



MASSACHUSETTS GAMING COMMISSION
PUBLIC MEETING #247

July 19, 2018
10:00 AM

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



Massachusetts Gaming Commission



**NOTICE OF MEETING and AGENDA
July 19, 2018**

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

**Thursday, July 19, 2018
10:00 a.m.
101 Federal Street, 12th Floor
Boston, MA**

PUBLIC MEETING - #247

1. Call to order
2. Approval of Minutes
 - a. June 21, 2018 – VOTE
 - b. June 26, 2018 – VOTE
3. Administrative Update – Ed Bedrosian, Executive Director
 - a. General Update
 - b. MGM - Opening Update
4. Racing Division – Dr. Alex Lightbown, Director
 - a. Quarterly Local Aid Payments – VOTE
5. Ombudsman – John Ziemba
 - a. Review of Outstanding MGM Conditions and Commitments – Joe Delaney, Construction Project Oversight Manager
 - i. Update of Section 61 Requirements - VOTE
 - ii. Final Design Approval – VOTE
 - iii. Approval of Construction Security Mechanism – VOTE
 - iv. Review of License Conditions
6. Workforce, Supplier and Diversity Development – Jill Griffin, Director
 - a. MGM Workforce Compliance Report
 - b. MGM Regional Tourism and Marketing Plan – VOTE
 - c. Review of MGM Retail Plan
7. Legal Division – Catherine Blue, General Counsel
 - a. Final Draft Version of 205 CMR 134.03: Gaming Service Employees and Amended Small Business Impact Statement – VOTE to Complete the Promulgation Process



Massachusetts Gaming Commission

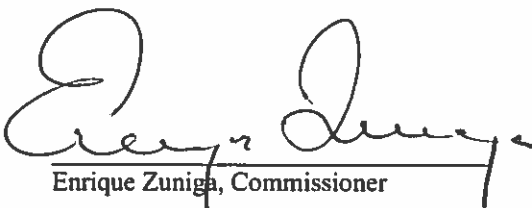
- b. Final Draft Version of 205 CMR 146.00: Gaming Equipment and Amended Small Business Impact Statement – VOTE to Complete the Promulgation Process
- c. Final Draft Version of 205 CMR 138.15: Internal Control Procedures for Access Bada System and Issuance of Temporary License Credentials and Restricted Areas and Amended Small Business Impact Statement – VOTE to Complete the Promulgation Process

8. Commissioner's Updates

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

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

7/16/18
Date


Enrique Zuniga, Commissioner

Date Posted to Website: July 17, 2018 at 10:00 a.m.



Massachusetts Gaming Commission

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Massachusetts Gaming Commission Meeting Minutes

Date/Time: June 21, 2018 – 10:00 a.m.

Place: Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Present: Chairman Steve Crosby
Commissioner Gayle Cameron
Commissioner Eileen O'Brien
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

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

Call to Order

See transcript page 2

[10:00 a.m.](#) Chairman Crosby called to order the 245th Commission meeting.

Approval of Minutes

See transcript pages 2 - 4

The June 7, 2018 Commission meeting minutes will be presented for a vote at the next Commission meeting at the Senior Center in Plainville on Tuesday, June 26th at 5:30 p.m.

Administrative Update

See transcript pages 4 - 12

[10:00 a.m.](#) **General Update.**

Executive Director Ed Bedrosian reported that Mass Gaming and Entertainment, the entity that applied for the Region C license in Brockton submitted a request to the Commission asking for reconsideration of their license application. Director Bedrosian has been working with the Legal

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Division and staff, and will have a proposed response on that process at the July 19th Commission meeting for public discussion.

Director Bedrosian also informed the Commission that one of the principals of FBT Everett Realty LLC has filed a new lawsuit against Wynn Resorts Ltd and Wynn MA LLC regarding the 2013 land transaction in Everett. Director Bedrosian and the Legal Division will conduct the appropriate review of that matter and monitor the litigation.

MGM – Opening Update.

Director Bedrosian reported that construction is moving at an expeditious pace. The Gaming School is underway for new gaming agents and the Gaming Enforcement Unit (GEU). 2,500 slot machines are now on premise with 2,300 in place, and 348 machines are currently verified. It is anticipated that MGM will have all the machines in place and verified with the state seal by approximately the 3rd week of July.

MGM has reported that they currently have 328 on-boarded employees, approximately 29% are Springfield residents, and this number is expected to rise as the hiring effort continues. There have been 2,200 job offers made, and there are just under 800 jobs left to offer. MGM conducted another hiring event on June 18th and 19th. There were 520 job offers made, to which 53% were Springfield residents.

Licensing Division

See transcript pages 12 - 135

10:12 a.m. **MGM Vendor Employee Exemption Request**

Paul Connelly, Director of the Licensing Division, requested that the Commission approve the exemption of 20 Gaming Service Employee (SER) job positions from the mandatory registration process. Four of the positions are employed by MGM while 18 of the positions are employed by vendors to perform work on-site at MGM Springfield. There were originally 22 positions listed in the packet; however two positions were withdrawn from the request after careful consideration.

10:15 a.m. *Commissioner Stebbins moved that the Commission approve the Gaming Service Employee exemptions for the MGM Springfield positions as included in the packet, as well as the Vendor Employee positions as provided for in the packet, excluding the two Facilities positions. Commissioner Cameron seconded. The Motion passed 5 – 0.*

MGM Gaming Beverage License

Director Connelly presented MGM Springfield's application for a Gaming Beverage License, and recommended that the Commission approve the application pending the submission of information regarding jointly

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responsible parties, as well as any conditions that the Commission deem appropriate.

Director Connelly described three components of this application for the Commission to consider and discuss. First was the general beverage license, second was the alcohol service on the gaming floor from 2 a.m. to 4 a.m., and the third was the outdoor plaza. The Commission asked that MGM start by speaking about their specific plans for the outdoor area.

Mike Mathis, President/COO of MGM Springfield first made an announcement that they have partnered with Regal Cinemas, a vendor who will provide a luxury seven screen movie complex in the retail plaza.

10:25 a.m. Seth Stratton, Vice President & General Counsel of MGM Springfield then presented MGM Springfield's plan for safety, security, and surveillance for beverage consumption in the outdoor plaza. Attorney Stratton reported that Springfield is trying to develop a walkable entertainment district. He referenced successful outdoor events that involve entertainment and consumption of alcohol in downtown Springfield, which are run by the Springfield Business Improvement District (BID).

Chris Russell, Executive Director of the Springfield BID reported on his experience with outdoor event programming in downtown Springfield over the last four years to the Commission. He reported that these events have been issue-free.

Attorney Stratton further described MGM Springfield's safety, security, and surveillance plan proposing alcohol service until midnight, a 24/7 surveillance program, alcohol served in plastic cups, and security protocols.

10:54 a.m. Commissioner Stebbins asked Director Bedrosian what type of training is being conducted with gaming agents, Massachusetts State Police, and Springfield Police units to facilitate awareness of all the issues and circumstances that may arise during the execution of some of these events.

Director Bedrosian described a regulatory component that is handled by gaming agents, and a criminal component that is handled by the Gaming Enforcement Unit, Massachusetts State Police, and Springfield Police.

There was discussion around how alcohol would be served in plastic and/or glass when patrons move from inside to outside, and about how wristbands would be used.

11:12 a.m. Commissioner Stebbins suggested putting a condition on the license that a 90 day review be conducted, after the opening in August. He also suggested giving Executive Director Bedrosian the authority to suspend a portion of the license

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until the Commission has a chance to work with MGM modify, review, or correct an issue arising from outdoor alcohol service.

[11:18 a.m.](#) Director Bedrosian requested that as part of the license conditions, there be staff approval with the GEU and the ABCC of the activation of the outside plaza area. For example, he referenced that the GEU could determine any physical barriers and security measures that they believe could be enhanced, such as installing a camera in the back alley. Should they make such determinations, staff would have authority to do that before giving final approval for the beverage license in that area.

[11:37 a.m.](#) Director Connelly addressed MGM's license request to serve alcohol on the gaming floor between the hours of 2 a.m. and 4 a.m. He explained how MGM Springfield will shift from regular service to the 2 a.m. to 4 a.m. plan.

Attorney Stratton stated that he met with a couple of different stakeholder groups, in particular the City of Springfield; both the Casino Oversight Committee of the City Council as well as the mayor discussed how MGM is going to handle the license. He also had two meetings with law enforcement from Chicopee, Longmeadow, and Springfield. He reported that no formal position has been taken by any of the agencies.

[11:52 a.m.](#) Chairman Crosby summarized the two conditions that Commissioner Stebbins requested for the Commission. The first was to give the Executive Director the authority to suspend any of the approvals that the Commission gives on a real-time basis, and then to report back at the next Commission meeting with any corrective actions taken. The second request was that there is a three-month review of MGM's alcohol beverage license concerning the outdoor service and 2 am-4 am service.

Mr. Mathis assured the Commission that they have MGM's full commitment. He also stated that he would report back in 90 days even if MGM was not required to do so.

[11:56 a.m.](#) Commissioner O'Brien stated that she has public safety concerns, and concerns regarding extended access to alcohol in the Commonwealth. She further stated that she is not convinced that it is in the best interest of the Commonwealth to extend the service of alcohol from 2 a.m. to 4 a.m. and is not in favor of the extension.

Director Bedrosian requested an additional condition regarding the outdoor plaza, to have the staff conduct one final walk through before the property opens to make sure the Gaming Agents, GEU, ABCC approve of the plan.

[12:00 p.m.](#) *Commissioner Stebbins moved that the commission approve the gaming beverage license for MGM Springfield as provided in the packet with*

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consideration of the conditions already presented by Director Connelly, and with the following added conditions:

- 1. The Commission review the alcohol license 90 days after the opening of MGM Springfield;*
- 2. The Executive Director have the opportunity to review the outdoor service plan with Commission staff, GEU, ABCC and the licensee prior to opening; and*
- 3. The Commission authorize the Executive Director to suspend any portion of the license or modify any staffing or procedures of the license for compliance and report back to the full Commission at the next convenient meeting.*

Commissioner Cameron seconded.

The Motion passed 4 – 1 with Commissioner O’Brien opposed.

Legal Division

See transcript pages 135 - 237

12:03 p.m. **Penn National Gaming – Gaming and Leisure Properties, Inc. (GLPI) Legal Issues**

Deputy General Counsel Todd Grossman introduced a transfer of interest matter involving GLPI and Penn National Gaming.

He explained that Plainridge Park Casino, owned by Plainridge Gaming and Redevelopment LLC, a subsidiary of Penn National Gaming, will be transferred to an entity owned by GLPI.

The first preliminary matter pertained to the length of the term of the lease between GLPI and Plainridge Gaming and Redevelopment and the second matter pertains to the one of the terms of the trust agreement that is required by the Commission’s transfer regulations.

Deputy General Counsel Grossman explained the statutory interpretation issue regarding the length of the term of the lease and brought to the Commission’s attention the term of the trust agreement for their consideration. Deputy General Counsel Grossman reported that the Legal Division as well as the Investigations and Enforcement Unit (IEB) supports the the legal interpretations forwarded to the Commission that day by the petitioners.

12:49 p.m. Attorney Jonathan Albano, representing Penn National Gaming and GLPI presented the positions of the parties and discussed the issues at hand.

Loretta Lillios, Chief Enforcement Counsel stated that the IEB would return to the commission at an August Commission meeting to request an interim authorization, where the IEB will have preliminary recommendation regarding suitability.

1:25 p.m. *Commissioner Zuniga moved that the Commission approve the terms of the trust agreement as presented. Commissioner O’Brien seconded.*

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The Motion passed 5 – 0.

Commissioner Zuniga further moved that the Commission agree with the staff's recommendation on G.L. c. 23K § 15 that pertains to applicants, specifically the 60 year provision relative to lease of the land, does not apply to current licensees. Commissioner O'Brien seconded.

The motion passed 5 – 0.

[1:35 p.m.](#)

MGM Request for Waiver from CPR Training

General Counsel Catherine Blue presented a request from MGM Springfield and the Massachusetts Casino Careers Training Institute (MCCTI) for a waiver of the requirement set forth in 205 CMR 137.02(a)(12) requiring CPR training, for all attendees of the MCCTI Gaming School participating in table games training.

The reasons cited by MGM for their request are that essentially medical emergencies are “handled by a trained security staff under the MGM Springfield’s Emergency Response Plan, and that any time spent training on anything other than core skills would be a detriment to the students ability to be ready for an audition with the company.”

[1:40 p.m.](#)

Commissioner Zuniga stated that a dealer being trained to recognize symptoms in order to immediately respond by calling security as a result of going through CPR training would actually serve the public interest.

Commissioner Stebbins stated that he was reluctant to grant the exemption, as the regulations should be revisited to determine if they can meet the standards set forth in the exemption.

FOLLOW-UP

[Commissioner Zuniga stated that he feels that the waiver request does not meet the standards set up by the Commission for waivers, and that the Commission could revisit this issue in the future concerning the curriculum.]

[1:25 p.m.](#)

Commissioner Zuniga moved that the Commission deny the waiver petition from MGM MCCTI relative to the training on CPR measures as presented and discussed today. Commissioner Cameron seconded.
The Motion passed 5 – 0.

[1:56 p.m.](#)

Final Draft Version of 205 CMR 101.00: Adjudicatory Proceedings and Amended Small Business Impact Statement

The Commission reviewed the final draft version of this regulation as well as approval of the Amended Small Business Impact Statement in order to complete the promulgation process.

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The Commission reviewed this regulation and the proposed amendments therein, relevant to the adjudicatory proceedings of the Commission, to include hearings before the Commission and hearing officer, orders, review process, and decisions.

