



# Cambridge College

**Presentation to the  
Massachusetts Gaming Commission**

March 29, 2018

# Introduction to Cambridge College

- Led by President Deborah C. Jackson since 2011
- Private, non-profit, nationally accredited institution with a public mission established in 1971
- 45 year mission of providing accessible and affordable education to under-represented individuals and communities
- An institution with a historically diverse student body reflecting our primary market and community base
- Array of academic programs:

✓ **Workforce development**

✓ **Undergraduate programs**

✓ **Graduate Programs**

✓ **In-seat offerings**

✓ **Online offerings**

✓ **Hybrid offerings**

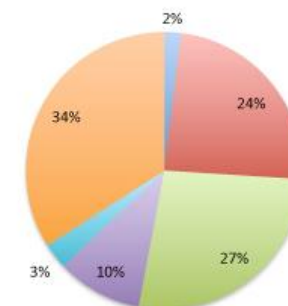
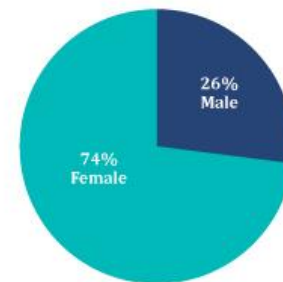
✓ **Year Round – 3 Semesters**

✓ **Weekdays, nights and weekends**



# Introduction to Cambridge College

- Brand new Boston campus opened Fall 2017
- AY17 Student Enrollment: 3,529
- Average Student Age: 36 years old
- Over 70% eligible for financial aid
- More than 36,000 alumni; with significant roots in Greater Boston



# Introduction to Cambridge College

- One of the Best Schools for Latinos [*Latino Leaders Magazine*]
- Recognized as a Hispanic Serving Institute
- Recognized by the Boston Business Journal as one of the Largest MBA Programs in Massachusetts (Fall 2017)
- Top 5 Business Schools for African Americans [*National Center for Education Statistics*]
- Ranked #7 for Most Ethnically Diverse Colleges in America [*Best College Reviews*]
- Official Designation as Military Friendly School – 5 consecutive years





# Partnership with Wynn

The core principles of our partnership agreement consist of:

- **Commitment** to diversity, access, and affordability in alignment with Cambridge College's mission
- **Career** focused outcomes
- **Future** opportunities for higher education
- **Shared** commitment to communities of Greater Boston
- **Dedication** to ensuring a positive economic impact to the region



# Greater Boston Gaming Career Institute Concept

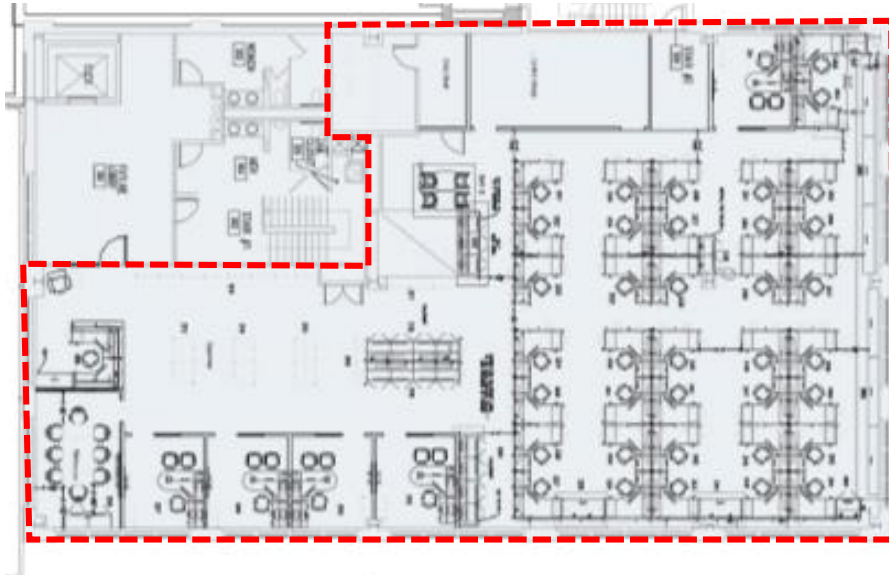
- **Strategically** located in close proximity to Wynn Boston Harbor
- **Dedicated** space to house and deliver the training program
- **Accessible** and flexible delivery model – days, nights and weekends delivered in 4-6 week modules
- **Affordable** program offerings
- **Commitment** to partner with Community Based Organizations and Community Colleges to ensure diverse and local student pipelines
- **Faculty** with gaming and surveillance expertise
- **Committed to** ensuring rigorous gaming instruction



# Greater Boston Gaming Career Institute Concept

Location: 510 Rutherford Ave

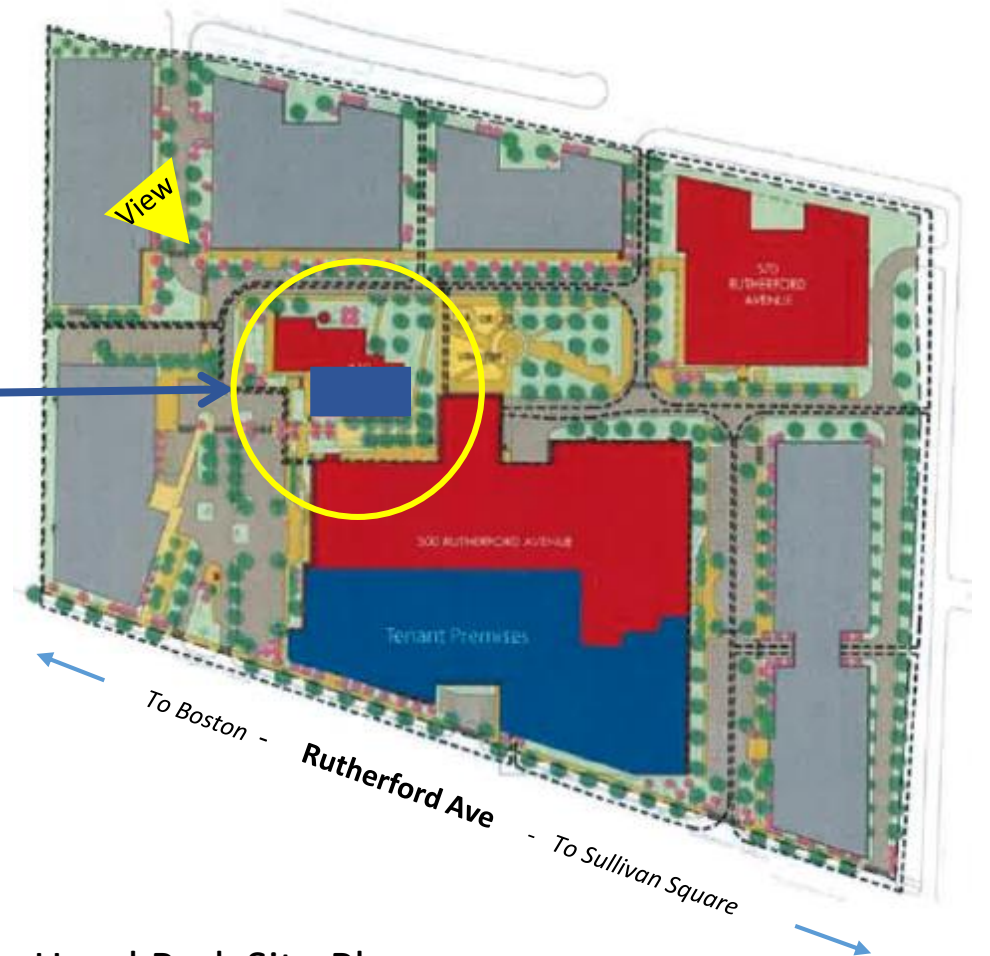
Floor Plan  
7,253 RSF



View of 510 Rutherford



Entry Lobby



Hood Park Site Plan

# Next Steps

- **Signed** MOA with Wynn
- **Initiate** gaming school license with guidance from MA Gaming Commission
- **Pursue** funding options for scholarships and student engagement
- **Establish** relationships with community-based organizations to recruit a diverse student body
- **Develop** collaborations with education and training providers, such as BHCC, RCC, Everett High School, Boston PIC, Metro North Regional Employment Board and other workforce development boards
- **Launch** Greater Boston Gaming Career Institute in Summer 2018 to prepare for Wynn Boston Harbor's June 2019 grand opening





# Cambridge College

**Presentation to the  
Massachusetts Gaming Commission  
Supplemental Information**

March 29, 2018



# Cambridge College

## Contents

- I. Wynn Boston Harbor MOA
- II. Cambridge College Boston Campus
- III. Leadership: President Deborah C. Jackson
- IV. Fast Facts: Demographics & Recognition
- V. Academic Programs
  - a. School of Undergraduate Studies Overview
  - b. Bachelor's Degree & Elective Concentrations
  - c. Springfield Hospitality Pre-Apprenticeship Program
- VI. Letter of Support

# Wynn Boston Harbor MOA





## MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (this "Agreement") is entered into as of March 21, 2018 (the "Effective Date"), between Wynn MA, LLC, a Nevada limited liability company ("Wynn"), and Cambridge College, a private non-profit college ("Cambridge College"). Wynn and Cambridge College are sometimes referred to as the "Parties" and each as a "Party".

### 1. COOPERATION AGREEMENT.

**1.1.** The Parties desire to work collaboratively, as set forth herein, to develop a training program for certain jobs in the casino industry (the "Program") to meet the hiring needs of the Wynn Boston Harbor project currently under development in Everett, Massachusetts (the "Project").

**1.2.** Wynn's responsibilities shall include, at its sole expense:

**1.2.1.** Assisting Cambridge College with the development of presentation material to the Massachusetts Gaming Commission (the "MGC"), and the submission of any application(s) required pursuant to 205 CMR 137;

**1.2.2.** Identifying casino jobs that require particularized training, including, without limitation, dealers and surveillance workers;

**1.2.3.** Developing and implementing a workforce development plan that includes hosting career information workshops in the greater Boston area, training in basic skills, language, and job readiness, marketing to and recruiting a diverse and skilled pool of applicants to the Program, and matching students with career opportunities;

**1.2.4.** Consistent with paragraph 1.4.3, building out the Program space and providing, maintaining, and remaining responsible for all equipment to be used in, the Program, including, without limitation, gaming and surveillance equipment, desks, tables, chairs, computers, displays, posters, smart-boards, and projectors, which build out shall meet the approval of the MGC;

**1.2.5.** Providing training curricula for the Program, including paying all associated costs (including, without limitation, development, licensing, and purchasing costs), which curricula shall (a) satisfy any and all MGC requirements, (b) comply with all applicable laws and regulations, including without limitation, 205 CMR 137, (c) include such other customizations as appropriate to meet the needs of the Program and the Project, (d) be subject to pre-approval by Cambridge College, which approval shall not be unreasonably withheld, and (e) have clearly defined, objective criteria for successful completion;

**1.2.6.** Providing, and paying for all wages, salaries, and other employment benefits for instructors for the Program, which instructors shall (a) be either employees or



independent contractors of Wynn, (b) be neither employees nor independent contractors of Cambridge College, (c) have all Gaming Commission approvals, licenses, and/or certifications required by law, including without limitation 205 CMR 137, (d) be subject to pre-approval by Cambridge College, which approval shall not be unreasonably withheld, (e) agree in writing to be bound by Cambridge College's applicable policies and codes of conduct, and (f) be subject to dismissal and ejection from the Program and the Program space at any time by Cambridge College if Cambridge College determines, in its sole discretion, that an instructor has violated any of Cambridge College's applicable policies or codes of conduct;

**1.2.7.** Providing students who successfully complete the Program, as determined by the instructors, and who are otherwise eligible for employment by Wynn, with an audition at the Project; and

**1.2.8.** Upon termination of this Agreement, returning the space used for the Program to its original pre-Program condition, including, without limitation, paying all associated costs, consistent with the Statement of Conditions described in paragraph 1.4.3 below, to the approval of Cambridge College, which approval shall not be unreasonably withheld.

**1.3.** Cambridge College's responsibilities shall include, at its sole expense:

**1.3.1.** Providing space, and a schedule for approved use of same, for the Program at Cambridge College's location at 510 Rutherford Avenue, Charlestown, Massachusetts, as identified in Exhibit A attached hereto and incorporated herein by this reference;

**1.3.2.** Participating in Wynn's promotion of the Program (e.g., providing staff at recruiting events to discuss the Program and enrollment options, provision of content for joint marketing initiatives, etc.);

**1.3.3.** Implementing and overseeing student registration, payment collection, and other administrative functions related to student enrollment;

**1.3.4.** Providing of a discount of ten percent (10%) off the Program fees for any current Wynn employee, provided that such employee meets Cambridge College's requirements for enrollment, including, without limitation, agreeing to adhere to Cambridge College's applicable policies and codes of conduct;

**1.3.5.** Overseeing instructors provided by Wynn to the extent necessary to ensure that each of them meets Cambridge College's academic requirements and otherwise adheres to Cambridge College's applicable policies and codes of conduct; and

**1.3.6.** Providing certificates of completion to students following the successful completion of the Program, as determined by the instructors.

**1.4.** Mutual responsibilities of the Parties shall include:

**1.4.1.** Complying with regulations of the MGC regarding training vendor criteria, certification, and/or licensure;

**1.4.2.** Developing and implementing criteria to recruit diverse candidates and candidates from Everett and Wynn's surrounding communities (as defined by the MGC); and

**1.4.3.** Jointly preparing a Statement of Conditions of the space prior to the build out, including photographs, to be signed by representatives of the Parties.

**1.5. No Agency; No Authority to Bind.** Each Party acknowledges and agrees that it is not an agent of the other Party and has no authority to bind the other Party in any way, and that it will make no statement to the contrary to any media, governmental officials or regulators, or to any contractors or consultants engaged to work on behalf of the other Party or its affiliates. Neither Party may change the terms of any contract executed by the other Party.

**1.6. MGC Approval.** The Parties acknowledge and agree that this Agreement is subject to and contingent upon each of them obtaining any and all necessary approvals from the MGC. The Parties will cooperate, in good faith, to obtain such approvals.

**1.7. Compliance with Laws.** Each Party shall, and shall cause its members, managers, officers, employees, agents, instructors, and contractors to, comply with (i) the requirements of all applicable laws, ordinances, regulations, codes and executive orders in connection with the provision of the Program, (ii) applicable policies of the other Party including, but not limited to, the other party's workplace policies and procedures and (iii) the other Party's policies, procedures and guidelines designed to adhere to applicable laws, regulations or regulatory guidance (including, but not limited to, any drug testing and background check requirements).

**1.8. Program Control.** Notwithstanding any other contrary terms in this Agreement, the Parties agree that Cambridge College shall at all times retain complete dominion and control over the management and delivery of Program, including without limitation the right, in its sole discretion, to vet, approve, supervise, evaluate, reappoint (or not), and terminate instructors; the right to assign instructors to particular courses; and the right to define the responsibilities of instructors.

## **2. TERM; TERMINATION.**

**2.1. Term.** The "Term" of this Agreement shall commence on the Effective Date and shall continue, unless otherwise terminated in accordance with the terms of this Agreement, until June 2020 or such later date as may be agreed upon by the Parties in writing.

**2.2. Privileged Licenses.** Wynn and certain members of the Wynn Group (as defined below), on one hand, and Cambridge College, on the other hand, each acknowledge that the other is/are engaged in business(es) that are or may be subject to privileged licenses, certifications, or other permits issued by governmental authorities. Either Party may immediately terminate this Agreement upon written notice to the other Party, without penalty or prejudice and without further liability to the other Party, if it: (a) is directed to cease doing business with the other Party by any such authority or sovereignties; or (b) determines, in its sole and exclusive judgment, that the other Party, or its affiliates or any of its or their directors, officers, employees, agents or other representatives is, might be or is about to be engaged in or

involved in any activity or relationship that could or does jeopardize any of its the businesses, certifications, or licenses (including, without limitation, any denial, suspension or revocation (or the threat thereof)). "Wynn Group" shall mean Wynn Resorts, Limited, a Nevada corporation, and its subsidiaries, partnerships, joint ventures and other affiliates.

**2.3. Termination for Cause.** The following actions or events shall constitute an "Event of Default" under this Agreement: (i) a material breach by a Party of any promise, agreement, representation, warranty, or covenant expressly set forth in this Agreement that is not cured within ten (10) days after delivery of a notice of such default by the non-defaulting Party to the defaulting Party; (ii) a failure by a Party to perform any covenants, duties, obligations or other requirements set forth in this Agreement that is not cured within ten (10) days after delivery of a notice of such default by the non-defaulting Party to the defaulting Party; and/or (iii) willful misconduct or gross negligence in the performance of obligations hereunder. If any Event of Default occurs, the non-defaulting Party shall have the right to (a) cancel and/or suspend its obligations under this Agreement, (b) exercise against the defaulting Party any rights and remedies available to the non-defaulting Party, and/or (c) terminate this Agreement, in which case this Agreement shall terminate on the date specified by the non-defaulting Party in the termination notice.

**2.4. Termination Without Cause.** Either Party may terminate this Agreement, without cause, for any reason, or for no reason, upon six months' prior written notice to the other Party.

### **3. REPRESENTATIONS, WARRANTIES & COVENANTS**

Cambridge College hereby represents, warrants, covenants and agrees that, as of the date hereof and during the Term:

**3.1. Organization.** (i) Cambridge College is duly organized and validly existing under the laws of its state of its incorporation or other formation; (ii) the execution of this Agreement has been duly authorized by all necessary corporate action; (iii) it will use reasonable efforts to obtain all licenses, permits and approvals of all governmental authorities necessary or appropriate to perform its obligations under this Agreement; and (iv) it has not entered into any license or agreement that conflicts with or restricts its right to perform its obligations under this Agreement.

Wynn hereby represents, warrants, covenants and agrees that, as of the date hereof and during the Term:

**3.2. Organization.** (i) Wynn is duly organized and validly existing under the laws of its state of its incorporation or other formation; (ii) the execution of this Agreement has been duly authorized by all necessary corporate action; (iii) it has obtained and holds all licenses, permits and approvals of all governmental authorities necessary or appropriate to perform its obligations under this Agreement; (iv) it and its officers, directors and key employees have never been investigated for, charged with, placed under indictment or consent decree for, or convicted of any felony or any other crime involving moral turpitude; and (v) it has not entered into any license or agreement that conflicts with or restricts its right to perform its obligations under this Agreement.



**3.3. Sufficiency of Curriculum.** No licenses, permits, or approvals of any governmental authorities will be withheld from any student obtaining a certificate of completion on grounds that the curriculum offered or training provided to such student was insufficient.

**3.4. Construction Warranties.** Wynn promises that the build out of the space, and the work required to return the space to its pre-build out condition (the "Construction"), shall be undertaken and completed in good and workmanlike manner and in accordance with applicable governmental regulations. Prior to commencement of the build out, the Parties shall cooperate to inspect the property and to prepare and execute a written Statement of Conditions describing the pre-build out conditions of the property. Wynn shall keep Cambridge College's property free from mechanic's liens, and purchase any and all bonds necessary to discharge any such lien asserted against Cambridge College's property in connection with the Construction.

**3.5. Compliance With Employment Laws.** The instructors provided by Wynn shall not be employees of Cambridge College. Wynn shall be solely responsible for ensuring that it and its instructors comply with all applicable employment laws, including without limitation those arising under Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991, 42 USC § 2000(e); the National Labor Relations Act; the Americans with Disabilities Act, 42 USC § 12101; the Age Discrimination in Employment Act, 29 USC § 621 et seq.; the Older Workers Benefit Protection Act; the Worker Adjustment and Retraining Act; the Family and Medical Leave Act, 29 USC § 2601; the Employee Retirement Income Security Act, 29 USC § 1001; the Rehabilitation Act of 1973, 29 USC § 701; the Equal Pay Act of 1963; the Fair Labor Standards Act; the Massachusetts Wage and Hour Laws, M.G.L. Ch. 149 and 151; the Massachusetts Fair Employment Practices Act (M.G.L. c.151B, § 1 et seq.); the Massachusetts Law Against Discrimination, Mass Gen. L. Ch. 151B; the Massachusetts Civil Rights Act (M.G.L. c. 12 §§ 11H and 11I); the Massachusetts Equal Rights Act (M.G.L. c. 93 § 102 and M.G.L. c.214, § 1C); the Massachusetts Labor and Industries Act (M.G.L. c. 149, § 1 et seq.); the Massachusetts Privacy Act (M.G.L. c. 214, § 1B); the Massachusetts Maternity Leave Act, the Massachusetts Payment of Wages Act (M.G.L. c.149, §§ 148 and 150); the Massachusetts Earned Sick Time Act (M.G.L. c. 149, § 148C); Massachusetts Pregnant Workers Fairness Act (M.G.L. c. 151B, § 1 et seq.); Massachusetts Overtime statutes (M.G.L. c.151, §§ 1A and 1B) and Meal Break statutes (M.G.L. c.149, §§ 100 and 101).

**3.6. Liability for Acts/Omissions of Wynn and Instructors.** Wynn shall be liable to Cambridge College for any damages incurred by Cambridge College as a result of any act, error, omission or intentional wrongdoing by Wynn or any of its instructors.

#### **4. INSURANCE.**

Wynn shall be responsible for providing the following insurance in connection with the Program, and shall provide Cambridge College with certificates of insurance reflecting coverage, which certificates shall name Cambridge College as an additional insured:

**4.1. Worker's Compensation** insurance covering each instructor at or above minimum statutory limits.

**4.2. Employment Practices Liability** insurance with a minimum limit of one million dollars.

**4.3. Non-owned and Hired Automobile Liability** insurance with a minimum limit of one million dollars.

5. **INDEMNIFICATION**. Each Party shall, to the fullest extent permitted by law, indemnify, defend and hold harmless the other Party and its affiliates and their respective officers, directors, employees and agents (collectively the "Indemnitees") from and against all damage, liability and cost, including reasonable attorneys' fees and defense costs, arising out of or in any way connected with: (i) such Party's acts, errors, omissions or intentional wrongdoing; and (ii) a breach by such Party of this Agreement, excepting only those damages, liabilities or costs (including reasonable attorneys' fees and defense costs) attributable to the negligence, errors, acts, omissions, intentional wrongdoing and/or willful misconduct of the Indemnitees.
6. **NO LANDLORD-TENANT RELATIONSHIP; REVOCABLE LICENSE**. This Agreement is not a lease and is not intended to create a landlord-tenant relationship between Cambridge College and Wynn. Cambridge College shall remain in exclusive possession of the space used for the training program. To the extent that Wynn and its instructors and/or contractors are permitted access to or use of the space, they are permitted as Cambridge College's licensees, and not as tenants. Cambridge College may revoke any and all such licensees right to use the space at any time, for any reason, or for no reason. Cambridge College shall not be liable to Wynn for any such revocation.
7. **PROMOTION**. Neither Party shall make any public announcement regarding this Agreement or the business relationship between Cambridge College and Wynn without the express consent of the other. Neither Party shall acquire any right under the Agreement to use, and shall not use, the names, trademarks, service marks, or other intellectual property of the other, in any advertising, publicity, promotion or otherwise without the expressed written consent of the other Party (or, in Wynn's case, the consent of Wynn Resorts Holdings, LLC); nor shall either Party express or imply any endorsement by the other of its self or any of its affiliates.
8. **BACKGROUND CHECK**. Cambridge College acknowledges that certain members of the Wynn Group are engaged in businesses that are or may be subject to privileged licenses or other permits issued by governmental authorities and that Wynn must perform a background check and other due diligence with respect to Cambridge College. Accordingly, Cambridge College agrees to deliver all necessary documentation to enable Wynn to complete the background check. Cambridge College acknowledges and agrees that the satisfaction of Wynn's background check is a condition precedent to any payment obligations of Wynn hereunder. In addition, Wynn shall have the right to terminate this Agreement without penalty and without further liability to Cambridge College if the foregoing conditions are not satisfied to Wynn's satisfaction.
9. **NOTICES**. Any notice, demand or other communication (collectively, "Notice") required or permitted under this Agreement shall be made in writing and shall be deemed to have been duly given when delivered to the address set forth below, provided the Notice is sent to such representative by certified or registered mail (return receipt requested) or commercial express courier (with tracking capabilities) or email.

