of the applicant, the Commission is interested in knowing what standards the applicant anticipates adhering to at its Massachusetts establishment. Accordingly, subject to any adjustments required upon promulgation of the future regulations, please provide a full description of the proposed internal controls, electronic surveillance systems, and security systems for the proposed gaming establishment and any related facilities, including internal audits, independent external audits, separation of accounting and cage processes for independent verifications, cage and count room supervision, gaming floor drop processes, and other asset preservation and secure cash handling systems and processes. Further, please attach a projected table of organization that includes staffing levels and identifies the critical departments of accounting (e.g.- positions in the cage, count room, and income control sections), internal audit, compliance and security, and surveillance as well as indication as to which staff position(s) would be responsible for communications with the Commission.	The Commission has adopted regulations governing internal controls for gaming establishments 205 CMR 138. All applicants are encouraged to review these regulations. Please provide a description of principles and approach that your company/group abides by, or has experience with in other jurisdiction(s) that would be relevant for the Commission to understand in furthering the goals and processes described in its own internal controls regulations. Please comment on any aspects of MGC's internal control regulations. Please provide examples and/or narratives that substantiate your understanding of and experience with Internal Controls. For the purposes of this evaluation, the applicant may submit a copy of or examples of its internal controls plan(s), but such submission is not required.
2-28	Total Investment Outside the Property	Show the total investment in the infrastructure outside the property boundaries.	Estimate the total investment in the infrastructure outside the property boundaries. Break out investment by: Water / Sewer / Local roads / State roads / Traffic signalization / Buffer zones / Transportation improvements / Pedestrian improvements / Lighting / Landscaping / Other

Category: Economic Development

Question	Question Title	Original Question	Proposed Revisions
3-1	Studies and Reports	Provide completed studies and reports showing the proposed gaming establishments:	Provide a summary of completed studies and reports showing the proposed gaming establishments:
		(i) economic benefits to the region and the Commonwealth;	(i) economic benefits to the region and the Commonwealth
		(ii) impact on the local and regional economy, including the impact on cultural institutions and on small businesses in the Host Community and surrounding communities.	(ii) impact on the local and regional economy, including the impact on cultural institutions and on small businesses in the Host Community and surrounding communities.

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			Applicants should ensure that assumptions, data, conclusions and/or projections contained in the studies and reports summarized in section 3-1 is consistent with the answers to all other questions in the Application. For example, a report that speaks to the employment and labor income component of economic impact should be consistent with employee counts within this section as well as payroll and benefits expense contained in the financial projections.
			If discrepancies exist, please identify reason for variation and confirm which data applies to the current Application.
3-2	Employees	State the number of employees to be employed at the proposed gaming establishment, including detailed information on the pay rate and benefits for employees, and describe how the applicant proposes to ensure that it provides a high number of quality jobs in the gaming establishment.	Complete the relevant worksheets of the MGC Data Template to provide the number of full-time and part-time employees to be employed at the proposed gaming establishment, including detailed information on the pay rate (net of any gratuities), aggregate payroll, benefits for employees and unionization. Describe how the applicant proposes to ensure that it provides a high number of quality jobs in the gaming establishment. If more than 5% of the FTEs at the proposed gaming establishment are not employed directly by the Applicant (i.e., employed by third parties, tenants, others), the template should be completed for both the Applicant's employees and all other on-site employees.
3-3	Massachusetts Community College Workforce Training Plans (mechanical edits)	Describe any plans the applicant has for working with the Massachusetts Community College Casino Careers Training Institute or other training organizations as the applicant trains and hires the staff for its facility and specifically its plans for staffing gaming positions with Massachusetts residents.	Describe any plans the applicant has for working with the Massachusetts Community College Casino Careers Training Institute or other training organizations as the applicant trains, hires, and staffs their gaming positions with Massachusetts residents.
3-4	Job Opportunities and Training for Unemployed or Underemployed	Provide strategy as to how applicant will focus on job opportunities and training in areas and demographics of high unemployment and underemployment.	With respect to employment opportunities at the proposed gaming establishment, outline the rovide strategy as to how applicant will focus on job opportunities and training in areas and demographics of high unemployment and underemployment.
3-5	Experience with Hiring Unemployed and Underemployed	Describe the Applicant's approach to and experience with hiring in areas and demographics of high unemployment and underemployment in other jurisdictions where the Applicant has done business in the last 10 years.	With respect to employment opportunities at the proposed gaming establishment, describe the Applicant's past approaches to and experiences with hiring in areas and demographics of high unemployment and underemployment in other jurisdictions. Examples should be provided within the last 5 years.
3-6	Plan for Host and Surrounding Community Workforce Development (change title)	Provide your plan for workforce development as set forth in the Host Community agreement and any surrounding community agreements that the applicant has executed.	Provide your plan for workforce development as set forth in the Host Community agreement and any surrounding community agreements that the applicant has executed.
3-7	Affirmative Action Plan (Added web reference & Goals)	Provide an explanation as to how the Applicant proposes to establish and implement an affirmative action program of equal opportunity whereby specific goals for the utilization of minorities, women and veterans on construction jobs; provided, however, that such goals shall be equal to or greater than the goals contained in the executive office for administration and finance Administration Bulletin Number 14.	Provide an explanation as to how the Applicant proposes to establish and implement an affirmative action program of equal opportunity whereby specific goals for the utilization of minorities, women and veterans on construction jobs; provided, however, that such goals shall be equal to or greater than the goals contained in the Executive Office for Administration and Finance Administrative Bulletin Number 14, available at: http://www.mass.gov/anf/budget-taxes-and-procurement/admin-bulletins/state-contract-equal-opp.html Goals: 15.3% for minorities, 6.9% for women.
3-8	Workforce Development	Describe your workforce development plan and explain how the Applicant proposes to implement it such that it:	Describe your workforce development plan for the construction phase and explain how the Applicant proposes to implement it such that it:
		(i) incorporates an affirmative action program of equal opportunity by which the Applicant guarantees to provide equal employment opportunities to all employees qualified for licensure in all employment categories, including persons with disabilities (Applicant may reference response to question 3-7);	(i) incorporates an affirmative action program of equal opportunity by which the Applicant guarantees to provide equal employment opportunities during the construction phase. (Applicant may reference response to question 3-7);
		(ii) utilizes the existing labor force in the commonwealth;	(ii) utilizes the existing labor force in the commonwealth;
		(iii) estimates the number of construction jobs a gaming establishment will generate and provides for equal employment opportunities and which includes specific goals for the utilization of minorities, women and veterans on those construction jobs;	(iii) estimates the number of construction jobs a gaming establishment will generate and provides for equal employment opportunities and which includes specific goals for the utilization of minorities, women and veterans on those construction jobs;
		(iv) identifies workforce training programs offered by the gaming establishment;	(iv) outlines the responsibilities of the Applicant's General Contractor/Manager(s) to implement the plan.
		(v) identifies the methods for accessing employment at the gaming establishment; and	Describe your workforce development plan for the operations phase and explain how the Applicant proposes to implement it such that it:

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		(vi) addresses workplace safety issues for employees.	(i) incorporates an affirmative action program of equal opportunity by which the Applicant guarantees to provide equal employment opportunities to all employees qualified for licensure in all employment categories, including persons with disabilities (Applicant may reference response to question 3-7);
			(ii) utilizes the existing labor force in the commonwealth;
			(iii) identifies workforce training programs offered by the gaming establishment;
			(iv) identifies the methods for accessing employment at the gaming establishment; and
			(v) addresses workplace safety issues for employees.
3-9	HR Practices (mechanical edits)	State whether the Applicant has prepared, and how the Applicant proposes to establish, fund and maintain human resource hiring and training practices that promote the development of a skilled and diverse workforce and access to promotion opportunities through a workforce training program that:	State whether the Applicant has prepared, and how the Applicant proposes to establish, fund and maintain human resource hiring and training practices that promote the development of a skilled and diverse workforce and access to promotion opportunities through a workforce training program that:
		(i) establishes transparent career paths with measurable criteria within the gaming establishment that lead to increased responsibility and higher pay grades that are designed to allow employees to pursue career advancement and promotion;	(i) establishes transparent career paths with measurable criteria within the gaming establishment that lead to increased responsibility and higher pay grades that are designed to allow employees to pursue career advancement and promotion;
		(ii) provides employee access to additional resources, such as tuition reimbursement or stipend policies, to enable employees to acquire the education or job training needed to advance career paths based on increased responsibility and pay grades; and	(ii) provides employee access to additional resources, such as tuition reimbursement or stipend policies, to enable employees to acquire the education or job training needed to advance career paths based on increased responsibility and pay grades; and
		(iii) establishes an on-site child day-care program.	(iii) establishes an on-site child day-care program
			Further, identify whether the Applicant plans to establish employee assistance programs, including those relative to substance abuse and problem gaming, and outline its plan to train its gaming employees in the identification of and intervention with customers exhibiting problem gaming behavior
3-10	Organized labor Contracts for Construction Phase (change title)	Further, identify whether the Applicant plans to establish employee assistance programs, including those relative to substance abuse and problem gaming, and outline its plan to establish a program to train its gaming employees in the identification of and intervention with customers exhibiting problem gaming behavior	State whether the Applicant has, is subject to, or is negotiating any contract with organized labor that covers the initial construction of the proposed gaming establishment. In preparing a response to this question, the Applicant should:
			(i) identify the number of employees and/or construction value expected to be covered by a Project Labor Agreement(s);
			(ii) Provide signed Project Labor Agreement(s) applicable to the proposed gaming establishment;
			(iii) Provide any studies or reports, including an estimate of economic benefits, that speak to construction labor; and ;
			(iv) identify whether the Applicant has included detailed plans for assuring labor harmony during all phases of the construction, reconstruction, renovation, development and eventual operation of the gaming establishment.
			The information provided in this answer should tie to any data provided on unionized workforce percentages contained in the MGC Data Template or elsewhere in the Application.
3-11	Labor Harmony change title to: Organized Labor Contracts for Operations Phase	Outline the Applicant's plans for ensuring labor harmony during the construction and operational phases of the project including whether the Applicant plans to enter into any Project Labor Agreements ("PLA") or neutrality agreements. (Reference may be made to the response to question 3-10). If the Applicant does not intend to enter into any such agreements, please explain.	Outline the Applicant's plans for use of unionized labor for operation of the proposed gaming establishment, by providing:
			(i) the completed MGC Data Template, specifically the unionized labor tab.
			(i) Information on planned Labor Harmony Agreements and neutrality agreements. Reference may be made to the response to question 3-10.
			If the Applicant does not intend to enter into any Labor Harmony Agreements, please explain.
3-12	Employee Retention Record	Please describe and provide documentation that outlines Applicant's employee retention record at other operational sites.	Please describe and provide documentation that outlines Applicant's employee retention record as well as both the strategy and results achieved at other operational sites.

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3-13	Ethic Diversity (mechanical edits)	Please describe and provide documentation that outlines the ethnic diversity of the Applicant's workforce at other locations, the plans for workforce diversity the Applicant has used at those facilities, the results of those plans and, unless they are self-explanatory, the metrics the Applicant has used to determine those results.	Please describe and provide documentation that outlines the ethnic diversity of the Applicant's workforce at other locations, the strategies for workforce diversity the Applicant has used at those facilities, the results of those plans, and the metrics the Applicant has used to determine those results.
3-14	Local Business Promotion	Describe plans for promoting local businesses in host and surrounding communities including developing cross-marketing strategies with local restaurants, small businesses, hotels, retail outlets and impacted live entertainment venues.	Describe plans for promoting local businesses in host and surrounding communities including local restaurants, small businesses, hotels, retail outlets and impacted live entertainment venues. Provide examples of where you have employed a similar strategy in the past and the results of this strategy. (Applicant may refer back to response to question 3-18).
3-15	Local Suppliers (Construction Phase) (change title)	Describe plans for use of Massachusetts based firms, suppliers and materials in the construction and furniture, fixtures, and equipment ("FFE") furnishing phase of the Applicant's project.	NO CHANGE TO TEXT
3-16	Local Business Owners change title to: Local Suppliers (Operations Phase)	Describe plans for contracting with local business owners for provision of goods and services to the gaming establishment, including developing plans designed to assist businesses in the Commonwealth in identifying the needs for goods and services to the establishment.	Describe experience in contracting with local business owners for provision of goods and services to the gaming establishment.
3-18	Promoting Regional Businesses change title to: Promoting Businesses in the Region	Provide plans to demonstrate how you will support and/or promote regional businesses. (Applicant may refer back to response to question 3-14).	Provide plans to demonstrate how you will support and/or promote other businesses in the region. (Applicant may refer back to response to question 3-14 and 3-16).
3-19	Vendor Supplied Goods	Provide plans detailing an outside spending budget for vendor supplied goods and services and breakdowns by category of expenditures.	Complete the MGC Data Template detailing proposed breakdowns by category of expenditures for vendor supplied goods and services. .
3-20	Minority, Women and Veteran Businesses	Provide a copy of a marketing program, and an explanation as to how the Applicant proposes to implement the program, by which the Applicant identifies specific goals, expressed as an overall program goal applicable to the total dollar amount of contracts, for utilization of:	Identify the specific goals, expressed as an overall program goal applicable to the total dollar amount of contracts, for utilization of:
		(i) minority business enterprises, women business enterprises and veteran business enterprises to participate as contractors in the design of the gaming establishment;	(i) minority business enterprises;
		(ii) minority business enterprises, women business enterprises and veteran business enterprises to participate as contractors in the construction of the gaming establishment; and	(ii) women business enterprises; and
		(iii) minority business enterprises, women business enterprises and veteran business enterprises to participate as vendors in the provision of goods and services procured by the gaming establishment and any businesses operated as part of the gaming establishment. (See related attestation in section B. Signature Forms).	(iii) veteran business enterprises
			to participate as:
			(i) contractors in the design of the gaming establishment;
			(ii) contractors in the construction of the gaming establishment; and
			(iii) vendors in the provision of goods and services procured by the gaming establishment and any businesses operated as part of the gaming establishment.
			Discuss your experience, programs or strategies in other jurisdictions as evidence of your ability to meet these goals. (See related attestation in section B. Signature Forms).
3-21	Projected Benefit for Regional Businesses	Provide projections for increases in gross revenues for regional businesses as a result of gaming establishment operations each year for the first five years of operations on a best, average and worst case basis, identifying and describing the methodology used to produce the projections and describe the assumptions on which each projection is based.	Provide projections for spending by same-day and overnight visitors to the proposed gaming establishment at regional businesses for the first five years of operations on a best, average and worst case basis (as linked to the revenue projections provided in Category 2-Finance). The methodology used to produce the projections and the assumptions should also be provided.
3-22	Domestic Slot Machines (combined with 3-23 Gaming Equipment Vendors)	Describe any plans the Applicant has for purchasing domestically manufactured slot machines for installation in the gaming establishment.	Describe any plans the Applicant has for purchasing domestically manufactured slot machines for installation in the gaming establishment and provide the names of all proposed vendors of gaming equipment to the best of your present knowledge and belief. If more space is needed, please use an attachment. Provide the primary business address for each vendor in an attachment.

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3-23	Regional Economic Plan Coordination (moved from 3-30)	State whether the Applicant's proposed gaming establishment is part of a regional or local economic plan, and provide documentation demonstrating inclusion and coordination with regional economic plans.	NO CHANGE TO TEXT
3-26	Collaboration with Tourism and Other Industries change title to: Collaboration with Tourism Marketing Organizations	Provide plans that detail collaboration by the Applicant with tourism and other related industries including the Massachusetts tourism and other related industries.	Provide plans that detail collaboration by the Applicant with tourism and other related tourism promotion organizations, such as the Massachusetts Office of Travel and Tourism (MOTT) . http://www.massvacation.com/
3-28	Other Amenities (mechanical edits)	Provide plans for planned attractions and amenities beyond hotel, gaming, restaurants and in-house entertainment to draw customers. (Note- hotel optional For Category 2 applicants).	Provide plans for any other on-site attractions and amenities beyond hotel, gaming, restaurants and in-house entertainment to draw customers. (Note- hotel optional For Category 2 applicants).
Category: Building & Site Design			
Question	Question Title	Original Question	Proposed Revisions
4-2	Relationship with Surroundings	Describe the relationship, if any, between the proposed facility and the architecture, history and culture of its immediate and regional surroundings.	Describe the relationship between the proposed facility and the architecture, history and culture of its immediate and regional surroundings. Provide a Locus Map illustrating relationship with surroundings.
4-3	Architects, Engineers, and Designers	Provide the names and addresses of the architects, engineers and designers of the gaming facility. Further, please provide a brief biographical summary along with any other information including links to web sites or other similar material about these individuals and/or entities describing projects in which these individuals and/or entities have participated.	Provide the names and addresses of the architects, engineers and designers of the gaming facility. Further, please provide a brief biographical summary along with any other information including links to web sites or other similar material about these individuals and/or entities describing projects in which these individuals and/or entities have participated. Provide also a project team matrix illustrating relationships of project team.
4-4	Color Rendering	Provide a color rendering of the gaming establishment and all structures located on the gaming establishment site.	Provide at least (4) color renderings of the gaming establishment and all structures located on the gaming establishment site, including but not limited to: <ul style="list-style-type: none"> • Overall rendering showing context • Eye-level rendering from public approach(es) • Rendering of exterior primary entrance(s) • At least (1) interior rendering
4-5	Schematic Design	Provide a schematic design, as defined/understood by the AIA, for each structure within the boundaries of the site showing at least the total and usable floor area, interior and exterior themes, and finished, building elevations and perspectives.	Provide a schematic design, as defined/understood by the AIA, for each structure within the boundaries of the site showing at least the total and usable floor area, interior and exterior themes and finishes, building elevation, and perspective. Include the following: <ul style="list-style-type: none"> • A Basis of Design Narrative as an attachment to Schematic Design. The BOD Narrative should not exceed 2 pages (or ~500 words) and should include at a minimum: a discussion of design intent, major site and building features, proposed exterior and interior materials, applicable codes, tabular program allocation indicating space types and proposed square footage, phasing, and approaches to sustainability. The Basis of Design narrative shall be consistent with drawings submitted. • The following drawings, at a minimum: Site Plan (for each phase) floor plans, building elevations, building sections. Label each plan with major finishes. • A description of proposed interior finishes and amenities for major program elements, keyed to floor plan. Note that reference images may be included to illustrate the interior design approach. • An MEP Basis of Design narrative keyed to the proposed green building design approach.
4-6	Proposed Landscaping	Provide a site plan showing the proposed landscaping and other site improvements.	Provide a site plan showing the proposed landscaping and other site improvements. Include: <ul style="list-style-type: none"> • A landscaping plan and/or rendering with legend/key explaining plantings, paving, and any site amenities. • Identify any improvements you plan beyond property boundaries.
4-8	Parking	Describe the number, location and accessibility of parking spaces for employees, patrons and buses.	Describe the number, location and accessibility of parking spaces for employees, patrons and buses.