1:58 p.m.

*Commissioner Cameron moved that the Commission approve the Amended Small Business Impact Statement for 205 CMR 101.00: Adjudicatory Proceedings as included in the packet. Commissioner Zuniga seconded.
The Motion passed 5 – 0.*

*Commissioner Cameron further moved that the Commission approve the version of the amendments to 205 CMR 101.00: Adjudicatory Proceedings, as included in the packet and authorize the staff to take all steps necessary to finalize the regulatory promulgation process. Commissioner Zuniga seconded.
The Motion passed 5 – 0.*

Final Draft Version of 205 CMR 115.00 et al.: (Hearing Procedure Updates) and Amended Small Business Impact Statement

The Commission reviewed the proposed regulations and amendments that clarify authority and ensure that all decisions in adjudicatory proceedings made by the Commission, hearing officer, and internal divisions have clear processes.

1:59 p.m.

*Commissioner Stebbins moved that the Commission approve the Amended Small Business Impact Statement for the amendments to 205 CMR 115.00 et al: Hearing Procedure Updates, as included in the packet. Commissioner Cameron seconded.
The Motion passed 5 – 0.*

*Commissioner Stebbins further moved that the Commission approve the version of the amendments to 205 CMR 115.00 et al: Hearing Procedure Updates, as included in the packet and authorize the staff to take all steps necessary to finalize the regulatory promulgation process. Commissioner Cameron seconded.
The Motion passed 5 – 0.*

Final Draft Version of 205 CMR 138.62: Payment of Table Game Progressive Payout Wagers; Supplemental Wagers Not Paid from the Table Inventory and Amended Small Business Impact Statement

The Commission reviewed this added new section that is an internal control related to table game progressive equipment and procedures.

1:59 p.m.

*Commissioner Cameron moved that the Commission approve the Amended Small Business Impact Statement for the amendments to 205 CMR 138.62: Payment of Table Game Progressive Payout Wagers; Supplemental Wagers Not Paid from the Table Inventory, as included in the packet. Commissioner Zuniga seconded.
The Motion passed 5 – 0.*

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Commissioner Cameron further moved that the Commission approve the version of 205 CMR 138.62: Payment of Table Game Progressive Payout Wagers; Supplemental Wagers Not Paid from the Table Inventory, as included in the packet and authorize the staff to take all steps necessary to finalize the regulatory promulgation process. Commissioner Stebbins seconded. The Motion passed 5 – 0.

Final Draft Version of 205 CMR 143.02: Progressive Gaming Devices and Amended Small Business Impact Statement

The Commission reviewed amendments to the Commission’s adoption of a particular technical standard to ensure that the standard applies to progressive devices used at table games as well as at slot machines.

[2:00 p.m.](#)

Commissioner O’Brien moved that the Commission approve the Amended Small Business Impact Statement for the amendments to 205 CMR 143.02: Progressive Gaming Devices, as included in the packet. Commissioner Zuniga seconded. The Motion passed 5 – 0.

Commissioner O’Brien further moved that the Commission approve the version of 205 CMR 205 CMR 143.02: Progressive Gaming Devices, as included in the packet and authorize the staff to take all steps necessary to finalize the regulatory promulgation process. Commissioner Cameron seconded. The Motion passed 5 – 0.

Final Draft Version of 205 CMR 146.23: Chase the Flush Table; Physical Characteristics and Amended Small Business Impact Statement

The Commission reviewed this new section outlines the standards applicable to the equipment used in a specific table game offered for play in a gaming establishment.

[2:01 p.m.](#)

Commissioner Zuniga moved that the Commission approve the Amended Small Business Impact Statement for the amendments to 205 CMR 146.23: Chase the Flush Table; Physical Characteristics, as included in the packet. Commissioner Stebbins seconded. The Motion passed 5 – 0.

Commissioner Zuniga further moved that the Commission approve the version of 205 CMR 146.23: Chase the Flush Table; Physical Characteristics, as included in the packet and authorize the staff to take all steps necessary to complete the regulatory promulgation process. Commissioner Zuniga seconded. The Motion passed 5 – 0.

Final Draft Version of 205 CMR 146.63: Progressive Wager Equipment and Amended Small Business Impact Statement

The Commission reviewed this section that addresses progressive wager equipment as it pertains to table games.

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[2:03 p.m.](#) *Commissioner Stebbins moved that the Commission approve the Amended Small Business Impact Statement for 205 CMR 146.63: Progressive Wager Equipment, as included in the packet. Commissioner Zuniga seconded.
The Motion passed 5 – 0.*

*Commissioner Cameron further moved that the Commission approve the version of 205 CMR 146.63: Progressive Wager Equipment, as included in the packet and authorize the staff to take all steps necessary to finalize the regulatory promulgation process. Commissioner Cameron seconded.
The Motion passed 5 – 0.*

Final Draft Version of 205 CMR 146.59: Criss Cross Poker Tables; Physical Characteristics and Amended Small Business Impact Statement

The Commission reviewed this section that outlines the standards applicable to the equipment used in a specific table game offered for play in a gaming establishment.

[2:03 p.m.](#) *Commissioner Cameron moved that the Commission approve the Amended Small Business Impact Statement for 205 CMR 146.59: Criss Cross Poker Tables; Physical Characteristics, as included in the packet. Commissioner Zuniga seconded.
The Motion passed 5 – 0.*

*Commissioner Cameron further moved that the Commission approve the version of 205 CMR 146.59: Criss Cross Poker Tables as included in the packet and authorize the staff to take all steps necessary to begin the regulatory promulgation process. Commissioner Zuniga seconded.
The Motion passed 5 – 0.*

Final Draft Version of 205 CMR 146.58: Crazy 4 Poker Table; Physical Characteristics and Amended Small Business Impact Statement

The Commission reviewed this amendment correcting a cited regulation within the section.

[2:04 p.m.](#) *Commissioner O'Brien moved that the Commission approve the Amended Small Business Impact Statement for the amendments to 205 CMR 146.58: Crazy 4 Poker Table, as included in the packet. Commissioner Cameron seconded.
The Motion passed 5 – 0.*

*Commissioner O'Brien further moved that the Commission approve the version of 205 CMR 146.58: Crazy 4 Poker Table, as included in the packet and authorize the staff to take all steps necessary to finalize the regulatory promulgation process. Commissioner Cameron seconded.
The Motion passed 5 – 0.*

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Draft Version of Amendment to 205 CMR 135.01: Definitions, and 205 CMR 139.04: Reports and Information to Be Filed with the Commission and Small Business Impact Statement

The Commission reviewed these amendments that update the process by which the Commission recognizes entities certified as Veteran Business Enterprises are recognized by the Supplier Diversity Office.

[2:10 p.m.](#)

*Commissioner Stebbins moved that the Commission approve the Small Business Impact Statement for the amendments to 205 CMR 135.01: Definitions, and 205 CMR 139.04: Reports and Information to Be Filed with the Commission, as included in the packet. Commissioner Cameron seconded.
The Motion passed 5 – 0.*

*Commissioner Stebbins further moved that the Commission approve the version of the amendments to 205 CMR 135.01: Definitions, and 205 CMR 139.04: Reports and Information to Be Filed with the Commission, as included in the packet and authorize the staff to take all steps necessary to begin the regulatory promulgation process. Commissioner Cameron seconded.
The Motion passed 5 – 0.*

Draft Version of Amendment to 205 CMR 140.04: Reports and Reconciliation Regarding Gross Gaming Revenue Tax and Small Business Impact Statement

The Commission reviewed this amendment updates the protocol for processing the monthly gross gaming revenue report that is filed with the Commission.

Commissioner O'Brien noted that the word "be" is missing from the draft version, and should read, "shop to be refunded". She also requested that these amendments be written in active voice in lieu of passive voice, to be compatible with the language throughout the regulation.

[2:12 p.m.](#)

*Commissioner Cameron moved that the Commission approve the Small Business Impact Statement for the amendments to 205 CMR 140.04: Reports and Reconciliation Regarding Gross Gaming Revenue Tax, as included in the packet. Commissioner Zuniga seconded.
The Motion passed 5 – 0.*

*Commissioner Cameron further moved that the Commission approve the version of the amendments to 205 CMR 140.04: Reports and Reconciliation Regarding Gross Gaming Revenue Tax, as included in the packet and authorize the staff to take all steps necessary to begin the regulatory promulgation process. Commissioner Zuniga seconded.
The Motion passed 5 – 0.*

Commissioner's Updates

See transcript pages 237 - 241

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Commissioner Cameron was on a gaming conference panel in Niagara Falls. The Gaming Commission received accolades for Responsible Gaming, PlayMyWay, and GameSense research. Commissioner Cameron reported that they were most interested in sports betting and what the U.S. will do state by state. While she was there, Canada's senate passed cannabis on a recreational basis, and gave it to each province's gaming regulators to regulate.

Commissioner Stebbins talked to the Governor's Advisory Commission on Travel and Tourism. He updated them on where the Gaming Commission is with licensees, and what their impact is going to be, as well as the direction of some of the monies that come from the taxes on Class 1 licensees.

He also reported that there was considerable general interest from other regional tourism councils in finding opportunities to work with licensees statewide.

2:17 p.m. *Having no further business, a motion to adjourn was made by Commissioner Cameron. Commissioner Zuniga seconded the motion. The Motion passed unanimously.*

List of Documents and Other Items Used

1. Notice of Meeting and Agenda, dated June 21, 2018
2. MGM and Vendor Employee Exemption Memo
3. MGM Vendor Employee Exemption Request
4. MGM Gaming Beverage Application Memo
5. MGM Gaming Beverage Application form
6. MGC Beverage License Package and Related Information, dated June 19, 2018
7. MGM Liquor License Comments, dated June 4, 2018
8. DPH Information – Alcohol Sales Expansion Links
9. Popova S Hours of Operation
10. Hahn RA Effectiveness of Policies Restricting Hours
11. Casino and Alcohol Related Accidents
12. PMG PGR and GLPI Applications
13. Plainridge Trust
14. MGC – Waiver Request for CPR Training
15. 205 CMR 101.00 Amended Small Business Impact Statement
16. 205 CMR 101.00 Final Draft Regulation
17. 205 CMR 115.00 et al. Amended Small Business Impact Statement
18. 205 CMR 115.00 et al. Final Draft Regulation
19. 205 CMR 138.62 Amended Small Business Impact Statement
20. 205 CMR 138.62 Final Draft Regulation
21. 205 CMR 143.02 Amended Small Business Impact Statement
22. 205 CMR 143.02 Final Draft Regulation
23. 205 CMR 146.23 Amended Small Business Impact Statement

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24. 205 CMR 146.23 Final Draft Regulation
25. 205 CMR 146.63 Amended Small Business Impact Statement
26. 205 CMR 146.63 Final Draft Regulation
27. 205 CMR 146.59 Amended Small Business Impact Statement
28. 205 CMR 146.59 Final Draft Regulation
29. 205 CMR 146.58 Amended Small Business Impact Statement
30. 205 CMR 146.58 Final Draft Regulation
31. 205 CMR 135.01 & 205 CMR 139.04 Small Business Impact Statement
32. 205 CMR 135.01 & 205 CMR 139.04 Draft Regulation
33. 205 CMR 140.04 Small Business Impact Statement
34. 205 CMR 140.04 Draft Regulation
35. MGM Gaming License Memo, dated May 22, 2018
36. MGM Comment – City of Springfield
37. MGM Comment – MRA Letter to MGC re: 4:00 a.m. Alcohol Service

/s/ Catherine Blue
Assistant Secretary

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Massachusetts Gaming Commission Meeting Minutes

Date/Time: June 26, 2018 – 5:30 p.m.

Place: Plainville Council on Aging
9 School Street
Plainville, MA

Present: Chairman Steve Crosby
Commissioner Gayle Cameron
Commissioner Eileen O'Brien
Commissioner Bruce Stebbins

Absent: Commissioner Zuniga

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

Call to Order

See transcript page 2

5:45 p.m. Chairman Crosby called to order the 246th Commission meeting. Chairman Crosby introduced distinguished visitors in the audience – Senator Richard Ross; Representative Liz Poirier; Jennifer Thompson, Plainville Town Administrator; George Sutherland and Jeff Johnson, Plainville Selectmen; Fire Chief Justin Alexander and Police Chief James Alfred.

Approval of Minutes

See transcript pages 3 - 5

5:45 p.m. Commissioner Stebbins asked the Commission to note the item in the June 7 minutes at the top of page 6. He stated that we are doing this with the minutes so that we can be reminded of follow-up items from the commission meeting.

Commissioner Stebbins moved to approve the minutes of the meeting of June 7, 2018, subject to correction for typographical errors and other nonmaterial matters. Commissioner Cameron seconded the motion. The motion was approved 4 – 0.

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Presentation of Plainridge Park Casino Q1 Quarterly Report

See transcript pages 6 - 20

[5:47 p.m.](#) Ombudsman John Ziemba introduced Reuben Warren, Vice President and CFO, Plainridge Park Casino, Kim Dixon, Vice President Human Resources, Plainridge Park Casino; and Michelle Collins, Vice President Marketing, Plainridge Park Casino, who were here to present the Plainridge Park Casino quarterly report for the first quarter of 2018.

CFO Warren reviewed gaming revenues and taxes paid to the Commonwealth, lottery sales, Plainridge Park Casino vendor spend by state, Plainridge Park Casino local vendor spend, vendor diversity (goals and actual first quarter 2018 compared to fourth quarter 2017) and compliance (patron checks, number of minors and number of underage).