Cambridge College:  
Attention:

Cambridge College  
Phillip Page  
Vice President, Strategic Partnerships



Cambridge College


Mailing Address	500 Rutherford Avenue, Boston, MA 02129
Email Address	Phillip.Page@cambridgecollege.edu
Wynn	Wynn MA, LLC
Attention:	Jacqui Krum, SVP and General Counsel
Mailing Address	101 Station Landing, Suite 2200 Medford, MA 02155
Email Address	<a href="mailto:jacqui.krum@wynnmass.com">jacqui.krum@wynnmass.com</a>

- 10. ASSIGNMENT.** Neither Party may assign this Agreement or any of its rights or interests hereunder, nor delegate any obligation to be performed hereunder, without the prior written consent of the other Party; provided, that, Wynn may assign this Agreement or any of its rights or interests hereunder, or delegate any of its obligations hereunder, to (i) an affiliate, (ii) Wynn's successor pursuant to a merger, reorganization, consolidation or sale or (iii) an entity that acquires all or substantially all of Wynn's assets or business. This Agreement shall be binding upon, and shall inure to the benefit of, the legal successors and permitted assigns of the Parties.
- 11. ENTIRE AGREEMENT.** This Agreement represents the entire agreement between Wynn and the Cambridge College and supersedes all prior negotiations, representations or agreements either written or oral, with respect to its subject matter. Cambridge College specifically acknowledges that it did not enter into this Agreement in reliance upon any agreement, promise, representation or understanding made by or on behalf of Wynn that is not contained herein. This Agreement may be amended or its provisions waived only by written instrument signed by both Wynn and Cambridge College (including email or similar electronic transmissions). Wynn and Cambridge College each acknowledge that it has reviewed this Agreement and that the normal rule of construction that provides for ambiguities to be resolved against the drafting Party shall not apply to the interpretation of this Agreement.
- 12. WAIVER.** No course of dealing, failure by either Party to require the strict performance of any obligation assumed by the other hereunder, or failure by either Party to exercise any right or remedy to which it is entitled, shall constitute a waiver or cause a diminution of the obligations or rights provided under this Agreement. No provision of this Agreement shall be deemed to have been waived by any act or knowledge of either Party, but only by a written instrument signed by a duly authorized representative of the Party to be bound thereby. Waiver by either Party of any default shall not constitute a waiver of any other or subsequent default.
- 13. SEVERABILITY.** If a court of competent jurisdiction declares any provision of this Agreement to be invalid, unlawful or unenforceable as drafted, the Parties intend that such provision be amended and construed in a manner designed to effectuate the purposes of the provision to the fullest extent permitted by law. If such provision cannot be so amended and construed, it shall be severed, and the remaining provisions shall remain unimpaired and in full force and effect to the fullest extent permitted by law.
- 14. COUNTERPARTS.** This Agreement may be executed in counterparts, each of which shall be deemed to be an original.

- 15. CUMULATIVE REMEDIES AND OFFSETS.** Except as otherwise expressly provided in this Agreement, all remedies in this Agreement are cumulative and in addition to (not in lieu of) any other remedies available to a party at law or in equity. In the event of a claim by Wynn for loss or damages for which Cambridge College is responsible, Wynn shall be entitled to adjust the amounts claimed against future or outstanding payments due, or which may become due, to Cambridge College.
- 16. SURVIVAL.** The provisions of this Agreement that, by their nature and content, must survive the completion, rescission, termination or expiration of this Agreement in order to achieve the fundamental purposes of this Agreement shall so survive and continue to bind the Parties.
- 17. GOVERNING LAW; JURISDICTION.** This Agreement shall be governed by, and construed in accordance with, the laws of the Commonwealth of Massachusetts, without regard to conflict of laws principles.
- 18. JURY WAIVER.** Each Party agrees that any controversy which may arise under this Agreement is likely to involve complicated and difficult issues and, therefore, each Party irrevocably and unconditionally waives any right it may have to a trial by jury in respect of any suit, action or proceeding arising out of or relating to this Agreement, or any matter or transaction arising therefrom or relating thereto.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be duly executed as of the day and year first above written.

WYNN MA, LLC

  
Name: **ROBERT J. DeSalvo**  
Title: **PRESIDENT**

CAMBRIDGE COLLEGE


  
Name: **President**  
Title: **Deborah C. Jackson**

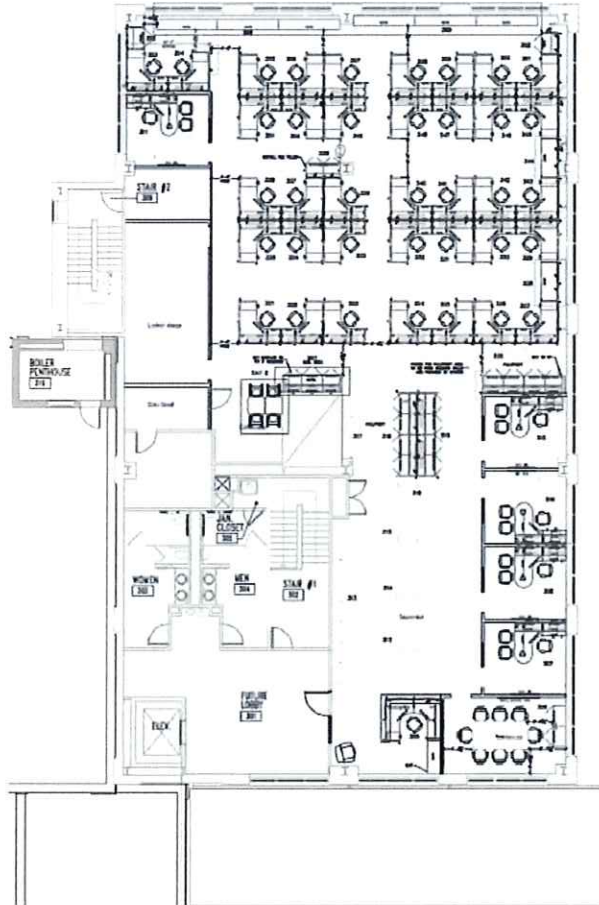


Exhibit A

Location of Training Premises

**Hood**  
PARK  
Boston, Massachusetts

**510 Rutherford Avenue**  
Third Floor  
7,253 SF



# **Cambridge College Boston Campus**

# CC Boston

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**Hood Park Campus  
500 Rutherford Avenue  
Boston, Massachusetts**



# CC Boston

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## **Primary Goal for the Move:**

- To **address needs defined by our strategic plans** and to significantly **improve the ability of Cambridge College** to evolve, advance and deliver programs and services that **ensure success for all of our students.**

## **Selection Criteria for the Site:**

- **Centrally located**
- **Existing amenities**
- **Parking and public transportation**
- **Opportunities to expand**

# CC Boston

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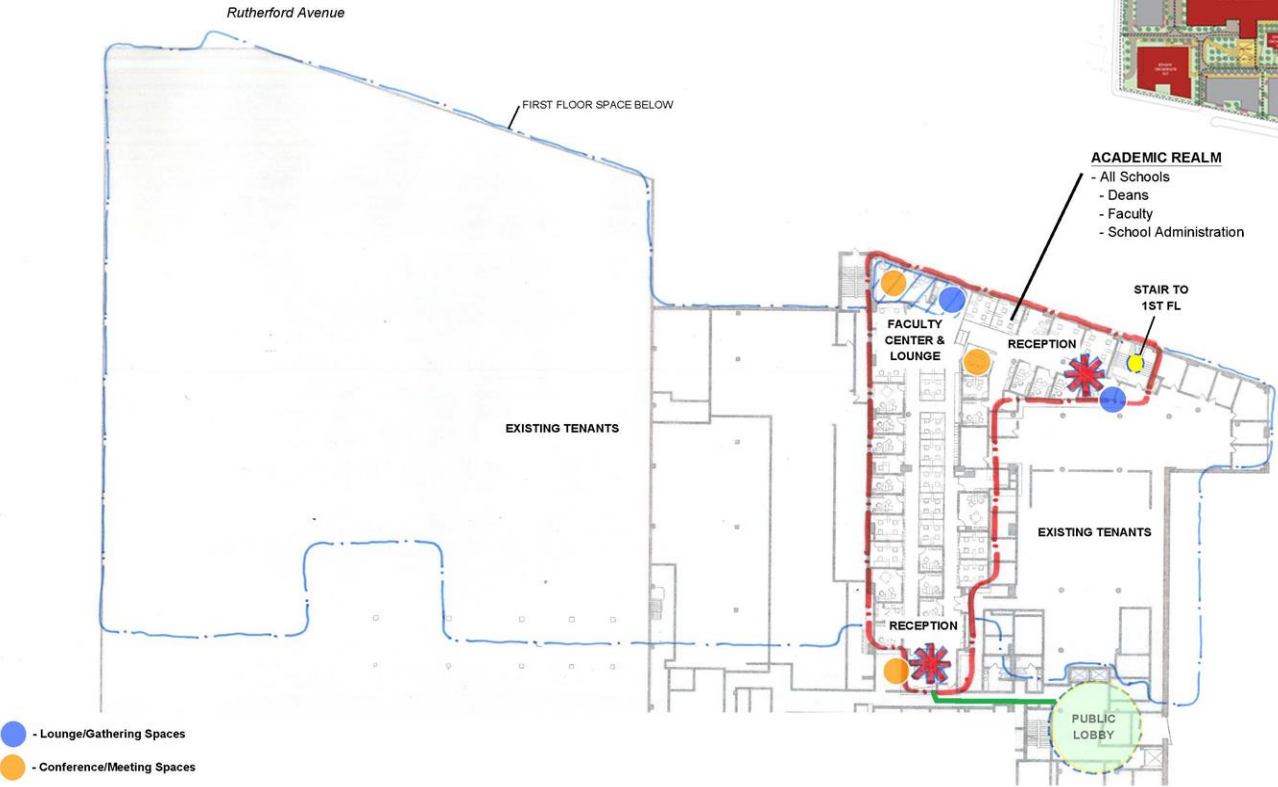
## Conceptual Design:

- **Utilizes** 108,000rsf of space on two floors
- **Organize** the Campus as a series of functional neighborhoods
- **Connect** all neighborhoods and public amenities via “Main Street” – the activated public thoroughfare
- **Optimize** access to natural light throughout the plan
- **Create** opportunities for engagement and community building
- **Reinforce** collaboration and functional efficiency in the siting of departments, teams and offices throughout

## Hood Park Ground Floor Plan



## Hood Park Second Floor Plan





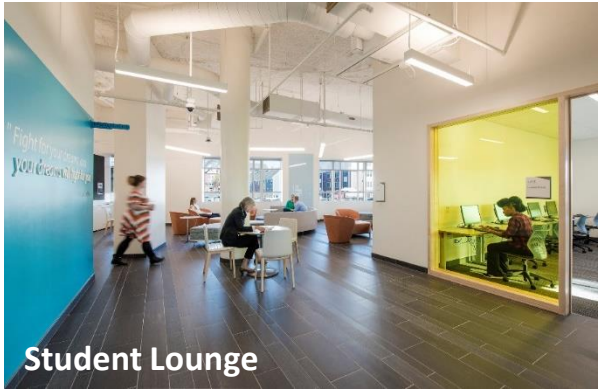
# CC Boston



Reception Lobby



Main Street @Town Commons



Student Lounge



Flexible Classrooms



# CC Boston



New Science Lab



Computer Lab



Academic Administration Offices



2<sup>nd</sup> Floor Faculty Center

# CC Boston



# CC Boston

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## Cambridge College Boston

### Overall Conceptual Design

- 108,000rsf of space on two floors at 500 Rutherford Ave and 7,250rsf of space in 510 Rutherford Ave
- Overall campus organized as a series of functional “neighborhoods” each organized to enhance operational efficiency
- Design optimizes access to natural light for all users
- New opportunities for engagement and community building created throughout

### Main Campus [1<sup>st</sup> Floor]

#### Classrooms

- 49 classrooms serving the multiple program offerings of the college
- North-south “Main Street” with key public-facing activities links all student serving functions
- Two new science labs serving applied science and elementary science programs of the College
- Four computer labs for multiple and flexible access to technology
- Flexible classrooms that can expand with movable partitions
- Classroom furniture provides greater flexibility for configuration options desired by faculty
- Enhanced technology, power and wireless/broadband capacity throughout – upgrade from 50mb to 3gb bandwidth service.
- Monitored security cameras for all public areas in student areas

#### Public Spaces

- Multiple lounge/gathering spaces for quiet study, collaborative activities, preparation for class, and or dining
- Flexibly furnished with the option to adapt over time
- Town Common, CC Bistro and CC Shop, new additions designed to provide access to food, essential college supplies, and a grand assembly space.

### Administrative Offices [1<sup>st</sup> Floor]

#### One Stop Student Services

- Strategic co-location of transactional services to afford students greater ease in completing required activity

#### Executive and Administrative Offices

- College executive functions co-located to foster collaboration and enhance operational efficiencies
- Student serving functions immediately accessible and inclusive of International students services, disability student services, CELT and academic affairs

### Academic Offices [2<sup>nd</sup> Floor]

#### Conceptual Design

- 10,000rsf of space designed to accommodate all administrative functions for the academy
- First time consolidation of all Schools under one roof and in one space envisioned to provide efficiency and collaboration
- Undergraduate Advising Offices are also located on this floor.

## **Leadership: President Deborah C. Jackson**

# Eastern Bank Board of Directors Elects Deborah Jackson as Lead Director

Cambridge College president will be first woman to serve in the role



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NEWS PROVIDED BY

[Eastern Bank](#)

Jan 09, 2018, 09:30 ET

SHARE THIS ARTICLE

BOSTON, Jan. 9, 2018 /PRNewswire/ -- Eastern Bank, America's oldest and largest mutual bank, today announced Deborah Jackson will lead its Board of Directors, effective January 1, 2018. Jackson is the first woman and 2<sup>nd</sup> person of color to serve as Eastern's Lead Director in its 200-year history. She joined Eastern's Board of Directors in 2000 and most recently served as Chair of the Nominating and Governance Committee. Jackson succeeds Wendell Knox, who has served as Lead Director since 2009 and as a member of Eastern's Board since 1995.



Eastern Bank Board of Directors Elects Deborah Jackson as Lead Director

"Since joining our Board, Deborah has been one of our leading voices in further elevating Eastern's mission and commitment to social justice and sustainability causes," said Bob Rivers, Chairman and CEO of Eastern Bank. "Her business acumen, keen perspective, experience leading some of our area's most prominent organizations, and deep and extensive connections throughout Greater Boston have been critical to our success and our ability to better meet the needs of our customers, colleagues and the many communities we serve. I am extremely delighted and privileged to have the opportunity to work with Deborah as my partner in leading Eastern

as we begin our third century."

Ms. Jackson currently serves as President of Cambridge College, an institution she has led since 2011. Like CEO Rivers, in 2017 she was named a member of the Boston Business Journal's 2017 Power 50. Prior to Cambridge College, Jackson served as CEO of the American Red Cross of Eastern Massachusetts, Vice President of the Boston Foundation, and on numerous nonprofit boards for companies dedicated to health, human services, and education.

Ms. Jackson also currently serves on the board of John Hancock Investments and the Massachusetts Women's Forum. She served previously on the board of the Boston Stock Exchange and Harvard Pilgrim Health Plan.

"Eastern is an organization that 'walks the walk' when it comes to the issues that matter to our communities. It has been my privilege to serve as a member of the Board of Directors for the last 17 years and I am honored to accept the Lead Director position," said Jackson of her new role. "I feel fortunate to work with Bob Rivers, one of the most visionary and innovative CEOs in Boston, and I'm grateful for the dedication and leadership of Wendell Knox as our Lead Director over the past 8 years. Wendell has set the bar incredibly high, and I look forward to working with him on our transition over the course of this year."

Today over 40 percent of Eastern's Board is comprised of women, people of color, and members of the LGBTQ community, with the goal of continuously increasing diverse representation. The company was recently named to the [GetKonnected15](#) list, which showcases Massachusetts companies with notable board diversity.

### **About Eastern Bank**

Founded in 1818 and based in Boston, Eastern Bank is America's oldest and largest mutual bank, with over \$10 billion in assets and over 120 locations serving communities in eastern Massachusetts, southern and coastal New Hampshire and Rhode Island. Eastern provides exceptional access to fairly priced banking, investment and insurance products and services for consumers and businesses of all sizes.

Eastern Bank, which includes Eastern Wealth Management and Eastern Insurance, is known for its outspoken advocacy and community support that has exceeded more than \$107 million in charitable giving since 1999. An inclusive company, Eastern employs 1,900 deeply committed professionals who value relationships with their customers, colleagues and communities. Join us for good at [www.easternbank.com](http://www.easternbank.com).

SOURCE Eastern Bank

### **Related Links**

<http://www.easternbank.com>

## **Fast Facts: Demographics & Recognition**





# Cambridge College

## Fast Facts

Year Founded:

**1971**

Average Student Age:

**36**

Alumni:

Over **36,000**



Diversity:

**56% Minority**



- School of Undergraduate Studies
- School of Education
- School of Management
- School of Psychology and Counseling



[cambridgecollege.edu](http://cambridgecollege.edu)

### Mission

Cambridge College is dedicated to providing academically excellent, time-efficient and cost-effective higher education for a diverse population of adult learners for whom those opportunities may have been limited or denied.

**Institution Type:** 4-year, private non-profit

**Calendar:** Trimester (three terms)

**Degrees Awarded:** BA, BS, MEd, MBA, MM, CAGS, EdD

**Degrees/Certificates Awarded:** 829

**Degree Seeking Students:** 3,167

**Undergraduate:** 1,104 (34%)

**Graduate:** 2,063 (66%)

**Financial Aid Recipients:** 66% Undergraduate, 59% Graduate

**Students Graduating with Debt:** 66% Undergraduate, 61% Graduate

**Pell Grant Eligible:** 58%

### First Generation College Students

Undergraduate: 61%

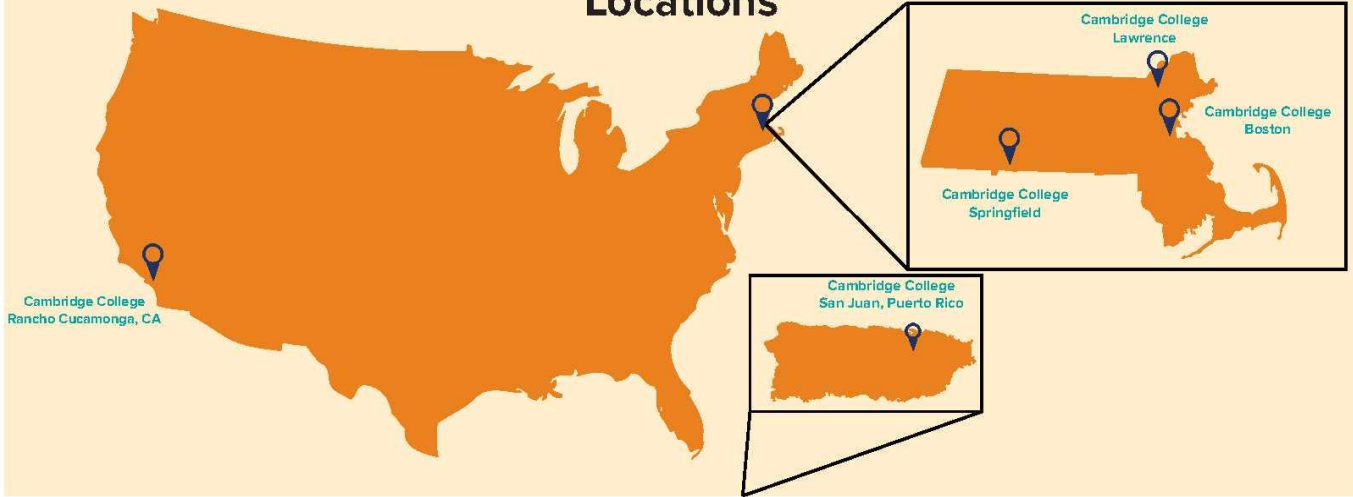
Graduate: 46%

*The above data reflects the academic year ending August 31, 2017.*

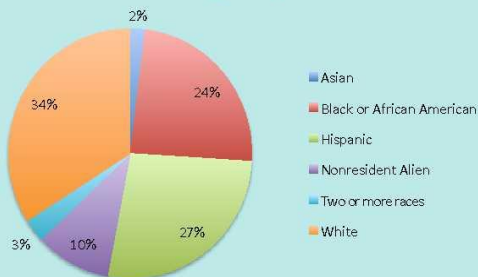
500 Rutherford Avenue | Boston, MA 02129



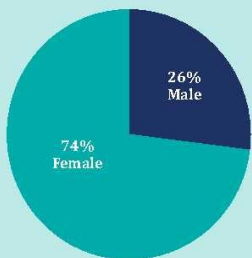
## Locations



## Demographics



Student Ethnicity



Student Gender



## Honors and Recognition



#17 on the Boston Business Journal's list of "Largest MBA Programs in Massachusetts."



Identified as a **Top 50 Best Colleges for Latinos in the country** by *Latino Leaders Magazine*.



Ranked as a top 5 business schools awarding the **highest number of degrees to African Americans**.

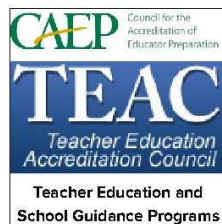


Ranked #7 for **Most Ethnically Diverse Colleges in America**.



Yellow Ribbon Participant School

## Accreditation and Authorizations



MASSACHUSETTS  
Department of  
Higher Education



California



Puerto Rico



## Student Profiles



**Rosalie Allain-Morris**

Master of Education, Mental Health Counseling Candidate  
School of Psychology and Counseling

I am a former New England Patriots Cheerleader, Miss Massachusetts USA, and Co-Owner of an All-Star Cheerleading facility that my twin-sister and I started twenty years ago. We've always had a way with people and coaching kids and my goal is to open my own a private mental health counseling practice.

I'm also a mother to an amazing seven year old son who has neurological learning disabilities. Over the past several years, along with running my company, my focus has been his learning—and me learning all I could to help support him. Through this self-education I became aware of a second passion in my life: the field of Psychology. After 20 + years of being away from learning, I decided to return to Grad School. It was scary and crazy! But I don't regret it for one moment. Ultimately I chose Cambridge College for the flexibility of course scheduling, continued three season courses and week-end intensives. This allowed me to expedite my schooling over the next year and a half.

I'm currently in my second semester with a 4.0 average. I still have my All-Star Cheerleading facility and I am proud to show hundreds of kids they too can do anything they set their minds too at any time in their lives.



## Student Profiles



### **Cynthia Osemwegie**

Master of Business Administration Candidate  
School of Management

B.A., Psychology '07, Cambridge College

I came to the United States in February 2004 with high hopes and dreams. I'm proud of what I've achieved so far, such as completing my bachelor's degree at Cambridge College, there have been struggles along the way. I lost my dad in September 2007 while in school but strived very hard to graduate. Shortly after that, I became pregnant which was a big no-no where I come from (Nigeria). Within a twinkle of an eye, I had become a single mother to a very beautiful girl and that was when I knew my life had changed forever.

Ever since, I have dedicated my time, effort and resources in raising my six year old daughter who has grown to be an inquisitive and bubbly child. Her growth and intellectual curiosity is a reminder that I too must never stop achieving. Being a mother has given me the patience to teach someone else and understand that everyone learns differently.

I chose Cambridge College for my undergraduate degree because the educational environment was conducive to learning, offering support to adult learners as well as a rigorous education. This balance allowed me to push the boundaries of my perspectives, to create myself instead of simply finding myself. So far that reason, I'm back to complete my MBA.

As my perspectives have broadened, my goals have blossomed. I am proud of my personal and professional successes thus far and I truly believe that my Cambridge College bachelor's degree has made all the difference. Now, I'm ready to grow again and I'm confident that a completion of an MBA through Cambridge College will strengthen my professional value.

**Academic Programs**  
**School of Undergraduate Studies Overview**



UNDERGRADUATE  
VIEWBOOK



# WHERE MY CAREER STARTS



**Cambridge College**

Where you come to be.