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			<ul style="list-style-type: none"> • Provide a comparison of parking spaces provided with 1) code or by-law requirements and 2) with facilities comparable to the one you are proposing. • Demonstrate the effect of proposed parking on existing site parking, if any. 	
			Also indicate the number and type of parking spaces planned off-site; the locations under consideration for parking off-site; the allocation of parking spaces to the off-site locations; and any agreements or options in place for the off-site locations.	
4-9	Transportation Infrastructure	Describe the plans for tour bus, taxi and valet drop-off and for service vehicle parking, satellite parking and other related transportation infrastructure. Additionally, please describe plans to offer refueling, overnight bus parking, disabled vehicle assistance, and	Provide also a regional plan showing features and location of other attractions that proposer is relating to or collaborating with. Include transportation facilities within 1-mile of site.	
4-23	Egress from Gaming Establishment Site	Describe all adjacent streets, highways, buses, and other public transportation facilities and how they will be utilized for access to and egress from the gaming establishment site.	Clearly designate what are existing public transportation facilities and what are proposed improvements to same.	
4-25	Traffic Mitigation - RENAME: TRANSIT ACCOMMODATION	Describe the steps, plans and measures the applicant will take, including infrastructure improvements, to mitigate traffic flow in the vicinity of the gaming establishment complex by stimulating use of public transit.	Describe the steps, plans and measures the applicant will take, including public transportation infrastructure improvements and transportation demand management (TDM) to mitigate traffic flow in the vicinity of the gaming establishment complex by stimulating use of public transit. Clarify terms of alternative transportation commitments (water taxi, shuttle, etc.) and proposed level of operation.	
4-26	Parking Facilities	Describe the parking facilities and how they will be linked to the gaming establishment complex in a manner consistent with the other design elements.	Describe the parking facilities and how they will be linked to the gaming establishment complex in a manner consistent with other design elements. Also, provide: <ul style="list-style-type: none"> • A Site Plan to illustrate movement of pedestrian,vehicular traffic. Indicate service locations as well as vehicular/bus drop off areas. • A Basis of Design description of the approach to wayfinding and/or signage plan for pedestrian route(s) from parking lot to main entrance. 	
4-29	Signage	Describe the proposed signage and the plans to ensure that signs are energy efficient and sensitive to surroundings.	Describe the proposed signage and the plans to ensure that signs are energy efficient and sensitive to surroundings. Provide descriptive documentation of your proposed signage at the main property entry. Documentation should be written and graphic and include size, elevations, materials and lighting, as a minimum.	
4-35	Regional Water Facilities	Provide an analysis of existing regional water facilities available to the project, the impact the facility's water usage will have on those who share the same water resources, and the steps the applicant plans to take to remedy any deficiencies the impact produces.	Provide an analysis of existing regional water facilities available to the project, the impact the facility's water usage will have on those who share the same water resources, and the steps the applicant plans to take to remedy any deficiencies the impact produces.	
			Provide in attached TEMPLATE calculations demonstrating the basis for the estimated projected water demand for both the averaged and peak day demands. Include evidence of discussions with the water supplier, providing names of officials contacted, and any written documentation such as MOU's. Provide the design capacity or authorized water withdrawal for the municipal or regional water system and compare with demands on the system with and without the Project. Provide data substantiating available system pressures and fire flows at point of connection. [SEE TEMPLATE]	
4-36	Sewage Facilities	Provide an analysis of existing sewage facilities and their capacity to absorb the effluent from the gaming establishment complex during average and peak flows, including an estimate of those flows in gallons per day, and the steps the applicant plans to take to remedy any deficiencies in the ability of the existing infrastructure to absorb that flow.	Provide an analysis of existing sewage facilities and their capacity to absorb the effluent from the gaming establishment complex during average and peak flows, including an estimate of those flows in gallons per day, and the steps the applicant plans to take to remedy any deficiencies in the ability of the existing infrastructure to absorb that flow.	
			Provide in attached TEMPLATE calculations demonstrating the basis for the estimated projected waste water flows for both the average and peak day. Include evidence of discussions with the municipal or regional waste water utility providing names of officials contacted, and any written documentation such as MOU's. Provide the design capacities for the municipal or regional system, and compare with demands on the system's collection and treatment facilities with and without the Project. [SEE TEMPLATE]	

Proposed Revisions to RFA-2 for CAT-1 Applications

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4-37	LEED Certification	Describe plans including all proposed baseline and improved building design elements and measures for becoming certifiable at the gold or higher level under the appropriate certification category in the Leadership in Environmental and Energy Design (LEED) program created by the United States Green Building Council.	Describe plans including all proposed baseline and improved building design elements and measures for becoming certifiable at the gold or higher level under the appropriate certification category in the Leadership in Environmental and Energy Design (LEED) program created by the United States Green Building Council. Provide LEED NC 2009 checklist summarizing anticipated credit points.
4-38	Compliance with Environmental Standards	Describe the extent to which the building and site will comply with LEED-ND, LEED Existing Building; LEED EBOM Water; ISI; & IGCC Standards.	Describe the extent to which the building and site will comply with LEED-ND, LEED Existing Building; LEED EBOM Water; ISI; & IGCC Standards. Provide LEED EBOM checklist and ISI Envision checklist where applicable.
4-41	Stormwater	Describe plans for management of storm water including any plans to use Institute for Sustainable Infrastructure ("ISI") techniques to minimize impact of storm water and maximize its reuse.	Describe plans for management of storm water including any plans to use Institute for Sustainable Infrastructure ("ISI") techniques to minimize impact of storm water and maximize its reuse. Complete the template to present drainage calculations and mitigation measures. [SEE TEMPLATE]
4-42	Water Conservation	Describe plans for conservation of water including any plans to target use of 40% less water than standard buildings of same size and design, for example through the use of waterless urinals, dual flush toilets, and low flow faucets, and by water saving landscaping techniques, and promotion of water reuse and recharge.	Describe plans for conservation of water including any plans to target use of 40% less water than standard buildings of same size and design, for example through the use of waterless urinals, dual flush toilets, and low flow faucets, and by water saving landscaping techniques, and promotion of water reuse and recharge. Provide documentation to demonstrate how water savings in buildings are specifically achieved, including specifications for devices or measures to be used, and include a comparison of projected water use before and after water conservation devices accounted for. Provide details including calculations and drawings as appropriate to demonstrate water saving landscaping techniques, water reuse, and water recharge.
4-48	Building Envelope and HVAC	Describe plans for commissioning the building envelope and HVAC systems in all buildings, and plans for ongoing retrocommissioning of facilities.	Describe plans for building envelope design analysis and commissioning; for HVAC system commissioning in all buildings; and for ongoing retro-commissioning of facilities.
4-73	EIR	Provide a copy, if any, of the draft, final, supplemental, or single environmental impact report (EIR), Notice of Project Change, or a request for an Advisory Opinion submitted by the applicant pursuant to G.L. c. 30, §§61-62H and 301 CMR 11.00 in connection with the applicant's proposed category 1 or category 2 gaming establishment.	Provide a copy, if any, of the draft, final, supplemental, or single environmental impact report (EIR), Notice of Project Change, or a request for an Advisory Opinion submitted by the applicant pursuant to G.L. c. 30, §§61-62H and 301 CMR 11.00 in connection with the applicant's proposed category 1 or category 2 gaming establishment. If a Draft or Final EIR, or other related MEPA documents, are filed with the state during the period that the RFA-2 Application is being reviewed by the Commission, provide a copy to the Commission at that time.
4-75	Environmental Assessment, Findings and Impact Statement	Provide a copy of any notice or draft, final, or supplemental environmental assessment, finding of no significant impact, or environmental impact statement prepared by any federal agency in accordance with 42 U.S.C. §4321 in connection with the applicant's proposed category 1 or category 2 gaming establishment.	Provide a copy of any notice or draft, final, or supplemental environmental assessment, finding of no significant impact, or environmental impact statement prepared by any federal agency in accordance with 42 U.S.C. §4321 in connection with the applicant's proposed category 1 or category 2 gaming establishment. If an Environmental Assessment, Findings or Impact Statement, or other related Federal documents are filed with Federal agencies during the period that the RFA-2 Application is being reviewed by the Commission, provide a copy to the Commission at that time.
4-79	Site Plan - RENAME: Property Description	Provide documentation showing the location of the proposed gaming establishment, including all amenities and significant structures, which shall include the address, maps, book and page numbers from the appropriate registry of deeds, assessed value of the land at the time of application and ownership interests over the past 20 years, including all interests, options, agreements in property and demographic, geographic and environmental information.	NO CHANGE TO TEXT
4-71 - 4-75	Environmental Permitting EN EOEEA Certificate, EIR Certificate Environmental Assessment, Findings and Impact Statement	Varies	Request applicants to provide a summary of any changes to their project from the date of their last environmental certificate.

Draft - For Internal Discussion Purposes Only

Category: Mitigation			
Question	Question Title	Original Question	Proposed Revisions
5-1	Infrastructure Costs	Identify the infrastructure costs to the host and surrounding communities from construction and operation of a gaming establishment.	Identify the infrastructure costs to the host and surrounding communities from construction and operation of a gaming establishment. Identify separately, infrastructure costs that are required for onsite facilities, costs for off-site infrastructure improvements that support the gaming facility (including modifications for site entry points) and mitigation costs for anticipated impacts.
5-2	Impacts and Associated Costs (change title)	Provide completed studies and reports showing the proposed gaming establishment's: (i) cost to the host community and surrounding communities and the Commonwealth for the proposed gaming establishment to be located at the proposed location, and (ii) local and regional social, environmental, traffic and infrastructure impacts.	Provide completed studies and reports showing the proposed gaming establishment's: (i) cost to the host community and surrounding communities and the Commonwealth for the proposed gaming establishment to be located at the proposed location, and (ii) local and regional social, environmental, traffic and infrastructure impacts. Please identify any costs associated with these impacts.
5-3	Community Impact Fee	Describe and identify the applicable section of the executed host community agreement, between the applicant and the host community, for the payment of a community impact fee including the timing as to when the fee will be paid in the event that the applicant is awarded a gaming license.	Describe and identify the applicable section of the executed host community agreement, between the applicant and the host community, for the payment of a community impact fee including the timing as to when the fee will be paid in the event that the applicant is awarded a gaming license. Please complete the attached outline Impact Fee Matrix TEMPLATE to provide a schedule of payments for the first five (5) years of operation.
5-6	Mitigation, Host Community (change title)	Describe how the applicant proposes to address host community impact and mitigation issues as set forth in the host community agreement during both the construction and operation of the proposed gaming establishment.	NO CHANGE TO TEXT
5-11	Public Outreach	Provide a description and documentation for all public outreach efforts that the applicant has made to local communities.	Provide a description and documentation for all public outreach efforts that the applicant has made to local communities. Please include detail on the type of meeting (public presentation, information session, sponsored event, etc), the date and location of the event and the estimated number of public attendees.
5-17	Mitigation, Surrounding Communities (change title)	Describe how the applicant proposes to address surrounding community impact and mitigation issues as set forth in the surrounding community agreements during both the construction and operation of the proposed gaming establishment.	NO CHANGE TO TEXT
5-22	State Lottery	Describe the plans, measures and steps the applicant intends to take to avoid any negative impact on the revenues currently generated by the Massachusetts State Lottery, including crossmarketing strategies with the lottery and increasing ticket sales to out-of-state residents. Further, provide a written plan demonstrating the manner in which the lottery and keno games shall be made readily accessible to the guests of the gaming establishment including the designation of any lottery outlet retail floor space. (See associated agreement in section B. Signature Forms).	Describe the plans, measures and steps the applicant intends to take to avoid any negative impact on the revenues currently generated by the Massachusetts State Lottery, including crossmarketing strategies with the lottery and increasing ticket sales to out-of-state residents. Further, provide a written plan demonstrating the manner in which the lottery and keno games shall be made readily accessible to the guests of the gaming establishment including the designation of any lottery outlet retail floor space. Please attach any draft or final agreement that has been developed to date in association with the Massachusetts State Lottery office. (See associated agreement in section B. Signature Forms).

5-23	<p>IMPLEMENT MEASURES TO ADDRESS PROBLEM GAMBLING NEW INTRODUCTION</p>		<p>In October of 2014, the Massachusetts Gaming Commission adopted its first version of a “Responsible Gaming Framework” to provide structure for responsible gaming practices of Massachusetts Gaming Commission licensees. The Responsible Gaming Framework provides an approach through which Massachusetts Gaming Commission (MGC) licensees can ensure their general gaming practices are consistent with the Commission’s expectations that the licensed business will be conducted in a responsible manner to minimize harm caused by gambling to individuals, families and communities.</p> <p>The Responsible Gaming Framework is organized into six broad strategies reflected in the question headings within this section. Each strategy contains a number of related responsible gaming practices. Some of the described practices have been adopted by the commission as regulation and include implementation procedures. Implementation procedures for other strategies and related practices may need to be developed by the MGC licensees.</p>	
5-24	<p>Commit to Corporate Social Responsibility Replaces 5-28 Code of Ethics</p>	<p>5-28 Code of Ethics: Provide a copy of the code of ethics employees, including senior managers, are required to follow and the process by which the code is promulgated.</p>	<p>Describe the organization’s commitment to corporate social responsibility (For MGC expectations see: http://massgaming.com/wp-content/uploads/Responsible-Gaming-Framework-v1-10-31-14.pdf)</p> <p>(a) Describe how the strategy will be implemented; and (b) Describe the processes the applicant uses to address the responsible gaming strategy at the other facilities it owns or controls and the metrics the applicant uses to determine the effects.</p>	
5-25	<p>Support Informed Player Choice Replaces 5-24 Problem Gambling Signage, 5-23 On Site Resources for Problem Gambling, and 5-25 Self-Exclusion Policies</p>	<p>5-23 On Site Resources for Problem Gambling: Describe the on-site resources that that will be accessible to those affected by gambling-related problems. 5-24 Problem Gaming Signage: Describe the signs, alerts and other information that will be available in the gaming establishment complex to identify the on-site resources available for those affected by gambling-related problems. 5-25 Self-Exclusion Policies: Describe the exclusion policies that will be available for gaming establishment patrons and employees, including the process that will be utilized to notify individuals of the availability of self-exclusion and the steps that will be taken to assist those who request exclusion. (See associated agreement in section B. Signature Forms)</p>	<p>Describe the organization’s commitment to encourage personal responsibility (For MGC expectations see: http://massgaming.com/wp-content/uploads/Responsible-Gaming-Framework-v1-10-31-14.pdf)</p> <p>(a) Describe how the strategy will be implemented; and (b) Describe the processes the applicant uses to address the responsible gaming strategy at the other facilities it owns or controls and the metrics the applicant uses to determine the effects.</p>	
5-26	<p>Provide Protections within the Physical Environment Replaces 5-26 Identification of Problem Gambling</p>	<p>5-26 Identification of Problem Gambling: Describe the initial and ongoing training that will be used to help gaming establishment employees identify those who may have gambling-related problems, or self-identify, and assist them to obtain help for those problems.</p>	<p>Describe the organization’s commitment to protect vulnerable groups (For MGC expectations see: http://massgaming.com/wp-content/uploads/Responsible-Gaming-Framework-v1-10-31-14.pdf)</p> <p>(a) Describe how the strategy will be implemented; and (b) Describe the processes the applicant uses to address the responsible gaming strategy at the other facilities it owns or controls and the metrics the applicant uses to determine the effects.</p>	
5-27	<p>Ensure Responsible Marketing Replaces 5-30 Advertising Responsible Gambling</p>	<p>5-30 Advertising Responsible Gambling: Describe the extent to which responsible gambling messages will be part of the applicant’s advertising.</p>	<p>Describe the organization’s commitment to ensure responsible marketing (For MGC expectations see: http://massgaming.com/wp-content/uploads/Responsible-Gaming-Framework-v1-10-31-14.pdf)</p> <p>(a) Describe how the strategy will be implemented; and (b) Describe the processes the applicant uses to address the responsible gaming strategy at the other facilities it owns or controls and the metrics the applicant uses to determine the effects.</p>	

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5-28	<p>Managing High-Risk Financial Transactions Replaces 5-27 Credit Extension Abuse</p>	<p>5-27 Credit Extension Abuse: Describe the policies the applicant will use to ensure that credit extensions are not being abused by those with gambling-related problems.</p>	<p>Describe the organization's commitment to contain high-risk financial transactions (For WGC expectations see: http://massgaming.com/wp-content/uploads/Responsible-Gaming-Framework-v1-10-31-14.pdf)</p> <p>(a) Describe how the strategy will be implemented; and (b) Describe the processes the applicant uses to address the responsible gaming strategy at the other facilities it owns or controls and the metrics the applicant uses to determine the effects.</p>	
5-29	<p>Engage the Community Replaces 5-31 Treatment and Prevention</p>	<p>5-31 Treatment and Prevention: Describe the plans the applicant has to coordinate with local providers to facilitate assistance and treatment for those with gambling-related problems and plans to develop prevention programs targeted toward vulnerable populations as the term is defined by 205 CMR 102.02.</p>	<p>Describe the organization's commitment to engage the community (For WGC expectations see: http://massgaming.com/wp-content/uploads/Responsible-Gaming-Framework-v1-10-31-14.pdf)</p> <p>(a) Describe how the strategy will be implemented; and (b) Describe the processes the applicant uses to address the responsible gaming strategy at the other facilities it owns or controls and the metrics the applicant uses to determine the effects.</p>	
5-32	<p>Metrics for Problem Gambling</p>	<p>Describe the metrics the applicant will use to measure whether it is succeeding in its efforts to reduce gambling at its gaming establishment by those with gambling-related problems and the use to which those metrics will be put and provide the data those metrics have generated for each of the last five years at each of the applicant's facilities. Further, please describe how the applicant proposes to cooperate and support the Commission in the development of an annual research agenda as provided in G.L. c. 23K, §71.</p>	<p>DELETED [addressed in questions above]</p>	
5-33	<p>Historical Efforts Against Problem Gambling</p>	<p>5-32 Historical Efforts Against Problem Gambling Describe the processes the applicant uses to address problem gambling at the other facilities it owns or controls, the effectiveness of those processes, and the metrics the applicant uses to determine the effects.</p>	<p>DELETED [addressed in questions above]</p>	
5-34	<p>Traffic Control Measures</p>	<p>Describe the plans for traffic control measures the applicant proposes for the gaming establishment complex and the surrounding areas, the expected total vehicle traffic generated by the site, and plans for mitigating vehicle trips to and from the site both during construction and operation of the facilities. Further, describe efforts to encourage public transportation options to access the site, and pedestrian access and amenities of the site and surrounding area.</p>	<p>Describe the plans for traffic control measures the applicant proposes for the gaming establishment complex and the surrounding areas, the expected total vehicle traffic generated by the site, and plans for mitigating vehicle trips to and from the site both during construction and operation of the facilities. Further, describe the measures the applicant will take, including infrastructure and other improvements, to remedy any inadequacy, the efforts to encourage public transportation options to access the site, and pedestrian access and amenities of the site and surrounding area.</p>	
	<p>Traffic for Special Events</p>	<p>Describe the applicant's plans for accommodating special events and the traffic those events may generate.</p>	<p>Describe the applicant's plans for accommodating special events and the traffic those events may generate. Provide maximum anticipated duration and total traffic vehicle traffic counts at arrival and departure from a special event.</p>	

ERRATA SHEET

RFA-2 Revisions

May 27, 2015

Category 4: Building & Site Design

Question 4-3

1. Add to revised text:

“Include previous team experience on similar projects including casino development and LEED-certified projects.”