Vice President of Human Resources Dixon presented the employee numbers; the total number of employees that are full time and part-time, the employee diversity numbers, the number of veterans, the number of females and males and the number of Massachusetts and local employees. Ms. Dixon also described the Penn National Women in Leadership Program. The first event takes place on September 25 and Commissioner Cameron has agreed to be the keynote speaker.

Vice President of Marketing Michelle Collins presented on Plainridge Park Casino's local Community activities, such as support for the Relay for Life, Winning Wednesdays, the North Attleboro YMCA, Habitat for Humanity and Lenore's Pantry. She also presented on partnerships with the Wrentham Outlets, Celtics and Bruins. First quarter 2018 activities at Plainridge Park Casino included boxing matches, a Celtics viewing party, and a swing band. In the second quarter, Plainridge Park Casino is looking forward to celebrating its third anniversary, opening its VIP High Limit area and receiving donations for National Pet Day.

Commissioner Stebbins asked about events with the Xfinity Center and the TPC. Ms. Collins stated that they are doing promotions that send guests to concerts at the Xfinity Center and to play golf at the TPC.

Commissioner Cameron congratulated Plainridge Park Casino on the Women's Leadership Event. Ms. Collins explained that the women's group consists of sixteen women and that Penn National mentors the women and works with them on their careers.

Presentation: Economic and Social Impacts of Plainridge Park Casino on Plainville and Surrounding Communities

See transcript pages 20 - 77

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[6:05 p.m.](#)

Chairman Crosby presented the results of the studies done on the economic and social impacts of Plainridge Park Casino on Plainville and the surrounding communities. Chairman Crosby explained that these studies are mandated by the gaming act. He introduced Dr. Rachel Volberg from UMass Amherst who is one of the foremost gaming researchers in the world and is leading the study for the Commission as well as Mark Vander Linden, the Commission's Director of Research and Responsible Gaming who works with Dr. Volberg on the research agenda. Chairman Crosby explained that the slides that he is using are from the SEIGMA research and that he has taken information from the study and simplified it for time constraints and better understanding.

The Chairman explained that there are two main studies, SEIGMA, which is the baseline study and MAGIC, which is the cohort study. Chairman Crosby described the key methodological principles of the study which included how much money was involved in gaming at Plainridge Park Casino and where did it go; assessing the impacts for the years before the casino opened and the years after the introduction of gaming; and assessing the economic and social impacts of gaming on the community. The studies use multiple sources of information and compare changes in Plainville and the surrounding communities to matched control communities.

The first section of the presentation looked at a long list of possible social impacts, such as crime and attitudes toward gaming. The finding in this section is that there was no change in the amount of problem gambling or at risk gambling in Plainville and the surrounding communities between 2014 and 2016. There was no significant change in gamblers wanting or seeking help and no significant changes in gamblers reporting negative impacts from gambling. There were also no reported changes in the number of Gamblers' Anonymous meetings in the area according to the Secretary for the Northeast Gamblers Anonymous. There was no significant change in the number of personal bankruptcies in Norfolk County and no significant change in the number of divorce filings.

The second section of the presentation looked at crime. Chairman Crosby stated that the study determined that there was no significant increase in crime in Plainville. There was a temporary increase in reports of lost property and credit card fraud. However, the reports of credit card fraud were scrubbed by the Plainville police department and they did not find a connection between the casino and credit card fraud. The Plainville police department shows increases in property crime and calls at the casino. The Plainville Police Chief James Alfred stated that given the increase in the number of people at the casino, it would be normal to see increases in crime or calls for service. Commissioner Cameron stated that the success rate for solving crimes at the casino is very high due to the outstanding surveillance systems there.

Senator Ross thanked the Commission for coming to Plainville and presenting this information.

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Plainville and the surrounding communities showed a decrease in property and total crimes and a small increase in violent crimes. The increase in violent crimes was not related to the casino. Chairman Crosby explained that the Commission's crime analyst goes over his findings with each police department. Commissioner Cameron expressed her gratitude to the police departments in Plainville and the surrounding communities for embracing this project.

The next section of the presentation addressed attitudes toward gambling. The study shows a decrease in the number of people who think that there is not enough gambling available, a decrease in the number of people who think that casinos are beneficial and an increase in the number of people who think casinos are neither harmful or beneficial. Overall, people in Plainville are pleased with the casino.

The next section of the presentation addressed health and environmental impacts of the casino. The study showed no significant change in health, happiness or stress in Plainville and the surrounding communities. There were no changes in the demographics of Plainville. Plainville's population did increase but that started before the casino opened. The environmental impacts consisted mostly of noise complaints during construction. The study found that traffic increased and traffic complaints have increased. The number of traffic fatalities have increased in Norfolk County in general but this was not attributed to the casino.

In summary, the Chairman stated that the lack of impacts may have been due to the fact that gambling was already available close by in Rhode Island and Connecticut. There were no impacts on health and the area did see an increase in traffic.

The Chairman then moved on to present on the economic impacts of the casino. He described the results of the study on direct expenditures by the casino. The study showed that 87% of the direct expenditures were made in Massachusetts and predominately in Norfolk and Bristol counties. Eighty-one percent of the construction employees building the casino came from Massachusetts. Chairman Crosby explained that 95% of the casino's operating revenue came from gambling; 11% of the patrons came from Plainville and 66% came from other parts of Massachusetts. The largest portion of the revenue was recaptured spend by in-state patrons who would have gone out of state to gamble.

Commissioner Stebbins explained that the Commission wondered whether the fact that casinos in Massachusetts are non-smoking would impact patron visits to the casino. The Commission has received positive feedback on that from both casino employees and patrons.

DRAFT

Chairman Crosby stated 68% of the people hired by the casino came from Massachusetts. Approximately 800 people have been hired. There are approximately 500 jobs at the casino. The difference in the numbers is due to employee turnover. The Chairman stated that 50% of the jobs at the casino went to people who were unemployed or underemployed.

The study noted a small increase in businesses in the area. Town officials noted that they have seen an increase in interest in parcels along route 1 near the casino for use as hotels, housing and restaurants. There has been a significant increase in the number of races at the Plainridge Park race course since the casino opened. There has also been a significant increase in lottery sales in Plainville.

The study showed an increase in the employment numbers for Plainville, which was tied to the casino. Town officials stated that they saw an increase in wages and a decrease in poverty which was likely tied to the casino. Poverty increased in Norfolk County and the Commonwealth as a whole but was significantly lower in Plainville. There was no impact on housing in Plainville. There was an increase in the prices of single family homes in Plainville but that was also the case in the rest of the Commonwealth. The study found that the casino did not negatively impact housing prices.

The study showed some increase in the costs of government in Plainville such as increased police cost but these costs were offset by the host community payments and revenue from the casino.

The casino provides \$60 to 70 million to local aid. The state lottery provides approximately \$1 billion.

The Chairman stated that folks can come to their own conclusions regarding the impacts of the casino but the Commission wants the public to know that the Commission takes seriously the Gaming Act's mandate to study the impacts of expanded gaming in the Commonwealth. So far, things look good. There are many years to come and two larger casinos to open. The Commission will continue to study the impacts.

Chairman Crosby asked if there were any questions and there were none. Commissioner Cameron stated that this is a good news story. Chairman Crosby advised folks to go to the Commission's website for more detailed information on the studies.

7:00 pm

Having no further business, a motion to adjourn was made by Commissioner Cameron. Commissioner Stebbins seconded the motion. The Motion passed unanimously.

List of Documents and Other Items Used

DRAFT

1. Notice of Meeting and Agenda, dated June 21, 2018
2. Commission Meeting Minutes Draft dated June 7, 2018
3. Q1 2018 PPC Quarterly Report
4. 2018-6-26 Crosby Presentation

/s/ Catherine Blue
Assistant Secretary



Division of Racing

MEMORANDUM

TO:	Massachusetts Gaming Commission / State Racing Division
FROM:	Douglas A. O'Donnell, Revenue Manager/Senior Financial Analyst
SUBJECT:	Local Aid Distribution
DATE:	July 19, 2018

In accordance with Section 18D of Chapter 58, local aid is payable to each city and town within which racing activities are conducted. Amounts are computed at .35 percent times amounts wagered during the quarter ended six months prior to the payment.

- Local Aid Quarterly Payment – June 30, 2018 \$184,770.13

With the Commission's authorization payments will be made to the appropriate cities and towns.



Massachusetts Gaming Commission

101 Federal Street, 12th Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | www.massgaming.com

Massachusetts Gaming Commission / State Racing Division

Computation of Local Aid Distributions

Qtr ending 6/30/2018

	Total handles			Local Aid @ .0035	Pay to
	Oct	Nov	Dec		
Suffolk Downs -					
On track			10,604,276		
Exports			386,077		
TVG			12,028,188		
Xpress Bets			2,654,755		
Twin Spires			6,884,100		
NYRA Bets			1,503,100		
Total			<u>34,060,496</u>	<u>119,211.74</u>	Boston (2/3) & Revere (1/3)
Plainridge -					
On track			7,150,245		
Exports			3,929,839		
Hollywood Bets			910,011		
Total			<u>11,990,095</u>	<u>41,965.33</u>	Plainville
Raynham-Taunton					
On track			6,544,407		
Exports					
Total			<u>6,544,407</u>	<u>22,905.42</u>	Raynham
Wonderland - @ Suffolk Location					
On track			196,467		
Exports					
Total			<u>196,467</u>	<u>687.63</u>	Boston (2/3) & Revere (1/3)
Grand total			<u>52,791,465</u>	<u>184,770.13</u>	

Distributions -

City of Boston (line 1)	79,474.89	On Suffolk
City of Revere (line 1)	39,736.85	On Suffolk
City of Boston (line 2)	458.43	On Wonderland @ Suffolk Location
City of Revere (line 2)	229.21	On Wonderland @ Suffolk Location
Town of Plainville	41,965.33	On Plainridge
Town of Raynham	22,905.42	On Raynham-Taunton
Total	<u>184,770.13</u>	

Payments should be made to the above communities for the amounts indicated.

Reference

Racing local aid q/e 06/18

dao

In accordance with Section 18D of Chapter 58, local aid is payable to each city and town within which racing activities are conducted. Amounts are computed at .35 percent times amounts wagered during the quarter ended six months prior to the payment.

Suffolk Downs Billing Report

Period Reviewed: 10/1/2017 to 12/31/2017

	Out of State Running Horse Signal	Out of State Harness Horse Signal	Import of Out of State Greyhound Signal	Intra-State Simulcast of Suffolk Signal	Intra-State Simulcast of Plainridge	Live Racing	Period Totals
Breaks	\$43,361.36	\$597.11	\$1,876.53		\$70.49	\$887.07	\$46,792.56
WPS	\$3,375,183.96	\$26,093.00	\$90,210.00		\$3,901.00	\$53,209.00	\$3,548,596.96
Exotics	\$6,161,970.38	\$101,096.20	\$727,105.90		\$12,842.40	\$52,664.40	\$7,055,679.28
Total Handle	\$9,537,154.34	\$127,189.20	\$817,315.90		\$16,743.40	\$105,873.40	\$10,604,276.24

Fees to the Commission

Commission	\$35,764.33	\$476.96	\$3,064.93		\$62.79	\$794.05	\$40,163.06
Daily Open Licensing Days	64	Multiplied by	\$300.00			Total Open Licensing Fee	\$19,200.00
Daily Assessment Days	92	Multiplied by	\$1,362.95			Total Daily Assessment Fee	\$125,391.40
Total Fees to Commission							\$184,754.46

Trust Fund Fees

Running Horse Cap Improvement Fund	\$43,361.36					\$887.07	\$44,248.43
Running Horse Promotional Fund	\$11,921.44					\$264.68	\$12,186.13
Harness Cap Improvement Fund		\$1,102.59			\$134.70		\$1,237.29
Harness Promotional Fund		\$505.48			\$64.21		\$569.69
Greyhound Cap Improvement Fund			\$2,043.29				\$2,043.29
Greyhound Promotional Fund			\$2,043.29				\$2,043.29
Racing Stabilization Fund							

Total Trust Fund Fees \$61,176.37

Total Paid to the Commission \$247,082.58

TVG

Import of Out of State Greyhound Signal (NA Suffolk)	Intra- State Simulcase of Suffolk (NA Suffolk)	Intra- State Simulcast of Plainridge	Live Racing Suffolk	Live Racing Plainridge	Weekly Total
\$270,283.00		\$0.00	\$0.00		\$3,805,780.00
\$649.27		\$0.00			\$17,381.75
\$39,939.00		\$0.00			\$1,454,136.00
\$230,344.00		\$0.00			\$2,351,644.00
					Distrib
					\$0.00
					\$0.00
\$1,013.56		\$0.00	\$0.00		\$14,271.68
			\$0.00		\$14,426.23
			\$0.00		\$3,991.22
		\$0.00			\$3,333.83
		\$0.00			\$1,027.58
\$1,351.42					\$1,351.42
\$2,364.98	\$0.00	\$0.00	\$0.00	\$0.00	\$38,401.95

TWIN SPIRES

Import of Out of State Greyhound Signal (NA Suffolk)	Intra- State Simulcase of Suffolk (NA Suffolk)	Intra-State Simulcast of Plainridge	Live Racing Suffolk	Live Racing Plainridge	Weekly Total
\$50,473.00		\$0.00	\$0.00		\$2,074,292.00
\$194.20		\$0.00	\$0.00		\$11,320.47
\$7,570.00		\$0.00	\$0.00		\$817,097.00
\$42,903.00		\$0.00	\$0.00		\$1,257,195.00
					Distribu
					\$0.00
					\$0.00
\$189.27		\$0.00	\$0.00		\$7,778.60
			\$0.00		\$9,622.17
			\$0.00		\$2,203.94
		\$0.00			\$2,286.12
		\$0.00			\$782.02
\$252.37					\$252.37
\$441.64	\$0.00	\$0.00	\$0.00	\$0.00	\$22,925.20