# 1

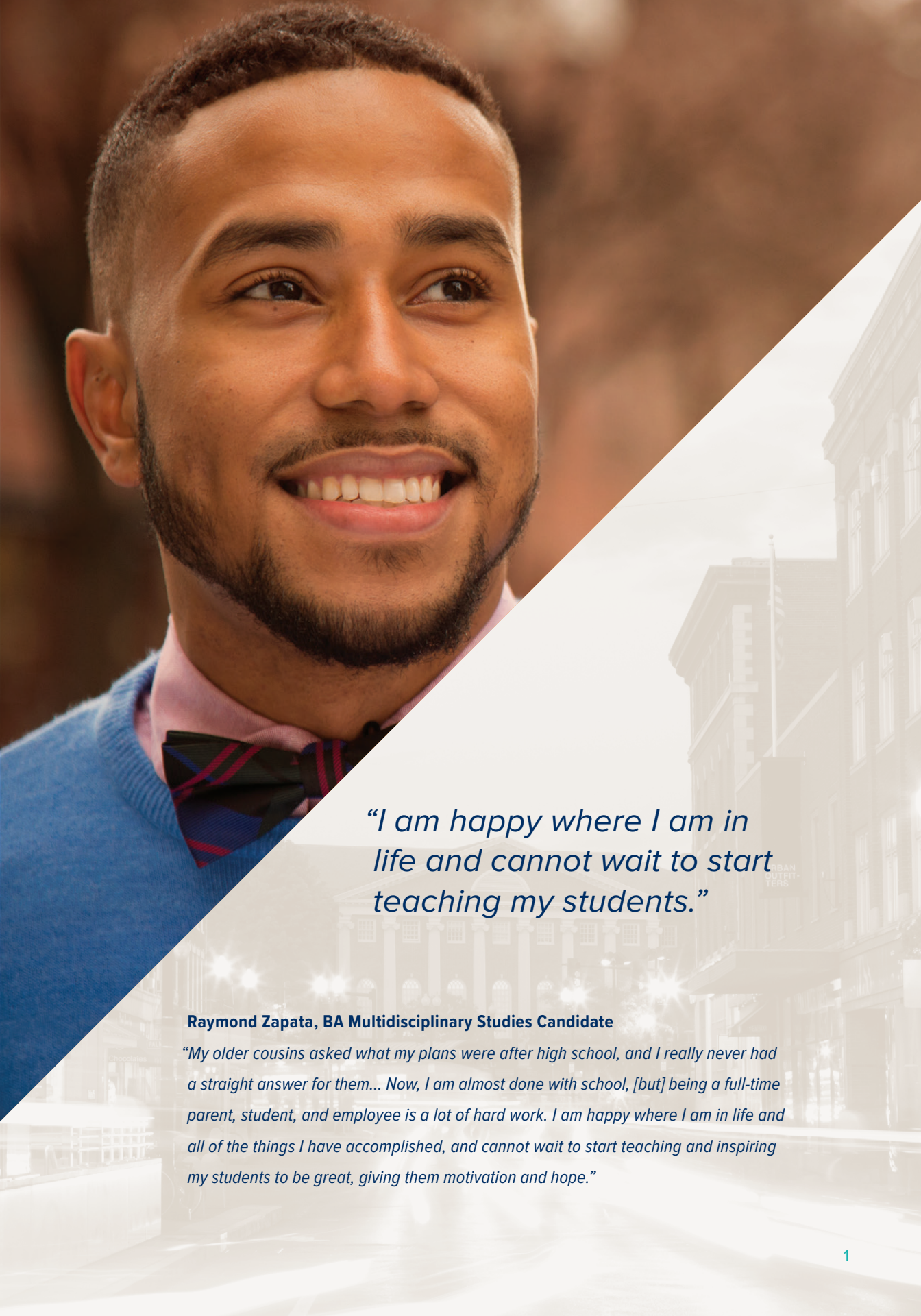
# WHY CAMBRIDGE COLLEGE?

**AT CAMBRIDGE COLLEGE, WE UNDERSTAND** that your future depends on finding the right fit between you and your school. Our School of Undergraduate Studies offers a highly collaborative adult learning model that has made success possible for thousands of graduates. We'd like to create possibilities for you, too.

We offer flexible class schedules, online courses, affordable tuition, and a career-oriented curriculum taught by both practicing professionals and acclaimed professors. The School of Undergraduate Studies offers degree programs geared toward today's needs and tomorrow's potential.

Accelerated learning options and companion locations that are accessible by mass transit make learning at Cambridge College both practical and convenient.

No one does more than Cambridge College to provide high quality educational programs that are accessible, student-centered, and life changing. If you're ready to step forward, we'll help you find your way.



*“I am happy where I am in life and cannot wait to start teaching my students.”*

**Raymond Zapata, BA Multidisciplinary Studies Candidate**

*“My older cousins asked what my plans were after high school, and I really never had a straight answer for them... Now, I am almost done with school, [but] being a full-time parent, student, and employee is a lot of hard work. I am happy where I am in life and all of the things I have accomplished, and cannot wait to start teaching and inspiring my students to be great, giving them motivation and hope.”*

# Cambridge College by the Numbers

**35,000**  
alumni span  
the globe

Our alumni are change agents in the schools in which they teach and lead; the companies that they manage; the health care and social sciences agencies in which they work, and the communities in which they live.

Our tuition rate is among the country's most affordable for a four-year private non-profit college. Let our financial aid experts help you navigate the federal financial aid and grants process for additional support!

**\$401**  
average cost  
per credit hour

You'll be engaged in classes with other adult learners who understand your need to balance school with responsibilities such as work, family, and other priorities.

**67%**  
of students  
are ages 25+



# Undergraduate Degrees and Certificates

**37**  
community partners  
to connect with

We're proud to partner with dozens of government, academic, and business partners to expand resources available to you, advocate on your behalf, and enhance your overall Cambridge College experience.

Our small class sizes and interactive learning model mean you get the level of attention you need to make the most of our courses.

**16:1**  
student to  
educator/  
mentor ratio

## Bachelor of Arts

- Early Childhood Education & Care
- Multidisciplinary Studies
- Psychology

## Bachelor of Science

- Accelerated BS to MBA
- Health Care Management
- Human Services
- Management Studies
- Managerial Accounting
- Natural & Applied Sciences
- Wellness & Health Promotion

## Certificate

- Alcohol & Drug Counseling

*“This balance allowed me to push the boundaries of my perspectives, to create myself instead of simply finding myself..”*





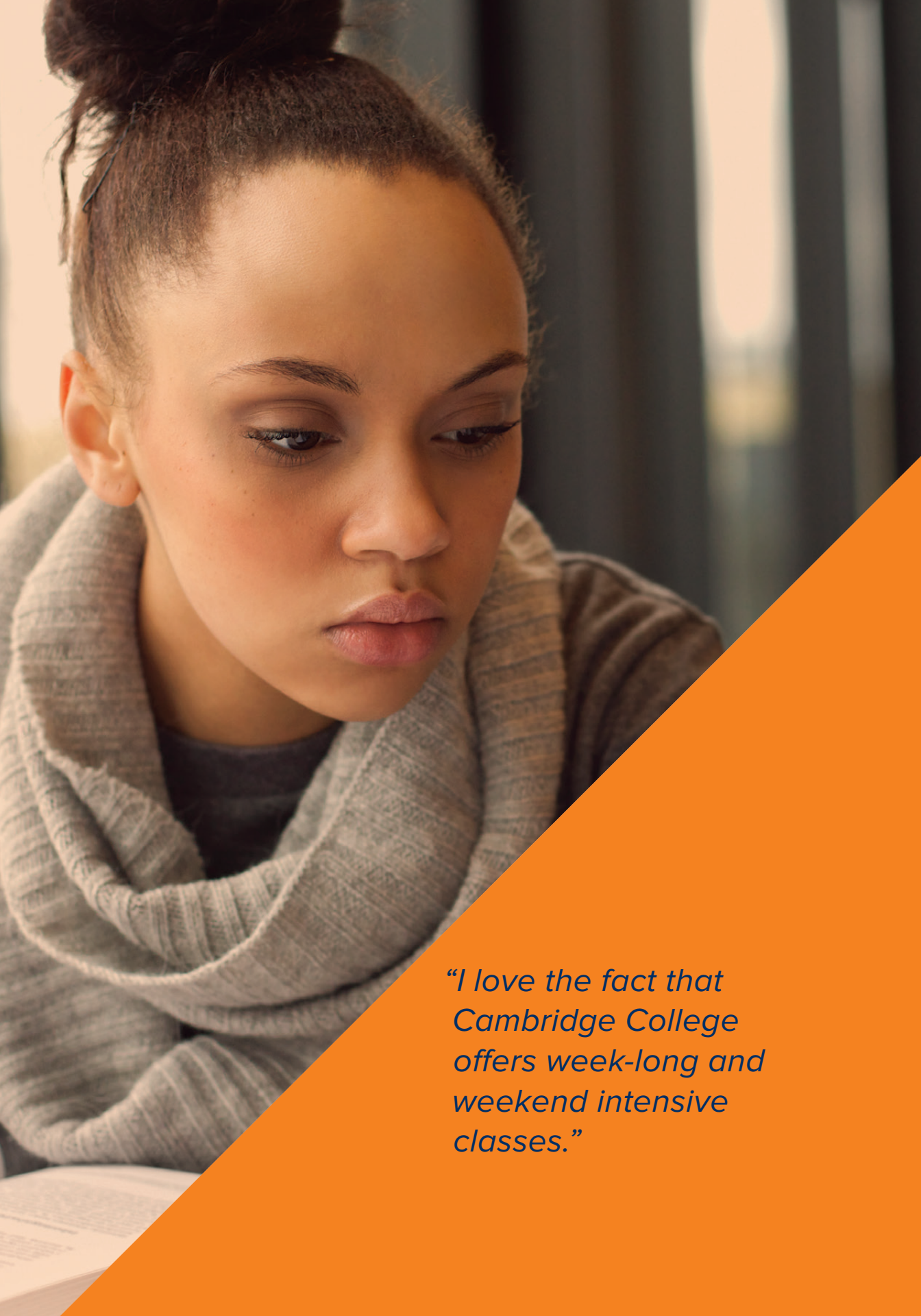


**Cynthia Osemwegie, BA in Psychology, Class of 2007**

*“The educational environment was conducive to learning and offered support to adult learners, as well as a rigorous education. This balance allowed me to push the boundaries of my perspectives, to create myself instead of simply finding myself...my perspectives have broadened and my goals have blossomed. I am proud of my personal and professional successes thus far. I truly believe that a Bachelor’s degree from Cambridge College has made all the difference.”*

## The Cambridge College Difference

- **Classes that fit around you and your life.** We offer day, evening, weekend, and online courses, as well as an accelerated summer term and week-long intensive courses.
- **A degree that won’t break the bank.** Cambridge College is an affordable option for most students, especially when you compare tuition costs with other four-year, non-profit colleges.
- **Flexible, caring faculty who understand you.** Cambridge College professors are national experts at working with adult learners and are eager to share their real world experience with you.
- **Easy-to-access campus locations, including online course options.** Attend classes at one of three campus locations around the state, at our campus in Inland Empire, CA, or online.



*“I love the fact that Cambridge College offers week-long and weekend intensive classes.”*

# 2

## LEARNING THAT FITS YOUR LIFE

**AS A NATIONAL NON-PROFIT LEADER** in adult learning for over forty-five years, we've helped students through every step of their undergraduate education experience. Our programs take into account where you are and where you want to be.



**Alycia Manganaro, BA Early Childhood Education and Care Candidate**

*“Cambridge College has helped me develop my academic skills, allowing me to be more confident and successful in my studies. I have met some great people and very intelligent professors. I love the fact that Cambridge College offers week-long and weekend intensive classes. These types of classes are great.”*

# 5 Reasons Why Cambridge College Is a Great Fit for You

# 1

## Enjoy the Flexibility of Our Rolling Admissions Policy.

We accept applications for admission year-round, with enrollment options that let you start classes when it's convenient for you. Our admissions team works with you to make sure Cambridge College is a good fit with your academic and career goals, and can help you transfer up to 90 hours of academic credit from other accredited institutions or programs.

# 2

## Benefit From a Broad Selection of Customizable Study Options.

Our majors are a unique blend of general education classes, diverse elective options, and focused field-specific coursework that showcase your skills and demonstrate career readiness to potential employers. We also offer focused and independent study options so you can pursue other educational opportunities beyond traditional course offerings.





# 3

## **Take Advantage of Our Distinct Advising and Coaching Support.**

Continue developing professional skills with the help of our Undergraduate Academic Advising Office, as well as one-on-one personal and professional coaching offered through our Integrated Student Success Program. Both of these services are dedicated to helping you become a successful student and graduate of Cambridge College.

# 4

## **Access Online Support 24/7.**

All of our students can “visit” the Cambridge College Online Library (CCOL) anytime, with thousands of periodicals, journals, and books just a click away as part of our fully searchable online database. The CCOL is staffed by your online librarian 24 hours a day, meaning you’ll have a go-to resource ready to help you complete classwork in a way – and at a time – that works with your schedule.

# 5

## **Prepare for What’s Next With the Help and Support of Our Career Center.**

Whether you’re looking for help polishing a resume, need interview tips, or don’t know where to start looking for your next opportunity, our Career Center team is there for you. In-person and virtual resources available to students in all degree programs at all campus locations let you discover, explore, experience, and pursue opportunities that lie ahead.



# 3

## READY TO SUCCEED

**AT CAMBRIDGE COLLEGE, WE RECOGNIZE** that success looks different for each student. Regardless of what you choose to study, you'll graduate ready to take the next step in building a career you care about. A Cambridge College undergraduate degree allows you to incorporate what you've learned into your field, developing confidence and professional contacts. You'll build critical thinking and effective communication skills, expand your creative problem-solving skills, learn how to build and effectively manage teams, and enjoy the financial and emotional rewards that come from helping others.



**Domenic D'Orsi, BA Multidisciplinary Studies Candidate, and Army veteran**

*"I have been able to reach all of my educational goals as a full-time student, with flexibility of schedule, while maintaining a full-time career and supporting my family. I do not believe I could achieve all that I have in the time frame that I did at another, less accommodating institution."*



*“I do not believe I could achieve all that I have in the time frame that I did at another, less accommodating institution.”*

# Degree Programs



## Bachelor of Science in Management Studies

Ready yourself to work in for-profit and non-profit environments with our program's comprehensive curriculum. You'll master the skills and strategies needed to effectively manage people and navigate complex business challenges, and serve as a leader in a variety of management situations.



## Bachelor of Science in Managerial Accounting

Drive organizational success through solid accounting practices and financial management; master cost accounting, external and internal auditing, and build a strong foundation on the information technology required for a fully automated accounting system. Our curriculum aligns with the learning outcomes, practical skills, and knowledge that the Institute of Management Accountants has identified as essential to the field; it also complies with the practical experience and academic requirements of the CMA certification examination.





## **Bachelor of Science in Health Care Management**

Learn the skills and knowledge essential for managerial and administrative careers in health care. Our curriculum corresponds with the practical and operational needs of today's health care institutions, which means that you'll be ready for a rewarding career in a variety of health care settings or for further study.



## **Bachelor of Arts in Early Childhood Education & Care**

Prepare to move up the career ladder in early education and care with coursework that helps you develop the competencies defined by the Massachusetts Department of Early Education and Care (EEC). In addition, core coursework addresses issues of social justice and inclusion of all children, focusing on special needs, diversity, and English language learners. Electives enable you to tailor studies to your particular career goals within the field.



## **Bachelor of Science in Wellness & Health Promotion**

Transform your ability to educate, coach, and support individuals and organizations to lead healthier lifestyles into an exciting health and wellness career. Our program weaves together fundamental health science principles, as well as the history, philosophy, and theory behind fitness and wellness to prepare you for a variety of health-oriented careers or advanced graduate programs.



# Degree Programs (cont.)



## Bachelor of Science in Natural & Applied Sciences

Get the hands-on training across scientific disciplines you need to integrate scientific thought and analysis throughout your course of study. You'll be prepared with the academic training and analytical skills to work in a variety of science-related fields such as biotechnology, biological research, information technology, health science, and environmental science. The core courses within the degree also provide you with a strong foundation to support graduate studies within the life sciences and other emerging scientific fields.



## Bachelor of Arts in Psychology

Prepare yourself to apply a variety of professional skills in clinical, educational, and human services settings, or wherever else your future career may take you. We also provide you with an exceptional foundation for pursuing graduate level study or further licensing and/or certification.







## Bachelor of Science in Human Services

Take your interest in and appreciation for public and private social support systems to the next level. Theory and practice are combined in a variety of innovative courses focused on the latest research and developments in human services. You'll graduate ready to put holistic ideas and collaborative concepts into practice in your career or in further studies.



## Bachelor of Arts in Multidisciplinary Studies

Open a variety of career advancement and exploration paths with our most flexible degree option. Our Multidisciplinary Studies program is ideal if you're a student with broad academic interests looking to transform your passions into tangible career-ready skills through a broad selection of liberal arts courses.



## Alcohol & Drug Counseling Certificate

Get certified or licensed as part of a program that provides professional training and gives you the support skills you need to provide treatment, education, and prevention for those affected by substance abuse/addiction.

## CONCENTRATIONS

The School of Undergraduate Studies offers multiple concentration options that can be creatively paired with degree programs. Concentrations include:

- Accounting
- Addiction Studies
- Community Building
- Education
- Expressive Therapies
- Family Studies
- General Management
- Health Care Management
- Holistic Studies
- Hospitality Management
- Information Technology and eBusiness
- Juvenile Justice Studies
- Legal Studies
- Organizational Psychology
- Peace and Justice Studies

Programs of study are subject to change. Please refer to our website for program updates or curricular changes/modifications.

# Next Steps

**CALL US AT 1.800.829.4723** or email [info@cambridgecollege.edu](mailto:info@cambridgecollege.edu) to start putting together your Cambridge College experience. We'll build a schedule that works for you, taking into account where you're starting and every step in between, to create a career and future you can count on.

## FOR MORE INFORMATION

**Tel:** 1.800.829.4723

**Email:** [info@cambridgecollege.edu](mailto:info@cambridgecollege.edu)

**Follow us for schoolwide information, news, and upcoming events**

 [facebook.com/cambridgecollege](https://facebook.com/cambridgecollege)  
 [@CambridgeCollg](https://twitter.com/CambridgeCollg)  
 [@CambridgeCollege\\_edu](https://www.instagram.com/CambridgeCollege_edu)

# Our Campuses

<b>Cambridge College Main Campus</b>	1.800.829.4723
<b>Cambridge College Lawrence</b>	617.873.0484
<b>Cambridge College Springfield</b>	413.747.0204
<b>Cambridge College Puerto Rico</b>	787.296.1101
<b>Cambridge College Southern California</b>	909.635.0250

Cambridge College is accredited by the Commission on Institutions of Higher Education of the New England Association of Schools and Colleges, Inc.

Inquiries regarding the accreditation status by the Commission should be directed to the administrative staff of the institution. Individuals may also contact: Commission on Institutions of Higher Education, New England Association of Schools and Colleges, 3 Burlington Woods Drive, Suite 100, Burlington, MA 01803-4514; 781.425.7785 or via email at [cihe@neasc.org](mailto:cihe@neasc.org).



**Cambridge College**

Where you come to be.

**CAMBRIDGECOLLEGE.EDU**

*A non-profit college. EST. 1971*

**Academic Programs**  
**Bachelor's Degree & Elective Concentration**





Bachelor of Science

# Management Studies • CIP code 520201

120 credits

## Program Description

The Bachelor of Science in Management presents a comprehensive management curriculum that equips students with the skills necessary to work in for-profit and not-for-profit organizations. Our students learn directly from practicing scholar-professionals, many of whom are distinguished area business leaders. The Cambridge College *practicing professional* teaching model gives students the opportunity to learn both management theory and effective, practical management techniques. By combining research, theory and practice, graduates will be prepared with the skills that will enable them to manage both people and complex issues.

**Required courses** provide a practical framework to the management curriculum, including the history of management theory, structures of for-profit and not-for-profit organizations, and theories of leadership. Students will gain knowledge of strategic planning, diversity issues in the workplace, financial requirements, human resource planning, and ethics. Along with these skills graduates will be prepared with an understanding of marketing and sales skills, and technological advances in the corporate and not-for-profit environments.

**Final Project** — Students complete a culminating research project in management related to their own personal and professional interests. Students demonstrate their mastery of management content and methodology, and apply their academic experience to a learning project that interests and challenges them.

## Program Outcomes

- Essential management skills, including effective professional communication, human relations, teamwork, and negotiation.
- Theoretical and practical understanding of business processes and organizational systems.
- Practical business skills in accounting, economics, ethics and finance.
- Creating work environments that foster corporate social responsibility, sustainability, and long-term growth.
- The importance of diversity in today's global business environment, and develop skills to manage diverse organizations.
- The analysis of complex managerial and organizational situations, taking into account the larger context, strategy, policy, and ethics.
- Information systems, databases and Internet technology as management tools.

## Careers and Further Study

Graduates will be prepared for employment as team members and managers within corporate and non-profit organizations. Areas of employment may include sales, marketing, finance, information technology, e-business, general management, human resources and hospitality.

The undergraduate management program additionally prepares students for graduate study in management, economics, finance, human resources, sales and marketing.

## General Education ..... 42 credits

LRN175	Principles & Processes of Adult Learning	3
WRT101	College Writing I	3
CTH225	Foundations of Critical Thinking	3
MAT101	College Math I	3
CMP130	Introduction to Computer Applications	3
CMP230	Information Literacy	3
WRT102	College Writing II	3
MAT102	College Math II	3

WRT101-102 and MAT101-102 may be waived if equivalent courses have been accepted in transfer. Credits will be replaced with open electives. WRT201 required if both WRT101-102 are waived; not required for students completing WRT101-102 at Cambridge. WRT090 and MAT100 required if assessment indicates need.

<b>Arts &amp; Humanities</b>	6
<b>Natural &amp; Physical Sciences</b>	6
<b>Social Sciences</b>	6

## Open Electives ..... 36 credits

Choose electives and/or concentrations to support your academic interests and professional goals.

## Management Studies Major ..... 42 credits

BSM200	Introduction to Business	3
BSM300	Economics for Managers	3
BSM305	Principles of Managing Organizations	3
BSM310	Organizational Theory & Behavior	3
BSM315	Diversity in the Workplace	3
BSM320	Operations Management	3
BSM325	Marketing	3
BSM330	Financial Accounting	3
BSM332	Financial Management (req. BSM330)	3
BSM335	Human Resources Management	3
BSM340	Information Systems & Databases	3
BSM345	Business Ethics	3
MAT201	Introduction to Statistics	3
BSM490	Management Capstone Project	3

**Online courses:** No more than 49% of your Cambridge College courses may be fully-online. International students may take only one fully-online course in any term.

**Degree completion:** General education requirements may be satisfied by an associate's degree or 60 credits of prior courses that meet all general criteria for transfer; up to 90 credits may be accepted.



Bachelor of Science

# Managerial Accounting • CIP code 520201

120 credits

## Program Description

The Bachelor of Science in Managerial Accounting gives students the skills and academic background to work in managerial accounting, and to sit for the Institute of Managerial Accountants' (IMA) Certified Managerial Accountant (CMA) examination\*. The curriculum focuses on the practical skills and knowledge-base which the IMA has identified as essential to the field, and these learning outcomes and coursework are directly aligned with the practical experience and academic requirements of the CMA certification examination. Graduates will be well prepared to work in this exciting and growing field, with both the knowledge and application-based training to make important institutional decisions based on sound financial principles.

\*Full IMA certification requires an earned bachelor's degree in finance, accounting or economics, successful passing of the CMA exam, and two years of documented work experience in preparation of financial statements, financial planning and analysis, auditing (external or internal), budget preparation and reporting, corporate investment decision making, or costing analysis (this experience requirement can be earned prior to, or within 7 years of passing the CMA examination).

## Program Outcomes

- Planning, budgeting and forecasting
- Performance management
- Cost management
- Internal controls
- Professional ethics for management accounting professionals.
- Financial statement analysis
- Corporate finance
- Decision analysis and risk management
- Investment decision

## Careers and Further Study

Graduates of the Managerial Accounting degree are well equipped to work in finance, book-keeping and accounting positions within private, public, profit and non-profit organizations. Additionally, students are prepared for graduate studies in accounting, finance and economics.

**Online courses:** No more than 49% of your Cambridge College courses may be fully-online. International students may take only one fully-online course in any term.

**Degree completion:** General education requirements may be satisfied by an associate's degree or 60 credits of prior courses that meet all general criteria for transfer; up to 90 credits may be accepted.

## General Education ..... 42 credits

LRN175	Principles & Processes of Adult Learning	3
WRT101	College Writing I	3
CTH225	Foundations of Critical Thinking	3
MAT101	College Math I	3
CMP130	Introduction to Computer Applications	3
CMP230	Information Literacy	3
WRT102	College Writing II	3
MAT102	College Math II	3

WRT101-102 and MAT101-102 may be waived if equivalent courses have been accepted in transfer. Credits will be replaced with open electives. WRT201 required if both WRT101-102 are waived; not required for students completing WRT101-102 at Cambridge. WRT090 and MAT100 required if assessment indicates need.