2. Delete from Revisions Table—NO CHANGES TO TEXT PROPOSED

Question 4-9 Transportation Infrastructure

Question 4-23 Egress from Gaming Establishment Site

3. Add to Revisions Table:

Question 4-19 Quality of Amenities

Original Question:

(Hotel and hotel room portion of the response is optional For Category 2 applicants) State how the hotels, hotel rooms, restaurants and other amenities that are part of the proposed facility will compare in quality to other area hotels and amenities as well as those included and offered in other competitive gaming establishments within the 300 mile area.

Revision:

Describe the quality of the hotels, hotel rooms, restaurants, and other amenities that you propose to provide in association with the gaming establishment. Descriptions should include comparison to industry standards, other area hotels and amenities, and/or other gaming establishments. Provide reference images for each to establish a basis for evaluation of the quality of the proposed amenities.

4-24 - Adequacy of Existing Transportation Infrastructure

Original Question:

Provide an analysis of the adequacy of the existing transportation facilities, including those for refueling, to deliver patrons to and from the gaming establishment complex and the measures the applicant will take, including infrastructure and other improvements, to remedy any inadequacy.

Revision:

Provide an analysis of the adequacy of the existing transportation facilities, including those for refueling, to deliver patrons to and from the gaming establishment complex. Identify existing deficiencies that will require mitigation and describe those efforts in your response to Question 5-33. Identify projected traffic volumes for the establishment, in both average daily traffic (ADT) and peak hour

(am/pm/Saturday) volumes. Identify the study area, dates of data collection and study periods for traffic analysis conducted.

Category 5: Mitigation

Re-Number the following Questions in the Revisions Sheet:

5-32	to	5-31	[Metrics for Problem Gaming)	DELETED
5-33	to	5-32	[Historical Efforts Against Problem Gambling	DELETED
5-34	to	5-33	Traffic Control Measures	
_____	to	5-34	Traffic for Special Events	

Category 1- Development Budget		
	Applicant	Comments
Construction		
Building - Casino		
Building - Hotel		
Building - Retail/Entertainment		
Building - Exhibition/Conference		
Building - Other*		
Architectural and Engineering		
Insurance		
Permits		
Parking		
Landscaping		
Roadways - On-Site Only		
Utilities		
Other Construction*		
Total Construction	\$0	
FF&E		
Slot Machines		
Table Games		
Cage & Count		
Surveillance		
Hotel		
Exhibition/Conference		
Food & Beverage		
IT (Hardware and Software)		
Signage		
Other FF&E*		
Total FF&E	\$0	
Other Costs		
License and Application Fee		
Start-up Capital and Cage Cash		
Financing and Capitalize Interest		
Land		
Offsite Infrastructure - Transportation		
Offsite Infrastructure - Water		
Offsite Infrastructure - Sewer		
Offsite Infrastructure - Other*		
Corporate Overhead		
Pre-opening Marketing		
Pre-opening Payroll		
Pre-opening Other*		
Host/Surrounding Community**		
Operating Supplies		
Contingencies		
Other Project Costs*		
Total Other Costs	\$0	
Total Budgeted Cost	\$0	
*Please itemize		
**Please provide a schedule by community of community payments.		

4-35. Regional Water Facilities Provide an analysis of existing regional water facilities available to the project, the impact of the facility's water usage will have on those who share the same water resources, and the steps the applicant plans to take to remedy any deficiencies the impact produces.			
REGIONAL WATER TEMPLATE (include as attachment 4-35-01)			Attachment
1. Will the Casino connect to a public water system? (Note: this includes public water systems owned and/or operated by private entities.)	<input type="checkbox"/> Yes	Name and contact information for public water purveyor:	
	<input type="checkbox"/> No	Go to question 10	
	Provide copy of documentation demonstrating discussions with purveyor, agreements reached, MOU's, or other evidence that 1) purveyor understands the Casino water demands, and 2) purveyor's position on ability of system to meet needs (with and without mitigation)		4-35-02
Address the questions 2 through 7 if connection to a public water system			
2. Capacity of public water supply	Authorized capacity: Maximum Day Withdrawal = _____ Average Daily Withdrawal = _____ Cite source: Provide copy of documentation demonstrating authorized capacity		4-35-03
3. Existing system-wide demand	Year (provide more than one) _____ Average Daily Demand = _____ Maximum Day Demand = _____ Cite source of data and attach documentation. Also describe any trends related to reduction of unaccounted water; wide-spread community use of water saving fixtures; or other factors		4-35-04
4. Casino water demand	Projected Average Daily Demand = _____ Projected Maximum Day Demand = _____ Attach calculation detailing the determination of these estimates		4-35-05
5. Watering bans	Describe recent history of watering bans by water purveyor, including years, duration, and measures. Describe potential impact of Casino on severity of watering bans and mitigating measures.		4-35-06
6. Fire flow sufficiency	Fire flow requirement: Flow (gpm) = _____ Pressure (psi) = _____ Fire flow test results: Flow (gpm) = _____ Pressure (psi) = _____ Attach fire flow test document and a sketch showing test location		4-35-07
7. Mitigation measures	Describe measures to improve the public water supply and distribution system that are necessary to offset potential impact of Casino water demands. Estimate capital investment by specific improvement.		4-35-08
8. Access to public water distribution system	Provide description of nearest point of connection, including size of water main and location of nearest hydrant. Include an hydraulic analysis, if available, demonstrating availability of required flows at that location. Provide engineering sketch of connection drawn to scale, showing main extension, services, hydrants, and on-site facilities.		4-35-09
9. Other supporting documentation (if any)	Additional supporting documentation not previously discussed that provides support, assurance, or adds certainty to the prospect of meeting Casino demands with insignificant impacts to the system or the other users.		4-35-10
Address the following only if developing a private water supply and delivery system to serve the Casino			
10. Private Water Supply	Provide a preliminary engineering report supporting the creation of a private potable water supply and basis of design to meet the needs of the Casino.		4-35-02
11. Permitting	List all of the permits required for developing and operating the private water supply, water treatment, and delivery.		4-35-03
12. Discussions with MADEP and Municipal Board of Health	Document discussions with the Massachusetts Department of Environmental Protection and the local Board of Health regarding the permitting of a private water supply, the position of the regulatory authority, and an outline of the approval and implementation plan.		4-35-03

4-36. Sewage Facilities Provide an analysis of existing sewage facilities and their capacity to absorb the effluent from the gaming establishment complex during average and peak flows, including an estimate of those flows in gallons per day, and the steps the applicant plans to take to remedy any deficiencies in the ability of the existing infrastructure to absorb that flow.

REGIONAL WATER TEMPLATE (include as attachment 4-36-01)		Attachment
1. Will the Casino connect to a public wastewater collection and treatment system?	<input type="checkbox"/> Yes	Name and contact information for system provider:
	<input type="checkbox"/> No	Go to question 10
	Provide copy of documentation demonstrating discussions with public wastewater system authority, agreements reached, MOU's, or other evidence that 1) provider understands the Casino average and peak day discharge, and 2) provider's position on ability of system to meet needs (with and without mitigation)	
4-36-02		
Address the questions 2 through 7 if connection to a public wastewater collection and treatment system		
2. Capacity of public sewage system	Wastewater Treatment Plant Average Day Design Flow = _____ Peak Day Design Flow = _____ Cite source: Provide copy of documentation demonstrating permitted capacity	4-36-03
3. Existing system-wide wastewater flows	Year (provide more than one) _____ Average Daily Flow = _____ Peak Day Flow = _____ Cite source of data and attach documentation. Also describe any trends related to reduction of infiltration/inflow; wide-spread use of water saving fixtures; or other factors.	4-36-04
4. Casino wastewater flows	Projected Average Daily Flow = _____ Projected Maximum Day Flow = _____ Attach calculation detailing the determination of these estimates	4-36-05
5. Consent Decree	Is the public sewerage system currently operating under a consent decree? If so, describe what requirements it imposes on new connections, including but not limited to municipal infiltration/inflow reduction, installation of low flow fixtures to reduce wastewater flows on or outside of Casino property, upgrade of sewer pipes, and how this impacts Casino service.	4-36-06
6. On-site facilities	Provide a detailed site plan showing location and size of on-site wastewater facilities including: service pipe, pump station, pre-treatment, grease trap locations	4-36-07
7. Mitigation measures	Describe measures to improve the wastewater collection and treatment system that are necessary to offset potential impact of Casino wastewater flows. Estimate capital investment by improvement.	4-36-08
8. Access to collection system	Provide description of nearest point of connection, including size of sewer. Provide engineering sketch of connection drawn to scale, sewer extension, services, hydrants. Discuss any hydraulic limitations.	4-36-09
9. Other supporting documentation (if any)	Additional documentation not previously discussed that provides support, assurance, or adds certainty to the prospect of accepting Casino sewage flows with insignificant impacts to the system or the other users.	4-36-10
Address the following only if developing a private wastewater collection and treatment system		
10. Facility Design	Provide a preliminary engineering report supporting the design and construction of an on-site sewage treatment system including basis of design.	4-36-02
11. Permitting	List all of the permits required for developing the Wastewater Treatment System and discharge to surface waters or groundwater	4-36-03
12. Discussions with MADEP and Municipal Board of Health	Document discussions with the Massachusetts Department of Environmental Protection and local conservation commission regarding the permitting of a wastewater disposal system, the position of the regulatory authority, and an outline of the implementation plan.	4-36-03

4-41. Storm Water Describe plans for management of storm water including any plans to use Institute for Sustainable Infrastructure (“ISI”) techniques to minimize impact of storm water and maximize reuse.														
REGIONAL WATER TEMPLATE (include as attachment 4-41-01)		Attachment												
1. Sensitive Receptors	Provide a plan showing Casino site and nearby sensitive receptors that will be potentially impacted by Casino Project storm water system, including but not limited to Areas of Critical Environmental Concern, wetlands, 100 year floodplain, riverfront, priority species habitat, aquifer and wellhead protection areas. Show typical buffer zones.	4-41-02												
2. Drainage calculations	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Storm</td> <td style="width: 15%; text-align: center;">1 year</td> <td style="width: 15%; text-align: center;">20 year</td> <td style="width: 10%; text-align: center;">50 year</td> </tr> <tr> <td>Peak flow runoff (gpm)</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>Total volume runoff (gallons)</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> </table> <p>Provide drainage calculations for the existing site and proposed site for the 1, 20, and 50 year storm. Calculations shall predict total volume runoff and peak flow runoff.</p>	Storm	1 year	20 year	50 year	Peak flow runoff (gpm)	_____	_____	_____	Total volume runoff (gallons)	_____	_____	_____	4-41-03
Storm	1 year	20 year	50 year											
Peak flow runoff (gpm)	_____	_____	_____											
Total volume runoff (gallons)	_____	_____	_____											
3. Mitigation	Summary of how project will address Massachusetts Department of Environmental Protection Storm Water Standards	4-41-04												
4. Low Impact Development	Describe Low Impact Development Features to be incorporated into site. Provide a detailed site plan and a details plan for these features	4-41-05												
5. Reuse/Recharge	<p>Describe:</p> <ul style="list-style-type: none"> • Rainwater capture and reuse • Storm water capture and reuse • Storm water recharge of groundwater <p>Provide a table showing annual average volume of capture vs. off site discharge, volume reused and with uses tabulated, and volume recharged with supporting calculations.</p>	4-41-06												
6. Site Plan	Provide a site plan detailing storm water features.	4-41-07												
7. Storm Water O&M plan	Provide a copy if prepared at this stage	4-41-08												
8. Snow Removal	Describe plans for storing snow on site, including a site plan showing storage area. Relate storage area to storm severity. Describe mitigation measures related to application of sand and salt in parking areas.	4-41-09												
9. LEED credits	Justify LEED credits taken for storm water mitigation.	4-41-10												

No Documents

**GAMING AGENT TRAINING FOR IEB GAMING AGENTS, STATE POLICE, ATTORNEY GENERALS
GAMING UNIT, PLAINVILLE POLICE AND ABCC AGENTS**

May 11

HR Orientation
MGC – All Staff meeting
Conflict of interest law
Enhanced Ethics Training

May 12

Greetings – Commissioner Cameron
Regulatory vs. criminal jurisdictions
Gaming Case Presentations

May 13

ABCC Identification training
Responsible Gaming

May 14

Attorney General's Office presentation
23K and 271 Crimes
Money Laundering
Drugs
Human Trafficking
Asset Forfeiture
Enterprise Crime relating to gaming establishments
Reports and report writing

May 15

Casino Internal Controls part 1

Gaming

Definitions
Forms, records and Documents
Patron signature/ identification file
Casino Licensee's Organization
Complimentary
Services
Personnel: Operation/conduct of gaming and
slots
Access Badge/Temporary License Credential

Signatures

Procedures for Accepting cash/ credit (markers) at gaming tables

Customer Deposit Procedures (Front-money)-wire transfers/ electronic transfers

Procedures for Establishing

Credit

Acceptance of Tips or gratuities at gaming tables

Electronic table games

Table Inventories (TIS)

Procedures for opening gaming tables

Procedures for distributing gaming chips and plagues to gaming tables

Procedures for removing gaming chips and plagues to gaming tables

Procedures for shift change at gaming tables

Procedures for closing tables

Key control/ dual locks and keys

May 18 thru May 21

BMM Slot Machine Training Covering

Independent Test Labs and their responsibilities

Deciphering the Certification Reports and a BOAT tutorial

Creating Effective

Regulations

EGM Essentials

Field Audits

Forensic

Procedures

Systems management

Wireless Security Essentials

Server Based Gaming Essentials

Understanding Math Analysis for Payout Percentages and Odds

Source Code Analysis - What's it all about

Electronic Signatures - how it keeps software safe

Random Number Generators

Casino Scams - A highlight of those that were caught

Slot Machines, Video Lottery Terminals, Sweepstakes; What is the Difference?

Progressive Systems - configuring, auditing and reconciliation procedures

BMM Signatures - a tutorial

**Systems Protocols - a
tutorial
Slot Jackpot Inspections of large
Jackpots**

May 22

Casino Internal Controls part 2

CASHIER’S CAGE

Cashier’s cage

Physical description/ types of banks/ man-trap

Accounting controls within cashier’s
cage

Patron Cash Deposits

Procedures for exchange of checks submitted by gaming patrons

Procedures for exchange of checks submitted by slot patrons

Procedures for redemption, consolidation or substitution of checks (counter
checks)

Procedures for granting credit and recording checks redeemed, exchanged or
consolidation

Procedures for depositing checks received from patrons

May 26

Self-Exclusion

Active Shooter training

May 27 and 28

Casino Internal Controls part 3 and 4

COUNT ROOMS BILL CHANGER PICKUP

Count Room Characteristics

Procedures for opening, counting and recording the contents of drop boxes and slot cash storage

Slot machines and bill changers; coin and slot token containers, slot cash box storage, keys

Drop boxes and slot cash storage boxes

Drop boxes, transportation to and from gaming tables; slot cash storage boxes, transportation
room.