X DCT

10/1/2017 10/31/2017									11/1/2017 11/30/2017	
Out of State Running Horse Signal	Out of State Harness Horse Signal	Import of Out of State Greyhound Signal (NA Suffolk)	Intra- State Simulcase of Suffolk (NA Suffolk)	Intra-State Simulcast of Plainridge	Live Racing Suffolk	Live Racing Plainridge	Weekly Total	Out of State Running Horse Signal		
\$759,646.00	\$64,862.00	\$0.00		\$10,576.00	\$3,528.00		\$838,612.00	\$906,583.00		
\$3,094.31	\$263.19			\$26.12	\$17.17		\$3,400.79	\$3,509.84		
\$303,858.00	\$25,960.00			\$1,446.00	\$1,011.00		\$332,275.00	\$362,633.00		
\$455,788.00	\$38,902.00			\$9,130.00	\$2,517.00		\$506,337.00	\$543,950.00		
Distribution to Different Funds							Distribution to Different Funds			
\$0.00							\$0.00	\$0.00		
\$0.00							\$0.00	\$0.00		
\$2,848.67	\$243.23	\$0.00		\$39.66	\$26.46		\$3,158.03	\$3,399.69		
\$3,094.31					\$17.17		\$3,111.48	\$3,509.84		
\$949.56					\$8.82		\$958.38	\$1,133.23		
	\$457.70			\$71.77			\$529.47			
	\$194.51			\$45.65			\$240.16			
		\$0.00					\$0.00			
\$0.00	\$6,892.54	\$895.44	\$0.00	\$0.00	\$157.08	\$52.45	\$0.00	\$7,997.51	\$0.00	\$8,042.76

12/1/2017
12/31/2017

Out of State Harness Horse Signal	Import of Out of State Greyhound Signal (NA Suffolk)	Intra-State Simulcast of Suffolk (NA Suffolk)	Intra-State Simulcast of Plainridge	Live Racing Suffolk	Live Racing Plainridge	Weekly Total	Out of State Running Horse Signal	Out of State Harness Horse Signal	Import of Out of State Greyhound Signal (NA Suffolk)
\$82,046.00	\$0.00		\$7,616.00	\$0.00		\$996,245.00	\$737,908.00	\$81,990.00	\$0.00
\$306.16			\$11.42	\$0.00		\$3,827.42	\$3,014.12	\$298.11	
\$32,818.00			\$886.00	\$0.00		\$396,337.00	\$273,026.00	\$31,156.00	
\$49,228.00			\$6,730.00	\$0.00		\$599,908.00	\$464,882.00	\$50,834.00	

Distribution to Different Funds

						\$0.00	\$0.00		
						\$0.00	\$0.00		
\$307.67	\$0.00		\$28.56	\$0.00		\$3,735.92	\$2,767.16	\$307.46	\$0.00
				\$0.00		\$3,509.84	\$3,014.12		
				\$0.00		\$1,133.23	\$922.39		
\$552.30			\$45.07			\$597.37		\$552.28	
\$246.14			\$33.65			\$279.79		\$254.17	
	\$0.00					\$0.00			\$0.00
\$1,106.11	\$0.00	\$0.00	\$107.28	\$0.00	\$0.00	\$9,256.15	\$0.00	\$6,703.66	\$1,113.91

Intra-State Simulcast of Suffolk (NA Suffolk)	Intra-State Simulcast of Plainridge	Live Racing Suffolk	Live Racing Plainridge	Weekly Total
	\$0.00	\$0.00		\$819,898.00
	\$0.00	\$0.00		\$3,312.23
	\$0.00	\$0.00		\$304,182.00
	\$0.00	\$0.00		\$515,716.00
				Distributi
				\$0.00
				\$0.00
	\$0.00	\$0.00		\$3,074.62
		\$0.00		\$3,014.12
		\$0.00		\$922.39
	\$0.00			\$552.23
	\$0.00			\$254.17
				\$0.00
\$0.00	\$0.00	\$0.00	\$0.00	\$7,817.57

NYRA Bets								NYR				
10/1/2017 10/31/2017								11/1/2017 11/30/2017				
Out of State Running Horse Signal	Out of State Harness Horse Signal	Import of Out of State Greyhound Signal (NA Suffolk)	Intra-State Simulcast of Suffolk (NA Suffolk)	Intra-State Simulcast of Plainridge	Live Racing Suffolk	Live Racing Plainridge	Weekly Total	Out of State Running Horse Signal	Out of State Harness Horse Signal	Import of Out of State Greyhound Signal (NA Suffolk)		
\$530,347.08	\$12,456.37	\$0.00		\$293.17	\$822.09		\$543,918.71	\$554,232.65	\$12,376.00	\$0.00		
\$2,889.85	\$59.61			\$2.35	\$6.03		\$2,957.84	\$2,419.15	\$121.46			
\$190,924.02	\$8,487.11			\$191.14	\$314.61		\$199,916.88	\$186,955.00	\$6,428.00			
\$339,423.06	\$3,969.26			\$102.03	\$507.48		\$344,001.83	\$367,277.65	\$5,948.00			
Distribution to Different Funds								Distribution to Different Funds				
\$0.00							\$0.00	\$0.00				
\$0.00							\$0.00	\$0.00				
\$1,988.80	\$46.71	\$0.00		\$1.10	\$6.17		\$2,042.78	\$2,078.37	\$46.41	\$0.00		
\$2,889.85					\$6.03		\$2,895.88	\$2,419.15				
\$662.93					\$2.06		\$664.99	\$692.79				
	\$79.46			\$2.86			\$82.32		\$151.20			
	\$19.85			\$0.51			\$20.36		\$29.74			
		\$0.00					\$0.00			\$0.00		
\$0.00	\$5,541.59	\$146.01	\$0.00	\$0.00	\$4.47	\$14.25	\$0.00	\$5,706.32	\$0.00	\$5,190.31	\$227.35	\$0.00

Weekly Total

\$392,416.00

\$2,254.62

\$165,709.00

\$226,707.00

Distributi

\$0.00

\$0.00

\$1,471.56

\$2,128.24

\$465.18

\$155.87

\$29.49

\$0.00

\$4,250.33

Raynham Billing Report

Period Reviewed: 10/1/2017 to 12/31/2017

	Out of State Running Horse Signal	Out of State Harness Horse Signal	Import of Out of State Greyhound Signal	Intra-State Simulcast of Suffolk Signal	Intra-State Simulcast of Plainridge	Live Racing	Period Totals
Breaks	\$11,154.21	\$452.50	\$5,812.19		\$60.87		\$17,479.77
WPS	\$839,145.00	\$28,111.00	\$242,736.00		\$2,569.00		\$1,112,561.00
Exotics	\$2,154,354.70	\$116,288.90	\$3,144,082.40		\$17,120.30		\$5,431,846.30
Total Handle	\$2,993,499.70	\$144,399.90	\$3,386,818.40		\$19,689.30		\$6,544,407.30

Fees to the Commission

Commission	\$11,225.62	\$541.50	\$12,700.57		\$73.83		\$24,541.53
Daily Open Licensing Days	90	Multiplied by	\$300.00		Total Open Licensing Fee		\$27,000.00
Daily Assessment Days	92	Multiplied by	\$295.68		Total Daily Assessment Fee		\$27,202.56
Total Fees to Commission							\$78,744.09

Trust Fund Fees

Running Horse Cap Improvement Fund	\$11,154.21						\$11,154.21
Running Horse Promotional Fund	\$3,741.87						\$3,741.87
Harness Cap Improvement Fund		\$1,033.94			\$146.47		\$1,180.42
Harness Promotional Fund		\$581.44			\$85.60		\$667.05
Greyhound Cap Improvement Fund			\$8,467.05				\$8,467.05
Greyhound Promotional Fund			\$8,467.05				\$8,467.05
Racing Stablization Fund			\$5,812.19				\$5,812.19
Total Trust Fund Fees							\$39,489.83

Total Paid to the Commission **\$118,233.92**

Plainridge Billing Report

Period Reviewed: 10/1/2017 to 12/31/2017

	Out of State Running Horse Signal	Out of State Harness Horse Signal	Import of Out of State Greyhound Signal	Intra-State Simulcast of Suffolk Signal	Intra-State Simulcast of Plainridge	Live Racing	Period Totals
Breaks	\$24,850.24	\$4,502.55	\$2,240.94	\$5.85		\$1,642.42	\$33,242.00
WPS	\$1,952,917.00	\$277,139.00	\$108,968.00	\$538.00		\$99,796.00	\$2,439,358.00
Exotics	\$3,293,327.75	\$863,313.54	\$1,215,708.18	\$1,049.40		\$247,500.04	\$5,620,898.91
Total Handle	\$5,246,244.75	\$1,140,452.54	\$1,324,676.18	\$1,587.40		\$347,296.04	\$8,060,256.91

Fees to the Commission

Commission	\$19,673.42	\$4,276.70	\$4,967.54	\$5.95		\$2,604.72	\$31,528.32
Daily Open Licensing Days	91	Multiplied by	\$300.00		Total Open Licensing Fee		\$27,300.00
Daily Assessment Days	92	Multiplied by	\$350.75		Total Daily Assessment Fee		\$32,269.00
Total Fees to Commission							\$91,097.32

Trust Fund Fees

Running Horse Cap Improvement Fund	\$24,850.24			\$5.85			\$24,856.09
Running Horse Promotional Fund	\$6,557.81			\$1.98			\$6,559.79
Harness Cap Improvement Fund		\$8,819.12				\$4,117.42	\$12,936.54
Harness Promotional Fund		\$4,316.57				\$2,475.00	\$6,791.57
Greyhound Cap Improvement Fund			\$3,311.69				\$3,311.69
Greyhound Promotional Fund			\$3,311.69				\$3,311.69
Racing Stabilization Fund							
Total Trust Fund Fees							\$57,767.37

Total Paid to the Commission **\$148,864.69**

PLAINRIDGE WINLINE Billing Report

Period Reviewed: 10/1/2017 to 12/31/2017

	Out of State Running Horse Signal	Out of State Harness Horse Signal	Import of Out of State Greyhound Signal	Intra-State Simulcast of Suffolk Signal	Intra-State Simulcast of Plainridge	Live Racing	Period Totals
Breaks	\$4,249.20	\$401.65	\$159.30	\$1.00		\$61.97	\$4,873.12
WPS	\$321,910.00	\$26,376.00	\$8,093.00	\$112.00		\$3,297.00	\$359,788.00
Exotics	\$403,941.65	\$61,209.45	\$71,889.93	\$175.20		\$13,007.07	\$550,223.30
Total Handle	\$725,851.65	\$87,585.45	\$79,982.93	\$287.20		\$16,304.07	\$910,011.30

Fees to the Commission

Commission	\$2,721.94	\$328.45	\$299.94	\$1.08		\$122.28	\$3,473.68
Daily Open Licensing Days	0	Multiplied by	\$300.00		Total Open Licensing Fee		\$0.00
Daily Assessment Days	0	Multiplied by	\$350.75		Total Daily Assessment Fee		\$0.00
Total Fees to Commission							\$3,473.68

Trust Fund Fees

Running Horse Cap Improvement Fund	\$4,249.20			\$1.00		\$192.04	\$4,442.24
Running Horse Promotional Fund	\$907.31			\$0.36		\$130.07	\$1,037.74
Harness Cap Improvement Fund		\$707.70					\$707.70
Harness Promotional Fund		\$306.05					\$306.05
Greyhound Cap Improvement Fund			\$199.96				\$199.96
Greyhound Promotional Fund			\$199.96				\$199.96
Racing Stabilization Fund							
Total Trust Fund Fees							\$6,571.53

Total Paid to the Commission **\$10,367.33**

Third Party Assessments

Tufts Veterinary Assessment							
MA Thoroughbred Breeders							
Premiums	\$14,517.03						\$14,517.03
Purses	\$29,034.07	\$3,503.42		\$26.16			\$32,563.65
InState Running Horse Signal Fee				\$31.59			\$31.59
Total Third Party Assessments							\$47,112.27

Plainridge Billing Report

Period Reviewed: 10/1/2017 to 12/31/2017

	Out of State Running Horse Signal	Out of State Harness Horse Signal	Import of Out of State Greyhound Signal	Intra-State Simulcast of Suffolk Signal	Intra-State Simulcast of Plainridge	Live Racing	Period Totals
Breaks	\$20,601.04	\$4,100.90	\$2,081.64	\$4.85		\$1,580.45	\$28,368.88
WPS	\$1,631,007.00	\$250,763.00	\$100,875.00	\$426.00		\$96,499.00	\$2,079,570.00
Exotics	\$2,889,386.10	\$802,104.09	\$1,143,818.25	\$874.20		\$234,492.97	\$5,070,675.61
Total Handle	\$4,520,393.10	\$1,052,867.09	\$1,244,693.25	\$1,300.20		\$330,991.97	\$7,150,245.61

Fees to the Commission

Commission	\$16,951.47	\$3,948.25	\$4,667.60	\$4.88		\$2,482.44	\$28,054.64
Daily Open Licensing Days		91	Multiplied by	\$300.00		Total Open Licensing Fee	\$27,300.00
Daily Assessment Days		92	Multiplied by	\$350.75		Total Daily Assessment Fee	\$32,269.00
Total Fees to Commission							\$87,623.64