<b>Arts &amp; Humanities</b>	6
<b>Natural &amp; Physical Sciences</b>	6
<b>Social Sciences</b>	6

## Open Electives ..... 36 credits

Choose electives and/or concentrations to support your academic interests and professional goals.

## Managerial Accounting Major Required Courses ..... 42 credits

BSM409	Budget Preparation & Reporting	3
BSM345	Business Ethics	3
BSM405	Corporate Finance and Investments	3
BSM481	Cost Management & Internal Controls	3
BSM493	Decision Analysis and Risk Management	3
BSM315	Diversity in the Workplace	3
BSM330	Financial Accounting	3
BSM332	Financial Management (preq. BSM330)	3
BSM494	Financial Statement Analysis	3
BSM482	Internal and External Auditing	3
BSM355	Performance Management	3
BSM411	Planning, Budgeting and Forecasting	3
MAT201	Introduction to Statistics	3
BSM490	Management Capstone Project	3

# Undergraduate Elective Concentrations

## Undergraduate Concentration

### Accounting ..... 18 credits

The **Accounting** Concentration helps students gain an understanding of financial theory, tools and techniques so that institutional decision making can be based on sound financial principles. This concentration gives students the fundamental skills and academic background to apply contemporary accounting principles to their workplace.

BSM200	Introduction to Business ( <i>required first course</i> )	3
BSM330	Financial Accounting	3
BSM332	Financial Management (preq. BSM330)	3
BSM409	Budget Preparation & Reporting	3
BSM481	Cost Management & Internal Controls	3
BSM494	Financial Statement Analysis	3

## Undergraduate Concentration

### Addiction Studies ..... 18 credits

**Addiction Studies** is for counselors, case managers, residence managers, and advocates. This concentration considers the impact of substance abuse on individuals, families and communities. It explores theories regarding addiction, various treatment approaches, and the societal consequences.

#### *Prerequisite/concurrent courses:*

PSY120	Formative Ideas in Psychology	3
PSY325	Theories of Personality	3

#### *Concentration courses:*

BHS401	Introduction to Addictions	3
BHS411	Family Systems and Addictions	3
BHS421	Mental Health and Substance Abuse	3
BHS360	Ethical Issues in Substance Abuse	3
BHS302	Women and Addictions	3
BHS361	Adolescent Drug Prevention	3

## Undergraduate Concentration

### General Management ..... 18 credits

The **General Management** Concentration provides a practical framework for understanding contemporary management theory and practice.

BSM200	Introduction to Business	3
BSM305	Principles of Managing Organizations	3
<b>or</b> BSM430	Nonprofit Organization Management	3
BSM310	Organizational Theory & Behavior	3
BSM325	Marketing <b>or</b> BSM326 Strategies for Selling	3
BSM335	Human Resources Management	3
BSM345	Business Ethics	3

## Undergraduate Concentration

### Hospitality Management ..... 18 credits

**Hospitality Management** equips students to manage staff and systems in the hospitality industry. The primary focus is on restaurant front of the house and back of the house management, and on hotel management. Students can become more valuable individual contributors, outstanding team members, and managers of organizations within the hospitality industry.

#### *Prerequisite courses:*

BSM200	Introduction to Business	3
BSM325	Marketing	3
BSM330	Financial Accounting	3

#### *Concentration courses:*

BSM431	Introduction to Hotel & Restaurant Operations (required first course; may be waived with permission)	3
BSM432	Hospitality Operations Management	3
BSM433	Hospitality Marketing, Sales & Food Promotion	3
BSM434	Advanced Hospitality Operations	3
BSM435	Food & Beverage Cost Control	3
BSM436	Legal Issues in the Hospitality Industry	3

## Undergraduate Concentration

### Information Technology & Ebusiness ..... 18 credits

**Information Technology & E-Business** prepares students to develop strategies for managing infrastructure design, server management, security, e-business strategy and marketing. Graduates gain an overview of the technologies for electronic commerce on the Internet and current trends with respect to the technology of the World Wide Web, and explore various e-business models.

#### *Prerequisite course:* BSM200 Introduction to Business

BSM413	Strategic Business Planning	3
BSM406	Introduction to E-Business	3
BSM420	Internet Marketing	3
BSM460	Database Management	3
BSM470	Project Management	3
BSM475	Information Technology	3



**Academic Programs**  
**Springfield Hospitality Pre-Apprenticeship Program**

# Hospitality Pre-Apprenticeship Program



The Cambridge College Hospitality Pre-Apprenticeship Program is designed to prepare individuals to enter and succeed in the hospitality industry. Created in partnership with the Massachusetts Executive Office of Labor and Workforce Development, the individual programs are geared towards various entry-level positions and are ideal for job seekers that aspire to build a career in hospitality. These programs promote a diverse and skilled workforce.

Upon successful completion of the program, students will be issued a Certificate of Completion from the Commonwealth of Massachusetts, Executive Office of Labor and Workforce Development, Division of Apprentice Standards. Additionally, students will attend a hospitality career fair which will include hiring managers from many local restaurants, hotels, and other hospitality oriented organizations including MGM Springfield and members of the Greater Springfield Convention and Visitors Bureau.

Classes begin February 26, 2018.

Programs prepare students for the following positions. Click through to learn about each one and to register.

[Restaurant Servers](#)  
[Front Counter Team Member](#)  
[Casino Porters](#)  
[Busser/Runners](#)  
[Casino Cage Cashier](#)  
[Security Officers](#)  
[Guest Services Slots Representatives](#)





# Letter of Support



March 26, 2018

Jill Lacey Griffin  
Director of Workforce, Supplier and Diversity Development  
Massachusetts Gaming Commission  
101 Federal Street, 12th Floor  
Boston, Massachusetts 02110

Dear Ms. Griffin,

Bunker Hill Community College is a key educational institution in the Greater Boston area that is ready to prepare career seekers for jobs at Wynn Boston Harbor. With a diverse student body of 13,000, we are well positioned to provide education and training in Adult Basic Education and HiSET to provide the general foundation for our workforce as well as certificates and associate degrees in hospitality and other programs that can support the employment needs of Wynn Boston Harbor. We will continue to work to align these programs with Cambridge College's bachelor and master's programs.

While discussions are continuing, we will continue to work closely and in support of the partnership with Cambridge College in the recruitment and development of such pipelines, which given the close proximity of our campuses, should prove to be attractive for our students and will be beneficial to Wynn Boston Harbor.

Please feel free to contact me if you should have further questions.

Sincerely,

Dr. James F. Canniff  
Provost and Vice President, Academic and Student Affairs  
Bunker Hill Community College

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**CHARLESTOWN CAMPUS**

250 New Rutherford Avenue • Boston, Massachusetts 02129-2925  
Phone: 617-228-2000 TTY: 617-242-2365

**CHELSEA CAMPUS**

70 Everett Avenue • Chelsea, Massachusetts 02150-2917  
Phone: 617-228-2101 TTY: 617-884-3293  
*New location as of January 2017*

**ADDITIONAL LOCATIONS**

Chinatown • East Boston • Everett • Malden • South End • Quincy

[bhcc.edu](http://bhcc.edu)



## **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 amendment of **205 CMR 138.00: Uniform Standards of Accounting Procedures and Internal Controls**; notice of which was filed with the Secretary of the Commonwealth. This regulation was developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth.

This regulation and the proposed new sections therein, govern the financial and administrative operations of the casinos. This regulation is largely governed by G.L. c.23K, §4(28), 5, and 25(d), 27 and 28.

205 CMR 138.00 applies to the gaming establishments. Accordingly, this regulation is unlikely to have an impact on small businesses, unless a small business elects to become a vendor with a gaming establishment. In accordance with G.L. c.30A, §2, the Commission offers the following responses to the statutory questions:

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

As a general matter, no small businesses are subject to this regulation unless they are a vendor within the gaming establishment, to which the impact is slight.

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

There are no projected reporting, recordkeeping or other administrative costs required for small businesses to comply with this regulation or the proposed new sections therein.

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

Both performance and design standards are necessary in this regulation to ensure requirements are achieved relative to the accuracy of the financial and administrative operations of the casinos.

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 new small businesses. The proposed regulation is designed to effectuate those intentions and growth.

Massachusetts Gaming Commission

By:

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Shara Bedard

Paralegal

Dated: March 29, 2018



Massachusetts Gaming Commission

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

138.23: Drop Boxes for Table Games: Gaming Table Slot Cash Storage Boxes

- (1) A secure, tamper-resistant container known as a “drop box” shall be attached to each gaming table and any other gaming device at which currency, coupons, or other items of value are accepted by the gaming establishment. The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include:
  - (a) Specifications for the construction and material composition of drop boxes and housing, identification of the asset number or serial number to be used on gaming equipment, and whether the asset number will be imprinted on such equipment electronically or permanently.
  - (b) A detailed plan identifying which of the gaming licensee’s department(s) will be involved in handling the table drop. The plan must include at least one key gaming employee on the drop team and shall also include the following:
    1. Identification of the department having primary responsibility for the drop;
    2. An outline of the responsibilities of all gaming employees involved in handling the drop;
    3. A chain of command in the event the gaming licensee uses multiple departments to handle the drop; and
    4. A chain of command in the event the gaming licensee uses multiple departments to handle the count responsibilities.
  - (c) A detailed procedure for independent verification of the count as performed in accordance with 205 CMR 138.19. The procedure shall include:
    1. Separation of duties such that the person performing the daily of the counting machine shall not also perform the duties to determine the final numbers;
    2. Procedures to be followed in the event unaccounted for currency is found in accordance with 205 CMR 138.33(7) and (8); and
    3. Procedures governing the use and redemption of both valid and invalid coupons.
  - (d) A detailed variance and discrepancy procedure to be followed in the event the final count does not balance. The procedure shall include:
    1. Identification of the department responsible for reporting the drop to the Bureau and a timeline for when that reporting is due; and
    2. The count procedure to be followed in the event the gaming licensee’s count machines are not functioning.
    3. A detailed schedule of table drop and how often it will be performed, including a procedure for the removal of drop boxes from table games.
  - (e) A procedure for the storage of unused drop box locks. The procedure shall include:
    1. The location where emergency drop boxes will be stored;



2. The location where spare drop boxes will be stored; and
3. Identification of the person or department responsible for replacement and storage of drop box locks.

DRAFT

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

138.24: Cashiers' Cage: Satellite Cages: Master Coin Bank: Coin Vaults

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and procedures relative to the cashiers' cage, satellite, cages, master coin banks (if any), and coin vaults (if any) that incorporate, at a minimum, the following:

(1) Each establishment shall have on or immediately adjacent to the gaming area a physical structure known as a cashiers' cage (cage) to house the cashiers and to serve as the central location in the gaming area for **the main bank, the marker bank, the kiosk bank, and the chip bank, which shall be responsible for** the following pursuant to 205 CMR 138.29 and this section:

- (a) The custody of the cage inventory comprising currency including cash, patrons' deposits, coin, patron checks, gaming chips and plaques, and of forms, documents, and records normally associated with the operation of a cage;
- (b) The approval, exchange, redemption, and consolidation of patron checks received for the purposes of gaming;
- (c) The receipt, distribution, sale and redemption of gaming chips and plaques;
- (d) The issuance, receipt and reconciliation of imprest funds used by slot attendants in the acceptance of currency and coupons from patrons in exchange for currency;
- (e) The issuance, receipt and reconciliation of imprest chip funds and currency used by chippersons in the acceptance of coin, currency, slot tokens and coupons from seated poker patrons in exchange for chips; and
- (f) Such other functions normally associated with the operation of a cage.

(2) If a gaming establishment will make use of coins or tokens in its gaming operation it shall have within the cage or in such other area as approved by the commission a physical structure known as a master coin bank to house master coin bank cashiers. The master coin bank shall be designed and constructed to provide maximum security for the materials housed therein and the activities performed therein and serve as the central location in the gaming establishment for the following:

- (a) The custody of currency, coin, prize tokens, slot tokens, forms, documents and records normally generated or utilized by master coin bank cashiers, slot cashiers, changepersons, and slot attendants;
- (b) The exchange of currency, coin, coupons, prize tokens and slot tokens for supporting documentation;
- (c) The responsibility for the overall reconciliation of all documentation generated by master coin bank cashiers, slot cashiers, changepersons, and slot attendants;
- (d) The receipt of coin and slot tokens from the hard count room; and
- (e) Such other functions normally associated with the operation of the master coin bank.

(3) The cage shall be designed and constructed to provide maximum security for the materials housed therein and the activities performed therein; such design and construction shall, at a minimum, include the following features and specifications:

- (a) It shall be fully enclosed except for openings through which materials such as gaming chips and plaques, slot tokens and prize tokens, patron checks, cash, records, and documents can be passed to service the public, gaming tables, and slot booths;
- (b) It shall have a manually triggered silent alarm system for the cage, ancillary office space, and any related vault, which systems shall be connected directly to the monitoring rooms of the closed circuit television system, IEB office and the security department office;
- (c) It shall have double door entry and exit system (MAN-TRAP) that will not permit an individual to pass through the second door until the first door is securely locked. In addition:
  - 1. The first door adjacent to the gaming floor of the double door entry and exit system shall be controlled by one department (electronically and manually). The second door of the double door entry and exit system shall be controlled by a separate department from the first;
  - 2. The system shall have closed circuit television coverage which shall be monitored by the security department or surveillance department; and
  - 3. Any entrance to the cage that is not a double door entry and exit system shall be an alarmed emergency exit door only.
- (d) It shall have separate locks on each door of the double door entry and exit system, the keys to which shall be different from each other.

(4) Each master coin bank located outside the cage shall meet all the requirements of 205 CMR 138.24(3).

(5) Each gaming establishment may have separate areas for the storage of coin, prize tokens and slot tokens (coin vaults) in locations outside the cage or master coin bank.

(6) Each coin vault shall be designed, constructed and operated to provide maximum security for the materials housed and activities performed therein, and shall include at least the following:

- (a) A fully enclosed room, located in an area not open to the public;
- (b) A metal door with one key that shall be maintained and controlled by the main bank or master coin bank, which shall establish a sign-in and sign-out procedure for removal and replacement of that key;
- (c) An alarm device that signals the monitors of the gaming licensee's close circuit television system whenever the door to the coin vault is opened; and
- (d) Closed circuit television cameras capable of accurate visual monitoring and taping of any activities in the coin vault.

(7) Each gaming establishment may also have one or more "satellite cages" separate and apart from the cashiers' cage, but in or adjacent to a gaming area or simulcasting facility, established to maximize security, efficient operations, or patron convenience and comfort and designed and constructed in accordance with 205 CMR 138.00. Subject to commission approval, a satellite cage may perform any or all of the functions of the cashiers' cage. The functions which are conducted in a satellite cage shall be subject to the applicable accounting controls set forth in 205 CMR.

(8) Each gaming licensee shall file with the commission the names of all persons possessing the combination or keys to the locks securing the entrance to the cage, any satellite cages, master coin bank and coin vaults; as well as all persons possessing the ability to operate alarm systems for the cage, any satellite cages, master coin bank and coin vaults.

(9) Notwithstanding 205 CMR 138.24(2), each gaming licensee may, with prior commission approval, operate its cashiers' cage without the master coin bank, provided that the main bank serves as the central location in the gaming establishment for the transactions enumerated in 205 CMR 138.24(2)(a) through (e), and provided further, that the references therein and elsewhere in 205 CMR 138.00 to:

(a) Master Coin Bank Cashiers shall apply instead to the main bank cashiers assigned the duties and performing the functions that would otherwise be assigned to or performed by master coin bank cashiers; and

(b) The Master Coin Bank shall apply instead to the main bank, but only insofar as it is authorized to perform master coin bank functions.

(10) Whenever the approved internal controls of a gaming licensee require or authorize documents to be transported from the cashiers' cage to a satellite cage or from a satellite cage to the cashiers' cage or another satellite cage, the gaming licensee shall, unless specified otherwise, transport the documents through the use of a pneumatic tube system or a casino security department representative.

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

138.29: Accounting Controls for the Cashiers' Cage, Satellite Cages, Master Coin Bank and Coin Vaults

~~A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include detailed protocols and procedures for the function of the cashiers' cage, satellite cages, master coin bank, and coin vaults, if any.~~

- (1) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall detail the responsibilities and functions of the main bank, which shall include:
  - (a) Receipt of cash, value chips, gaming vouchers, jackpot payout slips, and personal checks received for gaming purposes from cage cashiers in exchange for cash;
  - (b) Receipt of cash from the count room;
  - (c) Preparation of the overall cage reconciliation and accounting records, and independent verification of all bank assets by the main banker;
  - (d) Preparation of the daily bank deposit for cash, cash equivalents, counter checks, and personal checks;
  - (e) Issuance, receipt, and reconciliation of imprest funds used by slot attendants; and
  - (f) Receipt of unsecured currency and vouchers.

A copy of the cage cashiers' count sheets and documentation shall be sent to the gaming licensee's accounting department.

- (2) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall detail the responsibilities and functions of the marker bank, which shall include:
  - (a) Maintenance of credit application information;
  - (b) Setting minimum and maximum amounts for patron credit lines;
  - (c) Maintenance of serially pre-numbered forms used in sequential order accounted for by employees with no incompatible functions;
  - (d) Marking originals and copies of void marker slips "void" and including the signature of the individual responsible for preparing the slip(s);
  - (e) Accountability for marker slips, which must be a five-part form (redemption, accounting, issuance, and acknowledgement copy along with the original) attached in a book, which shall be maintained by the finance department but may be issued to the table games department.
    1. Marker slips may be issued for chips, cash, or gaming vouchers.
    2. Marker slips shall include the signature of the marker bank cashier, who shall time stamp the acknowledgment copy of the five part form.
    3. The original and redemption copies of the marker slips shall be maintained in marker bank.
- (3) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall detail the responsibilities and functions of the kiosk bank, including the following:



- (a) Replenishment of empty cassettes with full imprest cassettes, which shall be performed by the main banker;
  - (b) Daily receipt of, and accountability for, gaming vouchers that have been redeemed for cash;
  - (c) Receipt of bill validator boxes from the main bank and counting of the currency therein.
- (4) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall detail the responsibilities and functions of the chip bank, which shall include:
- (a) Procedures to be followed with respect to fills, including, at a minimum:
    - 1. That fill slips be prepared by a chip bank cashier either manually or electronically;
      - i. If manually prepared, that they be prepared using a four-part form that includes drop box, acknowledgement, chip bank, and accounting copies and inserted into a locked dispenser which has access maintained and controlled by finance department employees with no incompatible functions; and
      - ii. If electronically prepared, that they be prepared on a three-part form that includes a drop box, acknowledgement, and chip bank copy which may not be changed or removed by any personnel involved in its preparation;
    - 2. That fill slips be serially prenumbered forms and used in sequential order;
    - 3. That fill slips contain the following information upon preparation:
      - i. Denominations of chips being distributed;
      - ii. Total amount of each denomination;
      - iii. Total amount of all denominations;
      - iv. Game and table number where chips are being distributed;
      - v. Date and shift;
      - vi. Signature of chip bank cashier and/or the identification code;
    - 4. When applicable, that fill slips be marked "void" and signed by the cashier;
  - (b) Procedures to be followed with respect to credits, including, at a minimum:
    - 1. That credit splits be prepared by a chip bank cashier either manually or electronically;
      - i. If manually prepared, that they be prepared using a four-part form that includes drop box, acknowledgement, chip bank, and accounting copies inserted into a locked dispenser which has access maintained and controlled by finance department employees with no incompatible functions;
      - ii. If electronically prepared, that they be prepared on a three-part form that includes a drop box, acknowledgement, and chip bank copy which may not be changed or removed by any personnel involved in its preparation;
    - 2. That credit slips be serially prenumbered forms and used in sequential order;
    - 3. That credit slips contain the following information:
      - i. Denominations of chips being returned to the chip bank;
      - ii. Total amount of each denomination;
      - iii. Total amount of all denominations;
      - iv. Game and table number where chips are being removed;
      - v. Date and shift;
      - vi. Signature of chip bank cashier;
    - 4. When applicable, that fill slips be marked "void" and signed by the cashier;

- (5) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall outline the procedures for accepting deposit checks from gaming patrons.

- (a) The procedures shall include the responsibilities of the cage cashier, which shall include, at a minimum:
    - 1. Endorsing the check “for deposit only”;
    - 2. Initialing the check;
    - 3. Date-and time-stamping the check;
    - 4. Verifying signatures using either an ID card or the gaming licensee’s personnel file;
    - 5. Ensuring that patrons do not exceed authorized daily amounts;
    - 6. Exchanging the check for cash in an amount equal to the amount for which the check is written.
  - (b) Refusal to accept checks made payable to an individual, including social security checks, unemployment checks, disability checks, and payroll checks.
  - (c) Refusal to accept funds obtained using a cash advance from a credit card.
  - (d) Accepting personal checks only if they are:
    - 1. Written on a commercial bank or credit union;
    - 2. Written for a specific amount;
    - 3. Made payable to the licensee; and
    - 4. Currently dated.
- (6) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall require that incompatible functions are segregated such that no employee is in a position to both commit an error or commit a fraud and to conceal the error or fraud in the normal course of the employee’s duties.

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

138.31: Procedure for Accepting Cash and Coupons at Gaming Tables

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include procedures for accepting cash and coupons at gaming tables, including:

- (a) Whether a dealer accepting cash at a gaming table will fan out the cash face up or face down;
- (b) The method by which cash of each denomination shall be placed on the game table;
- (c) A provision that coupons may only be accepted at a gaming table on even money wagers;
- (d) Rules related to coupon use, if any;
- (e) Guidelines for free slot play; and
- (f) Procedures related to the issuance of promotional chips.

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

138.32: Table Game Drop Boxes. Transport to and from Gaming Tables; Storage Boxes

- (1) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include:
- (a) Specifications related to the material and construction of the drop box and housing as well as the construction and security of drop carts.
  - (b) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include detailed procedures regarding transport of the drop from the gaming floor to the count room. These procedures shall include:
    - 1. When the drop will take place;
    - 2. Which department(s) will handle the drop;
    - 3. How many days per week the drop will take place;
    - 4. Which department(s) will be accountable for the drop boxes during pickup from the gaming floor and be responsible for the verification form;
    - 5. Which department(s) will have keys to access the game table, outside door, and cash door, and at what time such areas will be accessed;
    - 6. A requirement that the drop team and the count team have separate access keys as well as a requirement that each include a minimum of two security members;
    - 7. A process governing drop boxes for unopened pits or games;
    - 8. The route that will be taken through the gaming establishment; and
    - 9. A requirement that the boxes be secured during all stages of transport.
  - (c) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include the locations of storage areas for emergency drop boxes, spare drop boxes, alternate drop boxes, and full drop boxes, and shall include procedures for the use of emergency drop boxes.

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

138.35: Table Inventory; Table Inventory Container; Chip Reserve Compartment

- (1) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall outline the instances in which the table inventory will be changed during the course of a gaming day. Such outline shall include procedures for:
  - (a) Opening a table;
  - (b) Fills and credits;
  - (c) Issuance of chips, currency, or other form of value based on the player's previously-issued credit pursuant to 205 CMR 138.43; and
  - (d) Closing a table.
  
- (2) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall:
  - (a) Include procedures to address errors in recording a table game bankroll, including error notification and incorrect table inventory slip form procedures;
  - (b) Indicate whether the gaming licensee will use a chip reserve compartment at its game tables; and
  - (c) Require that the table inventory slip can be seen through the float at closed tables.



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

138.36: Procedures for Counting Table Inventory. Opening Tables for Gaming Shift Changes at  
Gaming Tables. and Closing Gaming Tables

- (1) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall require that the table inventory be verified at the start of each day on a table inventory slip form, which shall be signed and placed in the drop box. The verification process shall include:
  - (a) Procedures for verification of the accuracy of the bankroll in the opening of the day;
  - (b) Procedures for inspection of the bankroll;
  - (c) Procedures for handling discrepancies on the table inventory slip form, including error notification to the department(s) affected by the discrepancy and providing both the correct and incorrect forms along with a manager's signature;
  - (d) Procedures for removal and verification of gaming stacks;
  - (e) Procedures for closing a game, including locking and verifying all bankrolls and removing all stacks and amounts from the bankroll.