Procedure for counting and recording the contents of slot drop boxes

Ticketing/meters

Gaming Vouchers; Physical characteristics; Procedures for issuance, redemption, expiration
Computerized gaming voucher systems
Electronic Credit System/ Downloaded promotional credits
Upload/ Download eFunds.
Accounting controls for slot booths and change machines
Bill Validator Redemption Machines (Casino Money)
Accounting controls for automated jackpot payout machines and gaming voucher redemption
Slot machines and Bill changers, locations and Movements
Slot meters; Adjustments
Progressive slot machines
Jackpot payouts

Count Room Counting Systems

Count room equipment

Count room Reports

May 29

On-site training Plainridge Park Casino

June 1 thru June 3

Basic table games training

June 4 and June 5

Games protection

June 8 and June 9

Surveillance Training at Plainridge Park



Investigations & Enforcement Bureau

To: Chairman Crosby, Commissioner Zuniga, Commissioner Stebbins, Commissioner Cameron and Commissioner McHugh

From: Karen Wells, Director, Investigations and Enforcement Bureau

Re: Temporary Primary Vendor and Key Gaming Employee Licenses Issued

Date: May 28, 2015

Pursuant to the authority the Commission delegated to the IEB on March 19, 2015, the IEB has granted temporary licenses to the following entities and individuals.

Key Gaming Employee

1. Christine Tiffany Slick, Slot Shift Manager, Plainville Gaming and Redevelopment (5/21/15)
2. Jamie Lee Fromal, Slot Shift Manager, Plainville Gaming and Redevelopment (5/27/15)
3. Roberta Lynn Gregorie, Compliance Manager, Plainville Gaming and Redevelopment (5/27/15)

Primary Vendors

1. Global Cash (5/22/15)
2. Central Credit (5/22/15)

The applications were deemed complete by the Division of Licensing. The petitioner has certified and the IEB has found, after reviewing the proposed operational plan for the facility, that the temporary licenses are necessary for the operation of the gaming establishment given the planned June 24, 2015 opening date, and are not designed to circumvent normal licensing procedures.

The IEB has found that the licenses are reasonably likely to be issued upon completion of the investigation.



Massachusetts Gaming Commission

No Documents

No Documents

No Documents

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 101.00: M.G.L. C.23K ADJUDICATORY PROCEEDINGS

- 101.01: Hearings Before the Commission
- 101.02: Orders Issued by the Bureau or the Racing Division
- 101.03: Review of Orders Issued by the Bureau or the Racing Division
- 101.04: Review by the Commission of Decisions of the Hearing Officer
- 101.05: Review of a Commission Decision

101.01: Hearings Before the Commission

(1) Hearings held before the full commission pursuant to 205 CMR 101.01 shall be adjudicatory proceedings pursuant to 801 CMR 1.01 Formal Rules.

(2) The following types of adjudicatory hearings shall be held by the commission:

(a) Suitability hearings before the commission pursuant to M.G.L. c. 23K, § 17(f), concerning any findings of fact, recommendations and/or recommended conditions by the bureau relative to the suitability of the applicant for an initial gaming license or renewal of a gaming license, including without limitation, recommendations and recommended conditions resulting from the RFA-1 or new qualifier process pursuant to 205 CMR 115.00: *Phase 1 and New Qualifier Suitability Determinations, Standards and Procedures*.

(b) Hearings regarding the termination, revocation or suspension of a category 1 or category 2 gaming license issued by the commission pursuant to M.G.L. c. 23K or the termination, revocation or suspension of a license to conduct a horse racing meeting pursuant to M.G.L. c. 128A.

(c) Hearings regarding the transfer of a category 1 or category 2 gaming license or the transfer of a license to conduct a horse racing meeting.

(3) Standing: No person other than an aggrieved applicant and/or gaming licensee shall have standing to challenge Phase 1 or new qualifier findings of fact and recommendations or a recommendation to terminate, revoke or suspend a category 1 or category 2 gaming license.

(4) Only the aggrieved applicant and the gaming licensee or the horse racing meeting licensee shall have the right to participate in the hearing under 205 CMR 101.01 (2) (a), (b) or (c) unless otherwise ordered by the commission.

(5) Pursuant to M.G.L. c. 23K, § 3(h), the chair may direct that all of the commissioners participate in the hearing and decision of the matter before the commission. In the alternative, pursuant to M.G.L. c. 23K, § 3(h), the chair with the concurrence of one other commissioner may appoint a presiding officer to preside over the hearing. The notice scheduling the time and

place for the pre-hearing conference shall specify whether the commission or a designated individual shall act as presiding officer in the particular case.

(6) Burden of Proof. The applicant shall have the affirmative obligation to establish by clear and convincing evidence both its affirmative qualification for licensure and the absence of any disqualification for licensure. In the case of a recommendation to terminate, revoke or suspend a category 1 or category 2 gaming license, or a license to conduct a horse racing meeting, the bureau or the racing division, as appropriate, shall have the affirmative obligation to establish by substantial evidence why the commission should terminate, revoke or suspend the licensee's category 1 or category 2 gaming license or the licensee's license to conduct a horse racing meeting.

(7) Decisions. Upon completion of the hearing, the commission shall render a written decision as promptly as administratively feasible, in accordance with M.G.L. c. 30A, § 11(8). The written decision of the commission shall be the final decision of the commission.

(8) No Appeal From Commission's Determination of Suitability. Pursuant to M.G.L. c. 23K, § 17(g), the applicant and/or the gaming licensee shall not be entitled to any further review from the commission's determination of suitability.

(9) Decisions by the commission concerning the termination, revocation or suspension of a category 1 or category 2 gaming license or the termination, revocation or suspension of a license to conduct a horse racing meeting may be reviewed by the appropriate court pursuant to the provisions of M.G.L. c. 30A

101.02: Orders Issued by the Bureau or the Racing Division

(1) Pursuant to c.23K the bureau may issue orders or fines, or may revoke, suspend, terminate or condition the license of the holder of any license issued pursuant to c. 23K except for category 1 or category 2 gaming. Such orders or fines are subject to commission review pursuant to 205 CMR 101.03 and 101.04 and include, but are not limited to:

- a. an order to cease any activity which violates the provisions of c. 23K, 205 CMR 101 et seq. or any other law related to gaming;
- b. an order for the imposition of civil administrative penalties in support of an order to cease and desist, or as part of an order to deny, revoke, suspend or terminate a license or as a penalty for failure to comply with any provision of c. 23K, 205 CMR101 et seq. or any law related to gaming;
- c. an order requiring the placement of a person on the exclusion list;
- d. an order denying, revoking, suspending or conditioning a key gaming employee license; a gaming employee standard license; a gaming employee license; a gaming

service employee license; gaming employee registration; a gaming vendor license; or a gaming vendor qualifier or other similar license issued under 205 CMR 134.

e. an order denying, revoking, suspending or conditioning a gaming beverage license or an order denying the transfer of a gaming beverage license.

f. any other order or fine as may be issued pursuant to c. 23K or 205 CMR 101 et seq. as now in effect or as hereafter amended.

(2) Pursuant to c. 128A and c. 128C judges or stewards may issue orders or fines, or may deny, revoke, suspend, terminate or condition the license of the holder of any license issued pursuant to c. 128A or c. 128C except for a license to conduct a horse racing meeting.

Such orders or fines include, but are not limited to:

a. an order or fine issued for violation of the rules and regulations of racing as provided in 205 CMR §§3-14;

b. an order denying, revoking, suspending, terminating or conditioning an occupational license.

c. an order ejecting an individual from the grounds of the race meeting.

d. any other order or fine as may be provided pursuant to c. 128A, c. 128C or 205 CMR §§3-14 as now in effect or as hereafter amended.

(3) Each order or fine issued by the bureau or by the judges or stewards of the racing division shall be in writing and shall include a description of the basis for the order or fine, including the time, date and place of the activity which constitutes the basis for the order or fine, the statutory basis for the issuance of the order or fine, the amount of the fine or penalty assessed and any other the remedial action required. Each order shall further state in clear and concise language that the party subject to the order or the fine may request review of the order or fine and the process for requesting such review. The order shall also state that the review of the order shall be held pursuant to 801 CMR 1.02 Informal/Fair Hearing Rules and 205 CMR 101.03 and 101.04.

101.03: Review of Orders Issued by the Bureau or the Racing Division

(1) A request for review of an order or fine issued by the bureau or the judges or stewards shall be filed with the clerk of the commission on a form provided by the clerk. A request for review shall not operate as a stay of the order or fine issued by the bureau or the judges or stewards unless the request for review includes a request for a stay and such stay is granted by the hearing officer.

(2) The request for review of a civil administrative penalty issued by the bureau pursuant to M.G.L. c.23K §36 shall be filed not later than 21 days after the date of the bureau's notice of issuance of the civil administrative penalty. All other requests for review must be filed not later than 30 days from the date of the order or fine issued by the bureau or the judges or stewards. Requests for review filed later than 30 days from the date of the order or fine issued by the judges or stewards shall be forwarded to the hearing officer for review.

(3) The request for review shall include:

- a. the name, address and contact information, including telephone number and email, if any, of the party requesting review;
- b. the name and address of counsel representing the party requesting review, if any, and
- c. a brief description of the basis for the request for review.

(4) Each request for review shall include a copy of the order or fine that is the subject of the request for review.

(5) When the request for review is received by the clerk, the clerk will docket the request for review. The clerk shall assign the request for review to a hearing officer and schedule the hearing on the request for review. Such hearing shall not occur sooner than 30 days after the request for review is filed with the clerk unless upon the request of a party and for good cause shown the hearing officer orders an accelerated hearing.

(6) The clerk shall request each party to file a brief stating why the order or fine should or should not be upheld and the relief requested. Such brief shall be no longer than 10 pages and shall be due no later than 10 days prior to the date of the hearing.

(7) A party may request permission to file a brief longer than 10 pages. Such request shall be filed with the clerk who will forward it to the hearing officer for review. The request must be in writing and state the number of additional pages requested. It shall be up to the discretion of the hearing officer as to whether to grant such request. If the hearing officer grants a request for additional pages, the clerk shall forward the order of the hearing officer to all parties and all parties shall have the right to file such additional number of pages. Along with the submission of the brief, each party shall submit a copy of all written evidence to be considered by the hearing officer as well as a list of witnesses that the party wishes to present at the hearing.

(8) All requests for extensions of time to file a brief or to reschedule a hearing date shall be made in writing and filed with the clerk. The clerk shall forward the request for extension of time or to reschedule the hearing date to the hearing officer and the hearing officer may provide an extension of time to file a brief or reschedule a hearing date in the hearing officer's discretion and for good cause shown. The clerk shall send the hearing officer's order granting an extension of time to file a brief or the rescheduling of a hearing date to all the parties. Any order shall

include the amount of days granted for the extension of time or the new date for the rescheduled hearing.

(9) All hearings shall be heard by a hearing officer appointed by the commission. All hearings under 205 CMR 101.03 and 101.04 shall be adjudicatory proceedings held pursuant to 801 CMR 1.02: Informal/Fair Hearing Rules and 205 CMR 101.03 through 101.05 unless a party to the hearing requests that the hearing be held pursuant to 801 CMR 1.01 Formal Rules and the hearing officer, after review of the request, grants the request to hold the hearing pursuant to 801 CMR 1.01. If the hearing officer grants a request that a hearing be held pursuant to 801 CMR 1.01 Formal Rules, the provisions of 801 CMR 1.01 (1), (2), (3), (5), (6), (7), (8), (11) and (14) shall not apply and the provisions of 205 CMR 101.03 through 101.05 shall govern.

(10) There shall be no motions or discovery allowed in hearings under this 205 CMR 101.03 and 101.04 unless upon the request of a party and for good cause shown, the hearing officer orders such motions or discovery.

(11) A written transcript shall be created of each hearing and all witnesses presenting testimony shall be sworn to testify under oath.

(12) In addition to the duties and powers of the hearing officer under 801 CMR 1.02 (10) (f), the hearing officer shall determine if the party requesting review has standing to request review. The hearing officer may ask questions of a party or a witness at the hearing. The hearing officer shall determine the credibility of all witnesses providing testimony at the hearing. The hearing officer can request additional information from any party and may recess or continue the hearing to a later date. The hearing officer may request a post hearing brief from the parties and shall determine the page limit for such brief and the time by which it must be submitted.

(13) The standard of review of an order or fine issued by the bureau or the racing division shall be the substantial evidence standard unless a different standard is required by c. 23K or c. 128A or c.128C. The hearing officer shall determine whether the order or fine issued by the bureau or the racing division is supported by substantial evidence in accordance with the decisions of the Massachusetts courts regarding administrative review of agency decisions.

(14) The hearing officer shall issue a written decision as soon as administratively feasible after the close of the hearing. The written decision shall include findings of fact and conclusions of law and shall clearly state the basis for the hearing officer's decision. The hearing officer shall file its decision with the clerk. The decision of the hearing officer shall be the final decision of the commission unless a request for review by the commission is filed by a party to the proceeding within 30 days of the date of the hearing officer's decision.

(15) The clerk shall send a copy of the decision to all parties and shall include with the decision a letter stating that a party may request review of the hearing officer's decision to the commission and describing the process for requesting a review by the commission.

101.04: Review by the Commission of Decisions of the Hearing Officer

(1) A request for review of the decision issued by a hearing officer shall be filed with the clerk of the commission on a form provided by the clerk. A request for review shall not operate as a stay of the decision of the hearing officer, unless, along with the filing of a request for review, the party requesting review includes a request for a stay of the decision and such stay is granted by the commission.

(2) The request for review must be filed not later than 30 days from the date of the decision issued by the hearing officer. Requests for review filed later than 30 days from the date of the order or fine issued by the judges or stewards shall be forwarded to the commission for review. Orders regarding requests for review filed later than 30 days from the date of the order or fine issued by the judges may be issued by a single commissioner appointed by the chairman to issue such orders.

(3) The request for review shall include:

- a. the name, address and contact information, including telephone number and email, if any, of the party requesting review;
- b. the name and address of counsel representing the party requesting review, if any, and
- c. a brief description of the basis for the request for review.

(4) Each request for review shall include a copy of the decision of the hearing officer that is the basis for the request for review.

(5) Upon receipt of the request for review by the commission, the clerk shall docket the request and request a copy of the written record of the hearing from the hearing officer. The hearing officer shall provide a copy of the written record to the clerk no later than 10 days after the clerk's request. The written record shall include the decision of the hearing officer, any briefs submitted by the parties, the evidence submitted to the hearing officer and the transcript of the adjudicatory hearing before the hearing officer. The clerk shall provide a copy of the written record to all parties involved in the matter to be reviewed by the commission.

(6) The clerk shall schedule a date for review by the commission. The clerk shall request that each party file a brief stating why the decision of the hearing officer be affirmed, vacated or modified and the relief requested. Such brief shall be no longer than 10 pages and shall be due no later than 15 days prior to the date of review by the commission. The briefs shall be filed with the clerk. Each party shall serve a copy of its brief on the other party (ies) to the hearing.

(7) The clerk shall provide copies of the briefs and a copy of the written record to the commission.

(8) A party may request permission to file a brief longer than 10 pages. Such request must be in writing. The clerk shall forward the request to the commission. It shall be up to the discretion of the commission as to whether to grant such request. If the commission grants a request for additional pages, the clerk shall forward a copy of the commission's order to all parties to the hearing and all parties shall have the right to file such additional number of pages. Requests to file a brief longer than 10 pages may be granted by an order issued by a single commissioner appointed by the chairman to issue such orders.

(9) All requests for extensions of time to file a brief shall be made in writing to the clerk. The clerk shall forward the request for an extension of time to file a brief to the commission. It shall be up to the discretion of the commission as to whether to grant the request for an extension of time to file a brief. If the commission grants the request for an extension of time to file a brief, the clerk shall forward a copy of the commission's order to the parties and all parties shall have the extension of time to file a brief. Requests for an extension of time to file a brief may be granted by an order issued by a single commissioner appointed by the chairman to issue such orders.

(10) The commission's review of the decision of the hearing officer shall be on the written record submitted by the parties. The written record shall include the decision of the hearing officer, any briefs submitted by the parties, the evidence submitted to the hearing officer and the transcript of the adjudicatory hearing before the hearing officer. The commission, in its sole discretion and upon its own motion, may request oral argument on the request to review the decision of the hearing officer.

(11) Issues not raised before the hearing officer shall not be raised in the briefs to the commission or otherwise considered by the commission. The commission shall not accept as part of the request for review additional or new evidence not submitted to the hearing officer and not already included in the written record.

(12) The standard of review of a decision by the hearing officer shall be a substantial evidence standard unless a different standard is required by c. 23K or c. 128A or c.128C. The commission shall determine whether the decision of the hearing officer is supported by substantial evidence in accordance with the decisions of the Massachusetts courts regarding administrative review of agency decisions.

(13) The commission shall conduct a review of the decision of the hearing officer based upon the entire record submitted to the hearing officer, provided however, that findings made by the hearing officer regarding credibility of witnesses shall not be reviewed by the commission.

(14) The commission may affirm the decision of the hearing officer, vacate the decision of the hearing officer, modify the decision of the hearing officer or remand the matter back to the hearing officer for further action in accordance with the commission's decision. The commission may affirm, vacate or modify the decision of the hearing officer in whole or in part.

In making its decision, the commission may rely on any evidence contained in the record and is not limited to the evidence cited by the hearing officer in support of hearing officer's decision.

(15) The Commission shall issue a written decision as soon as administratively feasible and file it with the clerk. The clerk will provide a copy of the commission's decision to all parties.