Trust Fund Fees

Running Horse Cap Improvement Fund	\$20,601.04			\$4.85			\$20,605.89
Running Horse Promotional Fund	\$5,650.49			\$1.63			\$5,652.12
Harness Cap Improvement Fund		\$8,111.42				\$3,925.38	\$12,036.80
Harness Promotional Fund		\$4,010.52				\$2,344.93	\$6,355.45
Greyhound Cap Improvement Fund				\$3,111.73			\$3,111.73
Greyhound Promotional Fund				\$3,111.73			\$3,111.73
Racing Stabilization Fund							
Total Trust Fund Fees							\$50,873.72

Total Paid to the Commission **\$138,497.36**

Third Party Assessments

Tufts Veterinary Assessment							
MA Thoroughbred Breeders							
Premiums	\$90,407.86						\$90,407.86
Purses	\$180,815.72	\$42,114.68		\$119.26			\$223,049.67
InState Running Horse Signal Fee				\$143.02			\$143.02
Total Third Party Assessments							\$313,600.55

Wonderland Billing Report

Period Reviewed: 10/1/2017 to 12/31/2017

	Out of State Running Horse Signal	Out of State Harness Horse Signal	Import of Out of State Greyhound Signal	Intra-State Simulcast of Suffolk Signal	Intra-State Simulcast of Plainridge	Live Racing	Period Totals
Breaks			\$406.29				\$406.29
WPS			\$19,653.00				\$19,653.00
Exotics			\$176,814.30				\$176,814.30
Total Handle			\$196,467.30				\$196,467.30
Fees to the Commission							
Commission			\$736.75				\$736.75
Daily Open Licensing Days	63	Multiplied by	\$300.00		Total Open Licensing Fee		\$18,900.00
Daily Assessment Days	92	Multiplied by	\$45.41		Total Daily Assessment Fee		\$4,177.72
Total Fees to Commission							\$23,814.47
Trust Fund Fees							
Running Horse Cap Improvement Fund							
Running Horse Promotional Fund							
Harness Cap Improvement Fund							
Harness Promotional Fund							
Greyhound Cap Improvement Fund			\$491.17				\$491.17
Greyhound Promotional Fund			\$491.17				\$491.17
Racing Stabilization Fund			\$406.29				\$406.29
Total Trust Fund Fees							\$1,388.63
Total Paid to the Commission							\$25,203.10

Export SUMMARY REPORT

Originating Location Plainridge

Reporting Dates: 10/1/2017 through 12/31/2017

Race Type: Harness

Broadcasting Track/Hub	Net_Sales	Commission	Breakage +	Breakage -	Breakage Total	Settlement	Payout
Wolf Road	\$270.60	\$63.49	\$3.17	\$0.00	\$3.17	\$29.03	
Woodbine	\$21,382.57	\$5,042.15	\$105.70	\$6.35	\$99.35	\$3,114.22	
Woodbine Entertainment Group Int'l	\$9,387.53	\$2,175.13	\$55.26	\$1.74	\$53.52	(\$114.16)	
Woodbine IVR	\$57,344.93	\$13,047.50	\$334.93	\$1,792.88	(\$1,457.95)	\$120.36	
Wooden Nickel	\$19.20	\$4.56	\$0.00	\$0.00	\$0.00	\$14.64	
X The Spot OTB LGR	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
XAZ	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
XIL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
XpressBet	\$55,383.96	\$12,972.59	\$262.74	\$193.03	\$69.71	\$1,546.06	
Xpressbet Maryland	\$1,743.30	\$399.55	\$10.71	\$2.18	\$8.53	\$45.04	
Xpressbet Southern Alberta	\$8.64	\$2.01	\$0.05	\$0.00	\$0.05	(\$10.79)	
Signal Origination: Plainridge	Totals	\$3,929,839.63	\$948,047.71	\$20,535.09	\$5,882.34	\$14,652.75	(\$11,363.33)

Export SUMMARY REPORT

Originating Location **Suffolk Downs**

Reporting Dates: 10/1/2017 through 12/31/2017

Race Type: Thoroughbred

Broadcasting Track/Hub	Net_Sales	Commission	Breakage +	Breakage -	Breakage Total	Settlement	Payout
PMB_SU	\$395.20	\$71.56	\$6.59	\$0.00	\$6.59	\$569.05	\$886.10
PNG_SU	\$6,101.90	\$1,101.82	\$25.63	\$0.00	\$25.63	(\$935.04)	\$4,039.41
POC_SU	\$1,432.90	\$266.43	\$3.01	\$0.36	\$2.65	(\$305.96)	\$857.86
POH_SU	\$2,996.00	\$532.38	\$19.66	\$0.00	\$19.66	(\$111.14)	\$2,332.82
POI_SU	\$5,636.10	\$992.20	\$55.53	\$1.21	\$54.32	\$753.21	\$5,342.79
POR_SU	\$2,617.10	\$465.60	\$11.75	\$0.00	\$11.75	(\$724.45)	\$1,415.30
POT_SU	\$45,609.00	\$8,060.91	\$362.49	\$122.94	\$239.55	(\$1,394.51)	\$35,914.03
Q9A_SU	\$336.00	\$59.57	\$0.40	\$0.00	\$0.40	(\$212.75)	\$63.28
Q9B_SU	\$14,640.80	\$2,946.07	\$44.07	\$0.34	\$43.73	(\$1,882.76)	\$9,768.24
Q9C_SU	\$88.00	\$16.56	\$0.00	\$0.00	\$0.00	(\$71.44)	\$0.00
Q9D_SU	\$36.00	\$6.84	\$0.00	\$0.00	\$0.00	(\$29.16)	\$0.00
Q9E_SU	\$373.60	\$67.72	\$1.22	\$0.00	\$1.22	(\$15.14)	\$289.52
Q9F_SU	\$530.40	\$115.55	\$0.75	\$0.00	\$0.75	(\$241.66)	\$172.44
SGA_SU	\$10,486.80	\$1,894.26	\$76.08	\$0.24	\$75.84	(\$2,053.52)	\$6,463.18
SUA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Signal Origination: Suffolk Downs Totals	\$386,077.76	\$69,651.77	\$2,327.80	\$265.55	\$2,062.25	(\$28,521.30)	\$285,842.44
All Exports Grand Totals	\$4,315,917.39	\$1,017,699.48	\$22,862.89	\$6,147.89	\$16,715.00	(\$39,884.63)	\$285,842.44

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The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Charles D. Baker
GOVERNOR

Karyn E. Polito
LIEUTENANT GOVERNOR

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July 12, 2018

Margaret Briggs
Epsilon Associates, Inc.
3 Mill & Main Place, Suite 250
Maynard, MA 01754

Re: Request for Advisory Opinion
MGM Springfield (EEA# 15033)

Dear Ms. Briggs:

I am writing in response to your letter of June 15, 2018 in which you requested a determination as to whether additional review under the Massachusetts Environmental Policy Act (MEPA) would be required in the form of a Notice of Project Change (NPC) for proposed changes to the above-referenced project.

The MGM Springfield project consists of a casino, hotel, retail and associated infrastructure. The project underwent MEPA review and a Certificate on the Final Environmental Impact Report (FEIR) was issued on December 31, 2014. A NPC submitted in 2015 that identified programmatic and design changes did not require the submittal of a supplemental Environmental Impact Report (NPC Certificate issued on November 15, 2015).

The MEPA regulations at 310 CMR 11.10 state that "...the Proponent shall, and any other agency or Person may, file a Notice of Project Change with the Secretary if there is any material change in a Project prior to the taking of all Agency Actions for the Project."

According to the information provided in your letter, minor changes to the project site, program, and schedule are proposed. In addition, you have provided draft amendments to the

Section 61 Findings for the Massachusetts Gaming Commission (MGC) to reflect these changes. The proposed amendments to the Section 61 Findings include transportation-related revisions.

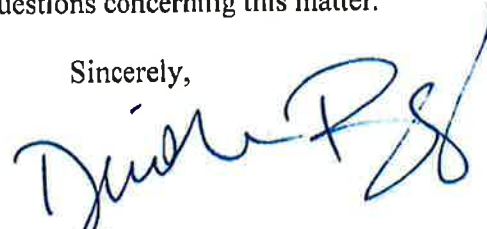
The changes will result in a two-percent increase in the overall development (an additional 8,616 square feet) and will not increase environmental impacts of the project. In addition, information provided indicates that, based on recent modelling, the project is achieving a 27% reduction in greenhouse gas emissions due to an increase in the capacity of the Combined Heat and Power (CHP) system (from 200kW to 450 kW). This represents a five percent improvement over the previous commitment outlined in the FEIR. Changes to programming include a reduction in gaming positions (from 3,657 to 3,324) to increase table games, poker and interactive electronic machines and to reduce traditional slot machines. Although the opening date of the project has not changed; one portion of the project (the corner of Union and Main Streets) will not be completed until July 2019.

Final Section 61 Findings were issued by MGC in 2015 and by the Massachusetts Department of Transportation (MassDOT) in 2016. The draft amended Section 61 Findings are subject to review by the MGC. Your letter indicates that MassDOT has informed the Proponent that separate amended Section 61 Findings do not appear to be necessary for MassDOT purposes.

Based on the information provided, I hereby determine that the project is not subject to additional MEPA review in the form of an NPC because it will not result in a material change that will increase environmental impacts compared to impacts previously reviewed by MEPA.

Please contact Eve Schlüter, Assistant Director, at (617) 626-1131 or eve.schluter@state.ma.us if you have any additional questions concerning this matter.

Sincerely,



Deirdre Buckley
Assistant Secretary

cc: John Ziemba, Massachusetts Gaming Commission
Dave Mohler, Massachusetts Department of Transportation



June 15, 2018

PRINCIPALS

Theodore A Barten, PE
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Deirdre Buckley, Director
Executive Office of Energy and Environmental Affairs
Massachusetts Environmental Policy Act (MEPA) Office
100 Cambridge Street, Suite 900
Boston, MA 02114

**Subject: Request for Advisory Opinion
MGM Springfield
EOEEA #15033**

Dear Director Buckley:

In accordance with Section 11.01(6) of the Massachusetts Environmental Policy Act (MEPA) regulations (301 CMR 11.00), this letter is a request for an advisory opinion seeking a determination that the proposed changes to the MGM Springfield project are not "material" changes, and therefore do not require the filing of a Notice of Project Change under MEPA.

MEPA History

The MGM Springfield Project consists of a multi-use development anchored by an MGM casino that will serve as a significant economic catalyst for the City of Springfield and the surrounding area. The Proponent filed an Environmental Notification Form and Draft and Final Environmental Impact Reports (DEIR and FEIR) for the project between March 2013 and November 2014. On December 31, 2014 the Secretary issued a Certificate on the FEIR determining that the FEIR adequately and properly complied with MEPA. On October 15, 2015, the Proponent filed a Notice of Project Change (NPC) to inform the Secretary of minor programmatic and design changes. On November 15, 2015, the Secretary issued a Certificate on the NPC determining that the project change did not require the submission of a supplemental Environmental Impact Report.

Proposed Changes

Changes to the Project consists of minor changes to the project size, program, mitigation and schedule as well as proposed amendment to the Section 61 Findings approved by the MGC in December 2015 and published in the Environmental

Samuel G. Mygatt, LLB
1943-2010

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Monitor on January 6, 2016. A high level square footage comparison of the current program compared to what was presented in the NPC is provided in Attachment A. A redlined draft version of the Section 61 Findings is provided in Attachment B.¹ Since the NPC Findings were issued and the Sections 61's were approved by the Gaming Commission, the Project has been continually revised and refined. The Project's mitigation, programming and schedule have been updated accordingly through this process. These updates are collectively set forth below and in Attachment B.

Updated Mitigation

- ◆ **Increased CHP:** The FEIR included a 200 kW Combined Heat and Power (CHP) system, which has since been increased to 450 kW. As a result, the most recent modeling shows the Project achieving a 27% greenhouse gas reduction compared to an ASHRAE 2010 code-compliant base case, a 5% improvement over the 22% reduction committed to in the FEIR
- ◆ **Green Roof:** The FEIR Draft Section 61 Findings reference a 2.2-acre green roof which was reduced due to design changes that were the subject of the NPC. All storm water commitments will still be achieved. *See Attachment B at p. 24.*
- ◆ **Compressed Natural Gas (CNG) Vehicles:** The FEIR indicated that MGM Springfield intended to use CNG rather than diesel for fleet vehicles. Due to the lack of infrastructure for CNG vehicles in Springfield, this is now unlikely.
- ◆ **Trolley:** The diesel trolley has been replaced with an electric PVTA Circulator Bus. The route is the same, but the frequency and days it will run have changed. There will be no fare. *See Attachment B at pp. 10, 14 and 18.*
- ◆ **Gaming Equipment.** The FEIR included commitments for the Proponent to meet with Gaming Equipment manufacturers to discuss the opportunity for more efficient gaming machines and include energy efficiency in purchasing. The FEIR also recognized that gaming machine selection is heavily dependent

¹ The attached redline of the Amended Section 61 Findings reflect input from both the Proponent and Commission Staff, and are subject to the Commission's consideration. After MEPA's consideration and response to the Proponent's Request for Advisory Opinion, the Amended Section 61's will be presented to the Commission for review and approval.

on player preference. The Section 61's have been revised to reflect the limited opportunities for gaming equipment energy efficiencies and the steps the Proponent is taking to mitigate environmental impacts of electronic gaming machines. See Attachment B at p. 21.