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

138.57: Slot Machine Tournaments and Promotional Events within the Gaming Area

- (1) Slot machine tournaments may not be played with cash, value chips, plaques, gaming vouchers or other cash equivalents.
- (2) A gaming licensee may charge an entry fee to participate in a slot machine tournament. A gaming licensee that charges an entry fee shall submit an acknowledgment of the total fees collected to the IEB by 10 a.m. on the day following the conclusion of the tournament.
- (3) A system of internal controls submitted in accordance with 205 CMR 138.02, which shall be maintained by the gaming licensee, shall set forth a process that provides for submission of a written notice to the Bureau at least five business days prior to the commencement of a slot machine tournament, which shall include, at a minimum, the following:
  - (a) A general description of how the slot machine tournament will be conducted and a copy of the rules governing play;
  - (b) The dates and times that the tournament will be conducted;
  - (c) Participation eligibility requirements including:
    1. Who is eligible to participate;
    2. The minimum and maximum number of participants; and
    3. Entry fees charged.
  - (d) The criteria used to determine the winners;
  - (e) The monetary amount or description of the prizes to be awarded;
  - (f) The details of when and how the prizes will be awarded;
  - (g) The asset and gaming floor plan location numbers of the slot machines that will be used to conduct the slot machine tournament; and
  - (h) How the slot machine tournament area will be segregated from patrons who are not participating in the slot machine tournament.
- (4) In addition to filing a notice required under subsection 205 CMR 138.57(3), a gaming licensee shall submit a copy of the notice to the Commission's finance department.
- (5) Advertising to promote a slot machine tournament must, at a minimum:
  - (a) Contain information regarding who is eligible to participate; and
  - (b) Include a copy of the slot machine tournament rules or state how a copy of the rules may be obtained.
- (6) A slot machine used for a slot machine tournament must:
  - (a) Use tournament software certified in accordance with 205 CMR 144.00;
  - (b) Maintain connectivity with the Central Monitoring System (CMS); and
  - (c) Have the functionality of the bill validator, ticket printer and electronic funds transfer meters disabled during the slot machine tournament so that the slot machine does not accept cash or credits or make payouts during tournament play.
- (7) Before and after a slot machine tournament, the gaming licensee shall:

- (a) Receive approval from the Network Operations Center to place the slot machine in and take it out of tournament mode; and
  - (b) Ensure that the Network Operations Center has recorded all meter settings on all slot machines used in the tournament.
- (8) A gaming licensee shall maintain records related to the conduct of a slot machine tournament in accordance with 205 CMR 138.09. These records shall be made available to the commission upon request and must include, at a minimum:
- (a) A copy of the notice required under subsection 205 CMR 138.57(3); and
  - (b) The names and addresses of all prize winners and the prize each winner was awarded.
- (9) An activity involving a slot machine or other gaming equipment which occurs on the gaming floor of a gaming establishment or in areas off the gaming floor where contests or tournaments are conducted and which results in an individual obtaining any money or thing of value from, or being owed any money or thing of value by, a gaming licensee must have surveillance coverage.

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

138.64: Accounting Controls for Chip Persons and Chips

- (1) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and procedures governing the processes of fills and credits. At a minimum, such policies and procedures shall:
- (a) Identify the department(s) and individual(s) responsible for performing the duties of fills and credits, including:
    - 1. The steps involved in the processes of both fills and credits;
    - 2. Whether the processes will be performed manually or electronically; and
    - 3. Signatures of the department(s) and individual(s) performing the fills and credits.
  - (b) Explain the duties of table game employee(s), the duties of main bank employee(s), and the duties of security personnel, including detailed recording procedures of the fill or credit transaction.
  - (c) Include notification to the surveillance department by the bank or by pit personnel that a fill or credit is being performed, including:
    - 1. Notification of errors pertaining to fills and credits;
    - 2. Identification of the department(s) and individual(s) responsible for correcting errors pertaining to fills and credits; and
    - 3. Procedures for voided transactions and manual transactions.

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

138.71: Table Game Tournaments and Promotional Events within the Gaming Area

- (1) A gaming licensee may conduct a gaming tournament for any table game authorized by the Commission pursuant to 205 CMR 147.00.
- (2) A system of internal controls submitted in accordance with 205 CMR 138.02, which shall be maintained by the gaming licensee, shall set forth a process that provides for submission of a written notice to the Bureau at least five business days prior to the commencement of a gaming tournament, which shall include, at a minimum, the following:
  - (a) The date(s), time(s), and location(s) of the scheduled gaming tournament;
  - (b) The number of participants expected;
  - (c) The game type;
  - (d) Rules concerning tournament play and participation;
  - (e) The prize structure;
  - (f) Dealer tips determined in accordance with 205 CMR 138.34, if applicable;
  - (g) Participant registration procedures;
  - (h) The methodology for determining winners;
  - (i) The equipment to be used;
  - (j) Forms utilized in connection with the tournament;
  - (k) A description of security and surveillance measures that will be implemented for the gaming tournament;
  - (l) A certification from the supervisors of the gaming licensee's security, gaming operations, and surveillance departments that the proposed gaming tournament will not adversely affect the security and integrity of gaming operations;
  - (m) A certification from the gaming establishment controller or designee that he or she has reviewed the rules for the tournament in regard to gaming tournament revenue reporting and certified conformance with 205 CMR 140.02(2)(c); and
  - (n) A certification from a holder of a key gaming employee license that the tournament will be conducted in accordance with the tournament rules developed pursuant to 205 CMR 138.71(2).
- (3) Tournaments may not be played with cash, value chips, plaques, gaming vouchers or other cash equivalents. Table game tournaments shall be conducted using tournament chips.
- (4) A gaming licensee may charge an entry fee to participate in a tournament. The gaming licensee that charges an entry fee shall submit electronically the revenue from the tournament at the end of gaming day following the conclusion of the tournament.
- (5) The IEB may at any time require the gaming licensee to immediately cease any tournament or promotional event offered within the gaming area if the tournament or promotional event provided is in any material manner different from the description contained in the submission filed pursuant to 205 CMR 138.71(2) or in any way compromises the security or integrity of gaming operations.



- (6) No false or misleading statements, written or oral, shall be made by a licensee or its employees regarding any aspect of any promotional activity.
- (7) The licensee shall maintain the rules of the event, including eligibility to participate, criteria for entry and winning prizes awarded, and prize winners, for a minimum of two (2) years from the last day of the event. Written rules governing the tournament or promotional event shall be made immediately available to the public and the commission upon request.
- (8) All prizes offered in the promotional activity shall be awarded according to the rules governing the event.
- (9) Large tournaments and promotions held in non-gaming areas will be submitted and reviewed on a case-by-case basis.
- (10) Payouts from promotional activities are not winnings paid to patrons and as such shall not be deductible when calculating gross gaming revenue in accordance with 205 CMR 140.02.
- (11) Promotional coupons shall contain the following information preprinted on the coupon:
  - (a) The name of the gaming establishment;
  - (b) The city or other locality and state where the gaming facility is located;
  - (c) The specific value of any monetary coupon stated in U.S. dollars;
  - (d) Sequential identification numbers, player tracking numbers with unique numbers added to them, or other similar means of unique identification of each coupon for complete and accurate tracking and accounting purposes;
  - (e) An expiration date;
  - (f) All conditions required to redeem the coupon.
- (12) Licensees offering promotional coupons shall track the issuance and redemption of each promotional coupon. Documentation of the promotional coupon tracking shall be maintained on file for two years and made readily available to the Bureau upon request. The inventory of unissued promotional coupons must be maintained in a reasonable manner that prevents theft or fraud.
- (13) Promotional coupons shall be cancelled at the time they are redeemed in a manner that will prevent multiple redemptions of the same coupon.
- (14) An activity involving a table game or other gaming equipment which occurs on the gaming floor of a gaming establishment or in areas off the gaming floor where contests or tournaments are conducted and which results in an individual obtaining any money or thing of value from, or being owed any money or thing of value by, a gaming licensee must have surveillance coverage.



## 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 amendment of **205 CMR 147.00: Uniform Standards of Rules of the Games**; notice of which was filed with the Secretary of the Commonwealth. This regulation was developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth.

This regulation governs the authorization of the rules of the game for table games offered for play in a gaming establishment and the standards applicable to table games offered for play in a gaming establishment. It is largely governed by G.L. c.23K, §§2, 4(37), and 5, and applies directly to gaming licensees, patrons, and petitioners.

To the extent that a petitioner is a small business, this regulation may impact small businesses. In this regard, the proposed amendment to section 147.05, is administrative, and will not change the action of the regulation. In accordance with G.L. c.30A, §2, the Commission offers the following responses to the statutory questions:

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

To the extent that a petitioner is a small business, they may be impacted by this regulation. It is difficult to estimate with accuracy the potential number of petitioners that may be a small business submitting petitions for a new game or game variation.

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

There are no further projected reporting, recordkeeping or administrative costs created by this regulation that would affect small businesses.

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

Although table game rules must be prescriptive in nature to provide uniform process to all, this regulation does not implicate further design or performance standards.

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 new small businesses. The proposed regulation is designed to effectuate those intentions and growth.

Massachusetts Gaming Commission

By:

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Shara Bedard  
Paralegal

Dated: March 29, 2018



Massachusetts Gaming Commission

101 Federal Street, 12<sup>th</sup> Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | [www.massgaming.com](http://www.massgaming.com)

205 CMR 147.00: UNIFORM STANDARDS OF RULES OF THE GAMES

147.05: ~~Gaming Tournaments~~.RESERVED

- ~~(1) A gaming licensee may conduct a gaming tournament for any table game authorized by the Commission pursuant to 205 CMR 147.00.~~
- ~~(2) No gaming tournament shall be conducted unless the gaming licensee files a written notice with the Bureau at least five business days prior to the commencement of such tournament, which shall include, at a minimum, the following information:
  - ~~(a) The date(s), time(s), and location(s) of the scheduled gaming tournament;~~
  - ~~(b) The number of participants expected;~~
  - ~~(c) The game type;~~
  - ~~(d) Rules concerning tournament play and participation;~~
  - ~~(e) The prize structure;~~
  - ~~(f) Dealer tips, if applicable;~~
  - ~~(g) Participant registration procedures;~~
  - ~~(h) The methodology for determining winners;~~
  - ~~(i) The equipment to be used; and~~
  - ~~(j) Forms utilized in connection with the tournament.~~
  - ~~(k) A description of security and surveillance measures that will be implemented for the gaming tournament;~~
  - ~~(l) A certification from the supervisors of the gaming licensee's security, gaming operations, and surveillance departments that the proposed gaming tournament will not adversely affect the security and integrity of gaming operations;~~
  - ~~(m) A certification from the gaming establishment controller or designee that he or she has reviewed the rules for the tournament in regard to gaming tournament revenue reporting; and~~
  - ~~(n) A certification from a holder of key gaming employee license that the tournament will be conducted in accordance with 205 CMR 147.05(2).~~~~
- ~~(3) The Bureau may, at any time, require the gaming licensee to immediately cease any gaming tournament conducted if the gaming tournament is in any material manner different from the description contained in the information provided pursuant to 205 CMR 147.05(2).~~
- ~~(4) All funds collected by a gaming licensee to fund the prize pool (for example, buy in, re-buy, or add-on) shall be disbursed to the participants as a prize pool, except that a gaming licensee may withhold dealer tips in an authorized tournament upon notification to the participants.~~
- ~~(5) A gaming licensee shall make available to the public on its website the information required by 205 CMR 147.05(2).~~



## **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 amendment to **205 CMR 139.04: Reports and Information to Be Filed with the Commission, and 205 CMR 140.02: Computation of Gross Gaming Revenue**; notice of which was filed 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 update processes that will generate specific data for the Gross Gaming Revenue Report. These regulations are authorized by G.L. c. 23K §§ 4, 5, and 26.

This amendment applies solely to licensees, and it is unlikely that these amendments will impact any small businesses. In accordance with G.L. c.30A, §2, the Commission offers the following responses to the statutory questions:

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

There are no small businesses that will be impacted by these amendments, as they apply to licensees only.

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

There are no reporting, recordkeeping or administrative costs created by these amendments that do not already exist at this time.

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

The amendment changes an accounting procedure for licensees. A performance standard is necessary to ensure the proper calculation of gross gaming revenue.

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:

Given its limited audience, this amendment is unlikely to deter or encourage the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission  
By:

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Shara Bedard  
Paralegal

Dated: March 29, 2018



Massachusetts Gaming Commission

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

139.04: Reports and Information to Be Filed with the Commission

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(16) A daily meter-cash **drop** comparison report and export file, in a format prescribed by the commission, submitted after appropriate financial meter or accounting adjustments have been made, which contains the following information relative to each slot machine in use in the gaming establishment: the location of the slot machine, the state identification number, the venue identification number, **a field that represents the metered gross gaming revenue figure, the total cash in the bill-validator stacker and a field that represents the gross gaming revenue that is determined after the drop process. These two GGR fields must represent amounts at the time of the drop.** See GLI 13, § ~~3.4.2(f)~~ **4.4.2.**

205 CMR: MASSACHUSETTS GAMING COMMISSION  
205 CMR 140.00: COMPUTATION OF GROSS GAMING REVENUE

140.02: Computation of Gross Gaming Revenue

(2) Table Games. Gross gaming revenue from table games shall be the sum of that for each banked table game, poker and other non-banked table game, and contest or tournament calculated as follows:

(a) Banked Table Games. Gross gaming revenue for banked table games equals the closing table inventory including chips, plaques, and coin, plus chip credits, **plus complimentary Vigorish forms** plus *drop*, minus the opening table inventory, **minus any fill chip fills slips, complimentary vigorish forms, minus promotional play/coupons,** and **minus** table game payout slips. For purposes of 205 CMR 140.02(2), *drop* means the total value of currency, coin, **promotional play/coupons** and counter checks in the table drop box.



## **AMENDED SMALL BUSINESS IMPACT STATEMENT**

The Massachusetts Gaming Commission (“Commission”) hereby files this amended Small Business Impact Statement in accordance with G.L. c.30A, §5 relative to the proposed amendments to **205 CMR 136.03, 136.04, 136.07: Sale and Distribution of Alcoholic Beverages at Gaming Establishments**, and **138.12: Alcoholic Beverage Control**, for which a public hearing was held on March 29<sup>th</sup>, 2018.

This regulation was developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. These amendments implement the statutory language that permits the Commission to allow a gaming licensee to serve alcoholic beverages between the hours of 2 a.m. and 4 a.m. provided that the patron is actively engaged in gambling. These regulations are largely governed by G.L. c. 23K §§ 2, 4(37), 5, and 26.

These amendments apply to gaming licensees and individual patrons, but may laterally impact some small businesses.

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

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

There are no compliance or reporting requirements for small businesses imposed by these regulations or the proposed amendments.

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 imposed by these regulations or amendments.

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

As no reporting requirements are imposed for any small businesses, consolidation or simplifying compliance would not apply.



Massachusetts Gaming Commission

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

No performance or design standards for small businesses are required in these regulations or the proposed amendments therein.

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

These regulations merely implement a Legislative directive to the Commission set out in St. 2017, c. 47, §116. The regulations themselves will not have any impact on the formation of small businesses in the Commonwealth.

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

There is no adverse impact to small businesses created by these regulations. These regulations were formulated merely to implement a Legislative directive to the Commission set out in St. 2017, c. 47, §116.

Massachusetts Gaming Commission  
By:

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Shara Bedard  
Paralegal

Dated: March 29, 2018



Massachusetts Gaming Commission

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

136.03: Issuance of License and Permit

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(4) The commission shall review the application **at a hearing conducted in accordance with 205 CMR 101.01** 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~~ **may** in some way compromise the integrity of gaming and/or public health, welfare, or safety.

136.04: Gaming Beverage License Application

(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:

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(h) (for the gaming area) **At the election of the gaming licensee, a request to serve alcoholic beverages between the hours of 2 a.m. to 4 a.m. The request shall be accompanied by a copy of the applicable provisions of the submission required in accordance with 205 CMR 138.12, and any other information requested by the Division of Licensing.**

136.07: Practices and Conditions of License

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(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;
- (g) may not serve an alcoholic beverage to any person who is younger than 21 years old;  
and
- (h) may not serve or distribute alcoholic beverages at the gaming establishment between 2:00 A.M. and 8:00 A.M. **subject to 205 CMR 136.07(7)(i); and**
- (i) **may, with the commission's approval, serve alcoholic beverages between the hours of 2 a.m. and 4 a.m. to patrons of the gaming establishment who are actively engaged in gambling, as defined by M.G.L. c.23K, § 2, in the gaming area. Such service shall be conducted in accordance with the procedures approved in accordance with 205 CMR 138.12.**

205 CMR: MASSACHUSETTS GAMING COMMISSION  
205 CMR 138: UNIFORM STANDARDS OF ACCOUNTING PROCEDURES AND  
INTERNAL CONTROLS

138.12: Alcoholic Beverage Control

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and procedures designed to ensure compliance with 205 CMR **136.00: *Sale and Distribution of Alcoholic Beverages at Gaming Establishments*** including, at a minimum, procedures designed to ensure proper training of employees involved in the service of alcoholic beverages, procedures designed to prevent serving alcoholic beverages to underage or visibly intoxicated individuals, procedures to ensure that visibly intoxicated or impaired patrons are not permitted to play slot machines or table games (as further detailed in 205 CMR 138.14), and procedures to ensure that alcohol is properly secured and stored. **If the gaming licensee intends to serve alcoholic beverages between the hours of 2 a.m. and 4 a.m. it shall include policies and procedures in its alcoholic beverage control submission designed to ensure that such service is only provided to patrons who are in the gaming area and actively engaged in gambling as defined by M.G.L. c.23K, § 2.**



February 9, 2018

Dr. Alexandra R. Lightbown  
Director of Racing  
Massachusetts Gaming Commission  
101 Federal Street, 12th Floor  
Boston, MA 02110

Dear Dr. Lightbown:

I write to make two requests of the Massachusetts Gaming Commission--first, that the Commission approve an amendment of Suffolk Downs' racing dates for 2018 and, second, that the Commission disburse to Suffolk Downs's purse account established under G.L. c. 23K, § 60 all accumulated funds in the Race Horse Development Fund that are allocated to thoroughbred racing purses.

With respect to the change in racing dates, you will recall that when Suffolk Downs submitted its Supplemental Application for 2018 live racing dates, I noted that while we had identified six dates—July 7 & 8, August 4 & 5, and September 1 & 2—further discussions with the New England HBPA and the Massachusetts Thoroughbred Breeders Association about the 2018 racing meeting could lead us to request a change of those dates. Those discussions have occurred, and as a result we would like to replace September 1 & 2 with June 9 & 10, 2018, and thus start the 2018 meeting a month earlier than currently scheduled. The June weekend is the weekend of the Belmont Stakes, which we expect will be a great time to kick off 2018 thoroughbred racing in Massachusetts.

Our request of the distribution of purse funds is consistent with our 2018 purse agreement with the NEHBPA. In requesting disbursement of the thoroughbred purse funds that have accumulated in the RHDF, Suffolk Downs is asking that the Commission follow the statutory provisions governing the fund. The Expanded Gaming Act provides that 80% of each of the thoroughbred and standardbred portions of RHDF funds “shall be deposited weekly into a separate, interest bearing purse account to be established by and for the benefit of the horsemen.” G.L. c. 23K, § 60(c)(i). Suffolk Downs and Plainridge Park, respectively the only thoroughbred and standardbred Chapter 128A licensees in the Commonwealth, have each established such purse accounts, but the Commission has made regular deposits only to the harness purse account. It has held thoroughbred purse funds and distributed them to Suffolk Downs in connection with particular racing days. Suffolk Downs asks that the Commission make an immediate distribution of the thoroughbred purse funds that have accrued through the RHDF but not yet been deposited into the Suffolk Downs purse account and then, going forward, make weekly

Telephone: 617-567-3900

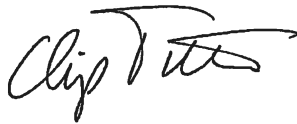
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deposits of the thoroughbred purse portion of future funds received into the RHDF, all as required by the statute.

I am happy to provide any additional information the Commission requires to act on these requests.

Sincerely,

A handwritten signature in black ink, appearing to read "Chip Tuttle". The signature is fluid and cursive, with a prominent initial "C" and a long, sweeping horizontal stroke at the end.

Chip Tuttle  
Chief Operating Officer

**Part I** ADMINISTRATION OF THE GOVERNMENT

**Title II** EXECUTIVE AND ADMINISTRATIVE OFFICERS OF THE  
COMMONWEALTH

**Chapter** THE MASSACHUSETTS GAMING COMMISSION  
**23K**

**Section 60** RACE HORSE DEVELOPMENT FUND

Section 60. (a) There shall be established and set up on the books of the commonwealth a Race Horse Development Fund to be administered by the commission. The fund shall consist of monies deposited under subsection (c) of section 55. The commission shall make distributions from the Race Horse Development Fund to each licensee under chapter 128A.

(b) There shall be a horse racing committee consisting of 5 members, 1 of whom shall be the governor or the governor's designee who shall serve as chair, 1 of whom shall be the treasurer and receiver general or the treasurer's designee, 1 of whom shall be the chair of the commission or the chair's designee, 1 of whom shall be appointed by the New England Horsemen's Benevolent & Protective Association and the Massachusetts Thoroughbred

Breeding Program and 1 of whom shall be appointed by the Harness Horseman's Association of New England and the Massachusetts Standardbred Breeding Program. The horse racing committee shall make recommendations on how the funds received in subsection (a) shall be distributed between thoroughbred and standardbred racing facilities to support the thoroughbred and standardbred horse racing industries under this section. In making its recommendations, the committee shall consider certain criteria including, but not limited to: (i) the average purses awarded at thoroughbred and standardbred racing facilities; (ii) the total employment numbers, both direct and indirect, attributable to each horse racing industry; (iii) the relative needs of each horse racing industry for increased purses; (iv) the amount of the live racing handle generated by each horse racing industry; and (v) the number of breeding and training farms of each industry that are located in the commonwealth. The committee shall submit distribution recommendations to the clerks of the senate and house of representatives not later than 30 days before submitting the recommendations to the commission for final approval. The commission shall only change the distribution percentage upon a recommendation by the committee.

(c) Funds received from the Race Horse Development Fund shall be distributed between thoroughbred and standardbred accounts, as approved by the commission, as follows:



(i) 80 per cent of the funds approved by the commission shall be deposited weekly into a separate, interest-bearing purse account to be established by and for the benefit of the horsemen; provided, however, that the earned interest on the account shall be credited to the purse account; and provided further, that licensees shall combine these funds with revenues from existing purse agreements to fund purses for live races consistent with those agreements with the advice and consent of the horsemen;

(ii) 16 per cent of the funds approved by the commission shall be deposited as follows: (A) for a thoroughbred track, into the Massachusetts Thoroughbred Breeding Program authorized by the commission; or (B) for a standardbred track, into the Massachusetts Standardbred Breeding Program authorized by the commission;

(iii) 4 per cent shall be used to fund health and pension benefits for the members of the horsemen's organizations representing the owners and trainers at a horse racing facility for the benefit of the organization's members, their families, employees and others under the rule and eligibility requirements of the organization, as approved by the commission; provided, however, that this amount shall be deposited within 5 business days of the end of each month into a separate account to be established by each respective horsemen's organization at a banking institution of its choice; and provided further, that of this amount, the commission shall determine how much shall be paid annually by the horsemen's organization to the thoroughbred jockeys or standardbred drivers

organization at the horse racing facility for health insurance, life insurance or other benefits to active and disabled thoroughbred jockeys or standardbred drivers under the rules and eligibility requirements of that organization.



Neil D. Raphael  
617.542.7999  
nraphael@  
raphaelllc.com

RAPHAEL LLC  
Counselors at Law  
Ten Post Office Square  
8th Floor  
312 South  
Boston, MA 02109  
T: 617.542.7900  
F: 617.307.4486

March 26, 2018

**VIA HAND DELIVERY**

Chairman Stephen Crosby  
Massachusetts Gaming Commission  
101 Federal Street  
12th Floor  
Boston, MA 02110

**Re: *Depositing of Funds from Race Horse Development Fund into Interest-Bearing Purse Account Pursuant to M.G.L. c. 23K, § 60(c)(i)***

Dear Chairman Crosby:

This firm represents the New England Horsemen's Benevolent and Protective Association, Inc. ("NEHBPA"). I am writing this letter to communicate the position of the NEHBPA with respect to the request of Suffolk Downs to disburse to the purse account all accumulated funds in the Race Horse Development Fund that are allocated to thoroughbred racing purses. We support the request, and, in the 2018 Purse Agreement, specifically requested that Suffolk Downs (as current licensee) make this request to the Commission.

M.G.L. c. 23K, § 60(c)(i) provides, in part, that: "80 per cent of the funds [received from the Race Horse Development Fund] approved by the commission shall be deposited weekly into a separate, interest-bearing purse account to be established **by and for the benefit of the horsemen . . .**" M.G.L. c. 23K, § 60(c)(i) (emphasis added).