101.05: Review of a Commission Decision

Decisions by the commission pursuant to 205 CMR 101 may be reviewed by the appropriate court pursuant to the provisions of M.G.L. c. 30A and M.G.L. c.23K

DRAFT

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

Section

- 136.01: Definitions
- 136.02: General Provisions
- 136.03: Issuance of License and Permit
- 136.04: Gaming Beverage License Application
- 136.05: Fees
- 136.06: Term and Renewal of License
- 136.07: Practices and Conditions of License
- 136.08: Form of the Gaming Beverage License

136.01 : Definitions

As used in 205 CMR 136.00, the following words and phrases shall have the following meaning, unless the context clearly requires otherwise. Moreover, the definitions contained in M.G.L. c.138, §1, to the extent to which they are not in conflict with 205 CMR 136.00 or M.G.L. c.23K, §2, are fully incorporated by reference herein. In the event of any definitional conflict, M.G.L. c.23K shall prevail followed by M.G.L. c.138 followed by 205 CMR 136.01:

- (1) ABCC means the Alcoholic Beverages Control Commission
- (2) Bottle service means the sale of a distilled spirit by the bottle, typically accompanied by the provision of mixers, for consumption by more than one patron within a licensed area in conjunction with the private use of part of a licensed area.
- (3) Complimentary or free of charge means without payment of money or other form of monetary-like consideration (e.g.- gift cards, rewards points).
- (4) ~~Gaming area shall be as defined by M.G.L. c.23K, §2 and determined by the commission.~~
- (4) Gaming beverage license means a license issued in accordance with M.G.L. c. 23K, § 26 for the sale and distribution of alcoholic beverages to be drunk on the premises of a gaming establishment.
- (5) Gaming beverage licensee means the gaming licensee that is issued a gaming beverage license pursuant to 205 CMR 136.03(4).
- (6) Jointly responsible person means an entity licensed or registered as a vendor in accordance with 205 CMR 134.00 that operates a licensed area under agreement with the gaming licensee and is designated by the gaming beverage licensee pursuant to 205 CMR 136.04 to be responsible for the sale and distribution of alcoholic beverages within a particular licensed area.

- (7) Licensed area means a specific, limited and defined space within a gaming establishment wherein the sale, distribution, or storage of alcoholic beverages to be drunk on the premises **of the gaming establishment** is permitted pursuant to a gaming beverage license as determined by the commission pursuant to 205 CMR 136.03(4).
- (8) Manager or other principal representative means an individual who is licensed or registered in accordance with 205 CMR 134.00 who the gaming beverage licensee or jointly responsible person has delegated to ensure compliance with 205 CMR 136.00 and all terms and conditions of the gaming beverage license applicable in the licensed area.
- (9) Special event means an event for which the consumption of alcoholic beverages is permitted by the commission in an area of the gaming establishment that is not a licensed area for a specific limited period of time.

136.02 : General Provisions

- (1) No person may sell or distribute alcoholic beverages to be drunk on the premises of a gaming establishment except as allowed by a gaming beverage license. **Alcoholic beverages served in a licensed area in accordance with the terms of a gaming beverage license may be consumed in any part of the premises of the gaming establishment subject to any restrictions or conditions placed on the gaming beverage license in the interest of the integrity of gaming and/or public health, welfare, or safety.**
- (2) A gaming beverage licensee shall be responsible for compliance with 205 CMR 136.00 in all licensed areas and the gaming establishment as a whole. A gaming beverage licensee may allow a jointly responsible person to operate a licensed area but shall remain responsible for compliance with 205 CMR 136.00 within the licensed area. A gaming beverage licensee or jointly responsible person shall designate at least one manager or other principal representative to oversee compliance with 205 CMR 136.00 and the terms of the gaming beverage license in the licensed area for which they are responsible.
- (3) A gaming beverage licensee shall not transfer a gaming beverage license, transfer operations of a licensed area to a new jointly responsible person, add a new manager or other principal representative, or add, delete or materially alter the size, configuration or use of a licensed area without the commission's prior written approval.

136.03 : Issuance of License and Permit

- (1) Authority. Pursuant to M.G.L. c. 23K, § 26, the commission may grant a gaming beverage license to a gaming licensee for purposes of allowing the sale and distribution of alcoholic beverages within all licensed areas of the gaming establishment as identified and defined in the license subject to 205 CMR 136.00 **to be drunk on the premises of the gaming establishment, subject to any restrictions imposed on the license.**

(2) Hearings and Additional Information. After reviewing a gaming beverage license application submitted pursuant to 205 CMR 136.04(1), an application to amend a licensed area, or an application for a special event beverage permit submitted pursuant to 205 CMR 136.04(3), and prior to taking action on the application the commission or the commission's Division of Licensing may request additional information from the applicant to complete or supplement the application, may request that the applicant modify the application in the interests of the integrity of gaming and/or public health, welfare, or safety, or may schedule a hearing for the applicant to address any issues that relate to the application.

(3) Gaming Beverage License and Licensed Areas. Applications for licensure shall be submitted to the commission's Division of Licensing. Upon receipt of a complete application for a gaming beverage license, a complete application to amend, alter, or add a licensed area, and the fees required by 205 CMR 136.05, the Division of Licensing shall review the application to determine whether it contains all of the elements required in accordance with 205 CMR 136.04. If the Division of Licensing is satisfied that the application meets the requirements of 205 CMR 136.04 and M.G.L. c.23K, §26, and that any modifications requested in accordance with 205 CMR 136.03(2) have been satisfactorily addressed, it shall forward the application to the commission with a recommendation that it be approved. If it is not satisfied that the application meets the requirements of 205 CMR 136.04, or that a modification requested in accordance with 205 CMR 136.03(2) has been satisfactorily addressed, it shall engage in the process outlined in 205 CMR 136.03(2) or deny the application and advise the applicant that it may appeal the decision to the commission.

(4) The commission shall review the application upon receipt from the Division of Licensing and may approve the application, or parts thereof, and issue the gaming beverage license if it meets all of the requirements of 205 CMR 136.00 and M.G.L. c.23K, §26, or deny or condition the gaming beverage license, or parts thereof, if it determines that the application does not meet all of the requirements of 205 CMR 136.00 and M.G.L. c.23K, §26 or would in some way compromise the integrity of gaming and/or public health, welfare, or safety.

136.04 : Gaming Beverage License Application

(1) Gaming Beverage License Application. A gaming licensee may apply to the commission for a gaming beverage license or renewal of a gaming beverage license by filing with the commission an application form prescribed by the commission, which application form must contain at least the following information:

- (a) The gaming licensee name and contact information;
- (b) Proof of insurance in accordance with 205 CMR 136.07(1); ~~and~~
- (c) A licensed area application form as specified in 205 CMR 136.00(2) for each area of the gaming establishment in which the gaming licensee seeks to sell or distribute alcoholic beverages; **and**

(d) a description of the parts of the premises of the gaming establishment in which the consumption of alcoholic beverages will not be allowed for purposes of ensuring the integrity of gaming, the public health, welfare, or safety, or other reason.-

(2) Licensed Area Application. A gaming licensee shall file, as part of its application for a gaming beverage license, as part of a renewal of a gaming beverage license, or as an independent application to amend a licensed area of a gaming beverage license, a licensed area application on a form prescribed by the commission, which application form must contain at least the following information:

- (a) A ~~map~~ floor plan showing the location of the area within the gaming establishment which the applicant seeks to establish as a licensed area and a ~~floor plan~~ diagram of that specific area;
- (b) A description of the licensed area including the proposed capacity and number of ~~bars, tables, chairs~~ and location of alcoholic beverage dispensing areas, and placement of exits including whether the area is closed or open space, and whether bottle service will be offered in the licensed area;
- (c) A description of the manner in which alcoholic beverages will be stored and secured during times that the licensed area is not open. If storage will be outside of the licensed area, a depiction of the storage area shall be provided on the map referenced in 205 CMR 136.04(2)(a).
- (d) A description of the business concept and the hours of operation for the business;
- (e) The identity of the manager(s) or other principal representative(s) for the licensed area including their employee license or registration number issued in accordance with 205 CMR 134.00;
- (f) The identity of the jointly responsible person, if any, for the licensed area including the contact information and vendor license or registration number issued in accordance with 205 CMR 134.00; and
- (g) If a jointly responsible person will be operating a licensed area, evidence satisfactory to the commission that the gaming beverage licensee maintains at all times during the life of the license the legal authority to monitor the jointly responsible person's compliance with and ability to remove a jointly responsible person from the gaming establishment for a violation of 205 CMR 136.00.

(3) Special Event Beverage Permit. A gaming beverage licensee seeking to serve alcoholic beverages on the premises of a gaming establishment in a location that is not a licensed area may submit a special event beverage permit application to the Division of Licensing for the sale of wines and malt beverages only, or either of them, or for all alcoholic beverages, on a form prescribed by the commission in order to request approval to do so for a temporary duration. The Division of Licensing may approve the application and issue the special event beverage permit if it determines that the application contains all of the required information and issuance would not compromise the integrity of gaming, or the public health, welfare, or safety. The

application should be submitted at least 10 calendar days prior to the proposed event. The application form shall contain, at a minimum, the following information:

- (a) Name and description of the event;
- (b) A description and mapped location of the event;
- (c) Date, time, and duration of the event;
- (d) A copy of the advertisement, program and promotional material for the event;
- (e) Number of persons anticipated to attend the event;
- (f) Admission price to the event;
- (g) Type of alcoholic beverages to be served;
- (h) Security and staffing arrangements;
- (i) The identity of the jointly responsible person, if any, for the special event area including the contact information and vendor license or registration number issued in accordance with 205 CMR 134.00;
- (j) The identity of the managers or other principal representatives for the special event area including their employee license or registration number issued in accordance with 205 CMR 134.00; and
- (k) A copy of the written agreement, if any, between an entity for which the special event beverage permit was applied and the gaming beverage licensee.

136.05 : Fees

- (1) The application fee and renewal fee for the gaming beverage license application pursuant to 205 CMR 136.04(1) is \$15,000.
- (2) The fee for an application to amend a licensed area pursuant to 205 CMR 136.04(2) or an application for special event beverage permit pursuant to 205 CMR 136.04(3) is \$100.
- (3) If the commission's costs for reviewing a gaming beverage application, application to amend or add a licensed area, or an application for a special event beverage permit, in accordance with the fee schedule posted by the commission to its website, exceed the application fees provided in 205 CMR 136.00(1) and (2), the gaming beverage licensee shall pay the additional amount within 30 days after notification of insufficient fees or the application shall be rejected.
- (4) All fees pursuant to 205 CMR 136.00 must be submitted to the commission's Division of Licensing in the form of a certified check, cashier's check, or electronic funds transfer payable to the Commonwealth of Massachusetts. All fees pursuant to 205 CMR 136.00(1) and (2) must be submitted to the Division of Licensing prior to or along with the application.

136.06: Term and Renewal of License

(1) Gaming Beverage License. A gaming beverage license shall expire 3 years from the date of issuance. To ensure uninterrupted use of the license, the gaming beverage licensee shall submit an application for renewal in the form prescribed in 205 CMR 136.04(1) at least 45 days prior to expiration.

(2) Special Event Beverage Permit. The special event beverage permit shall be valid for the dates and times specified by the permit, but in no case longer than 7 days.

136.07: Practices and Conditions of License

(1) Insurance. The gaming beverage licensee must at all times maintain liquor liability insurance for bodily injury or death for a minimum amount of \$250,000 on account of injury to or death of 1 person, and \$500,000 on account of any 1 accident resulting in injury to or death of more than 1 person. The policy shall have no **annual** aggregate limit.

(2) Price Restrictions. The gaming beverage licensee, or jointly responsible person, shall maintain a schedule of the prices charged for all alcoholic beverages to be served in a licensed area. Such prices shall be effective and remain constant for not less than one calendar week. An alcoholic beverage must be either served free of charge in the gaming area in accordance with a gaming licensee's complimentary distribution program consistent with 205 CMR 138.09 or at the price set in the schedule. The distribution of a free alcoholic beverage may not be conditioned on the purchase of an alcoholic beverage. 205 CMR 136.007(0) shall not apply to private functions not open to the public and shall be subject to the provisions of 205 CMR 136.07(4).

Nothing contained in 205 CMR 136.00 shall be construed to prohibit licensees from offering complimentary food or entertainment at any time; or to prohibit licensees from including an alcoholic beverage as part of a meal package; or to prohibit the sale or delivery of wine by the bottle or carafe when sold with meals or to more than one person; or to prohibit a licensee from offering room services to registered hotel guests.

A gaming beverage licensee and/or jointly responsible person may conduct alcoholic beverage tastings in a licensed area of beer/malt, wine, liqueurs, cordials and alcoholic beverages provided that food is served in conjunction with the tasting and the IEB is provided 24 hour advance written notice specifying the date, time, location, and type of samples to be offered at the event. Tasting quantities shall be limited as follows:

- (a) beer/malt beverage tasting samples shall be limited to two ounces per serving;
- (b) wine tasting samples shall be limited to one ounce per serving; and

(c) Other alcoholic beverages including liqueur and cordial samples shall be limited to one-quarter of an ounce per serving.

(3) Vendor and Employee License and Registration. Each jointly responsible person must possess a vendor license or registration issued pursuant to 205 CMR 134.00 and each manager or other principal representative of a jointly responsible person must possess an employee license or registration issued pursuant to 205 CMR 134.00. No gaming beverage licensee or jointly responsible person may receive alcoholic beverages from a supplier unless the supplier possesses a valid vendor license or registration pursuant to 205 CMR 134.04. Moreover, said supplier of alcoholic beverages must first possess the legal authority, pursuant M.G.L. c.138 to supply alcoholic beverages to a retailer licensed to operate an “on-premises” license under M.G.L. c. 138, §12.

(4) Distribution of Alcoholic Beverages Free of Charge. Pursuant to M.G.L. c. 23K, § 26(c) and St. 2011, c. 194, §107, a gaming beverage licensee or jointly responsible person may only distribute alcoholic beverages free of charge for on-premises consumption to patrons in the gaming area. Complimentary distribution must be offered in accordance with the gaming licensee’s complimentary distribution program submitted in accordance with 205 CMR 138.09-13. Provided, alcoholic beverages may be provided to patrons in a licensed area outside of the gaming area at no cost to the patron if the alcoholic beverages are paid for by a third party other than the gaming beverage licensee or jointly responsible person. Documentation of any such third party payment shall be maintained by the gaming beverage licensee for inspection upon request by the commission, or its agents, including agents of the gaming liquor enforcement unit of the ABCC.

(5) Postings. The gaming beverage licensee shall post in a location continuously conspicuous to the public within each licensed area and wherever alcoholic beverages are served:

- (a) a copy of the licensed area addendum pursuant to 205 CMR 136.09(2) for the licensed area, and
- (b) a summary of M.G.L. c. 90, §24 prohibiting driving under the influence and stating the maximum penalties provided therefore.

(6) Bottle Service. If the gaming beverage licensee intends to offer bottle service it shall detail its policies and protocols for such service as part of its application submitted in accordance with 205 CMR 136.04(1), which shall include, at a minimum, a requirement that alcoholic beverages be poured by an employee of the gaming licensee who is licensed in accordance with 205 CMR 134.00.

(7) Prohibited Distribution. A gaming beverage licensee, jointly responsible person, and their respective agents and employees, except as otherwise provided by 205 CMR 136.07:

- (a) may not offer or deliver more than two drinks to one individual at a time (except that a bottle of wine may be served to one or more patrons);

- (b) may not sell, offer to sell or deliver to any person an unlimited number of drinks during any set period of time for a fixed price (i.e.- 'open bar'), except at invitation-only private functions not open to the public;
- (c) may not increase the volume of alcoholic beverages contained in a drink without increasing proportionately the price regularly charged for such drink during the same calendar week;
- (d) may not offer or deliver malt beverages or mixed drinks by the pitcher except to two or more persons at any one time;
- (e) may not encourage or permit any game or contest which involves drinking alcoholic beverages or the awarding of alcoholic beverages as prizes;
- (f) may not serve an alcoholic beverage to any person who is visibly intoxicated; and
- (g) may not serve an alcoholic beverage to any person who is under age 21.
- (h) may not be serve or distribute alcoholic beverages at the gaming establishment between 2:00 A.M. and 8:00 A.M..

(8) Forms of Identification.

(a) A gaming beverage licensee or jointly responsible person shall use an identification scanner to detect fraudulent identification and may rely on the following forms of identification to demonstrate proof that a person has attained the age of 21:

- (1) a liquor purchase identification card issued pursuant to M.G.L. c.138, §34B or a motor vehicle driver's license issued pursuant to M.G.L. c. 90, §8, or ~~the equivalent~~ a liquor purchase identification card or driver's license issued by another State in the United States or government of a foreign country, or district therein, recognized by the United States government;
- (2) an identification card issued pursuant to M.G.L. c. 90, §8E or the equivalent issued by another State in the United States;
- (3) a valid passport issued by the United States government, or by a government of a foreign country recognized by the United States government; or
- (4) a valid United States issued military identification card;

(b) If a gaming beverage licensee or jointly responsible person **reasonably** relies on the forms of identification described in 136.00(0)(a) for proof of person's identity and age, the gaming beverage licensee or jointly responsible person shall not suffer any disciplinary action for delivering or selling alcoholic beverages to a person less than twenty-one years of age ~~if such reliance was reasonable~~. If reliance was reasonable, such reliance creates a rebuttable presumption that the individual so relying exercised due care in making such delivery or sale of alcoholic beverages to a individual under twenty-one years of age for

purposes of 205 CMR 136.07. **Provided, this presumption shall not affect the applicability of 205 CMR 138.07(7)(f).**

(9) Employee Policies.

(a) The gaming beverage licensee or the jointly responsible person must appoint in writing one or more managers or other principal representatives for each licensed area.

(b) At least one manager or other principal representative must be present in each licensed area at all times that alcoholic beverages are available for sale or distribution, and shall be available to the division of gaming liquor enforcement of the ABCC, the IEB, the Division of Licensing, and the gaming enforcement unit at any **such** time. Further, assigned managers or principal representatives shall be responsible to ensure that alcohol is properly stored and secured at all times in accordance with the gaming beverage licensee's policies and protocols approved in accordance with 205 CMR 138.12 and in accordance with 205 CMR 138.04(2)(c).