Updated Programing

- ◆ **Gaming Position Mix:** Within the same sized casino, the Proponent has optimized the mix of gaming positions – increasing table games, poker and interactive electronic machines and reducing traditional slot machines – in a way that will enhance customer experience and maximize revenue to the mutual benefit of MGM and the Commonwealth. The number of gaming positions has been reduced from 3,657 in the NPC to 3,324 positions .
- ◆ **101 State Street:** The existing building at 101 State Street will be retained consistent with the original project design, however the Gaming Commission Office program originally intended for the first floor of this building has been moved to the Casino Podium. 101 State Street is a standalone commercial office building consisting of retail space on the first floor currently occupied by Focus Springfield with floors 2-8 occupied by existing commercial tenants. While 101 State Street has no gaming related functions, the first floor retail space remains part of the defined Gaming Establishment. Renovations are expected to take place as tenant spaces are leased out in the future including the first floor which extends beyond opening.
- ◆ **95 State Street:** The FEIR contemplated both full and partial retention of this building. The retention of the 95 State Street was included in the Project square footage changes in the NPC. All of 95 State Street has been retained and renovated, and will seek LEED gold certification as part of the casino podium.
- ◆ **Bus Parking/Valet and Taxi Drop Off:** Through design refinements and coordination with the City of Springfield, Bus Parking and Valet/Tax Drop off locations have been refined. Any overnight parking of buses will occur offsite. The valet area is now located in the first floor of the garage. Taxi and rideshare vehicles have a dedicated pickup and drop off area off of One MGM Way.
- ◆ **Ground Source Heat Pumps:** The FEIR committed to the use of ground source heat pumps for the daycare, which at that time was to be located in the Church contiguous to the entertainment block and casino podium. The FEIR also

stated that the Proponent will review and incorporate additional ground source heat pump energy use if determined to be technically and economically feasible. While the day care has a ground source heat pump, its location offsite and across a public way make expansion of the ground source heat pump in other parts of the Gaming Establishment not feasible.

- ◆ **Preferred Parking Spaces:** The FEIR proposed a total of 190 preferred spaces for EV vehicles with approximately 50 charging stations each located along the outsides of Levels 2, 3 and 4 of the garage near the entryways, elevators, and staircases. This total number of preferred parking spaces will be achieved; however, the locations will vary. All EV charging, carpool, and preferred spaces are accounted for in the design and are located throughout the garage. *See Attachment B at p. 21*

Updated Schedule

- ◆ **Leadership in Energy and Environmental Design (LEED) Certifications:** There have been several changes to the Project's LEED outcomes:
 - The schedule for LEED Certification has been updated in the Section 61's to reflect the LEED certification process which will not be completed until after the Project opening. Under the Amended Section 61's, the Proponent will register for LEED certification for all elements of the Project, with the exception of 101 State Street, prior to project opening and continue reporting to the Commission on quarterly basis regarding status of the applications. *See Attachment B. at p. 22.*
 - 101 State Street's LEED status will be dependent on future renovations and the building's ongoing status as part of the defined Gaming Establishment. At this time, there is no timetable or ability to seek LEED certification for 101 State Street. As future tenants sign lease agreements within the building, efforts will be made to include sustainability guidelines and/or LEED for Commercial Interiors (LEED-CI) certifications where possible.
 - Office programs in 95 State will be certified as part of the Podium certification.
 - The Armory and Chapel are seeking LEED Gold Certification for Commercial Interiors as both of these buildings are renovated historic properties that will be used for commercial purposes.

- While not a requirement for the Project, the Proponent is also seeking LEED Neighborhood Development certification.
- ◆ **Solar Photovoltaic (PV):** The FEIR included a review of the Project's impacts with the installation of a solar PV system installed as well as a review of the Project without on-site solar PV. The FEIR noted that the Project would be constructed "solar-ready." Consistent with the FEIR, the Garage has been constructed to be solar ready. The Proponent's Section 61 Findings reserved the Proponent's rights to seek revision of the onsite solar condition based on the structural and economic feasibility of the PV project including changes to the state's solar subsidy program. With the issuance of the SMART program regulations in January of 2018 and completion of the CHP interconnection process, the Proponent has moved forward with the project and was issued an Interconnection Service Agreement on April 26, 2018. The Proponent is now completing fully engineered plans for permitting. Upon completion of the design and permitting, the Proponent will participate in the next available SMART Auction. Final financial feasibility will be dependent on the SMART auction results. Under the Amended Section 61's the Proponent must complete the PV project one year from the project opening or seek amendment of this condition. *See Attachment B at p. 20.*
- ◆ **Transportation Demand Management (TDM) Schedule:** The schedule for implementing the TDM requirements preopening and during operations is clarified with additional reporting requirements for the implementation of TDM after opening. *See Attachment B at pp. 14-15.*
- ◆ **Main/Union F&B/Retail and Offside Residential:** On April 12, 2018, the Gaming Commission approved a final project schedule that provided for the completion of the food and beverage/retail location on the corner of Union and Main Street to be completed by July 2019. In addition, the Host Community Agreement with the City of Springfield has a revised completion date for the offsite residential as approved in the NPC to March 2020.

MassDOT Section 61's

MassDOT also issued Section 61's in March of 2016. TEC, Inc. staff met with MassDOT Public-Private Development Unit (PPDU) and District 2 representatives on April 30, 2018 to review the detailed language of MassDOT's Section 61 Findings dated March 28, 2016 and confirmed that the approved access permit plans will satisfy the desired infrastructure upgrades within State Highway. The

Commission's Section 61's have minor amendments to certain transportation improvements to match the current plans approved by MassDOT. In addition, there may be minor traffic signal timing adjustments necessary at one intersection in Longmeadow and two in West Springfield, outside MassDOT jurisdiction, that they requested be completed prior to opening. TEC, Inc. is currently coordinated those minor optimization improvements with town representatives; it will be completed within the next month. With that work completed prior to opening, MassDOT did not envision a need for an amended Section 61 Finding. See Attachment B at pp. 10, 12 and 13.

The Updates Meet the Criteria for Insignificant Environmental Impacts

The proposed change meets the criteria set out in the MEPA regulations (301 CMR 11.10(6)(a)-(g)).

(a) Expansion of the Project. The proposed 8,616 square-foot increase represents less than two percent of the overall development.

(b) Generation of further impacts. The changes to the Project are not anticipated to result in an increase in environmental impacts.

(c) Change in schedule. The opening date of the Project has not changed since the NPC. It is anticipated that MGM Springfield will open by August 24, 2018. As set forth above, one portion of the Project at the corner of Union and Main streets will not be completed until July 2019. Pursuant to an amendment to the Springfield Host Community Agreement, the completion date for the offside residential was changed to March 2020.

(d) Change of the project site. The Project site has not changed.

(e) New application for a Permit or New request for Financial Assistance or a Land Transfer. The Project does not require any new State permits, nor is the Proponent seeking any financial assistance or Land Transfer.

(f) For a Project with net benefits to environmental quality and resource or public health, any change that prevents or materially delays realization of such benefits. The change will not prevent or delay benefits to environmental quality and resources or public health.

Dierdre Buckley, Director
Massachusetts Environmental Policy Act (MEPA) Office
June 15, 2018

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(g) For a Project involving a lapse of time, changes in the ambient environment or information concerning the ambient environment. The Project does not involve a lapse of time.

Summary

Given the scope of the proposed changes to the previously reviewed project and minimal changes (though beneficial) to environmental impacts anticipated, the Proponent is seeking a determination that the proposed changes are not material changes to the previously reviewed Project and that, therefore, a Notice of Project Change is not required.

Please call me if you have any questions or concerns. Thank you for your assistance

Sincerely,

EPSILON ASSOCIATES, INC.



Margaret B. Briggs
Managing Principal

Attachment A

Program Comparison Summary

MGM Springfield

Program Comparison Summary - NPC vs. Current

Ref.	Project Element	Unit	NPC	Current	Variance	Notes
Casino Block						
1	Hotel	SF	151,861	151,266	(595)	
2	Gaming	SF	126,262	125,616	(646)	
3	Retail	SF	15,204	15,440	236	
4	Food & Beverage	SF	34,184	36,637	2,453	
5	Convention	SF	43,705	46,023	2,318	
6	Residential - 54 Units	SF	65,000	65,000	-	
7	Operations	SF	200,605	215,151	14,546	
Subtotal - Casino Block			636,821	655,133	18,312	
Retail Block						
8	Retail	SF	16,046	15,423	(623)	
9	Bowling	SF	9,618	12,232	2,614	
10	Food & Beverage	SF	24,962	28,588	3,626	
11	Cinema	SF	37,465	42,926	5,461	
12	Office	SF	12,000	-	(12,000)	
13	Operations	SF	18,495	16,340	(2,155)	
14	Church Relocation	SF	2,489	4,842	2,353	
15	Arcade	SF	1,261	Included Above	(1,261)	
Subtotal - Retail Block			122,336	120,351	(1,985)	
16	Terraces	SF	7,711	Included Above	(7,711)	
Total			766,868	775,484	8,616	

Notes:

^(a) Residential is now offsite but shown under Casino Block to compare the NPC chart.

Attachment B

Redlined MGC Section 61 Findings

MASSACHUSETTS GAMING COMMISSION
AMENDED FINDINGS ISSUED
PURSUANT TO M.G.L. c. 23K AND M.G.L. c. 30, § 61

PROJECT NAME: MGM Springfield (the “Project”)
PROJECT LOCATION: Springfield, Massachusetts
PROJECT PROPONENT: Blue Tarp reDevelopment, LLC (“MGM”)
EOEEA NUMBER: 15033
APPROVAL SOUGHT: Category 1 Gaming License

On December 22, 2015, the Massachusetts Gaming Commission (the “Commission”) issued its Section 61 Findings for the Project (the “2015 Section 61 Findings”) pursuant to the Massachusetts Environmental Policy Act, G.L. c. 30, §§ 61-62I, G.L. c. 23K, § 15(12), 301 CMR 11.12, and 205 CMR 120.02. The ~~Massachusetts Gaming~~ Commission (~~the “Commission”~~) ~~finds~~ found that with the implementation of the measures identified in MGM’s Final Environmental Impact Report dated November 6, 2014 (“FEIR”) and the Certificate issued by the Secretary of the Executive Office of Energy and Environmental Affairs (“EOEEA”) dated December 31, 2014 (the “Secretary’s Certificate”), as amended by MGM’s Notice of Project Change dated October 15, 2015 (the “NPC”) and the Secretary of EOEEA’s Certificate regarding the NPC dated November 25, 2015 (the “NPC Certificate”) including, without limitation those measures summarized below in the 2015 Section 61 Findings, that all practicable and feasible means and measures will have been taken to avoid or minimize potential damage from the Project to the environment. The 2015 Section 61 Findings were published in the Environmental Monitor on January 6, 2016.

Since that time, MGM has continued to revise and refine the design of the Project and the methods by which it would implement the mitigation measures identified in the 2015 Section 61 Findings. Accordingly, MGM has requested that the Commission revise the 2015 Section 61 Findings to reflect the refinements in the Project’s design and the mitigation measures associated with the Project. MGM also consulted with the MEPA Office of the EOEEA regarding those revisions and has been advised by EOEEA that no further filings are required under MEPA.

The Commission has reviewed MGM’s refinements to the Project on a regular basis since issuing the 2015 Section 61 Findings. It has also reviewed the proposed revisions to MGM’s mitigation commitments (as described below). Based on this review, the Commission now issues these Amended Section 61 Findings (the “Amended Section 61 Findings”) pursuant to G.L. c. 30, §§ 61-62I, G.L. c. 23K, § 15(12), 301 CMR 11.12, and 205 CMR 120.02, to continue to ensure that all practicable and feasible means and measures have been and will be taken to avoid or minimize potential damage to the environment from the Project. These Amended Section 61 Findings restate and replace the 2015 Section 61 Findings. Changes from the 2015 Section 61 Findings are noted below.

PROJECT SITE

The Project Site remains unchanged from that described in the 2015 Section 61 Findings. The approximately 14-acre site is located in downtown Springfield and is comprised of several city blocks. It is bounded by Main Street to the northeast, Union Street to the southeast, East

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Columbus Avenue and Interstate 91 (“I-91”) to the southwest and State Street to the northwest. The site includes portions of Bliss Street and Howard Street. The Connecticut River and associated parkland is located to the west of the site and I-91. The site contains vacant lots and several commercial and retail buildings. Many of the buildings were damaged by a tornado that struck Springfield in 2011. A number of buildings within the site are listed on the State and National Registers of Historic Places, the State Register of Historic Places and/or in the Inventory of Historic and Archeological Assets of the Commonwealth. The site is located within ½ mile of Union Station and the Springfield Bus Terminal and is served by several bus routes.

PROJECT DESCRIPTION

The Project, as revised by the NPC and the design revisions to the Project as of May 1, 2018,¹ consists of an ~~approximate 760,000~~approximately 775,484 square foot mixed-use redevelopment consisting of a Category 1 Gaming Establishment pursuant to Chapter 194 of the Acts of 2011 (the “Gaming Act”), with retail, restaurant, entertainment, hotel and office uses, as well as a complementary daycare and residential component within close proximity. The Commission understands that the final size of the Project may vary by +/- 10,000 sf as MGM finalizes the Project Design and constructs the Project. All variations to the Project’s size will be subject to further review by the Commission.

According to the FEIR, the Project is designed to take advantage of the existing transportation infrastructure in the Project area and to integrate the proposed uses into the existing urban fabric by providing street level access and design of streetscape elements including shade trees, street furniture, planters, enhanced lighting, street banners, gathering spaces and landscaping.