The Commission has not deposited the funds received from the Race Horse Development Fund weekly into a separate, interest-bearing purse account as required by this provision. Rather, the Commission has held these funds in the Race Horse Development Fund. However, the Race Horse Development Fund is not an interest-bearing account nor is it an escrow account.

The Commission's failure to deposit the funds into a separate, interest-bearing purse account as required by the statute harms the horsemen in at least two ways. First, given that there is over \$10 million in the Race Horse Development Fund, a non-interest bearing account, a substantial amount of interest is not being earned and thus future purses are being lost to the horsemen. Second, there is a legislative risk that the funds residing in the Race Horse Development Fund for thoroughbred purses could be redistributed at any time out of the Race Horse Development Fund to the thoroughbred horsemen's detriment.

Further, the NEHBPA submits that the Commission does not have any discretion under the statute to hold these funds in the Race Horse Development Fund. M.G.L. c. 23K, § 60(c)(i) states that the fund "**shall**" be deposited into a separate, interest-bearing account. M.G.L. c. 23K,



§ 60(c)(i) (emphasis added). Moreover, the language “approved by the commission” is a reference to M.G.L. c. 23K, § 60(b). That provision references the “final approval” made by the Commission of the horse racing committee’s recommended allocation of the funds from the Race Horse Development Fund between the thoroughbred and standardbred industries. *See* M.G.L. c. 23K, § 60(b). Once the Commission makes its “final approval” of the allocation of funds, M.G.L. c. 23K, § 60(c)(i) mandates the depositing of the funds into a separate interest-bearing purse account for the benefit of the horsemen.

The Commission has made regular weekly deposits to the harness purse account, but for some reason, since its inception, has treated the thoroughbred horsemen’s purse allocation differently. Even if the Commission did have discretion under M.G.L. c. 23K, § 60(c)(i) to hold these funds in the Race Horse Development Fund (which it does not), the NEHBPA submits that this practice is contrary to the purpose of the Commission. One of the many purposes of the Commission is to act as a guide and steward of the horse racing industry and the horsemen. This practice is detrimental to the horsemen, as explained above, as they are losing the benefit of earning a substantial amount of interest on the funds allocated to them from the Race Horse Development Fund.

Finally, the depositing of these funds into the purse account does not mean the Commission loses control over the funds. Under the law, the Commission still has audit authority over the purse account and broad legal and regulatory authority to manage the funds and ensure that the funds are being utilized for the benefit of the horsemen. *See, e.g.*, 205 C.M.R. § 4.20. It also has the ability to transfer the funds to a subsequent licensee under 205 C.M.R. § 149.03. Additionally, by depositing the funds on a weekly basis as required by law, the Commission can ensure that Suffolk Downs complies with its legal obligation to deposit the funds to the winners within 48 hours as required by 205 C.M.R. § 4.20(20).

Thus, for the reasons stated herein, the NEHBPA respectfully requests that the Commission approve Suffolk Downs’ request and disburse to the purse account all accumulated funds in the Race Horse Development Fund that are allocated to thoroughbred racing purses. Further, the NEHBPA requests that going forward, the Commission deposit the funds from the Race Horse Development fund into the separate, interest-bearing purse account on a weekly basis as required by M.G.L. c. 23K, § 60(c)(i).

Very Truly Yours,

A handwritten signature in dark ink, appearing to read "Neil D. Raphael", is written over a light-colored background.

Neil D. Raphael

Cc: Catherine Blue, Esq.  
Commissioner Gayle Cameron  
Commissioner Lloyd MacDonald  
Commissioner Enrique Zuniga  
Commissioner Bruce Stebbins  
Joseph F. Savage, Jr., Esq. (NEHBPA HRC Delegate)

205 CMR: MASSACHUSETTS GAMING COMMISSION

205 CMR 149.00: RACE HORSE DEVELOPMENT FUND

Section

149.01: Definitions

149.02: Distributions from the Race Horse Development Fund

149.03: Notice to Commission of Intent to Discontinue Racing

149.04: Race Horse Development Fund: Distributions; Escrow Accounts

149.01: Definitions

As used in 205 CMR 149.00, the following words and phrases shall have the following meaning, unless the context clearly requires otherwise:

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

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

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

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

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

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

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

Horsemen's Organization means the horsemen's organization that represents the horse owners and trainers at a meeting.

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

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

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

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

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

149.02: Distributions from the Race Horse Development Fund

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

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

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

149.03: Notice to Commission of Intent to Discontinue Racing

- (1) A harness racing association or horse racing association shall provide the commission at least 30 days prior written notice of its intent to take any of the following actions:
  - (a) To discontinue harness races or horse races for the remainder of a harness meeting or horse meeting;
  - (b) To permanently discontinue harness races or horse races;
  - (c) To close a race track used for harness races or horse races;
  - (d) To abandon or relinquish a license;
  - (e) To not apply for the renewal of a license; or
  - (f) To transfer a race track to any other entity.
  
- (2) Upon receipt of a written notice of intent pursuant to 205 CMR 149.03(1), or upon learning that the harness racing association or horse racing association has failed to timely notify the commission pursuant thereto or that any event described in 205 CMR 149.03(1)(a) through (f) has occurred or will occur, the commission may take one or more of the following actions:
  - (a) Hold a public hearing to determine:
    1. whether monies from the race horse development fund which the harness racing association or horse racing association would have received pursuant to M.G.L. c. 23K, § 60, should be placed in a racing escrow account for distribution pursuant to 205 CMR 149.04;
    2. whether to transfer monies from the race horse development fund which the harness racing association or horse racing association would have received pursuant to M.G.L. c. 23K, § 60 to a different harness racing association or horse racing association;
    3. whether to transfer the harness racing association's or horse racing association's license to a different harness racing association or horse racing association;
    4. whether to take any other action within its authority to protect:
      - a. the interests of the commonwealth;
      - b. employees or former employees of the harness racing association or horse racing association;
      - c. harness racing horsemen and horse racing horsemen; and
      - d. the intended beneficiaries of the race horse development fund, any other fund established pursuant to M.G.L. c. 23K, 128A or 128C, and any other fund to which the harness racing association or horse racing association was required to contribute.
  - (b) Require the harness racing association or horse racing association to pay to the commission any amounts required pursuant to the terms of its license, M.G.L. c. 23K, 128A, and 128C, and 205 CMR 149.00 including, without limitation, all unclaimed winnings and breaks, assessments, taxes, and fees.

149.04: Race Horse Development Fund: Distributions; Escrow Accounts

- (1) If the commission determines pursuant to 205 CMR 149.03(2)(a) that monies due to a harness racing association or horse racing association from the race horse development fund should be placed in an escrow account, the commission shall establish a race horse development fund escrow account to hold such funds and any interest thereon for distribution in accordance with M.G.L. c. 23K, § 60(c), the recommendations of the horse racing committee, and 205 CMR 149.00.
  
- (2) The commission shall establish a separate race horse development fund escrow account concerning each harness racing association or horse racing association for which it determines such an account is necessary pursuant to 205 CMR 149.03(2)(a)
  
- (3) The commission shall hold funds in such race horse development fund escrow accounts subject to the following requirements: Monies held in a race horse development fund escrow account shall be held in escrow for no more than three years from the date of the Commission's determination to hold the funds in escrow. After three years, any monies remaining in such race horse development fund escrow accounts shall be transferred or distributed by the commission in accordance with the recommendations of the horse racing committee.



149.04: continued

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

1. 80% of the funds approved by the commission shall be paid weekly to a harness racing association. If there is more than one harness racing association, such funds shall be divided between the harness racing associations at the discretion of the commission. Such funds shall be paid into a separate, interest-bearing purse account to be established by the harness racing association for the benefit of the harness racing horsemen. The earned interest on this account shall be credited to the purse account and shall be combined with revenues from existing purse agreements to fund purses for live harness races consistent with those agreements, with the advice and consent of the harness racing horsemen.

2. 16% of the funds approved by the commission shall be deposited by the Commission into an account for the benefit of the Massachusetts Standardbred Breeding Program authorized by the commission.

3. 4% shall be used to fund health and pension benefits for the members of the horsemen's organizations representing the owners and trainers at the harness horse racing association's race track for the benefit of the organization's members, their families, employees and others under the rules and eligibility requirements of the organization, as approved by the commission, provided, however, that if there is more than one horsemen's organization, the commission shall divide the amount available under 205 CMR 149.04 evenly between the horsemen's organizations. This amount shall be deposited by the Commission within five business days of the end of each month into a separate account to be established by each respective horsemen's organization at a banking institution of its choice. Of this amount, the commission shall determine how much shall be paid annually by the horsemen's organization to the standardbred drivers' organization at the harness racing association's race track for health insurance, life and/or accident insurance or other benefits to active and disabled standardbred drivers under the rules and eligibility requirements of that organization.

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

1. 80% of the funds approved by the commission shall be paid weekly to a horse racing association. If there is more than one horse racing association such funds shall be divided between the horse racing associations at the discretion of the commission. Such funds shall be paid into a separate, interest-bearing purse account to be established by the horse racing association for the benefit of the horse racing horsemen. The earned interest on this account shall be credited to the purse account and shall be combined with revenues from existing purse agreements to fund purses for live horse races consistent with those agreements, with the advice and consent of the horse racing horsemen.

2. 16% of the funds approved by the commission shall be deposited by the Commission into an account for the benefit of the Massachusetts Thoroughbred Breeding Program authorized by the commission.

3. 4% shall be used to fund health and pension benefits for the members of the horsemen's organizations representing the owners and trainers at the horse racing association's race track for the benefit of the organization's members, their families, employees and others under the rules and eligibility requirements of the organization, as approved by the commission provided, however, that if there is more than one horsemen's organization, the commission shall divide the amount available under 205 CMR 149.04 evenly between the horsemen's organizations. This amount shall be deposited by the Commission within five business days of the end of each month into a separate account to be established by each respective horsemen's organization at a banking institution of its choice. Of this amount, the commission shall determine how much shall be paid annually by the horsemen's organization to the thoroughbred jockeys' organization at the horse racing association's race track for health insurance, life and/or accident insurance or other benefits to active and disabled thoroughbred jockeys under the rules and eligibility requirements of that organization.

205 CMR: MASSACHUSETTS GAMING COMMISSION

149.04: continued

(c) The commission may distribute less than the entire amount of the funds in 205 CMR 149.04(4)(a)1. and (b)1. if the commission determines in its sole discretion that such distribution shall be beneficial or if a lesser amount is requested by the harness racing association or the horse racing association. Funds under 205 CMR 149.04(4)(a)1. or (b)1. that remain after payment by the commission under 205 CMR 149.04 shall remain in the race horse development fund and shall be available for payment in future years in the commission's discretion, after applying the determination of race horse committee regarding allocation between harness racing and horse racing.

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

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

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

REGULATORY AUTHORITY

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



*Division of Racing*

TO: Steve Crosby, Chairman  
Gayle Cameron, Commissioner  
Bruce Stebbins, Commissioner  
Enrique Zuniga, Commissioner

FROM: Alexandra Lightbown, Director of Racing

CC: Edward Bedrosian, Executive Director  
Catherine Blue, General Counsel

DATE: March 26, 2018

RE: Suffolk Downs Amended Race Days Request

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Dear Commissioners:

Suffolk Downs' Chief Operating Officer Chip Tuttle has submitted a request to amend their racing dates at Suffolk Downs in 2018. They are requesting to replace September 1<sup>st</sup> and 2<sup>nd</sup> with June 9<sup>th</sup> and 10<sup>th</sup>, 2018. This would start the meet a month earlier, and on Belmont Stakes weekend. The Massachusetts Gaming Commission Racing Division has adequate staffing to accommodate this request. The other dates Suffolk is scheduled to race in 2018 are July 8<sup>th</sup> and 9<sup>th</sup>, and August 4<sup>th</sup> and 5<sup>th</sup>.

**Recommendation: That the Commission approve the request of Suffolk Downs to amend their racing dates by replacing September 1<sup>st</sup> and 2<sup>nd</sup> with June 9<sup>th</sup> and 10<sup>th</sup>, 2018.**



Massachusetts Gaming Commission

101 Federal Street, 12<sup>th</sup> Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | [www.massgaming.com](http://www.massgaming.com)



## MASSACHUSETTS THOROUGHBRED BREEDERS ASSOCIATION

121 Pine Street, Rehoboth, MA 02769  
508-252-3690 voice & fax, [www.massbredds.com](http://www.massbredds.com)

Massachusetts Gaming commission  
February 19, 2018  
Dear Dr. Lightbown,

I am requesting the approval of the Massachusetts Gaming Commission to run 5 (five ) restricted Massbred races an Finger Lakes Racecourse in New York. These races may be run outside the state but most of the owners and breeders are residents of Massachusetts and this opportunity to earn purse money and awards greatly helps the owners and breeders. Interest in Massbred horses can only be kept alive by running Massbred races. I hope that the impetus of this past two years does not dwindle.

Sincerely,

*George F. Brown*

George F. Brown  
Chairman, Massachusetts Thoroughbred Breeders Association

### **2018 FINGER LAKES SPRING SCHEDULE – ALL RACES FOR REGISTERED MASS BREDS – DATES SUBJECT TO CHANGE**

4/30/2018	Allowance, 3&Up, C&G, 5F on dirt, Purse \$25,000
5/1/2018	Allowance, 3&Up, F&M, 5F on dirt, Purse \$25,000
5/14/2018	Allowance, Registered Mass Stallion Sired, 3&Up, 6F, on dirt, Purse \$25,000
5/21/2018	Allowance, 3 year olds, 4.5F on dirt, Purse \$25,000
5/28/2018	Allowance, 3 & up, NW of Stakes in 20017, One Mile on dirt, Purse \$25,000

Racing in Boston will begin June 9<sup>th</sup>, 10<sup>th</sup> with another weekend in July and August. There is a possibility of one more weekend in September.

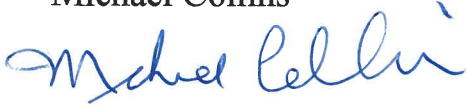
When dates for the summer are finalized, a program for racing those days will be determined. This also affects racing in the fall.

To Mass. gaming Commission

2/24/18

I am thoroughbred trainer for over 30 years, Mass. thoroughbred restricted races did not help my clients in the past and will not help in the future, seems like most of the money goes to few individuals, useless program to most.

Michael Collins



February 25, 2018

RECEIVED  
MAR - 5 2018

From:  
David George

To:  
Mass. Gaming commission

Restricted races are not benefitting majority of owners and breeders. I am a long time Mass. bred thoroughbred owner presently racing in Pennsylvania, I have never made one dime from Mass. restricted races at Finger Lakes race track because I have never shipped my horses out there, and not planning on shipping this year either. The trip gets to be very expensive when you add shipping cost \$750.00, workmen comp \$1500.00, lodging and other expenses, it gets to be unaffordable if a horse does not win or place, also, seems like these races are written to favor very few owners with connections at Finger Lakes, What about other owners and breeders? Not fair.

I would like to see these restricted races go away and use the money to improve the awards, it seems to me that in most of these races the first 3 finishers are predetermined, only few people are making most of the money.

Sincerely

David George

A large, stylized handwritten signature in black ink, appearing to read 'David George', written over the typed name.



## Lightbown, Alexandra (MGC)

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**From:** lee loebelenz <leeloebelenz@gmail.com>  
**Sent:** Monday, February 26, 2018 2:38 PM  
**To:** Lightbown, Alexandra (MGC)  
**Subject:** restricted races

I would like to see the end of restricted races at fingerlakes. It is more expensive, no turf, and you can't leave to run elsewhere. I sent a horse up and he ran down, he never had before and hasn't since altho he ran at multiple other tracks. An increase in bonuses out of state would get more interest in breeding here. As a stallion owner I have been told that people won't breed to go there. We need to support the farms in state by giving people a larger choice of where to race.

Lee Loebelenz

RECEIVED  
MAR - 5 2018

*From: Dorothy Gunther  
Mass. Thoroughbred breeder and owner*

*February 27, 2018*

*Dear Commissioners,*

*I am a Mass. thoroughbred breeder and owner, I own 7 Mass. bred horses at this time. I never benefited from Mass. restricted races because my trainer does not want to ship horses to Finger Lakes. Please help us get rid of the restricted races and use the money to increase the owners and breeders awards, these are the people who deserve it and not the click who are benefiting the most at this time.*

*Mass. restricted races have caused a lot of head ach, pitting so many breeders against the MTBA organization whose one of the board member and his clan unethically are claiming most of Mass. bred horses, forming almost a monopoly and cashing in, it is unfair, and wrong.*

*Dorothy Gunther*

*Thank You*

*Dorothy Gunther*

RECEIVED  
MAR - 5 2018

To Mass. Gaming commission

February 27, 2018

I am a Mass. thoroughbred breeder, owner, trainer and farm owner in MA, I would like to see Mass. restricted races disappear for it is not helping the majority of owners and breeders who need help the most, most of the money is going to an MTBA board member, his relatives and friends. I race at Delaware track and do not participate in Mass. restricted races because it is a hardship on me, 8 hour trip for myself and the horse, (\$800.00) shipping fee, \$1500.00 track fee for workmen comp plus lodging and other expenses.

These restricted races have lured a board member to form a clan and together claim about a dozen of Mass. bred horses, write races favoring them to win and cash in on the expense of breeders and owners, this is unethical and wrong, board members should serve, represent and protect breeders interest, not claim their horses and make lucrative business out of his position on the board.

Robert Raymond



RECEIVED  
MAR - 5 2018

From: Joseph Minieri

Feb. 27, 2018

To: Mass. Gaming Commission

Mass. restricted races are not beneficial to the majority, seems like mostly helping individual MTBA board member, his relatives and friends, not good.

I am a trainer and owner previously at Suffolk and presently at Tampa Bay race track in Florida. I have 2 Mass bred horses in training along with 3 other non Mass. bred, I will be going back to Delaware Race track in few weeks. I have never participated in Mass.bred restricted races at Finger Lakes in the past, and will not do in the future either for the following reasons:

- 1) 8 hour trip in a horse trailer is not without safety issues for horses
- 2) Very expensive to ship a horse (\$800.00) and that is if you could find someone at the needed time.
- 3) Since a horse should never ship and raced after 8 hour ride, then lodging and other expenses are involved.
- 4) Every owner is charged \$ 1500.00 for workmen comp at Finger Lakes even for one race.
- 5) We can't break even unless we win or second.
- 6) Cannot go with the horse and leave my other horses behind with no care.

These Mass. restricted races are not helping all breeders and owners, I ask you to do away with these restricted races and raise the awards to owners and breeders, so all breeders and owners can benefit wherever they race.

Thank you

J. Minieri



RECEIVED  
MAR - 2 2018

Dear Mass. Gaming Commission,

Feb 27, 2018

My wife and I are Mass. thoroughbred owner and breeder, I am also a trainer for so many years in MA. I have never benefited from Mass. restricted races in the past At Finger Lakes, and most likely will not benefit in the future, it is a long haul and very expensive to ship and race at Finger Lakes on top of other expenses such lodging ,... ,etc. the track is sort of isolated in the western part of NY so it is a long trip hauling horses for 7 to 8 hours.

It seems like these races are always written to benefit a small clan cashing in on the expense of Mass. breeders and owners. I am asking the commission to scrap all Mass. restricted races so we could run our horses at the proper level anywhere we chose, I am for increasing owner and breeder's award by 10% so all breeders and owners can benefit instead of the few.

Thank you Kindly

Robert manning



## Lightbown, Alexandra (MGC)

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**From:** DONNA KUTT <dkutt@msn.com>  
**Sent:** Thursday, March 01, 2018 8:52 PM  
**To:** Lightbown, Alexandra (MGC)  
**Subject:** Eliminate restricted races

I hope the commission will eliminate the mass bred restricted races at fingerlaks because these races are not helping the majority of the mass breeders. A large chunk of the purse money is going to a small group connected to a board member of the mtba.

I have been a Massachusetts breeder, owner, and trainer for many years. At this time I am training my horses at Belmont park. A trip to fingerlaks would be a hardship on me and the horses. Shipping would be very expensive, at least 600 if you can find someone to ship. There would be 1500 for workmans comp plus hotel and other expenses and a 7 hour van ride for the horses..

I ask the gaming commission to do away with the restricted races. The more fair way to help the breeders in mass would be to increase the owner and breeder awards by 10% to benefit all and eliminate the self serving and manipulation by the board.. This way we could race the horses at the track we want and at a level where our horses could be competitive.

Right now we are being manipulated by and held hostage by the board member and his group.

Sincerely,  
Donna Kutt

Sent from myMail for Android



Dr. Lightbown and Mass Gaming Commission,

March 7, 2018

I am a big Massachusetts thoroughbred breeder, owner, trainer and a farm owner. So far, what I have seen is that Mass. restricted races have created so many serious problems and headaches to so many owners and breeders. First off, these races have failed to meet the set objectives and their intended purposes. They pitted so many breeders against the MTBA board to the point that it got physical in the last December meeting between the board member who wrote many races favoring himself and his clan to win, and the owner of the better horse; whose horse was locked out of these races.

Restricted races have opened the door for a board member to form a group (himself, his trainer and a close relative) and unethically claim other breeders' and owners' horses. Then, write races to benefit his group, resulting in cashing in on the expense of other breeders and owners. In the last 3 years, only 2 horses have shipped from other tracks and participated once in these races at Finger Lakes Racetrack.

Eliminating restricted races will eliminate "self-serving" and the temptation. The Massachusetts Thoroughbred Breeders Association should not become more of a racing organization than a breeders' organization. What is needed in here is to do away with restricted races, keep the stake races, up breeders and owners awards so everyone can benefit instead of the few.

A, D. Salim  
(Salim Stable)  
287 S. Worcester St.  
Norton, MA 02766

**From:** MGC Website [mailto:massgamingcomm@gmail.com]

**Sent:** Wednesday, March 07, 2018 4:55 PM

**To:** MGCcomments (MGC)

**Subject:** Contact the Commissioner Form Submission

**Name**

Alan Lockhart

**Email**

[lockhartracing@yahoo.com](mailto:lockhartracing@yahoo.com)

**Phone**

(508) 415-9022

**Subject**

MTBA

**Questions or Comments**

To Whom It May Concern:

I have an opinion about the Massachusetts Thoroughbred Breeders Association (MTBA). Having restricted races at Finger Lakes sets it up as a monopoly for a select few. My family has produced champion Mass Breds such as Ask Queenie that could compete against open company in other states.

There is no incentive to breed in Massachusetts unless you want to be stabled at Finger Lakes. Those condition races that are written for Finger Lakes promotes bad racing. Most of the fields combined aren't worth the purse they are running for. I suggest getting rid of those restricted races and do like Virginia does since Colonial Downs closed. That is to give a 50% bonus on top of the purse money won to horses bred in Massachusetts that are running elsewhere in the country. That gives people incentive to have a Mass Bred and to breed something that can compete in open company all over the country.

Sincerely,

Alan J Lockhart

## Lightbown, Alexandra (MGC)

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**From:** timkatryan <timkatryan@gmail.com>  
**Sent:** Monday, March 12, 2018 9:46 AM  
**To:** Lightbown, Alexandra (MGC)  
**Subject:** Restricted thoroughbred racing

Hello Dr.Lightbown,

This is Tim Ryan, third generation breeder and farm owner of thoroughbred race horses in MA. I wanted to follow up in writing after our conversation to reiterate that restricted racing only benefits a very few people and creates animosity where many believe that races are written specifically for a select few people.

Historically, there were stake races and there were awards in open condition races. No restricted races. That should have never changed.

If restricted races were eliminated, then horse owners would enter their horses in open condition races where they'd be more competitive. Thus, they would get their awards if they placed in the top three in said races. The MTBA could, and should, raise at least the percentage for the owner award by some fair and equitable percentage (10, 15, I don't know). This would allow owners to enter their horses in open condition races at tracks of their choosing (i.e., not everyone wants to ship their horses to Fingerlakes to enter a race) and owners should be able to find races without the burden of shipping their horses. By eliminating restricted racing, it would remove some of the fear of entering their horses in claiming races, where many have lost their horses and those horses ultimately ended up at Fingerlakes in the restricted races. Not to forget, that when they put these restricted races in April at Fingerlakes, it's a disadvantage for most owners who had no advanced knowledge that these races would be available so early in the spring. We gained this knowledge in March, at a time where our horses aren't even in training yet. The races mentioned are awaiting regulatory approval by the MGA.