(c) Before beginning employment, the gaming beverage licensee or jointly responsible person must receive proof that managers or other principal representatives successfully completed a recognized alcoholic beverage server training program, such as Training for Intervention Procedures (TIPS). The gaming beverage licensee and jointly responsible person must ensure that all other employees involved in the service or delivery of alcoholic beverages complete such program within thirty days of hire. Any employee who fails to obtain such training within thirty days of hire shall not be eligible to serve alcoholic beverages until such time as said training is completed. The gaming beverage licensee and jointly responsible person shall be responsible for ensuring that all employees read, understand, and comply with the rules and regulations of the commission and 205 CMR 136.00. The gaming beverage licensee must ensure that all employees abide by the gaming beverage licensee's policy for responsible alcoholic beverage services in accordance with 205 CMR 138.12.

(d) No gaming beverage licensee or jointly responsible person may take any adverse employment action against an employee for declining to serve, or refusing to allow another to serve, a patron who he or she believes, in good faith, is under the age of 21, intoxicated, engaged in illegal activity, or causing a disturbance.

(10) Quality of Beverages.

(a) Substitution of Beverages. The substitution of any alcoholic beverages of a kind or brand different from that ordered by a purchaser is prohibited unless it is done with the consent of the person making the purchase.

(b) Dilution. No gaming beverage licensee or jointly responsible person shall dilute, change, or in any manner tamper with any alcoholic beverage authorized to be sold under such license so as to change its composition or alcoholic content. Possession on the premises of the gaming establishment or a licensed area of any alcoholic beverage differing in composition or alcoholic content from such beverage when received from the manufacturer or wholesaler and importer from whom it was purchased, except cocktails and other mixed

drinks, shall be prima facie evidence that the said beverage has been diluted, changed or tampered with in violation of 205 CMR 136.007(00)(b).

(c) Entry and Samples. The commission, or its agents, including agents of the gaming liquor enforcement unit of the ABCC, may at any time enter upon any area of the gaming establishment, including any licensed area, for purposes of enforcement of M.G.L. c.23K or 205 CMR 136.00. The commission or its agents, including agents of the gaming liquor enforcement unit of the ABCC, may at any time take samples for analysis from any beverages or alcohol kept on such premises, and the vessel or vessels containing such samples shall be sealed on the premises in the presence of a representative of the gaming beverage licensee or jointly responsible person.

(11) Resealing of Partially Consumed Bottles of Wine.

(a) No gaming beverage licensee or jointly responsible person shall permit a patron to retain and take off the premises of the gaming establishment so much of a bottle of wine purchased by that patron with a meal and not totally consumed by that patron during the meal, except when the bottle is re-sealed in compliance with 205 CMR 136.007(11).

(b) Only one partially consumed bottle of wine per patron may be resealed and removed from the gaming establishment.

(c) A receipt that prominently displays the date of the purchase of the meal must be furnished to the patron. The receipt must show both the purchase of the meal and the purchase of the bottle of wine.

(d) Proper re-sealing requires:

- (1) securely resealing the bottle of wine;
- (2) placing the resealed bottle in a one-time use tamper proof transparent bag that insures the patron cannot gain access to the bottle while in transit after the bag is sealed;
- (3) securely sealing the bag; and
- (4) affixing the receipt to the sealed bag.

(12) Public Safety. No gaming beverage licensee or jointly responsible person shall permit disorder, disturbance, or illegality of any kind in a licensed area **or any portion of the premises of the gaming establishment in which alcoholic beverages are permitted to be consumed**. A gaming beverage licensee must maintain and exercise close supervision and control over the service of alcoholic beverages in the licensed areas at all times. The commission or its agents, including agents of the gaming liquor enforcement unit of the ABCC, may, as required in cases of public disturbance, order gaming beverage licensees and jointly responsible persons not to sell, give away, or deliver any alcoholic beverages in the gaming establishment, or within a specific licensed area(s), for a period not exceeding three days at any one time. At the gaming beverage

licensee's request, a hearing in accordance with 205 CMR 101.00 shall promptly be scheduled in the event that such order is issued to determine the need for continuation of the order.

136.08: Form of the Gaming Beverage License

(1) Gaming Beverage Licensee. The commission, after granting a gaming beverage license application for one or more licensed areas in a gaming establishment shall issue a formal license document that contains the following:

- (a) A complete identification of the gaming beverage licensee's identity, and the contact information for a responsible individual;
- (b) The term of the license;
- (c) An official commission serial number;
- (d) A statement that all conditions set forth in M.G.L. c. 23K and 205 CMR 136.00 are incorporated by reference, included as if completely set forth therein and made a part of the issued form of the gaming beverage license;
- (c) A statement that all additional conditions set forth by the commission shall also be incorporated by reference, included as if completely set forth therein and also made a part of the issued form of the gaming license;
- (d) The official seal of the Commonwealth of Massachusetts;
- (e) The signature of the chair or his designee after receiving a commission vote authorizing such license issuance and signature execution;
- (f) ~~A condition that alcoholic beverages may not be sold or distributed at the gaming establishment between 2:00 A.M. and 8:00 A.M.;~~
- (g) Such other conditions, limitations, or restrictions on the sale or distribution of alcoholic beverages at the gaming establishment as determined by the commission;
- (h) A listing of all licensed areas covered by the gaming beverage license, and the jointly responsible person, if any, for each licensed area; and
- (k) A statement incorporating by reference all licensed area addenda issued pursuant to 205 CMR 136.08(2).

(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:

- (a) A precise, complete and defined description of the of the licensed area;

- (b) A complete identification of the gaming beverage licensee's identity;
- (c) The term of the license;
- (d) An official commission serial number;
- (e) The official seal of the Commonwealth of Massachusetts;
- (f) The signature of the chair or his designee;
- (g) A statement incorporating by reference all applicable conditions attached to the gaming beverage license;
- (h) Any unique conditions, restrictions or limitations which apply to the licensed area;
- (i) The identity of the jointly responsible person, if any; and

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

REGULATORY AUTHORITY

205 CMR 136.00: M.G.L. c. 23K, §§ 4, 5, 26, 36; M.G.L. c. 138, § 34B.

205 CMR: MASSACHUSETTS GAMING COMMISSION

205 CMR 150.00: PROTECTION OF MINORS & UNDERAGE YOUTH

Section

150.01: Preventing Gambling and Entry to Gaming Area by Underage Persons

150.02: Monitoring the Premises for Unattended Minors

150.03: Advertising and Marketing Guidelines

150.04: Preventing the Service of Alcohol to Underage Persons

150.05 Reporting Requirements Related to Minors and Underage Persons

150.01: Preventing Gambling and Entry to Gaming Area by Underage Persons

Each gaming licensee shall implement policies, procedures, and practices designed to prevent persons under the age of 21 from gambling and, except for an employee 18 years or over who is licensed or registered pursuant to M.G.L. c. 23K and 205 CMR and acting in the performance of the duties the employee is licensed or registered to undertake, from entering a gaming area. The policies, procedures, and practices shall include but not be limited to an ongoing program of training for personnel at the gaming establishment that emphasizes the responsibility of personnel for identifying and preventing such activity by persons under the age of 21.

Identifiable winnings or losses arising as a result of such prohibited gaming in a gaming establishment by a person under the age of 21 shall be **remitted to the commission for deposit into the Gaming Revenue Fund established in G.L. c. 23k, § 59.** ~~subject to forfeiture to the commission for deposit into the Public Health Trust Fund established pursuant to M.G.L. c. 23K § 58.~~

150.02: Monitoring the Premises for Unattended Minors

(1) Each gaming licensee shall establish policies, procedures, and practices requiring its security and surveillance personnel, or equivalent personnel, to conduct regular checks of parking areas for minors left in motor vehicles and for the immediate report of any such finding to the police department in the host community and to the state police in the Gaming Enforcement Unit.

(2) Each gaming licensee shall establish policies, security procedures, and security practices to ensure the safety of minors on the premises of a gaming establishment, including but not limited to monitoring the premises of the gaming establishment for unattended minors.

150.03: Advertising and Marketing Guidelines

No gaming licensee shall authorize or conduct marketing, advertising, and/or promotional communications or activity relative to gaming ~~to~~ **that** specifically targets persons under the age of 21.

150.04: Preventing the Service of Alcohol to Underage Persons

Each gaming licensee shall implement policies, procedures, and practices in accordance with 205 CMR 138.12 to prevent the service of alcoholic beverages to underage persons upon the premises of the gaming establishment.

150.05: Reporting Requirements Related to Minors and Underage Persons

Each gaming licensee shall submit an underage person report to the IEB by the 10th day of each month reporting the following information:

- (1) The number of persons under the age of 21 found in the gaming area;
- (2) The number of persons under the age of 21 found gaming at tables;
- (3) The number of persons under the age of 21 found gaming at slot machines or other electronic gaming devices;
- (4) The number of persons under the age of 21 found consuming alcohol;
- (5) The number of persons under the age of 21 turned over to the proper law enforcement authority; and
- (6) The number of persons under the age of 21 escorted from the gaming area.

REGULATORY AUTHORITY

M.G.L. c. 23K, §§ 5(a); 21(a); 25(h); 54; 58; 59.

205 CMR: MASSACHUSETTS GAMING COMMISSION

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

Section

151.01: Issuance and Posting of Operation Certificate

151.02: Floor plan

151.03: Operation Certificate: Test period

151.04: Operation Certificate: Effective date; duration

151.05: Operation Certificate: Amendment to conform to approved changes

151.06: Temporary amendments for pit and slot zone configurations or reconstitutions

151.01: Issuance and posting of Operation Certificate

- (1) Before conducting gaming at a gaming establishment, or commencing operations of non-gaming amenities, **other than for testing purposes in accordance with 205 CMR 151.03**, a gaming licensee must request and obtain from the commission an Operation Certificate. The Operation Certificate shall not issue until the commission has conducted all reviews, including on-site tests and inspections required in accordance with 205 CMR 151.00 and otherwise deemed necessary by the commission.
- (2) The Operation Certificate shall be conspicuously posted within the gaming establishment and shall state the number of gaming positions by type, i.e., slot machines, electronic gaming devices, table games or such other forms of gaming positions approved by the commission.
- (3) An Operation Certificate shall not issue unless the gaming licensee has demonstrated to the commission that it has complied with all requirements of G.L. c. 23K, 205 CMR, and all applicable laws. Such compliance includes, but is not limited to:
 - (a) Approval of its system of internal controls in accordance with 205 CMR 138.02(2) including implementation of all approved policies and procedures required in accordance with 205 CMR 138.02(4);
 - (b) Compliance with all elements of M.G.L. c.23K, §25(a);
 - (c) Provision of a current list of all gaming employees;
 - (d) For category 1 and category 2 gaming licensees, the gaming area and other essential ancillary entertainment services and non-gaming amenities, as determined by the commission, have been built and are of a superior quality and comply with any applicable conditions of licensure;
 - (e) For category 1 gaming licensees, documentation to confirm that total infrastructure improvements onsite and around the vicinity of the gaming establishment, including projects to account for traffic mitigation, are completed in accordance with G.L. c. 23K, § 10(c) and the conditions of the gaming licensee's license;
 - (f) For the category 2 gaming licensee, documentation to confirm that any infrastructure improvements necessary to increase visitor capacity and account for traffic mitigation

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

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

151.02: Floor plan

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

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

- (4) Each other area or room designated by the commission.
- (3) A gaming licensee, after obtaining the commission's approval of its floor plans submitted as ~~part of its internal controls~~ **in accordance with 205 CMR 151.02**, shall not commence gaming or simulcast wagering in the areas depicted on the floor plan until **an Operation Certificate has been issued**, and a copy thereof has been delivered to the commission's IEB office in the establishment, an electronic copy has been sent to the IEB's main office, and a printed copy thereof has been delivered to each of the following:
- (a) The gaming licensee's security podium; and
 - (b) The gaming licensee's monitoring rooms.

151.03: Operation certificate: test period

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

151.04: Operation Certificate: Effective date; duration

- (1) Upon the successful completion of the test period in accordance with 205 CMR 151.03, the commission shall establish the effective date of the Operation Certificate and the scope of the

gaming licensee's authority to conduct gaming and, if applicable, simulcast wagering thereunder.

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

151.05: Operation Certificate: Amendment to conform to approved changes

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

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

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

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

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

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

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

151.06: Temporary amendments for pit and slot zone configurations or reconstitutions

(1) A gaming licensee may temporarily reconfigure one or more pits or slot zones by filing a notice with the commission at the IEB office in the gaming establishment to temporarily reconfigure for each specific pit or slot zone, which notice shall be filed at least 24 hours prior to implementing such alternate configuration. If the gaming licensee does not receive a response to the petition within that 24 hour period, the gaming licensee may proceed with the reconfiguration or reconstitution.

(2) A reconfigured pit shall not:

- (a) Exceed the dimensions approved for the pit that existed immediately prior to the reconfiguration; nor
- (b) Include any change requiring the approval of a building official without having first obtained that approval and the approval of the commission.

(3) Each pit operating under an approved configuration shall have an alarm system, approved by the commission, which enables a pit clerk or a pit supervisor to transmit a signal that is audibly and visually reproduced in each of the following locations whenever there is an emergency in the pit:

- (a) The surveillance monitoring rooms; and
- (b) The casino security department.

REGULATORY AUTHORITY

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

DRAFT

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 152.00: INDIVIDUALS EXCLUDED FROM A GAMING
ESTABLISHMENT

Sections

- 152.01: Scope and authority
- 152.02: Maintenance and distribution of list
- 152.03: Criteria for exclusion
- 152.04: Duties of the IEB
- 152.05: Procedure for entry of names
- 152.06: Information contained on list
- 152.07: Duty of gaming licensee
- 152.08: Petition to remove name from exclusion list
- 152.09: Forfeiture of winnings
- 152.10: Elected officials of a host community

152.01: Scope and authority

The provisions of 205 CMR 152.00 shall provide for the establishment and maintenance of a list, and associated protocols and procedures, for exclusion of individuals from gaming establishments in accordance with M.G.L. c.23K, §§45(a) through (e) and 45(j). Such list shall be maintained separately from that established and maintained in accordance with M.G.L. c.23K, §45(f) through (h).

152.02: Maintenance and distribution of list

- (1) The Commission shall maintain a list of persons to be excluded or ejected from a gaming establishment which shall be posted on the commission's website.
- (2) Each gaming licensee shall ensure that it accesses and reviews the list on a regular basis and that it is made available to all employees of the gaming establishment.

152.03: Criteria for exclusion

- (1) **In the commission's discretion,** an individual may be placed on the exclusion list if the commission determines that the individual meets one or more of the following criteria:
 - (a) the individual has been convicted of a criminal offense under the laws of any state or the United States that is punishable by more than 6 months in a state prison, a house of correction or any comparable incarceration, a crime of moral turpitude or a violation of the gaming laws of any state;
 - (b) the individual has violated or conspired to violate M.G.L. c.23K or any laws related to gaming;

- (c) the individual has a notorious or unsavory reputation which would adversely affect public confidence and trust that the gaming industry is free from criminal or corruptive elements;
 - (d) the individual is an associate of an individual who falls into a category identified in 205 CMR 1152.03(1)(a) through (c);
 - (e) there exists the potential of injurious threat to the interests of the commonwealth if the individual is permitted in a gaming establishment.
- (2) In determining whether a there exists the potential of injurious threat to the interests of the commonwealth if an individual is permitted in a gaming establishment in accordance with 205 CMR 152.03(1)(e), the commission may consider the following:
- (a) Whether the individual is a known cheat;
 - (b) Whether the individual has had a license or registration issued in accordance with 205 CMR 134.00, or a like license or registration issued by another jurisdiction, suspended or revoked or has been otherwise subjected to adverse action;
 - (c) Whether the individual poses a threat to the safety of ~~the~~ a patron(s) or employee(s) of a gaming establishment;
 - (d) Whether the individual has a documented history of conduct involving the undue disruption of gaming operations in any jurisdiction;
 - (e) Whether the individual is subject to a no trespass order at any casino or gaming establishment in any jurisdiction.
- (3) The commission shall not base a finding to place an individual on the excluded list on an individual's race, color, religion, **religious creed**, national origin, ancestry, sexual orientation, **gender identity or expression**, **age (other than minimum age requirements)**, **marital status**, **veteran status**, **genetic information**, disability or sex.

152.04: Duties of the IEB

- (1) The IEB shall, on its own initiative, or upon referral by the commission or a gaming licensee, investigate any individual who may meet one or more criterion for inclusion on the list in accordance with 205 CMR 152.03.
- (2) If, upon completion of an investigation, the IEB determines that an individual meets one or more criterion contained in 205 CMR 152.03 and should be placed on the exclusion list, the IEB shall refer the matter to the commission by way of a report that identifies the individual and sets forth a factual basis as to why the IEB believes the individual meets one or more criterion for inclusion on the list in accordance with 205 CMR 152.03.

152.05: Procedure for entry of names

- (1) The commission shall consider all reports received from the IEB in accordance with 205 CMR 152.04(2) at a public meeting. After review, the commission may place an individual on the exclusion list upon a finding of good cause shown that the

individual meets one or more criterion contained in 205 CMR 152.03 and should be excluded from gaming establishments. Prior to placing a name on the list, the commission may, in its discretion, schedule a hearing on the matter and provide the individual notice in accordance with 205 CMR 152.05(2).

- (2) Whenever the commission places an individual on the list of excluded persons in accordance with 205 CMR 152.05(1), the commission shall promptly serve written notice upon that individual by personal service, registered or certified mail return receipt requested to the last ascertainable address or by publication in a daily newspaper of general circulation for 1 week. The notice shall contain a description of the cause for the exclusion, notice that the individual is prohibited from being present at and gambling in a gaming establishment, and an explanation of the hearing process and manner in which the individual may request a hearing in accordance with 205 CMR 152.05(3).
- (3)
 - (a) Within 30 days of receipt of service of notice by mail or 60 days after the last publication under 205 CMR 152.05(2), an individual placed on the list of excluded persons may request an adjudicatory hearing before the commission under M.G.L. c.30A and show cause as to why the individual should be removed from the list of excluded persons. Such request shall be made by the individual in writing. Failure to demand a hearing within the time allotted in 205 CMR 152.05(3)(a) shall preclude the individual from having an administrative hearing, but shall not affect the individual's right to petition for judicial review.
 - (b) Upon receipt of a demand for hearing, the commission shall set a time and place for the hearing. This hearing shall be held not later than 30 days after receipt of the demand for the hearing, unless the time of the hearing is changed by agreement of the commission and the individual demanding the hearing. The hearing shall be conducted in accordance with 205 CMR 101.00.
 - (c) If upon completion of the hearing the commission determines that the individual was wrongfully placed on the list of excluded persons, the commission shall remove the individual's name from the list of excluded persons and notify all gaming licensees.
 - (d) A person aggrieved by a final decision of the commission in an adjudicatory proceeding under 205 CMR 152.05 may petition for judicial review under M.G.L. c.30A, §14.
- (4) Upon receipt of notice from a district court that an individual has been prohibited from gaming in gaming establishments in accordance with M.G.L. c.23K, §45(i) the commission shall place the name of an individual on the excluded list.