The Project consists of three primary areas: the Casino Block (~~571,821~~590,133 sf), the Retail Block (~~122,336~~120,351 sf) and the residential component (approximately 65,000 sf). Variations in the allocation of space among the three components of the Project between the 2015 Section 61 Findings and the date of these Amended Section 61 Findings are summarized in the following table:

<u>Area</u>	<u>2015 Section 61 Findings (square feet)</u>	<u>Amended Section 61 Findings (Square feet)</u>	<u>Difference (Square Feet)</u>
<u>Casino Block (with terraces)</u>	<u>576,374</u>	<u>590,133</u>	<u>+13,759</u>
<u>Retail Block (with terraces)</u>	<u>125,494</u>	<u>120,351</u>	<u>-5,143</u>
<u>Residential Component</u>	<u>65,000</u>	<u>65,000</u>	<u>0</u>

¹ The Project description contained herein incorporates the changes set forth in MGM’s October 15, 2015 NPC (“Revised Design”). The Revised Design contains the following modifications to the Project as described in the FEIR (“Original Design”) including: (i) relocation of the residential units; (ii) relocation and redesign of the Project hotel; (iii) reduction in gaming positions; an approximate 122,000 sf reduction in the Casino and Retail Blocks; a reduction in the size of the parking garage; and a revised opening date.

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The Casino Block includes ~~126,262~~125,616 sf of casino gaming facilities, a 251-room, ~~151,861~~151,266 sf hotel, ~~43,705~~46,023 sf of convention space, ~~15,204~~15,440 sf of retail space, ~~34,184~~36,637 sf of restaurant space, and ~~200,605~~215,151 sf of casino-related back of house/operational space.

The Retail Block includes a retail and entertainment center (“Armory Square”), a seven story parking structure to provide ~~3,375~~3,416 parking spaces in the garage and ~~limited, 81~~ on-site surface parking spaces. It will also include a ~~9,618~~10,472 sf bowling alley, ~~16,046~~15,423 sf of retail space, ~~24,962~~28,588 sf of food and beverage space, a ~~37,465~~42,926 sf multi-screen cinema, an event plaza, ~~12,000 sf of office space, a 1,261~~a 1,760 sf arcade and ~~18,495~~16,340 sf of back of house operational space. The Project will also include the relocation of an existing ~~2,489~~4,842 sf church into the Retail Block, which is ~~assumed~~ to be reused for ~~restaurant space~~ as retail space. The allocation of space within each block may also vary as MGM completes Project design and construction. Any variations in that allocation of space will also be reviewed by the Commission and will be subject to Commission review.

Variations in the allocation of space for the particular amenities in the Project between the 2015 Section 61 Findings and the date of these Amended Section 61 Findings are summarized in the following table:

<u>Amenity</u>	<u>2015 Section 61 Findings (Square Feet)</u>	<u>Amended Section 61 Findings (Square Feet)</u>	<u>Difference (Square Feet)</u>
<u>Casino Gaming Facilities</u>	<u>126,262</u>	<u>125,616</u>	<u>- 646</u>
<u>Hotel</u>	<u>151,861</u>	<u>151,266</u>	<u>- 595</u>
<u>Convention Space</u>	<u>43,705</u>	<u>46,023</u>	<u>+ 2,318</u>
<u>Casino Block Retail Space</u>	<u>15,204</u>	<u>15,440</u>	<u>+ 236</u>
<u>Casino Block Restaurant with terraces Space</u>	<u>38,737</u>	<u>36,637</u>	<u>- 2,100</u>
<u>Casino-related back of house/operational space</u>	<u>200,605</u>	<u>215,151</u>	<u>+ 14,546</u>
<u>Bowling Alley</u>	<u>9,618</u>	<u>10,472</u>	<u>+ 854</u>
<u>Retail Block Retail Space</u>	<u>16,046</u>	<u>15,423</u>	<u>- 623</u>
<u>Retail Block Food and Beverage Space with terraces</u>	<u>28,120</u>	<u>28,588</u>	<u>+ 468</u>
<u>Cinema</u>	<u>37,465</u>	<u>42,926</u>	<u>+ 5,461</u>
<u>Retail Block Office Space</u>	<u>12,000</u>	<u>0</u>	<u>-12,000</u>

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<u>Amenity</u>	<u>2015 Section 61 Findings (Square Feet)</u>	<u>Amended Section 61 Findings (Square Feet)</u>	<u>Difference (Square Feet)</u>
<u>Arcade</u>	<u>1,261</u>	<u>1,760</u>	<u>+499</u>
<u>Retail Block back of house/operational space</u>	<u>18,495</u>	<u>16,340</u>	<u>- 2,155</u>
<u>Church Relocation</u>	<u>2,489</u>	<u>4,842</u>	<u>+2,353</u>

The Residential component will be comprised of approximately 54 residential units consisting of approximately 65,000 sf to be developed ~~within existing buildings in the “Metro Center” of Springfield as defined in a 2007 ULI Report (see figure 1 of NPC).~~ Although the number and the projected square footage of the residential units have not changed, their proposed location will. Since the 2015 Section 61 Findings refinements to the Project have occurred including but not limited to (i) relocation of the MGC Offices from 101 State Street to the Casino Podium; (ii) increased capital expenditure; (iii) additional table game capacity and a decrease to slot capacity to better align with current player preferences; and (iv) improvements to the Project’s food, beverage and retail offerings such as the relocation of Starbucks and the Salon to Main Street.

The Project is estimated to generate approximately 18,570 average daily trips (“adt”) on a weekday (normally a Friday) and 20,824 adt on a weekend day (Saturday). These estimates have not changed due to the preparation of final design drawings. It includes a combination of new construction, redevelopment of existing buildings, retention of existing infrastructure and facilities, and demolition. Among other things, construction will include access drives, extensive landscaping, construction of a new storm water management system and other associated infrastructure. Proposed demolition includes a boarding house on Bliss Street, the Howard Street Primary School and the Howard Street apartment building. On August 6, 2015, the Commission approved a revised opening date of September 2018. A detailed project schedule, based on the revised opening date, was ~~filed with the Commission setting forth all major stages of construction and will be reviewed~~ approved by the Commission on April 12, 2018 under 205 CMR 135.02. Vehicular access to and circulation within the site is proposed via Bliss Street, State Street, Union Street, Howard Street, a proposed MGM Way, and East Columbus Avenue.

MEPA HISTORY

MGM filed an Environmental Notification Form (“ENF”) with ~~the Executive Office of Energy and Environmental Affairs (“EOEEA”)~~ for the Project on March 15, 2013 and a Draft Environmental Impact Report (“DEIR”) on December 16, 2013. The Secretary of EOEEA issued a Certificate approving the DEIR on February 7, 2014. MGM submitted the FEIR on November 6, 2014. On December 31, 2014, the Secretary of EOEEA issued the Secretary’s Certificate approving of the description of environmental impacts and mitigation measures in the FEIR and certifying that the FEIR adequately and properly complies with MEPA.

On October 15, 2015, MGM submitted the NPC, describing changes to the Project that, according to the NPC, do not alter the Project's environmental impacts from those described in the FEIR. MGM also confirmed that it remained "wholly committed" to the mitigation measures described in the FEIR and referred to in the Secretary's Certificate. On November 25, 2015, the Secretary of EOEEA issued the NPC Certificate concluding that MGM's proposed project changes do not require the submission of a supplemental environmental impact report. However, the NPC Certificate provides that MGM should revise its Section 61 Findings "in response to the Certificate on the FEIR and the NPC and provide [those revised findings] to State Agencies to assist in the permitting process and issuance of final Section 61 Findings."

MGM did so on December 14, 2015. The Commission ~~has~~ reviewed MGM's revised Draft Section 61 Findings as part of its preparation of ~~these~~ the 2015 Section 61 Findings."

On November 30, 2015, MGM submitted a final Memorandum of Agreement (the "MOA"), between MGM, the Commission and the Massachusetts Historical Commission (MHC) addressing the twelve (12) historic properties located on the Project Site for signature pursuant to MHC Regulations. The MOA, and all mitigation measures required thereunder, are incorporated herein by reference. On March 28, 2016 MassDOT is expected to issue ~~issued~~ Section 61 Findings for the Project addressing traffic and parking impacts (the "MassDOT Finding"). ~~When issued, the MassDOT Findings, and all mitigation measures required thereunder, will be~~ which are deemed incorporated by reference.

A Revised Site Plan reflecting the Project changes first presented in connection with the NPC was approved by the City in February 2016. That Revised Site Plan was incorporated by the Commission in its May 2016 Final Design Approval. The Project was updated again through the 95% Construction Plans filed with the City of Springfield and Commission in May of 2017 and has since gone through additional minor revisions that were negotiated and adopted by the City in the Fall of 2017 and presented to the Commission in September 2017. The Commission approved the final Revised Site Plan on June [redacted], 2018.

It is expected that the City of Springfield will issue the required permits for the Project as listed in these section 61 findings and any other permits the City of Springfield deems to be required. When issued, any and all mitigation measures required by those permits will be deemed incorporated by reference. The Commission retains the right to modify ~~its~~ these Amended Section 61 Findings as a result of ~~the MassDOT Findings or any changes to~~ Section 61 findings or any final Agency Action issued by other Agencies after the ~~Commission's~~ 2015 Section 61 findings. The Commission also retains the right to review and approve or disapprove of any additional design revisions to the Project.

PROJECT IMPACTS

Potential environmental impacts are associated with land alteration, traffic, water supply and waste water generation, waste site clean-up, and generation of Greenhouse Gas ("GHG") emissions. The overall project ~~has also been~~ was reduced from 881,691 sf in the FEIR to 759,157 (766,868 when including terrace space) according to the NPC, and adjusted for

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design refinements to date to 775,484 a reduction of ~~122,534~~106,207 sf.² When adjusted for mode share, internal shared trips on the site, and MGM's planned transportation demand management measures, the original larger proposal included vehicle trips are estimated at 18,570 adt on a weekday (normally Friday) and 20,824 adt on a weekend day (Saturday). Water demand is estimated at 225,242 gallons per day (GPD) and wastewater generation is estimated at 207,618 GPD. A total of ~~3,461~~3,497 parking spaces are provided. The Commission may, at MGM's request, allow a portion of these spaces to be dedicated to ancillary uses to the Project.

² After adding the terrace space back into the NPC square footage, the variance between the NPC and final design square footage is 8,616 sf.

There are twelve historic properties within the Project Site:

Building²³	NR	SR	Inv	Int	P/R	PP	FE	REL	DEM	A/E
WCA Boarding House	X	X							X	X
French Congregational Church	X	X						X		X
State Armory	X	X			X	X			X	X
United Electric Company Building	X	X				X	X		X	X
YWCA		X					X		X	X
Massachusetts Mutual Life Ins.		X			X					
Edisonia Theater Block		X							X	X
Howard Street Primary School			X				X		X	X
Union House/Chandler Hotel			X			X			X	X
Howard Street apartment building				X					X	
79 State Street office building				X					X	
95 State Street office building				X	X ⁴				X	

The Howard Street apartment building was damaged in the 2011 tornado, condemned, and demolished in 2013. The Howard Street Primary School was also damaged in the 2011 tornado, has been condemned, and is slated for demolition. The remaining historic properties are subject to varying actions as set forth in the above table, the Certificate, the FEIR and ultimately governed by the Massachusetts Historical Commission MOA.

The Project was subject to MEPA review and required the preparation of a Mandatory EIR pursuant to 301 CMR 11.03(1)(b)(7), 11.03(5)(b)(4)(a), 11.03(6) (a)(6), 11.03(6) (a)(7) and 11.03(b)(2)(b), and 11.03(10)(b)(1) because it requires State Agency Action; will generate 3,000 or more new adt on roadways providing access to a single location; requires construction, widening, or maintenance of a roadway or its right of way that will cut five or more living public shade trees of 14 or more inches in diameter at breast height; involves destruction of all or parts of historic structures; creates new discharges or expansions in discharges to sewer systems of 100,000 or more GPD; and provides 1,000 or more new parking spaces at a single location. The Project is subject to the EOEEA Greenhouse Gas

²³ The abbreviations in the table correspond to descriptions in the Certificate on the FEIR, as supplemented by the MOA and are as follows:

- NR = National Register of Historic Places
- SR = State Register of Historic Places
- Inv. = Inventory of Historic and Archaeological Assets of the Commonwealth
- Int. = Of historic interest
- P/R = Retained and partially renovated
- PP = Partially preserved
- FE = Preserve/reuse façade and elements
- REL = Relocate
- DEM = Partial or full demolition or Removal
- A/E = Adverse Effect per MHC Letter of 10/30/14 and MHC Regulations 950 CMR

⁴ The historic property table has been updated to reflect the retention and renovation of 95 State Street. The 95 State Street's square footage as a retained/renovated property was included in the NPC.

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“GHG”) Emissions Policy and Protocol.³⁵ None of the revisions to the Project since the issuance of the 2015 Section 61 Findings are expected to result in the creation of environmental impacts that will trigger mandatory MEPA review thresholds. EOEEA has also confirmed that it does not believe these Project revisions require the filing of a Notice of Project Change.

REQUIRED GOVERNMENTAL PERMITS AND APPROVALS

According to the Secretary’s Certificate and the MassDOT Finding, the Project is expected to require permits and approvals or review by the following federal, state, and local agencies, in addition to the Category 1 Gaming License (the “License”) and the Commission’s approval of the proposed design changes described in the NPC:

Agency	Permit(s)
Massachusetts Department of Environmental Protection (“MassDEP”) ⁶	<ul style="list-style-type: none">• Underground Injection Control Permit,• Construction Site Dewatering Permit,• Air Quality Permits/<u>Submissions</u> (for certain Project components)• Sewer Connection Permit
Massachusetts Department of Transportation (“MassDOT”)	<ul style="list-style-type: none">• Vehicular Access Permit: Permit to Access State Highway Category III
Massachusetts Department of Housing & Community Development (“DHCD”)	<ul style="list-style-type: none">• Urban Renewal Plan approval; or• Urban Renewal Development Project
Massachusetts Department of Public Safety <u>or</u> <u>City of Springfield</u>	<ul style="list-style-type: none">• Storage Permit
Massachusetts Historical Commission (“MHC”)	<ul style="list-style-type: none">• MOA
U.S. Environmental Protection Agency	<ul style="list-style-type: none">• National Pollutant Discharge Elimination System (“NPDES”) Construction General Permit
Federal Aviation Administration	<ul style="list-style-type: none">• Determination of No Hazard to Air Navigation
City of Springfield	<ul style="list-style-type: none">• Road and Curb Cut Permit• Public Way Discontinuance approval• Casino Overlay District Approval• HCA Amendments related to design

³⁵ EOEEA’s Certificate on the ENF indicated that the project included conversion of land held for natural resources purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth to any purpose not in accordance with the Article (301 CMR 11.03 (1)(b)(3)). As currently proposed, the project no longer includes conversion of land held for natural resources purposes and, therefore, does not exceed this threshold.