Thank you for your time and consideration

Sincerely,  
Tim Ryan

Sent from my Verizon, Samsung Galaxy smartphone

## Lightbown, Alexandra (MGC)

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**From:** Tilleke Salim-Kortenoever <tillekesalim@gmail.com>  
**Sent:** Sunday, March 25, 2018 6:07 PM  
**To:** Lightbown, Alexandra (MGC)  
**Subject:** MTBA restricted races

To the Massachusetts gaming commission

I strongly support ending the restricted races so that we may race our horses at the level where they can compete and earn purse money, without fear of losing them to a group consisting of a MBTA board member, his cousin and a HBPA board member. This group was formed immediately after the implementation of the restricted races, terrifying breeders and making them their prey. They are holding the breeders hostage, preventing them from getting a return on their hard work, sleepless nights, time and efforts they put in breeding and raising horses. Restricted races have hurt us, soured us as well as many other breeders.

My husband and I have been breeding horses for the last 37 years. We have bred close to 100 Mass. bred foals. We have produced many local stakes winners, big allowance horses down to bottom-claimers and every level in between. We are very disappointed in the MTBA board which allows such a group to benefit at the expense of the hardworking men and women

Magthilda Kortenoever Salim  
Farm owner and breeder  
Norton, MA



**Robert G. Scarano**  
Attorney at Law

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1147 Main Street, Suite 106, Tewksbury, Massachusetts 01876  
Telephone (978) 640-0163 / (978) 640-1636 • Fax (978) 858-0901  
E-mail: scaranoesq@comcast.net

March 27, 2018

Commissioner Gayle Cameron  
Massachusetts Gaming Commission  
101 Federal street, 23<sup>rd</sup> Floor  
Boston MA 02110

Via email [alightbown@massmail.state.ma.us](mailto:alightbown@massmail.state.ma.us)

Re: Opposition to Massachusetts Thoroughbred Breeders Association, Inc., Request for Approval to Run Restricted Massbred Races at Finger Lakes Racecourse

Dear Commissioner Cameron,

Adel D. Salim retained our office to research the origin, existence and Massachusetts Legislative History authorizing out of state Massachusetts thoroughbred stakes and restricted thoroughbred racing. Mr. Salim has requested our office simultaneously report our findings to the Massachusetts State Gaming Commission (“MGC”) prior to the Mach 29, 2018 MGC meeting further considering out of state restricted racing in Farmington N.Y. Finally, Mr. Salim requested we summarize many Massachusetts breeders and owners concerns and recommend a course of action to the MGC. In light of perceived irregularities with the Massachusetts Breeders Association Inc., (“MBTA”) and the effect of past performances, future authorizations of restricted thoroughbred racing should be withheld and the documented irregularities with the past conduct of restricted racing participants at Finger Lakes Racetrack located in Farmington, New York remedied.

## Findings

After diligent search of available State Archive Legislative Packages, Governor's Press Releases, The State House News Service database, House and Senate Proceedings, Acts and Resolves and General Law Citations, I am unable to identify any specific legislation or general law providing authorization for out of state, MBTA funded, stakes or restricted racing.

As a consequence, my office researched the minutes of MGC meetings convening between 2015 and 2017 and discovered a single legal opinion provided by counsel Kevin M. Considine on behalf of MBTA to the MGC dated August 5, 2015, relying exclusively on section 109, an amendment to M.G.L.c. 128 (g), inserted by Chapter 46 entitled: "*Making Appropriations for Fiscal Year 2016.*"

It appears this August 5, 2015 legal opinion provided the sole legislative and statutory basis inducing the MGC to first consider then approve several MBTA requests to initiate and continue restricted out of state racing at one racecourse.

It is through the above referenced legal opinion, negligent in character, flawed in its diligence and contrary to the spirit of the original award and bonus legislation, that out of state restricted racing has transitioned from an honorable stake racing intention to the pinnacle of impropriety with restricted out of state racing.

If the sheer lack of specific legislation authorizing out of state restrictive racing were not enough reason to end this program and practice, the use of an amendment to an agricultural awards and bonuses statute to authorize out of state restrictive races should be of grave concern to the MGC in light of the developments evolving in Farmington N.Y.

The Commission is in possession of several written, documented, detailed and legitimate concerns authored by breeders, owners and trainers witness to and affected by the MBTA preference for restricted races at Finger Lakes Racecourse.

As demonstrated in correspondence, many in the industry believe the MGC is an unwitting participant in the MBTA promotion of restricted Massbred races which by design or effect create



distinct logistical, business expense and monetary hardships upon the majority of Massbred breeders, owners and trainers and benefit a small minority of the same situate and operating in Farmington N.Y.

The inequitable and biased nature of restricted racing in New York is not limited to logistics and extraordinary expenses as a barrier to participation. The design, approval and writing of the conditions associated with each restricted race and the conduct of the race promotes exclusivity rather than inclusivity.

In the past, and if further approved, a small number of breeders, owners and trainers will vie under contrived conditions and inflated purses to frustrate the legitimate exercise of claiming Massbreds for their comparable sale value.

The backbone of thoroughbred racing is the ability to market a horse through the claim process by setting a legitimate purse amount commensurate with the value of the horse participants. Deviating from historical and standard claim practices promotes the perception of impropriety within the industry. The practice and conduct of protectionism, by inflating the claim price, defeats the ultimate purpose of M.G.L.c 128 (g), namely, the promotion, development and encouragement of breeding in this Commonwealth.

For example, after approval of additional restricted racing, no breeder, owner or trainer dare risk its blood, sweat and tears investment in the legitimate claim market anywhere in the country. Having spent tens of thousands of dollars and countless hours to develop and ready a Massachusetts thoroughbred for racing, only to be claimed for its approximate value, moved to New York, overvalued by purse structure and perpetually preventing the same horse from being reclaimed, and therefore protected, by the imposition of an illegitimate purse to thoroughbred value ratio.

Historically M.G.L. c. 128 (g), was promulgated to promote, develop and encourage the breeding of thoroughbred horses in the commonwealth by offering percentage cash prizes and bonuses, of the purse monies won, to the breeder and owner of the stallion meeting specific Massachusetts bred thoroughbred horse criteria. M.G.L. c. 128 (g) (i-iii) inclusive. That goal is in jeopardy and demonstrated by the declining number of foals. The risk of the loss of Massbred stock is

preventing an increase in the number of foals and actually is frustrating the promotion and development of breeding in Massachusetts.

M.G.L. c. 128 (g) is the primary and exclusive bonus and award offering to Massachusetts Breeders and Owners, encouraging breeding and presumably increasing the number of Massachusetts bred foals and Massachusetts thoroughbred stock in the Commonwealth, simultaneously benefiting farms and in state operations.

In addition to the award of cash prizes and bonuses, M.G.L. c. 128 (g) specifically authorizes; The Massachusetts Breeders Association, Inc., (“MBTA”) to pay cash purses **for stakes races** to qualifying Massachusetts bred thoroughbred horses meeting specific criteria, at licensed pari-mutuel race meetings **authorized by the state racing commission**. Emphasis added.

A literal reading of M.G.L. c. 128 (g) authorizes the MBTA to pay cash purses at stake races authorized by the MGC and meeting in Massachusetts. There is no other reasonable interpretation.

By amendment to M.G.L.c. 128 (g), specifically as inserted by Chapter 46, “*Making Appropriations for Fiscal Year 2016*”, sections 109 and 110 were inserted, first adding and then deleting certain language respectively. Section 109 specifically expands the award of prizes and bonuses to Massachusetts thoroughbreds running in restricted races held within or outside Massachusetts.

The 2015 amendment, section 109, does not authorize restricted races to be run out of state. The **amendment merely modifies and allows the application of bonus and prize money, originally reserved to stake races in Massachusetts, to be paid in restricted races within or outside the Commonwealth.** Emphasis added.<sup>1</sup>

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<sup>1</sup> The 2015 amendment, section 110, eliminated the \$5000.00 (five thousand) maximum breeder cash prize from application under c. 128 (g).

## Conclusion

The refusal of the MGC to further authorize out of state restrictive racing based on the lack of clear legislative mandate allowing out of state restrictive racing with funds originating with and from the Race Horse Development Fund is warranted.

Refusal to authorize will eliminate questionable acts and practices in the conduct of out of state restricted racing in Farmington N.Y.

Refusal to authorize will eliminate the current perception of impropriety and eliminate the purse money conduit forming logistical and equitable bars and preventing open opportunity to similarly situated participants not in N.Y.

Refusal to authorize will ensure legitimately claimed Massbreds do not find themselves permanently relocated to New York and protected from legitimate claims for return to Massachusetts or elsewhere, thereby promoting, developing and encouraging the breeding of thoroughbred horses in the Commonwealth in conformity with purpose of M.G.L. c. 128 (g). The Awards and Bonus Statute under Agriculture.

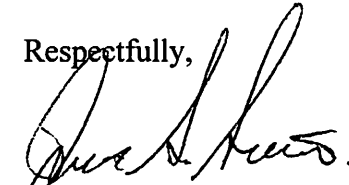
It is unfortunate members of a horsemen's group, turned breeders group, found it fit to influence Massachusetts thoroughbred out of state racing by the misinterpretation of clear statutory language, which merely authorizes prizes and bonuses be paid. The misinterpretation of the original statute and further misinterpretation of the amendment language has morphed into a nonexistent legislative intent and mandate authorizing out of state restrictive racing, now conducted in a manner inconsistent with equity and fairness.

The language of M.G.L. c. 128 (g) is plain and unambiguous. Effect may be given to this plain language without engaging in statutory construction. The literal words of this statute must be given their plain, usual and ordinary meaning. The legislative intent of this statute can be determined from the literal words of the original text. At the outset, chapter 128 (g) was only capable of one reasonable construction and interpretation. A structure for the award of bonus and prizes in stakes races in Massachusetts. "Expressio unius est exclusion alterius." This Latin

phrase means, " where a statute specifies certain things, the designation of such things excludes all others."

Accordingly, c. 128 (g) never authorized out of state racing, stakes or otherwise, but authorized the setting of purses for stakes races in Massachusetts and now, after amendment 109, the setting of prizes and bonuses in stakes or restricted races occurring within or outside Massachusetts as a supplement to the intended purpose of the original prizes and awards legislation.

Respectfully,



Robert G. Scarano, Esq.

Cc: Adel Salim



Stephen Crosby  
Gayle Cameron  
Lloyd MacDonald  
Bruce Stebbins  
Enrique Zuniga

Massachusetts Gaming Commission  
101 Federal Street  
12<sup>th</sup> Floor,  
Boston, MA 02110

Dear Chairman Crosby and Commissioners,

We hope this letter finds you well. We submit this document in response to a conference call that took place on Tuesday, March 27, 2018 with certain members of the MTBA Board of Directors and certain staff of the MGC. The call, as you know, was initiated by the MTBA in response to a meeting between certain individuals and your staff, where a vision of how MTBA should govern was offered. We are gravely concerned that false and misleading information has been perpetuated not only at this meeting, but in certain circles including our Board meetings and on social media with the intent to oppose and discredit our programs and initiatives that have proven successful during the last three years. Therefore, we have asked that this response, be placed at your disposal for review before the scheduled meeting on March 29, 2018 when a discussion of the restricted MA Bred races at Finger Lakes will be addressed.

As a review, in 2015, the MTBA, a non-profit organization with a Board of Directors created by statute to govern the Massachusetts thoroughbred breeding program, was given legislative approval to run races restricted to MA bred horses at out of state racetracks. This step has been essential to our survival especially in the past few years. Additional legislative approval was given to allow the MTBA to pay awards to owners, breeders and stallion owners of MA bred horses wherever they compete. We were the first breeding program to institute this innovative policy of offering awards to state bred horses who run anywhere in the country. New Jersey has recently adopted a similar policy. Currently, a thoroughbred bred in Massachusetts can run anywhere in the country and generate up to 70% of additional money added to the race purse (30% to the owner, 25% to the breeder, and 15% to the stallion owner).

Due to these two statutory initiatives of the MTBA (the ability to pay awards to MA breds running in non-restricted races in and out of state and the ability to have a MA bred restricted race

program both in and out of state), the program has provided opportunity for MA breeders, owners and stallion owners to earn millions of dollars. Most of these dollars, regardless of where the races have been run, have been given back to MA residents that have supported the program by breeding, racing and owning MA bred horses. In addition, the value of MA bred horses has increased by private sale and via the claim box.

In addition, draft legislation currently under consideration also includes other key issues to further enhance the Massachusetts thoroughbred breeding program. These include a temporary waiver of the mare breed back rule due to the lack of commercially attractive resident stallions, a bonus award plan to reward mare owners who bring their mares to foal in MA, and an accredited registration program for other state bred horses that reside in Massachusetts for a continuous period of six months at any time from weaning to July of their two-year-old season to support MA farms and agriculture. These accredited bred horses would be eligible for a series of accredited bred restricted races and would be further eligible for a reduced level of bonus award payments.

The MTBA board has a clear vision of the path forward. We have consulted with and received the counsel of industry leaders from other highly successful state bred programs. Despite our optimism, our task has been made much more challenging due to the steep cuts recommended by the HRC and adopted by the commission which has reduced our funding at the time of most need, the absence of a permanent place to race in Massachusetts, as well as a myriad of other factors, some of which are addressed in this letter.

The following is a point by point discussion of our program's highlights and responses to concerns that have been raised recently.

#### RESTRICTED RACES:

The MTBA has traditionally run a series of stake races throughout the summer at Suffolk Downs which are restricted to MA bred. From 2015 – 2017, these races have taken place during the festival weekends. Without a racetrack in the Commonwealth at which to prepare our horses for these stake races, the MTBA board, upon receiving legislative assent, proposed a series of restricted MA bred races in order that our horses would be physically fit and well prepared for the stakes season and to allow them to compete against other MA bred.

#### RESTRICTED RACE FUNDING:

The MTBA board takes our fiduciary responsibilities very seriously. Our accountant, continuously reviews our funding levels and advises the board as to the number of stakes/restricted races that we can include in our annual programs. Our purse structure and bonus award program are constantly monitored to ensure that we do not have any unfunded mandate. Our restricted program for 2018 has been substantially reduced from 2017 levels due to the cuts to our funding.

#### WHY FINGER LAKES RACETRACK:

When Suffolk Downs closed in 2014 leaving our horsemen without a racetrack or a training facility, our fellow horsemen at the Finger Lakes HBPA reached out to us with offers of assistance in providing stall space and training facilities. For many of our horsemen, Finger Lakes was a good option as it offered similar type of competition to Suffolk Downs, low costs of operation, easy access to New England and excellent training facilities, including main track, training track, multiple equine exercise machines and an equine swimming pool. Over 90% of the MA bred racing stock are stabled at Finger Lakes. The remaining are scattered among other racetracks in Ohio, Florida, Delaware, Louisiana and Maryland. The ONLY logical location to host our restricted races was Finger Lakes. The Finger Lakes HBPA, Track Management and the New York State Gaming & Wagering Board all endorsed our program, and it has been a great success!

The MGC mandates that all racetracks within the state receive NTRA safety accreditation in order to ensure the safety of our equine athletes, Jockeys, exercise riders, pony people and gate crew.

*Finger Lakes has NTRA accreditation.*

#### RESTRICTED RACES AT OTHER RACETRACKS:

In 2017, at the suggestion of some MTBA members and commission staff, the MTBA appropriated funding for a MA bred race to be held at Delaware Park, even though there were not sufficient horses in the region to fill such a race. As the MTBA board suspected, the race did not attract sufficient entries despite it being carried over for five race cards until Delaware eventually dropped the race.

While on the crucially important subject of safety, we would like to correct the erroneous and false information being disseminated by certain individuals that consideration should be given to mandating that the MTBA program be moved from Finger Lakes to Delaware because Delaware provides a safer racing and training surface. The Jockey Club Equine Injury database statistics clearly show that Finger Lakes has substantially less catastrophic/fatal injuries than Delaware Park.

Furthermore, from a purely practical point of view, Finger Lakes opens for training each year in early March, thereby giving horsemen ample time to condition their horses for the summer stakes schedule in Boston. Delaware Park does not open until late April. We also reached out to other tracks to determine if they would accommodate restricted races for MA bred. Each of these tracks declined our offer or requested that we hold the entire program at their track.

#### BONUS AWARDS:

The MTBA pays bonus awards for MA bred horses that finish 1-2-3 in open races at any racetrack in the country. Current bonus rates are Owner 30%, Breeder 25%, Stallion Owner 15%. Together this can be up to a 70% increase in purses won in open (races not restricted to MA bred) races across the country. These bonuses apply to horses who finish in first, second or third place.



A few individuals advocate abandoning the restricted race program and increasing bonus award percentages. This proposal would not work, and would not be supported by the MTBA, for the following reasons, among others.

- a. The vast majority of our state bred horses simply cannot compete in open competition except in lower level claiming races. If they cannot finish 1-2-3, the possibility of bonus awards, however large the percentage, is moot. Historical annual award statistics show very little money is paid out on open race purses due to MA bred horses finishing worse than third in most cases.
- b. Owners/breeders who run a MA bred horse in a low level claiming race against open competition in the spring risk the horse being claimed by those knowing full well that the horse can potentially earn substantial purses during the summer stakes program.
- c. Without the restricted race program, the majority of MA bred horses cannot be prepared for the stakes program, unless you run them in races where they are uncompetitive (deleterious to the horse, both mentally and physically) or risk losing your investment from a claim.

**In 2015 - 2017, *The MTBA has made over 545 individual purse/bonus payments to owners, Massachusetts breeders and stallion owners.***

**Of the 26 Stakes races run 2015 – 2017, *24 of the 26 were won by horses owned by Massachusetts residents. A total of \$1,050,000 in purses returned to the Commonwealth.***

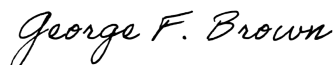
**The MTBA has carded 25 races at Finger Lakes restricted to MA bred horses in 2015 – 2017. *21 of these races were won by horses owned by Massachusetts residents. A total of \$343,800 in purses returned to the Commonwealth.***

***The purse data referred to only applies to races WON by horses owned by Massachusetts residents. If you extrapolate the data for all purses earned by MA bred horses in Stake and restricted races in the period 2015 – 2017 over 90% of all purses were returned to Commonwealth residents.***

In conclusion, the individuals that approached the MGC privately, apparently did so to further an agenda about which they have been unable to persuade fellow breeders, through the MTBA Board of Directors. The board must defend its statutorily conferred rights to govern the breeding program for the benefit of all MA breeders and for the future of the program as we deem appropriate.

On behalf of the MTBA Board of Directors,

Sincerely,



George F. Brown  
Chairman of the MTBA

Cc: Dr. Alex Lightbown  
Catherine Blue  
Edward Bedrosian

MGL Chapter 128 (2) (g)

(g) Promote, develop and encourage through the Massachusetts Thoroughbred Breeding Program, the breeding of thoroughbred horses in the commonwealth by offering cash prizes to breeders of such horses in the following manner: the Massachusetts Thoroughbred Breeders Association, Inc. shall from time to time in consultation with the chairman of the racing commission and the program manager for the equine division in the department of agriculture set the percentages for bonuses to be awarded to the breeder of a Massachusetts bred thoroughbred horse, of the purse monies won by said thoroughbred horse in any pari-mutuel running horse race if said horse finishes first, second or third; the percentage for a cash prize to the owner of the stallion, at the time of service to the dam of such purse winner; provided, however, that (i) the stallion stood the breeding season of February through June in the commonwealth, (ii) the horse finishes first, second or third, and (iii) said stallion is registered with the department of food and agriculture; the percentage for a cash prize for the purse monies won by said thoroughbred horse in any unrestricted or restricted pari-mutuel running horse race held within or outside of the commonwealth to the owner of a Massachusetts bred horse if said horse finishes first, second, or third.

The Massachusetts Thoroughbred Breeders Association, Inc. is further authorized to pay cash purses for stakes races to be limited to Massachusetts bred thoroughbred race horses from the Massachusetts thoroughbred breeding program at licensed pari-mutuel race meetings authorized by the state racing commission. Such races may be betting or non-betting races and may or may not be scheduled races by the licensee conducting the racing meeting. Purse monies paid by the association under this section may be in such amounts as the association shall determine and may be the sole cash purse for such races or may be supplemental to the cash purses established by the licensee; provided, however, that no person, partnership, corporation or group of persons may receive more than five thousand dollars as a cash prize breeder's award from the association for an individual horse race within the commonwealth.

No person shall be eligible for the prizes provided herein unless the following standards are met:

(1) The foal of a thoroughbred mare that drops said foal in the commonwealth and is bred back to the Massachusetts registered stallion shall be Massachusetts bred; or

(2) The foal of a thoroughbred mare who resides in the commonwealth from the fifteenth day of October of the year prior to foaling, and continues such residence until foaling and foals in the commonwealth shall be Massachusetts bred.

(3) In either the case of subparagraph (1) or (2) each thoroughbred foal dropped in the commonwealth shall be registered with the Jockey Club and the department of food and agriculture.

(4) Prior to the first day of September of each year, each person standing a thoroughbred stallion in the commonwealth at either private or public service shall file with the department of food and agriculture: (a) a list of all thoroughbred mares bred to such stallion in that year; and (b) a verified statement representing that said stallion stood the entire breeding season in the commonwealth.

The Massachusetts Thoroughbred Breeders Association, Inc. is hereby further authorized to expend up to eight percent of the amount received each fiscal year for said program for advertising,

marketing, promotion, and administration of the thoroughbred breeding program in the commonwealth.

*[ Fifth paragraph of subsection (g) effective until April 13, 2017. For text effective April 13, 2017, see below.]*

The state auditor shall annually audit the books of the Massachusetts Thoroughbred Breeders Association, Inc., to insure compliance with this section.

*[ Fifth paragraph of subsection (g) as amended by 2016, 463, Sec. 34 effective April 13, 2017. For text effective until April 13, 2017, see above.]*

The state auditor shall audit the books of the Massachusetts Thoroughbred Breeders Association, Inc., to ensure compliance with this section, in accordance with generally accepted government auditing standards, as often as the state auditor determines is necessary.



*Division of Racing*

TO: Stephen Crosby, Chairman  
Gayle Cameron, Commissioner  
Bruce Stebbins, Commissioner  
Enrique Zuniga, Commissioner

FROM: Alexandra Lightbown, Director of Racing

CC: Edward Bedrosian, Executive Director  
Catherine Blue, General Counsel

DATE: March 26, 2018

RE: Harness Horseman's Association of New England  
Pension Plan

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Dear Commissioners,

In the two weeks since the Harness Horseman's Association of New England presented their proposed rules and eligibility requirements of the pension plan they have developed, they received one letter with comments, for your review. The Harness Horseman's Association of New England's response to these comments is also included for your review. The Massachusetts Gaming Commission did not receive any comments during this period.

While it may be difficult to please every Association member when developing eligibility requirements, it is clear the Board of Directors and the Board of Trustees have researched and considered the requirements extensively, and responded to the questions raised.

Massachusetts General Law Chapter 23K, Section 60 (c) (iii): Race Horse Development Fund reads as follows:

(iii) 4 per cent shall be used to fund health and pension benefits for the members of the horsemen's organizations representing the owners and trainers at a horse racing facility for the benefit of the organization's members, their families, employees and others under the rule and eligibility requirements of the organization, as approved by the commission; provided, however, that this amount shall be deposited within 5 business days of the end of each month into a separate account to be established by each respective horsemen's organization at a banking institution of its choice; and provided



Massachusetts Gaming Commission

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further, that of this amount, the commission shall determine how much shall be paid annually by the horsemen's organization to the thoroughbred jockeys or standardbred drivers organization at the horse racing facility for health insurance, life insurance or other benefits to active and disabled thoroughbred jockeys or standardbred drivers under the rules and eligibility requirements of that organization.

**Recommendation: That the Commission approve the rule and eligibility requirements of the Harness Horseman's Association of New England pension plan, as presented to the Commission on March 15, 2018.**



Massachusetts Gaming Commission

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To: Board of Directors H.H.A.N.E.

Would like the Board to consider these changes in the proposed RSP. The plan at face value we feel is a good one, but does not reach far enough to benefit the Massachusetts Horseman and Women, we can and should do better. It is because of the very hard work that the Massachusetts Horseman and Women have done for the past 30 years That allowed us to reach this point. They deserve this. Do not let them down.

#1 what would happen if a trainer or driver were to be suspended for A period of one month or more, even one year. After he or she is vested or unvested.

#2 the board of directors should not be allowed a free pass. The board wrote the qualifications, they too should have to abide by them.

#3 What is a Massachusetts residence?

Massachusetts state Auto, driver's license or Mass. I.D..

Massachusetts state tax return .

\_\_\_NOTE\_\_\_)

Real estate tax invoice should not be used for proof of residency.