152.06: Information contained on list

The following information and data, where available, shall be provided for each excluded individual:

- (1) The full name and all aliases the individual is believed to have used;

- (2) A description of the individual's physical appearance, including height, weight, type of build, color of hair and eyes and any other physical characteristics which may assist in the identification of the individual;
- (3) The individual's date of birth;
- (4) The effective date of the order mandating the exclusion of the individual;
- (5) A photograph, if obtainable, and the date thereof; and
- (6) Such other information deemed necessary by the commission for the enforcement of 205 CMR 152.00.

152.07: Duty of gaming licensee

- (1) Upon identification, a gaming licensee shall exclude or eject from its gaming establishment any individual who has been placed on the list in accordance with 205 CMR 152.00.
- (2) If an excluded individual enters, attempts to enter, or is in a gaming establishment and is recognized by the gaming licensee, the gaming licensee shall immediately notify the IEB.
- (3) It shall be the continuing duty of a gaming licensee to inform the commission in writing of the names of individuals it believes are appropriate for placement on the exclusion list.
- (4) A gaming licensee shall not market to an individual who has been placed on the list and shall ensure that such individuals are denied access to complimentarys, check cashing privileges, club programs and other similar benefits.
- (5) The commission may revoke, limit, condition, suspend or fine a gaming licensee if it knowingly or recklessly fails to exclude or eject from its gaming establishment any individual placed by the commission on the list of excluded persons.

152.08: Petition to remove name from exclusion list

- (1) An individual who has been placed on the list in accordance with 205 CMR 152.00 may petition the commission in writing to request that their name be removed from the list. Except in extraordinary circumstances, such a petition may not be filed sooner than 5 years from the date an individual's name is initially placed on the list.
- (2) The individual shall state with particularity in the petition the reason why the individual believes they no longer satisfy one or more criterion for inclusion on the list in accordance with 205 CMR 152.03.
- (3) The commission shall schedule a hearing on any properly filed petitions and provide written notice to the petitioner identifying the time and place of the hearing. Such a hearing shall be conducted in accordance with 205 CMR 101.00.
- (4) An individual who was placed on the excluded list by virtue of an order of the district court in accordance with M.G.L. c.23K, §45(i) may not petition for removal in accordance with 205 CMR 152.08.

152.09: Forfeiture of winnings

- (1) An individual who is on the excluded list shall not collect any winnings or recover losses arising as a result of prohibited gaming in a gaming establishment and such winnings shall be forfeited to the commission and deposited into the Gaming Revenue Fund pursuant to M.G.L. c.23K, §§45(j) and 59.
- (2) Upon verification that an individual who is present in its gaming establishment is on the excluded list, a gaming licensee shall take steps to:
 - (a) Remove the individual from the gaming establishment;
 - (b) Where possible, lawfully cause the individual to forfeit any winnings or things of value obtained from engaging in a gaming transaction including:
 - (1) gaming chips, gaming plaques, slot machine tokens and vouchers, and gaming vouchers;
 - (2) any electronic gaming device or slot machine jackpot won by the individual;
 - (3) any cashable credits remaining on an electronic gaming device or slot machine credit meter be played by the individual.
 - (c) Deliver any winnings or things of value obtained from the individual to the cashiers' cage, where they shall be converted into cash, and the cash value transmitted to the commission for deposit in the Gaming Revenue Fund.
 - (d) In conjunction with a forfeiture of winnings or things of value, a gaming licensee shall prepare a form known as a Notice of Forfeiture, which shall include, without limitation, the name of the individual on the list and the manner in which the individual's identity was established, the total value of the forfeited winnings or things of value, the date, time, and a description of the incident leading to the forfeiture. The Notice of Forfeiture shall be signed and attested to by the prohibited individual, unless the individual refuses to sign or is unknown, the employee delivering the winnings or things of value to the cashiers' cage, and the cashiers' cage employee who received the winnings or things of value.
- (3) If an individual wishes to contest the forfeiture of winnings or things of value, the individual may request a hearing in writing with the commission within 15 days of the date of the forfeiture. The request shall identify the reason why the winnings or things of value should not be forfeited. The commission shall schedule a hearing on such request and provide notice to the petitioner.

152.10: Elected officials of a host community

Elected officials of a host community in which a gaming establishment is located shall not place a wager in that gaming establishment. Provided, such an elected official shall not be prohibited from being present in said gaming establishment.

REGULATORY AUTHORITY

205 CMR 152: M.G.L. c. 23K, §§4(28), 4(37), and 45

DRAFT



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 101.00: M.G.L. c. 23K Adjudicatory Proceedings, for which a public hearing was held on May 21, 2015. These proposals were developed as part of the process of promulgating regulations governing the operation of gaming establishments and racing in the Commonwealth. These regulations govern the adjudicatory proceedings of the Commission, including: hearings before the Commission, orders, review process and decisions. These regulations are largely governed by G.L. c.23K and 30A.

These new regulations generally apply to the gaming/racing licensees, employees, vendors, related parties, and gaming establishments. Accordingly, these regulations are unlikely to have an impact on small businesses, unless a vendor to the gaming establishment elects to pursue a hearing. 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:

As a general matter, no small businesses will be impacted by these regulations unless they elect to pursue a hearing. Accordingly, there are no less stringent 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 unless they elect to pursue a hearing. In that event, it is important that uniform hearing provisions be in place for all.

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

There are no compliance or reporting requirements for small businesses unless they elect to pursue a hearing. In that event, it is important that uniform hearing provisions be in place for all.



Massachusetts Gaming Commission

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

There are no performance standards for small businesses to replace design or operational standards required in the proposed regulations. As a general matter, hearing procedures must be prescriptive in nature to provide uniform process to all.

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

M.G.L. c.23K was enacted to create a new industry in the Commonwealth and to promote and grow local small businesses and the tourism industry, including the development of new small businesses. The proposed regulations are designed to effectuate those intentions and growth and provide parties with a fair and uniform process for dealing with the Commission.

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

There are no alternative regulatory methods to minimize adverse impacts on small businesses.

Massachusetts Gaming Commission
By:

Cecelia M. Porché
Paralegal/Legal Division

Dated:



Massachusetts Gaming Commission



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 136.00: Sale and Distribution of Alcoholic Beverages at Gaming Establishments, for which a public hearing was held on May 21, 2015. These proposals were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. These regulations govern the sale and distribution of alcoholic beverages at gaming establishments. These regulations are largely governed by G.L. c.23K, §§ 4, 5, 26, and 36.

These new regulations apply solely to the gaming establishments. Accordingly, these regulations are unlikely to have an impact on 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:

As a general matter, no small businesses will be impacted by these regulations. Accordingly, there are no less stringent 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 legislation:

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



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:

M.G.L. c.23K was enacted to create a new industry in the Commonwealth and to promote and grow local small businesses and the tourism industry, including the development of new small businesses.

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

There are no alternative regulatory methods to minimize adverse impacts on small businesses.

Massachusetts Gaming Commission

By:

Cecelia M. Porché
Paralegal/Legal Division

Dated:



Massachusetts Gaming Commission



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 150.00: Protection of Minors & Underage Youth, for which a public hearing was held on May 21, 2015. These proposals were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. These regulations govern the protection of minors and underage youth at gaming establishments, including: policies and procedures to prevent persons under age 21 from gambling, surveillance of parking areas for minors, monitoring unattended minors, marketing guidelines, preventing service of alcohol to underage persons and reporting requirements. These regulations are largely governed by G.L. c.23K, §§ 5(a), 21(a), 25(h), 54, 58, and 59.

These new regulations apply solely to the gaming licensees. Accordingly, these regulations are unlikely to have an impact on 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:

As a general matter, no small businesses will be impacted by these regulations. Accordingly, there are no less stringent 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.



Massachusetts Gaming Commission

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

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

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

M.G.L. c.23K was enacted to create a new industry in the Commonwealth and to promote and grow local small businesses and the tourism industry, including the development of new small businesses.

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

There are no alternative regulatory methods to minimize adverse impacts on small businesses.

Massachusetts Gaming Commission

By:

Cecelia M. Porché
Paralegal/Legal Division

Dated:



Massachusetts Gaming Commission



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 151.00: Operations and Conduct of Gaming at a Gaming Establishment, for which a public hearing was held on May 21, 2015. These proposals were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. These regulations set out the policies and requirements that a gaming establishment has to satisfy before the Commission issues an Operation certificate – those requirements include: compliance with G.L. c. 23K, 205 CMR, and all applicable laws; approval of floor plans and test period compliance. This regulation also outlines the term of certificate and process for certificate amendments. These regulations are largely governed by G.L. c.23K, § 25 and 205 CMR 138.

These new regulations apply solely to the gaming establishments. Accordingly, these regulations are unlikely to have an impact on 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:

As a general matter, no small businesses will be impacted by these regulations. Accordingly, there are no less stringent 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.



Massachusetts Gaming Commission

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

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

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

M.G.L. c.23K was enacted to create a new industry in the Commonwealth and to promote and grow local small businesses and the tourism industry, including the development of new small businesses.

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

There are no alternative regulatory methods to minimize adverse impacts on small businesses.

Massachusetts Gaming Commission

By:

Cecelia M. Porché
Paralegal/Legal Division

Dated:



Massachusetts Gaming Commission



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 152.00: Individuals Excluded from a Gaming Establishment, for which a public hearing was held on May 21, 2015. These proposals were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. These regulations govern the requirements for the exclusion of individuals from gaming establishments. These regulations are largely governed by G.L. c.23K, § 45.

These new regulations apply to the gaming establishments and specific individuals. Accordingly, these regulations are unlikely to have an impact on 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:

As a general matter, no small businesses will be impacted by these regulations. Accordingly, there are no less stringent 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 legislation:

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



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:

M.G.L. c.23K was enacted to create a new industry in the Commonwealth and to promote and grow local small businesses and the tourism industry, including the development of new small businesses.

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

There are no alternative regulatory methods to minimize adverse impacts on small businesses.

Massachusetts Gaming Commission
By:

Cecelia M. Porché
Paralegal/Legal Division

Dated:



Massachusetts Gaming Commission

From: ariel christopher [<mailto:ariel.christopher@hotmail.com>]
Sent: Wednesday, March 11, 2015 12:36 PM
To: MGCcomments (MGC)
Subject: comment for/205 CMR 136.00 DRAFT

To Whom it May Concern,

I don't think alcohol should be sold in gaming establishments because most people who engage in gambling and drinking with continued use have potential for addiction. Mass. is a state that has a lot of programs in place to help people with addictions and the new DSM 5 has added a new category to the addiction diagnosis. with that being said I am sure gambling is not a satisfactory solution to our economic problem in our state in the long run. How much will this band- aide really cost in the end? I say no to alcoholic beverages and to gaming and gambling.

Sincerely,

Ariel Christopher



JED M. NOSAL
Counsel

Direct Dial: 617.856.8272
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May 21, 2015

VIA EMAIL

Massachusetts Gaming Commission
84 State Street
Boston, MA 02109

RE: Blue Tarp reDevelopment, LLC's Comments on 205 CMR 136.00

To Whom It May Concern:

In response to the Massachusetts Gaming Commission's (the "Commission") publication and notice of Public Hearing in connection with 205 CMR 136.00, *Sale and Distribution of Alcoholic Beverages at Gaming Establishments* (the "Proposed Regulation") Blue Tarp reDevelopment, LLC ("MGM Springfield"), submits the following comments on the Proposed Regulation to the Commission.

Overall, the Commission's Proposed Regulation sensibly interlaces alcohol control measures with the provisions of Chapter 23K that recognize the unique alcohol licensing requirements of the Commonwealth's gaming establishments. With some modification as set forth more fully below, the regulation can provide the Commission with the necessary licensing and oversight of the use of alcohol at licensed gaming establishments while ensuring an entertaining and safe experience for guests.

Comments on 205 CMR 136.00: Sale and Distribution of Alcoholic Beverages at Gaming Establishments

205CMR 136.01(7)

Section 136.01(7) of the Proposed Regulation provides as follows:

Licensed area means a specific, limited and defined space within a gaming establishment wherein the sale or distribution of alcoholic beverages to be drunk on

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the premises is permitted pursuant to a gaming beverage license as determined by the commission pursuant to 205 CMR 136.03(4).

Please consider amending this section by deleting “to be drunk on the premises” as it first appears. This will conform the definition of “licensed area” to the definition of “gaming beverage license” contained in section 136.01(4) which recognizes that an alcoholic beverage can be consumed anywhere in the gaming establishment. This change will clarify that alcohol can only sold and distributed in a licensed area as provided for in the gaming beverage license but permit alcohol to be consumed throughout the gaming establishment. Further, this change will not permit patrons to remove alcoholic beverages from the gaming establishment. The definition of “gaming beverage license” will prohibit such conduct. The change simply allows a patron to carry a drink from one area to another within the gaming establishment so as not to force a patron to drink more than he/she might otherwise.

205 CMR 136.02(1)

Section 136.02(1) of the Proposed Regulation provides as follows:

No person may sell or distribute alcoholic beverages to be drunk on the premises of a gaming establishment except as allowed by a gaming beverage license.

For purposes of clarity and consistency with the proposed revised definition of “licensed area”, please consider deleting “to be drunk on the premises of a gaming establishment” from this section.

205 CMR 136.06(1)

Section 136.06(1) of the Proposed Regulation provides as follows:

Gaming Beverage License. A gaming beverage license shall expire 3 years from the date of issuance. To ensure uninterrupted use of the license, the gaming beverage licensee shall submit an application for renewal in the form prescribed in 205 CMR 136.04(1) at least 45 days prior to expiration.

Please consider amending this section to make a gaming beverage license coterminous with the gaming license. A gaming license and gaming beverage license are codependent parts of the gaming establishment and should therefore be coterminous. Further, a gaming establishment will be continuously supervised and regulated by the Commission like no other licensed premise in the Commonwealth, including embedded members of the Commission’s staff and dedicated Alcohol Beverage Control Commission agents, rendering a renewal process unnecessary.



205 CMR 136.07(4)

Section 136.07(4) of the Proposed Regulation provides as follows (first sentence):

Pursuant to M.G.L. c. 23K, § 26(c), a gaming beverage licensee or jointly responsible person may only distribute alcoholic beverages free of charge for on-premises consumption to patrons in the gaming area.

For the grounds set forth in the comments on sections 136.01(7), 136.02(1) and 136.04(3) above, please consider deleting in the first sentence the phrase “for on premise consumption” as it first appears.

Section 136.07(8)(b) of the Proposed Regulation provides as follows:

If a gaming beverage licensee or jointly responsible person relies on the forms of identification described in 136.07(8)(a) for proof of person’s identity and age, the gaming beverage licensee or jointly responsible person shall not suffer any disciplinary action for delivering or selling alcoholic beverages to a person less than twenty-one years of age if such reliance was reasonable. If reliance was reasonable, such reliance creates a rebuttable presumption that the individual so relying exercised due care in making such delivery or sale of alcoholic beverages to an individual under twenty-one years of age for purposes of 205 CMR 136.07

Please consider amending this section to eliminate the creation of a “rebuttable presumption” for the disciplinary safe harbor based on reliance of an authorized form of identification. The section of Chapter 138 that this provision is partly based upon provides for immunity from disciplinary action (and criminal prosecution) that is absolute, not a rebuttable presumption, for licensed premises. See G.L. c. 138, § 34B. A gaming establishment licensee should be afforded the same protections regarding reasonable reliance on certain forms of identification as all other licensed premises. This section should therefore be amended as follows:

b) If a gaming beverage licensee or jointly responsible person reasonably relies on the forms of identification described in 136.07(8)(a) for proof of person’s identity and age, the gaming beverage licensee or jointly responsible person shall (i) not suffer any disciplinary action for delivering or selling alcoholic beverages to a person less than twenty-one years of age and (ii) be presumed to have exercised due care in making



such delivery or sale of alcoholic beverages to an individual under twenty-one years of age.

205 CMR 136.07(6)

Section 136.07(6) of the Proposed Regulation provides as follows:

Bottle Service. If the gaming beverage licensee intends to offer bottle service it shall detail its policies and protocols for such service as part of its application submitted in accordance with 205 CMR 136.04(1), which shall include, at a minimum, a requirement that alcoholic beverages be poured by an employee of the gaming licensee who is licensed in accordance with 205 CMR 134.00.

This provision provides an important control of certain alcoholic beverages designed to prevent intoxication. The regulations and laws governing the sale and consumption of alcohol, however, recognize that wine may be sold or delivered “by the bottle or carafe when sold with meals or to more than one person.” See 204 CMR 4.00. Please consider revising this provision to provide that “...alcoholic beverages, *other than bottles of wine*, be poured by an employee of the gaming licensee who is licensed in accordance with 205 CMR 134.00” (emphasis added).

205 CMR 136.09(b)

Section 136.09(b) of the Proposed Regulation provides as follows:

(b) At least one manager or other principal representative must be present in each licensed area at all times that alcoholic beverages are available for sale or distribution, and shall be available to the division of gaming liquor enforcement of the ABCC, the IEB, the Division of Licensing, and the gaming enforcement unit at any time. Further, assigned managers or principal representatives shall be responsible to ensure that alcohol is properly stored and secured at all times in accordance with the gaming beverage licensee’s policies and protocols approved in accordance with 205 CMR 138.12 and in accordance with 205 CMR 138.04(2)(c).



Please consider amending this section by replacing the term “any” as it first appears to “such”.

Thank you for your attention to this matter.

Sincerely,

BLUE TARP REDEVELOPMENT LLC

by its Attorneys,

BROWN RUDNICK LLP

A handwritten signature in black ink, appearing to read 'Jed M. Nosal', written over a horizontal line.

Jed M. Nosal

FOX ROTHSCHILD, LLP

Patrick H. Madamba

cc: Catherine Blue, General Counsel
Todd Grossman, Deputy General Counsel
John Ziemba, Ombudsman

JOHN M. DONNELLY
jdonnelly@donnellyclark.com
609-347-1199

March 18, 2015

Massachusetts Gaming Commission
84 State Street, 10th Floor
Boston, MA 02109

RE: Regulations Pertaining to Protection of Minors & Underage Youth,
205 CMR 150.00

Dear Honorable Members of the Massachusetts Gaming Commission:

Please accept the following as the comments of Mass Gaming & Entertainment, LLC ("MG&E") with regard to Section 150.03 of the above captioned proposed regulations.

(1). As written, the regulation appears to address only those promotions that are "directed to" or "intended to" appeal to persons under the age of 21. This would turn on the subjective intent of the casino. However, if the regulation is written to substitute a particular regulator's subjective judgment, the regulation would be problematic. We therefore request a modification to make it clear that the regulation governs only those promotions specifically aimed at underage persons.

(2). This provision is very subjective and may lead to unintended consequences. For example, numerous slot machines have themes that depict fictional characters or beasts (such as dragons or goldfish) or contain themes that appeal to all ages such as "Wizard of Oz" or the movie "Grease". Promotions often have fantastic

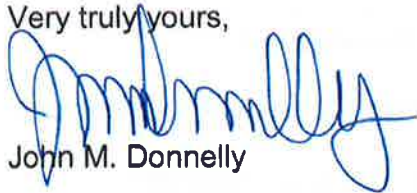
themes as well. These machines, promotions, and themes could be considered to be utilizing cartoons or somehow directed toward underage persons. Also, social media outlets often have cartoon-type or fantastic characters promoting casinos. The regulation should be amended to avoid accidentally prohibiting these common categories.

(5). We suggest changing the word "possible" to "practicable".

(8). We believe that there should be a specific exception in this Subsection permitting solicitations for employment that take place on college campuses or in college newspapers, etc.

Thank you for the opportunity to respond to the proposed regulation.

Very truly yours,



John M. Donnelly

JMD/lat



JED M. NOSAL
Counsel

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May 21, 2015

VIA EMAIL

Massachusetts Gaming Commission
84 State Street
Boston, MA 02109

RE: Blue Tarp reDevelopment Comments on 205 CMR 151.00

To Whom It May Concern:

In response to the Massachusetts Gaming Commission's (the "Commission") publication and notice of Public Hearing in connection with 205 CMR 151.00, *Requirements for the Operations and Conduct of Gaming at a Gaming Establishment*, Blue Tarp reDevelopment LLC ("MGM Springfield"), submits the following comments on the proposed Regulation to the Commission.

205 CMR 151.01

Section 151.01(1) of the Proposed Regulation requires that a licensee obtain an Operation Certificate before conducting gaming *or commencing operation of non-gaming amenities* (emphasis supplied). By Statute, an Operation Certificate issued by the Commission is for the conduct of gaming and does not include "the operation of nongaming amenities." G.L. c. 23K, § 25(a) provides: "No gaming licensee shall *conduct gaming* without an operations certificate issued by the commission" (emphasis supplied). The statutory Operation Certificate is for a particular purpose tied to gaming only including a requirement that the certificate "state the number of slot machines, table games or other authorized games, if applicable." G.L. c. 23K, § 25(a). Moreover, the floor plan provision in section 151.02, the test period in section 151.03, the effective date and duration provisions in section 151.04 and the process for amending an Operation Certificate are all designed to manage the gaming operation and equipment and are not applicable to "non-gaming amenities" at the gaming

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establishment. The Commission should clarify that the section 151 applies to gaming only and strike the reference in section 151.01(1) to “non-gaming amenities”.¹

In addition, section 151.01(1) should be further clarified to ensure that testing is allowed prior to obtaining an Operation Certificate by adding “Other than testing under section 151.03” at the beginning of the first paragraph.

205 CMR 151.03

Section 151.03 provides that a gaming licensee successfully complete an evaluation and test period to obtain a “full Operation Certificate”. As the Commission has not provided for any additional category of Operation Certificate such as a test night Operation Certificate, the term “full” is not necessary. Likewise, the term “final” can be deleted from section 151.03(3)(d).

205 CMR 151.05

This section provides a two part process by which a licensee can amend its Operation Certificate by filing an application and, after the change is complete, the Commission must inspect and approve (or reject) the physical change. To ensure the efficiency of this process, the Commission should ensure that either the Commission or “its designee” can provide final approval or reject a physical change by adding the ability to designate an appropriate member of the staff to complete this task in section 151.05(4). Therefore, the second sentence of section 151.05(4) should be amended by adding “or its designee” after the word “commission”.

¹ There are additional requirements for a gaming establishment to be approved by the Commission to open for business under G.L. c. 23K, § 10(c) and 205 CMR 135.06(2) which includes that “the gaming area and other ancillary entertainment services and non-gaming amenities, as required by the commission, have been built and are of a superior quality as set forth in the conditions of licensure” and that “that total infrastructure improvements onsite and around the vicinity of the gaming establishment, including projects to account for traffic mitigation as determined by the commission, shall be completed.” G.L. c. 23K, § 10(c) and 205 CMR 135.06(2). While the Commission has discretion to require that entertainment services and non-gaming amenities (as well as infrastructure improvements) be completed prior to issuing an Operation Certificate as set forth in section 151.01 (3), section 151’s processes and procedures should only apply to gaming.



Thank you for your attention to this matter.

Sincerely,

BLUE TARP REDEVELOPMENT LLC

by its Attorneys,

BROWN RUDNICK LLP

Jed M. Nosal

FOX ROTHSCHILD, LLP

Patrick H. Madamba

cc: Catherine Blue, General Counsel
Todd Grossman, Deputy General Counsel
John Ziemba, Ombudsman

61954195 v3-WorksiteUS-024302/0005

From: "Pikula, Edward" <epikula@springfieldcityhall.com>
Date: May 18, 2015 3:40:53 PM EDT
To: "Ziemba, John S (MGC)" <John.S.Ziemba@MassMail.State.MA.US>
Cc: "Schaller, Michael J. (mschaller@taftlaw.com)" <mschaller@taftlaw.com>, "Kennedy, Kevin" <KKennedy@springfieldcityhall.com>
Subject: proposed regulation 205 CMR 151.00

Reference is made to proposed regulation 205 CMR 151.00: Requirements for the Operations and Conduct of Gaming Establishment (the "Proposed Regulation"), as posted on the Commission's web site. On behalf of the City of Springfield (the "City"), we request that the Commission consider the following comment prior to finalizing the Proposed Regulation.

M.G.L. c.23K, Sections 10, 11 and 25, together with other authority are cited in the Proposed Regulation for the Proposed Regulation. M.G.L. c. 23K Section 10(d) provides in relevant part that "The license shall set forth the conditions to be satisfied by the licensee before the gaming establishment shall be opened to the public". Section 9(a) to the issuance of a Category 1 gaming establishment license to Blue Tarp ReDevelopment LLC ("Blue Tarp") as set forth in the Agreement to Award A Category 1 License to Blue Tarp ReDevelopment LLC, dated June 13, 2014, which agreement was subsequently incorporated in Blue Tarp's gaming license (the "Gaming License"), states that a condition to the Gaming License is Blue Tarp's compliance with the terms and conditions of its host community agreement (emphasis added).

Accordingly, in order to fully implement M.G.L. c. 23K, Section 10, the City requests that the Proposed Regulation be amended prior to finalization to provide an operations certificate not be issued to a gaming licensee, unless and until the gaming licensee certifies to the Commission that, as of the date of the certificate (a) it is in material compliance with the terms and conditions of its host community agreement and (b) there exists no event of default under the host community agreement for which it has received a notice from the host community that remains uncured.

<image001.jpg>

Attorney Edward M. Pikula
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From: Joe <rx@mail.com>
Sent: Wednesday, April 29, 2015 12:45 PM
To: MGCcomments (MGC)
Subject: Casino gambling in

Follow Up Flag: Follow up
Flag Status: Flagged

I think banning elected officials from gambling at Wynn would create a punishment for those who worked hard to get. The casinos have enough internal controls to prevent Any wrongdoing

Sent from my iPhone

From: Terry Baldwin-Williams <terryb323@gmail.com>
Sent: Wednesday, April 29, 2015 10:00 AM
To: MGCcomments (MGC)
Subject: Draft Regulation Comment - 205 CMR 152.00 DRAFT: Individuals Excluded from the Gaming Establishment

Dear esteemed members of the Massachusetts Gaming Commission:

With regard to the above-referenced proposed regulation concerning the casino Exclusion List and provision 152.10 thereof which bans local elected officials from placing wagers in the casino within their host community, I am strongly adverse to such exclusion.

I understand that the purpose of this ban is to avoid all appearances of impropriety, however, I believe it instead imposes a restriction on our elected officials that is unwarranted. By its mere existence, this exclusion, while safeguarding the casino's reputation, actually impugns the moral character of the elected officials who may visit the facility by including them among a list of unsavory characters who are likewise banned from engaging in gaming functions, when these politicians, in fact, have done nothing wrong. In my opinion, this is tantamount to discrimination. Many of these officials have worked vigorously to bring the casino to their home community and they should not be penalized for their efforts.

Casino gambling is now legal in the Commonwealth, and until such time as an individual has done something illegal or is otherwise found to be unsuitable, he or she should not be automatically prohibited from partaking in a lawful activity, just because the local community found them worthy of being elected to a governmental position.

Please strike this exclusion from the regulation.

Sincerely,

Terry Baldwin-Williams
323 Main Street
Everett, MA 02149
617-381-9261
TerryB323@gmail.com

From: Ziemba, John S (MGC)
Sent: Thursday, April 23, 2015 3:47 PM
To: Schaller, Michael J.
Cc: Pikula, Edward; Froelich, Cezar M.; Copp, Kimberly M.; Schaller, Michael J.
Subject: Re: 205 CMR 152: Individuals excluded from a gaming establishment

Thanks Michael. As we discussed, I will share this with Catherine and Todd.

On Apr 23, 2015, at 3:44 PM, "Schaller, Michael J." <mschaller@taftlaw.com> wrote:

John, I left a message at your office to call me but given your busy schedule I thought an email may be the fastest way to bring something to your attention.

From time to time I monitor the Commission's website for new draft regulations. The above referenced regulation posted on the Commission's website implements M.G.L. c.23K sections 45 (a) through (e) and 45 (j) and excludes individuals from the gaming establishment if they meet certain criteria. Under the Massachusetts gaming act, the "gaming establishment" includes more than the casino floor. Basically, in the case of the MGM Springfield project, it includes everything within the project footprint such as the hotel, restaurants, bowling alley, apartments, retail, etc.

I recognize that this draft regulation mirrors section 45 (a) that directs the Commission, by regulation, to provide for the establishment of an excluded persons list for those persons who are to be excluded from the gaming establishment. Nonetheless, excluding a person from going to a restaurant or bowling at the project seems to be a legislative oversight and could be challenged as discriminatory. More troubling to me is that excluding a person from renting an apartment or a hotel room on the basis of being an excluded person or even "an associate of" an excluded person (see 152 .03 (1)(c)) may run afoul of public accommodation or fair housing laws.

I believe the correct legislative intent can be found in section 45 (j) that specifically refers to a "person who is prohibited from gaming in a gaming establishment under this section shall not collect any winnings or recover losses arising as a result of prohibited gaming winnings obtained by a person who is prohibited from gaming in a gaming establishment...". That section appears to make it clear that the legislative intent of section 45 is to exclude persons only from the casino.

On behalf of the City of Springfield, I would like to get your thoughts on this.

Regards,

Michael

Taft /

Michael J. Schaller / Partner
Taft Stettinius & Hollister LLP
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From: Luke Travis [<mailto:luke@bristollegal.com>]
Sent: Tuesday, April 14, 2015 12:53 PM
To: MGCcomments (MGC)
Subject: Exclusion of Elected Officials

Dear Mr. Chairman:

I am a recently elected official for the Town of Plainville (Moderator). I recently read in the local paper that MassGaming is considering a rule which would prohibit elected officials in any host municipality from engaging in gaming at the facility in their town. I would like to express my strong opposition to such a rule. While I am not a regular gambler by any means, I resent the implication of such a rule. If I am to understand this rule, I cannot be trusted to exercise my oath as an elected official while enjoying myself from time to time at a casino? I'm sure that there are already laws and rules which sufficiently monitor the behavior of elected officials and Plainridge when it comes to contributions or gratuities if this is the concern being addressed by this proposed rule.

Such a rule is overreaching and seems to smack of a violation of constitutional rights as a citizen. At the very least, if implemented, this rule will cause future nominees for elected office to give pause as to whether they want to give up their freedoms in order to serve in these voluntary positions. To follow your logic for this rule, I would suggest that the ABCC also prohibit elected officials from purchasing alcohol in their towns where licenses are issued by the town. Where does it stop?

Most all of the elected officials in Plainville have had no involvement in the licensing and agreements with Plainridge. I don't see how a park commissioner or a library trustee has any impact on the goings on at Plainridge. I would suggest that state officials have had more involvement in the licensing of Plainridge and so if such a rule is implemented, it should also constrain state officials and elected officials from abutting towns who also benefit from Plainridge.

Again, I am strongly opposed to such a rule and would welcome your comments on this matter.

Luke P. Travis, Esq., AEP®
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Fall River, MA 02722
Tel: 508 676-3333
Fax: 508 678-1698

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State Gaming Commission's rule an overreach

Posted: Thursday, April 23, 2015 12:00 am

The proposed rule by the state Gaming Commission that would ban elected officials in communities that have casinos from gambling in them seems to be a textbook example of government regulations going too far.

Commissioners are seeking comment from town officials, and they got an earful from Plainville Town Moderator Luke Travis, who was elected two weeks ago. In a letter to the Gaming Commission, Travis wrote: "Such a rule is overreaching and seems to smack of a violation of constitutional rights as a citizen. At the very least, if implemented, this rule will cause future nominees for elected office to give up their freedoms in order to serve in these voluntary positions." Travis also noted that most elected officials in Plainville don't have anything to do with licensing or negotiating with Plainridge Park Casino.



Plainridge 2015 Opening Day

The Gaming Commission's proposed rule would prohibit Plainville officials from gambling at Plainridge Park Casino.

While it's understandable that the Gaming Commission wants to avoid even the appearance of a conflict, the proposal is excessive. For instance, using the same logic, it wouldn't be a stretch to ask these questions:

- Would the rule lead to other laws barring any appointed or elected official in Boston from Fenway Park or the bars and restaurants near there, because they have a hand in licensing them?
- What about officials in Mansfield, who have oversight for Xfinity Center concerts, or in Foxboro, where Gillette Stadium events, including New England Patriots games and concerts, are licensed by selectmen? Could a new rule affect them?
- Could some future rule even be applied to package stores, restaurants and bars, all of which are governed by local officials, whose job it is to assess sanctions when the terms of the licenses are violated, requiring suspensions?

Todd Grossman, the general counsel of the Gaming Commission, said he's accepting comments on the proposal and plans to hold a hearing. That's good news, because there seem to be serious flaws in the proposal as it stands.

It'd make far more sense, and be fairer to all involved, for example, to place a limit on the amount

of gambling that any official could do at a casino - \$25 per visit and up to \$200 a year? - rather than to prohibit them outright from any such activity.

The Gaming Commission should take a long, hard look, at the proposal and all of its implications and possible repercussions before approving it.



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 102.00: Construction and Application; 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. This regulation currently restricts the Commission’s ability to waive or grant a variance from any provision or requirement contained in 205 CMR. This amendment deletes reference to 101.00 through 131.00 in 205 CMR 102.03(04) and expands it to cover all of 205 CMR. This amendment will allow the Commission to waive or grant a variance from any provision or requirement contained in 205 CMR. These regulations are largely governed by G.L. c.23K, § 5.

To the extent that the Commission waives or grants a variance from any provision or requirement pertaining to a vendor, 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:

It is difficult to project, with any precision, the number of small businesses that may be impacted by this regulation. This is a largely administrative regulation that applies equally to any person that has business before the Commission. Accordingly, uniformity is essential.

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

There are no projected additional reporting, recordkeeping or administrative costs created by these regulations that would affect small businesses unless they elect to pursue a waiver or variance.

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

These amendments do not implicate a design or performance standard. As a general matter, the procedures for granting a waiver or variance must be prescriptive in nature in order to ensure uniform process.

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:



Massachusetts Gaming Commission

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:

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

Massachusetts Gaming Commission
By:

Cecelia M. Porché
Paralegal/Legal Division

Dated:



Massachusetts Gaming Commission



SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this small business impact statement in accordance with G.L. c.30A, §2 relative to the proposed amendments in 205 CMR 134.00: Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations; notice of which was filed this day with the Secretary of the Commonwealth. These amendments were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. These amendments allow a gaming licensee to temporarily allow an individual(s) to assist with gaming establishment employee training and related purposes without having to become licensed or registered. These regulations are largely governed by G.L. c.23K, § 30.

These amendments apply solely to the gaming establishment employees 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.

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.

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

As a general matter, for this subject a prescriptive, uniform process is essential.

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:

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

Massachusetts Gaming Commission
By:

Cecelia M. Porché
Paralegal/Legal Division

Dated:



Massachusetts Gaming Commission