(you can own property in Massachusetts but live in another state )

Also there should be no need for any other kind of documentation

To proof residency .

#4 That's good that Mass. residence catch a break, but it falls well short

of where it should be for Massachusetts residence.

In 2017, out of (193) total trainers raced at Plainridge, only( 32) where Mass. residence.

In that same year out of (130) total drivers, only( 20) where Mass. residence

If all out of state trainers and drivers became eligible that would mean, that 84 percent of all the racehorse development fund money would be going out of state. As it is, 80 to 85 percent of all purse money at Plainridge, end up going out of state. So let's try to keep some of the money here in Massachusetts .

Recommendation's.

Trainers:

Trainers who are Massachusetts residence, qualified start's per racing season, Should be changed to.

20 minimum starts for  $\frac{1}{4}$  point

30 minimum starts for  $\frac{1}{2}$  point

40 minimum starts for  $\frac{3}{4}$  point

50 minimum starts for 1 point

Drivers:

Drivers who are Massachusetts residence, qualified starts per racing season should be changed to.

40 minimum starts for  $\frac{1}{4}$  point

60 minimum starts for  $\frac{1}{2}$  point

80 minimum starts for  $\frac{3}{4}$  point

100 minimum starts for 1 point

Retroactive Trainers:

2013, 2014, 2015, 2016

Trainers, Massachusetts residence, qualified starts per racing season.

10 minimum starts  $\frac{1}{4}$  point

20 minimum starts  $\frac{1}{2}$  point

30 minimum starts  $\frac{3}{4}$  point

40 minimum starts 1 point

Retroactive Drivers:

2013, 2014, 2015, 2016

Drivers, Massachusetts residence, qualified starts per racing season.

20 minimum starts  $\frac{1}{4}$  point

40 minimum starts  $\frac{1}{2}$  point

60 minimum starts  $\frac{3}{4}$  point

80 minimum starts 1 point

We are looking forward to sitting down with you to discuss this RSP.

Thank You

Cornelius Bonetti

co. by Bill Abdelnour and Bill Krikorian



P.O. Box 1811, Plainville, MA 02762

Website: [www.hhane.com](http://www.hhane.com)  
Email: [hhanesec@hhane.com](mailto:hhanesec@hhane.com)

Executive Secretary p 508-824-1074 f 508-824-0154

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March 24, 2018

VIA ELECTRONIC MAIL

Mr. Cornelius Bonetti  
53 West Street  
Attleboro, MA 02703

**Re: Harness Horseman's Association of New England Retirement Savings Plan**

Dear Cony:

Thank you for your letter regarding the Harness Horseman's Association of New England Retirement Savings Plan ("Plan") which we received via email on March 19, 2018. The Board of Directors of the Harness Horseman's Association of New England ("Association") has considered the issues you raised in your letter regarding the Plan. This letter is the Board's response to the issues you raised.

First of all, as I'm sure you realize, both the Board of Directors and the Committee appointed by the Board to administer the Plan spent a considerable amount of time and effort to develop a Plan that is fair and beneficial to the members of the Association, and that promotes the betterment of harness racing in Massachusetts. The Board of Directors wants harness racing in Massachusetts to survive and thrive, and the Plan is designed and intended to serve that mission. One of the driving goals in developing the Plan is to encourage and incentivize Association members to race at the Plainridge Park Racecourse ("Racecourse"). Association members have numerous options, and can choose to race at any number of harness racetracks in Maine, Pennsylvania, Delaware, New York and other states. The Board of Directors wants to keep Association members racing in Massachusetts at the Racecourse, and all of the Plan's requirements discussed below are intended to further that goal.

**1. You asked what would happen if a Trainer or Driver is suspended for a period of a month or two, or for as long as a year.**

If a Participant in the Plan is vested in his or her Plan benefit, he or she has a non-forfeitable right to receive his or her Plan benefit upon attaining age 65 or becoming Totally Disabled. That means that the Participant will receive his or her Plan benefit regardless of whether he or she is suspended for any period of time, or even stops participating in harness racing at the Racecourse.

However, if a Participant has not yet attained five consecutive years of vesting service, the Participant is not vested, and the Participant will forfeit his or her interest in the Plan if he or she incurs a break in vesting service. To attain a year of vesting service, a Driver or Trainer must: 1) be a member in Good Standing; 2) satisfy the Qualified Start participation requirements described in Sections 3.3 and 3.4 of the Plan; and 3) complete the applicable number of Qualified Starts required to earn one-quarter (1/4) Point

March 24, 2018  
Mr. Cornelius Bonetti  
Page 2

during a Racing Season. To be in Good Standing, a Participant must be current on dues and payments owed to the Association, and must comply with all of the rules and requirements of the Association and the Racecourse.

If a Participant is suspended from participating in harness racing at the Racecourse by either the Association or the Racecourse, the Participant will not be a member in Good Standing as required by the Plan, and any such suspension will jeopardize the Participant's ability to become vested in his or her Plan benefit. Certainly, if a Participant is suspended from racing for a year or more before he or she completes five consecutive years of vesting service, the Participant will incur a break in vesting service, and will forfeit his or her interest in the Plan.

Because Participants must satisfy the Qualified Start participation requirements described in Sections 3.3 and 3.4 of the Plan, and earn at least one-quarter (1/4) Point during a Racing Season in order to earn a year of vesting service, shorter periods of suspension will also jeopardize a Participant's ability to become vested in his or her Plan benefit. For example, to obtain a year of vesting service, Drivers must complete at least four (4) Qualified Starts per month during seven months of the Racing Season, and Trainers must complete at least two (2) Qualified Starts during the same period. If a Driver or a Trainer is suspended for a period as short as one or two months and cannot race at the Racecourse, the Driver or Trainer will likely be unable to satisfy these Qualified Start participation requirements, and as a result, will incur a break in vesting service.

The Board of Directors of the Association carefully considered the Good Standing requirement for participation in the Plan and vesting in Plan benefits. Because the Plan provides Drivers and Trainers with an opportunity to earn a valuable retirement savings benefit, the Board of Trustees concluded that requiring Participants to maintain their Good Standing in order to participate in the Plan and become vested in a Plan benefit is reasonable, serves the best interests of the members of the Association, and promotes the betterment of harness racing in Massachusetts.

**2. You state that the Board of Directors should not have a "free pass," and that the Board of Directors should be required to abide by the "qualifications" the Board "wrote."**

While your comment, as paraphrased above, is not entirely clear, the Board of Directors understands that you mean that Board members who participate in the Plan should be required to satisfy the same requirements for participation, earning a Point, and vesting that are asked of Drivers and Trainers.

The circumstances under which Board members may participate in the Plan were the subject of extensive consideration by the Board of Directors. On the one hand, the Board of Directors sought to ensure that only active horsemen and horse women participate in the Plan; and, on the other hand, the Board of Directors sought to recognize an Association member's willingness to undertake Board service.

In consideration of these concerns, the Board of Trustees concluded that it is appropriate and reasonable to establish the following Plan criteria for Board members. To participate in the Plan, earn a Point, and vest in any earned benefit, a Board member must be a member of the Association in Good Standing. In addition, to participate in the Plan, a Board member must be an active Driver or Trainer participating in harness racing at the Racecourse at the time that he or she is elected or appointed to the Board. To earn a full Point, a Board member must complete a full year of service on the Board of Trustees. Any Board member who resigns from the Board before completing a full year of service on the Board will not earn any portion of a Point for that year, and will incur a break in vesting service. To vest in any earned Points,

March 24, 2018  
Mr. Cornelius Bonetti  
Page 3

a Board member must have five consecutive years of vesting service. While Board members are not required to complete minimum Qualified Start requirements in order to participate in the Plan, earn a Point, or vest in an earned Plan benefit, service on the Board of Directors of the Association replaces that requirement.

The Board of Directors concluded that these Plan requirements for Board members serve the best interests of the members of the Association, and promote the betterment of harness racing in Massachusetts by providing active members of the Association with an additional incentive to serve on the Board of the Association.

### **3. You ask about proof of Massachusetts residency.**

The Plan's definition of "Massachusetts Resident" is intended to be inclusive, not exclusive. The Plan is specifically designed and intended to make it as easy as possible for Participants in the Plan to establish their status as a "Massachusetts Resident." That is why the Plan allows for multiple alternative documents to establish residency, and additionally specifically authorizes the Committee to accept other satisfactory evidence of Massachusetts residency.

The Committee is charged with sole and exclusive discretionary authority to determine eligibility for benefits, construe the terms of the Plan, and address any question arising under the Plan, including whether a Participant is a Massachusetts Resident. As a result, the Committee has authority to decide any issues or questions regarding a Participant's residency.

Your letter suggests that the definition of "Massachusetts Resident" should be more restrictive. The Board of Trustees of the Association has determined that harness racing in Massachusetts is better served by an inclusive definition of "Massachusetts Resident" that rewards Drivers and Trainers who choose Massachusetts and the Racecourse as their preferred racing venue.

### **4. To further benefit Drivers and Trainers who are Massachusetts Residents, you suggest specific Qualified Start requirements for earning a Point or a portion of a Point for 2017 and years thereafter, and for the retroactive allocation of Points for the period of 2013 to 2016.**

In developing the Qualified Start requirements for earning a Point or a portion of a Point for 2017 and years thereafter, the Board of Trustees aimed to strike a balance between favoring Participants who are Massachusetts Residents and also providing an incentive for non-Massachusetts residents to race at the Racecourse. As the comparative numbers for 2017 in your letter starkly demonstrate, the vast majority of Drivers and Trainers who raced at the Racecourse in 2017 were non-Massachusetts Residents. Without their participation, harness racing in Massachusetts would dwindle considerably to the detriment of all members of the Association, including Massachusetts Residents.

Regarding retroactive allocation of Points for the period of 2013 to 2016, it is important to remember that all harness racing in Massachusetts ended in the 1980s. Harness racing was resurrected in 1999 with the construction of the Racecourse, but purses were small and there were relatively few Massachusetts Drivers

March 24, 2018  
Mr. Cornelius Bonetti  
Page 4

and Trainers. Harness racing in Massachusetts only survived because of the participation of Drivers and Trainers from Maine and other states. Harness racing at the Racetrack by both Massachusetts and non-Massachusetts Drivers and Trainers only began to grow with the addition of the casino in 2015.

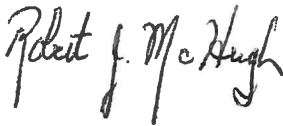
Considering this history, the Board of Directors determined that it is fair and appropriate to reward Massachusetts and non-Massachusetts Drivers and Trainers who participated in harness racing at the Racecourse during the period leading up to the addition of the casino equally, and that favoring Massachusetts Residents over non-Massachusetts during this retroactive period would unjustly enrich Massachusetts Residents. Without the non-Massachusetts Drivers and Trainers through 2016, harness racing for all Drivers and Trainers in Massachusetts might well have ended again.

In consideration of the Board of Trustees' mission to promote the betterment of harness racing in Massachusetts, the Board of Trustees determined that the Qualified Start requirements in the Plan strike the appropriate balance between Massachusetts Residents and non-Massachusetts Residents.

\* \* \*

Again, thank you for your letter. The Board of Directors of the Association is confident that the Plan, as designed, is in the best interest of the betterment of harness racing in the Commonwealth of Massachusetts, and will provide a meaningful retirement savings benefits for the members of the Association who participate in harness racing at the Racecourse.

Sincerely,



Robert J. McHugh, President  
Harness Horseman's Association of New England



Alice D. Szpila, Treasurer and Chair, Health & Welfare Committee  
Harness Horseman's Association of New England

cc: William Abdelnour (via email)  
William Krikorian (via email)  
Health & Welfare Committee



----- Original Message -----

Subject: Clarification of Board Participation

From: <[hhanesec@hhane.com](mailto:hhanesec@hhane.com)>

Date: Sun, March 25, 2018 5:25 pm

To: "Cony Bonetti" <[conyb@verizon.net](mailto:conyb@verizon.net)>

Cc: "Bill Abdelnour" <[wfran133@charter.net](mailto:wfran133@charter.net)>, "Bill Krikorian" <[kwkrik@gmail.com](mailto:kwkrik@gmail.com)>, "Bob Bogigian" <[brobert8@charter.net](mailto:brobert8@charter.net)>, "Joe Flynn" <[flynneileen@verizon.net](mailto:flynneileen@verizon.net)>, "Alice Szpila HHANE Treas" <[aszpilatreas@hhane.com](mailto:aszpilatreas@hhane.com)>, "Bob McHugh HHANE" <[president@hhane.com](mailto:president@hhane.com)>

Cony,

Alice has been attempting to handle HHANE business despite having surgery this past Thursday, March 22. She wants to clarify in greater detail the response to your question #2 regarding Board participation in the plan. Please attach this email to the letter sent to you earlier today.

To further explain, any Board member who resigns from the Board before completing a full year of service on the Board will not earn any portion of a Point for that year based on Board service but, a board member who resigns may still earn a Point or a portion of a point based on the number of Qualified Starts he or she earns as a driver or trainer during the year that the Board member resigns. Like Drivers and Trainers, to vest in any earned Points, a Board member must have five consecutive years of vesting service. To earn a year of vesting service based on Board service, a Board member must complete a full year of service on the Board. Any Board member who resigns from the Board before completing a full year of service on the Board will not earn a year of vesting service based on Board service, and may incur a break in vesting service. A Board member who resigns may still earn a year of vesting service (and not incur a break in vesting service) if he or she satisfies the vesting requirements for a Driver or a Trainer during the year that he or she resigns from the Board.

As always, should you have any further questions or concerns feel free to contact the Committee.


Regards,

Alice Szpila, Treasurer and Chair, Health & Welfare Committee

Bob McHugh, President

Lin Sherman

HHANE Executive Secretary

[www.hhane.com](http://www.hhane.com) 

ph 508.824.1074 / fx 508.824.0154



P.O. Box 1811, Plainville, MA 02762

Website: [www.hhane.com](http://www.hhane.com)  
Email: [hhanesec@hhane.com](mailto:hhanesec@hhane.com)

Executive Secretary p 508-824-1074 f 508-824-0154

March 16, 2018

**PLEASE READ THIS IMPORTANT NOTICE AND  
COMPLETE THE NECESSARY ACTION STEPS**

Dear Trainers and Drivers:

As you know the Harness Horseman's Association of New England (HHANE) offers many membership benefits. The newest benefit to be added is a Retirement Savings Plan ("RSP"). In order for the HHANE to manage the RSP in a timely fashion, it is important to know your responsibilities:

1. You must complete a "Retirement Savings Plan Application."
2. You must complete the enclosed "Beneficiary Designation" form, and you should review and update your beneficiary elections regularly.
3. You must provide your address, phone number(s), and an e-mail address (if you have one) to HHANE every year.

The HHANE has worked hard to provide the RSP for you. Your efforts to complete the forms with the information necessary to facilitate this process would be greatly appreciated.

**Participation Requirements**

The following minimum annual requirements to participate in the HHANE RSP are:

1. You must be a member in Good Standing of the HHANE by May 31<sup>st</sup> of each year, and you must maintain your Good Standing at all times.

PLEASE NOTE: You must submit a renewal Membership Application every year. Failure to renew your membership in HHANE every year will result in forfeiture of any unvested contributions to your RSP account. Forfeited amounts are reallocated to the remaining active Participants.

2. Trainers: To participate in the RSP each year, Trainers must complete a minimum of two (2) Qualified Starts per month during seven separate months of the Racing Season at the Plainridge Park Racecourse ("Racecourse").
3. Drivers: To participate in the RSP each year, Drivers must complete a minimum of four (4) Qualified Starts per month during the seven separate months of the Racing Season at the Racecourse.

PLEASE NOTE: Any Trainer or Driver who does not complete the minimum number of Qualified Starts per month during the seven separate months of the Racing Season will forfeit any unvested contributions to his or her RSP account. Forfeited amounts are reallocated to the remaining active Participants.

**“Points” – Earning a Contribution to the RSP**

Each year, you may earn the right to receive a contribution to your RSP account by earning a “Point,” or a portion of a Point. You may only earn one Point per Plan year. You earn a Point or a portion of a Point based on your number of Qualified Starts during the Racing Season as either a Driver or a Trainer.

PLEASE NOTE: You cannot combine Qualified Starts earned as a Driver and a Trainer in any Plan year. You will receive the most number of Qualified Starts earned in either capacity. You will receive an annual statement that will contain information on how your RSP benefit is calculated.

**Trainers**

Trainers who are Massachusetts residents must have a minimum of 20 Qualified Starts per Racing Season to earn a contribution to the RSP. Points are earned as follows:

- ¼ Point: 20 to 39 Qualified Starts
- ½ Point: 40 to 59 Qualified Starts
- ¾ Point: 60 to 79 Qualified Starts
- 1 Point: 80 or more Qualified Starts

Trainers who are NOT Massachusetts residents must have a minimum of 30 Qualified Starts per Racing Season to earn a contribution to the RSP. Points are earned as follows:

- ¼ Point: 30 to 59 Qualified Starts
- ½ Point: 60 to 89 Qualified Starts
- ¾ Point: 90 to 119 Qualified Starts
- 1 Point: 120 or more Qualified Starts

**Drivers**

Drivers that are Massachusetts residents must have a minimum of 40 Qualified Starts per Racing Season to earn a contribution to the RSP. Points are earned as follows:

- ¼ Point: 40 to 79 Qualified Starts
- ½ Point: 80 to 119 Qualified Starts
- ¾ Point: 120 to 159 Qualified Starts
- 1 Point: 160 or more Qualified Starts

Drivers that are NOT Massachusetts residents must have a minimum of 60 Qualified Starts per Racing Season to earn a contribution to the RSP. Points are earned as follows:

- ¼ Point: 60 to 119 Qualified Starts
- ½ Point: 120 to 179 Qualified Starts
- ¾ Point: 180 to 239 Qualified Starts
- 1 Point: 240 or more Qualified Starts

**Retroactive Contributions**

HHANE will make a contribution to your RSP account for the Plan years ending December 31, 2013, December 31, 2014, December 31, 2015, and December 31, 2016 based on the number of your Qualified Starts during each of those Plan years as follows:

**Trainers** (Massachusetts and non-Massachusetts residents)

- ¼ Point: 10 to 24 Qualified Starts
- ½ Point: 25 to 39 Qualified Starts
- ¾ Point: 40 to 54 Qualified Starts
- 1 Point: 55 or more Qualified Starts

Drivers (Massachusetts and non-Massachusetts residents)

- ¼ Point: 20 to 49 Qualified Starts
- ½ Point: 50 to 79 Qualified Starts
- ¾ Point: 80 to 109 Qualified Starts
- 1 Point: 110 or more Qualified Starts

Vesting

Trainers and Drivers must participate in the RSP for five (5) consecutive years to become vested in the amount in his or her RSP account. When you complete five (5) years of vesting service, you will become 100% vested in your RSP account. After you are vested, breaks in service are allowed.

PLEASE NOTE: Participants may only earn vesting service as of the Plan year beginning January 1, 2017. There is no retroactive vesting for any contributions for 2013 to 2016. You must complete five (5) consecutive years of vesting service beginning as of January 1, 2017 to become vested in any contributions for 2013 to 2016.

To earn a year of vesting service, you must satisfy the following requirements each Plan year:

1. You must be a member of HHANE in Good Standing.
2. You must satisfy the participation requirements described above.
3. You must complete the minimum number of Qualified Starts to earn ¼ Point.

EXCEPTIONS:

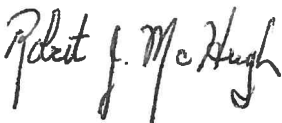
1. Participants who reach age 65 before completing five (5) years of vesting service will immediately become vested in his or her RSP account.
2. Participants who die or become Totally Disabled while the Participant is an active Trainer or Driver at the Racecourse will immediately become vested in his or her RSP account regardless of the number of years of vesting service.

TAKE ACTION

1. Please complete the enclosed Retirement Savings Plan Application.
2. Please complete the enclosed Beneficiary Election form.
3. Please review the Question and Answer Information Sheet we've put together for you in anticipation of any questions you might have. However, should you require further information, please contact any Board member and they will be happy to assist.

HHANE is glad to have members like you and, by working together to get the information we need in a timely fashion, we will be able to provide you with improved service.

Sincerely,



Robert J McHugh, President  
Harness Horseman's Association of New England

Enclosures: 3

## QUESTIONS AND ANSWERS INFORMATION SHEET

What is the “Committee”?

“Committee” refers to the individuals who are appointed by the Board of Trustees of HHANE to supervise the administration of the RSP. The Committee has broad discretion to implement rules and procedures for administering the Plan.

What is a Massachusetts Resident?

A Trainer or Driver who proves Massachusetts residency by providing the Committee with one of the following items during a Plan year:

- Massachusetts Driver’s License with a Massachusetts address
- Massachusetts state income tax return
- Massachusetts real estate tax invoice for property in the State of Massachusetts
- Other documentation that satisfies the Committee that the Trainer or Driver is a Massachusetts Resident.

What is a racing season?

The period that generally begins in early April and generally ends in November, as defined by the Racecourse, during any Plan year.

What is a Qualified Start?

Any pari-mutuel race held during the Racing Season where a Trainer or Driver is listed in the racetrack program or Judge’s book as the official Trainer or Driver for the horse entered in the race. If a program entity is scratched or cancelled for any reason prior to the race, the race is not a Qualified Start.

Where does the information for Qualified Starts come from?

The information comes directly from the United States Trotting Association (USTA)

What is a member in Good Standing?

A Participant who is current on dues and payments owed to HHANE, who complies with the rules and requirements of HHANE and Racecourse, and who has not has his or her membership in HHANE revoked for any reason.

How will I know how much money is in my RSP account?

Each participant will receive an annual statement as soon as administratively possible following the end of each Plan year.

What does vested mean?

Put simply, “vested” refers to the amount of money in your RSP account that you can take with you when you leave the Plan. You may have money in your account before you become vested. You cannot take that money out of your account until you become vested.

If I turn 65 this year will I automatically be vested?

Yes.

What does “Totally Disabled” mean?

To be Totally Disabled you must have a disability that makes you permanently incapable of participating in harness racing as a Driver or a Trainer

What if I “cash-out” of the Plan?

You may only “cash-out” of the Plan when you become vested. Once a distribution of your account is made to you, you may not re-enter the Plan

Who can I contact with questions?

Any Board Member will be happy to assist you.



*Division of Racing*

TO: Steve Crosby, Chairman  
Gayle Cameron, Commissioner  
Bruce Stebbins, Commissioner  
Enrique Zuniga, Commissioner

FROM: Alexandra Lightbown, Director of Racing

CC: Edward Bedrosian, Executive Director  
Catherine Blue, General Counsel

DATE: March 26, 2018

RE: Plainridge Key Operating and Racing Officials

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Dear Commissioners:

Plainridge Park Casino Director of Racing Steve O'Toole has submitted a request for approval of their Key Operating Personnel and Racing Officials dated March 22, 2018. They were all licensed by the Massachusetts Gaming Commission in 2017. They are in the process of applying for their 2018 licenses. The State police will conduct their background checks.

**Recommendation: That the Commission approve the request of Plainridge Park Casino to approve their March 22, 2018 list of Key Operating Personnel and Racing Officials, pending satisfactory completion of licensure by the Massachusetts Gaming Commission Racing Division and satisfactory completion of their background checks by the Massachusetts State Police.**



Massachusetts Gaming Commission

101 Federal Street, 12<sup>th</sup> Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | [www.massgaming.com](http://www.massgaming.com)



PLAINRIDGE PARK  
CASINO

March 22, 2018

Alexandra Lightbown  
Director of Racing  
Massachusetts Gaming Commission  
101 Federal St.  
Boston, MA 02110

Dear Director Lightbown,

Plainridge Park Casino respectfully requests approval of the following key operating personnel and racing officials for the 2018 racing season;

**KEY OPERATING PERSONNEL**

Steve O'Toole	Director of Racing
Lenny Calderone	Racing Services Manager
Jason Savastano	Mutuel Manager
Andrew Tavares	Racing Supervisor
Diana Figueroa	Racing Supervisor

**RACING OFFICIALS**

AnnMarie Mancini	Presiding Judge
Paul Verrette	Racing Secretary
Kathryn Breedlove	Clerk of Course
Gregory Brewster	Paddock Judge
Richard Flanders	Starter / Patrol Judge
Lenard Calderone	Announcer
Edwin Harrop	Track Superintendent
Dr. Jeremy Murdock	Racing Veterinarian

Sincerely,

Steve O'Toole  
Director of Racing  
Plainridge Park Casino  
Plainville Gaming and Redevelopment, LLC