⁶ MGM had previously identified a need for a Construction Site Dewatering Permit from MassDEP. However, as the Project progressed, it was determined that this permit was not necessary because there is not a significant amount of water on the Project site. In addition, revisions to the MassDEP wastewater regulations (314 CMR 7.00 and 314 CMR 12.00) in April 2014 eliminated the requirement for a MassDEP Sewer Connection Permit. See FEIR Certificate at p. 27.

	and schedule changes • Casino Site Plan Approval
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The Project may also require approval for modification to the I-91 ramps and work on the National Highway System (NHS) from the Federal Highway Administration and/or MassDOT's review of design exception requests for roadways that are part of the NHS. If federal review is required, the Project may be subject to review pursuant to the National Environmental Policy Act and the National Historic Preservation Act.

EXECUTED MITIGATION AGREEMENTS

Pursuant to G.L. c.23K §§15(8) - (10), MGM executed mitigation agreements and shall, as a condition of the ~~Commission's~~Amended Section 61 Findings, comply with the following mitigation agreements (as the same may be duly reopened, supplemented or amended in accordance with 205 CMR 127) (collectively the "Mitigation Agreements"):

1. The Host Community, City of Springfield, dated May 4, 2013 (approved by local referendum pursuant to G.L. c. 23K, § 15(13), on July 15, 2013 and amended on July 1, 2015); February 24, 2016; and August 25, 2017;
2. The following designated Surrounding Communities:
 - a. Town of Agawam, dated December 16, 2013;
 - b. City of Chicopee, dated December 13, 2013;
 - c. Town of East Longmeadow, dated December 11, 2013 (amended January 23, 2014);
 - d. City of Holyoke, dated January 10, 2014;
 - e. Town of Longmeadow, dated April 30, 2014; (entered through arbitration);
 - f. Town of Ludlow, dated December 13, 2013;
 - g. Town of West Springfield, dated May 8, 2014; (entered through arbitration);
and
 - h. Town of Wilbraham, dated December 12, 2013 (amended February 3, 2013);
3. A Live Entertainment Cooperation Agreement with the Massachusetts Performing Arts Coalition, dated January 22, 2014;
4. A Sponsorship Agreement with the Majestic Theatre of West Springfield, dated March 7, 2014;
5. An Agreement with the Massachusetts State Lottery to be executed prior to commencement of gaming operations; and

6. The MOA with Massachusetts Historical Commission and the Commission.

In addition, the Commission expects that MGM will meet or has met with each abutter to the Project to clarify potential Project related impacts. These impacts may include, but are not limited to, the visual impact of the Project's garage; the constructability of the garage from entirely within MGM's property; noise, vibration and emissions associated with the central plant; access to the abutter's property both during and after construction; and maintenance of safe pedestrian access during construction. MGM will institute a communications protocol for communicating with each abutter regarding construction activity. After MGM reviews these and any other identified impacts, it will report to the Commission on the steps, if any reasonably necessary to address these impacts. MGM will include a report regarding abutter concerns as part of its regular reporting to the Commission. The Commission reserves its rights to amend these Amended Section 61 Findings based on this communications process with abutters or to require further dialogue with abutters and reporting to the Commission.

The provisions of each of these mitigation agreements ~~will be~~ incorporated by reference as conditions in the final License for the Gaming Establishment issued pursuant to 205 CMR 120.02 and will be incorporated by reference as conditions in any amendment to said License. Nothing herein shall prevent the parties to any such mitigation agreement from reopening the agreement pursuant to 205 CMR 127. In addition, nothing herein shall prevent the Commission from taking further action with respect to the License or its conditions pursuant to 205 CMR 127 or otherwise.

AGENCY SECTION 61 CONDITIONS

Mitigation Measures in Section 61 Findings and Permit Conditions of Other Federal State and Local Agencies

MGM shall comply with the detailed mitigation measures provided by ~~the Commission's~~ these Amended Section 61 Findings and by the individual Section 61 Findings for each other State Agency with jurisdiction to issue any state permit for the Project including without limitation MassDEP, MassDOT, the Massachusetts Department of Public Safety, MHC, and the DHCD. MGM shall also comply with the terms and conditions of any federal, state, or local permit or approval required for the Project. The Commission retains the right to modify ~~its~~ these Amended Section 61 Findings as a result of Section 61 findings or final Agency Action issued by other Agencies after the ~~Commission's~~ 2015 Section 61 findings. If the terms of any other Agency's Section 61 findings or final Agency Action, or any other governmental permit or approval, or process to obtain such approval, conflict with the ~~Commission's~~ 2015 Section 61 findings or the mitigation measures set forth below, or render such mitigation measures infeasible or impossible, MGM shall notify the Commission of that conflict for resolution by the Commission pursuant to 205 CMR 120.01 and 120.02.

Pursuant to G.L. c. 23K, § 10(c), the Commission also reserves its rights to determine and reconsider which infrastructure improvements onsite and around the vicinity of the gaming establishment, including projects to account for traffic mitigation as determined by the Commission, shall be completed before the gaming establishment shall be approved for opening. However, in the event that the implementation of the transportation measures listed

below conflict with the schedule for the full completion of MassDOT’s work related to the I-91 Viaduct, MGM may seek an extension of certain mitigation elements as a post-opening commitment.

Mitigation Measures for the Project under the FEIR

MGM shall comply with the detailed measures to mitigate the Project’s impacts specified in the Certificate and the FEIR, as incorporated by reference in the NPC and NPC Certificate, including, without limitation, the mitigation measures described in the MassDOT Finding, those listed in Chapter 8 of the FEIR, and those listed in the following table, unless modified as described in the preceding paragraph or below:

MITIGATION MEASURES	SCHEDULE
Transportation	
Locations of Signal Timing Optimization Only: <ul style="list-style-type: none"> • Dwight Street / I-291 WB Ramps, • East Columbus Avenue / West Columbus Avenue / Main Street / Longhill Street, • Mill Street / Locust Street / Belmont Avenue / Fort Pleasant Avenue, and • Belmont Avenue / Sumner Avenue / Dickinson Street /Lenox Street. 	Prior to opening
Union Street Corridor (West Columbus Avenue to Main Street) Improvements: <ul style="list-style-type: none"> • Widen sidewalks along site frontage where feasible within the right of way, • Complete pavement mill and overlay on Union Street between Main Street and West Columbus Avenue, • Construct trolley <u>PVTA Downtown Circulator Bus</u> stop adjacent to Armory Square, • Widen and restripe roadway along site frontage, • Upgrade non-compliant accessible wheelchair ramps as required, • Install vehicular / pedestrian / bicycle wayfinding signs, • Install mid-block crosswalk, pedestrian flasher assembly, and raised median island east of MGM Bus Driveway, • Install bicycle “sharrows” and share-the-road signage, • Reconstruct Union Street under I-91 Overpass to 5-lane cross-section, depending on input from MassDOT and the City of Springfield during the final design review process, • Modify vehicular and pedestrian signal phasing scheme at Union Street/East and West Columbus intersections, • Upgrade vehicular and pedestrian traffic signal equipment and infrastructure at corridor intersections where necessary, and • Optimize traffic signal timings, clearance intervals, signal coordination, and offset timings at corridor intersections. 	Prior to opening
State Street Corridor (West Columbus Avenue to St. James Avenue) Improvements: <ul style="list-style-type: none"> • WidenReconstruct sidewalks along site frontage where feasible within 	Prior to opening

MITIGATION MEASURES	SCHEDULE
<p>the right of way,</p> <ul style="list-style-type: none"> • Construct trolley stop adjacent to the Project, • <u>Make available the bus drop off area on MGM Way to the Downtown Circulator Bus if requested by the PVTA,</u> • Restripe State Street along site frontage, • Stripe intersection tracking markings across intersection of State Street / Main Street, • Complete pavement mill and overlay State Street between Dwight Street and East Columbus Avenue, • Upgrade accessible wheelchair ramps at: <ul style="list-style-type: none"> • State Street / Main Street • State Street / East Columbus Avenue • State Street / West Columbus Avenue • Install vehicular / pedestrian / bicycle wayfinding signs, • Install mid-block crosswalk, pedestrian flasher assembly, and raised median island west of MGM Drive, • Install bicycle “sharrows” and share-the-road signage, • Install bike boxes, shift stop lines, and recalculated clearance intervals at intersections along State Street, • Modify pedestrian crossing across East Columbus Avenue north of State Street intersection, • Construct pedestrian refuge island along St. James Avenue approach to State Street, • Upgrade pedestrian traffic signal equipment only at: <ul style="list-style-type: none"> • State Street / Chestnut Street / Maple Street • State Street / Dwight Street / Maple Street • State Street / Main Street • Upgrade vehicular and pedestrian traffic signal equipment and infrastructure at: <ul style="list-style-type: none"> • State Street / East Columbus Avenue • State Street / West Columbus Avenue • Modify traffic signal phasing at intersection of State Street /Main Street; and • Optimize traffic signal timings, clearance intervals, signal coordination, and offset timings at corridor intersections. 	

MITIGATION MEASURES	SCHEDULE
<p>Main Street Corridor (Mill Street to Frank B. Murray Street) Improvements:</p> <ul style="list-style-type: none"> • Widen sidewalks along site frontage where feasible within the right of way, • Relocate Pioneer Valley Transit Authority (“PVTA”) bus stops along Main Street, • Complete a pavement mill and overlay Main Street between State Street and Union Street, • Restripe Main Street between State Street and Union Street, • Stripe intersection tracking markings across intersection of Main Street / Boland Way / Harrison Avenue, • Upgrade accessible wheelchair ramps at Main Street / Union Street and Main Street / State Street, • Install vehicular / pedestrian / bicycle wayfinding signs, • Install mid-block crosswalk north of Howard Street, • Install bicycle “sharrows” and share-the-road signage between Mill Street and Union Street, • Install bike lane northbound and bicycle “sharrows” southbound with share-the-road signage along Main Street between Union Street and Lyman Street, • Install bike boxes, shift stop lines, and recalculated clearance intervals at intersections with Boland Way and State Street, • Install new parking regulation signs along Main Street between State Street and Union Street, • Upgrade pedestrian traffic signal equipment only at: <ul style="list-style-type: none"> • Main Street / Falcons Way / Court Street • Main Street / Boland Way / Harrison Avenue • Main Street / Worthington Street, and • Optimize traffic signal timings, <u>and</u> clearance intervals, signal coordination, and offset timings at corridor intersections. 	<p>Prior to opening</p>
<p>Lyman Street Corridor (Main Street to Dwight Street):</p> <ul style="list-style-type: none"> • Restripe Lyman Street between Main Street and Dwight Street, and • Install bicycle lanes and wayfinding signage 	<p>Prior to opening</p>
<p>East and West Columbus Avenues at Boland Way Improvements:</p> <ul style="list-style-type: none"> • Install vehicular / pedestrian / bicycle wayfinding signs, • Restripe Boland Way eastbound between East Columbus Avenue and West Columbus Avenue to include 5-foot bike lane, • Stripe intersection tracking markings across intersection of West Columbus Avenue / Boland Way / Memorial Bridge, • Install “sharrows” along Boland Way between East Columbus Avenue and Main Street and along Boland Way westbound between East Columbus Avenue and West Columbus Avenue, • Upgrade accessible wheelchair ramps at East Columbus Avenue / Boland Way and West Columbus Avenue / Boland Way / Memorial Bridge, • Upgrade for Manual on Uniform Traffic Control Devices (MUTCD)-compliant vehicular and pedestrian traffic signal equipment at East 	<p>Prior to opening</p>

MITIGATION MEASURES	SCHEDULE
<p>Columbus Avenue / Boland Way and West Columbus Avenue / Boland Way / Memorial Bridge, and</p> <ul style="list-style-type: none"> • Optimize traffic signal timings, clearance intervals, signal coordination and offset timing at corridor intersections. 	
<p>East and West Columbus Avenue Corridors (Boland Way to Union Street) Improvements:</p> <ul style="list-style-type: none"> • Install vehicular / pedestrian / bicycle wayfinding signs, • Restripe West Columbus Avenue southbound approach and Memorial Bridge receiving lanes, • Complete pavement mill and overlay East Columbus Avenue between Union Street and State Street, and • Restripe West Columbus Avenue between Boland Way and Union Street. 	Prior to opening
<p>East Columbus Avenue at Bliss Street Coordinate with the City of Springfield on the following:</p> <ul style="list-style-type: none"> • Evaluate the need for potential speed control measures to help reduce the operating speeds of vehicles turning onto Bliss Street from East Columbus Avenue, and • Evaluate the need for potential advance warning to vehicles on East Columbus Avenue that there may be stopped vehicles on Bliss Street. 	Prior to opening
<p>Memorial Bridge:</p> <ul style="list-style-type: none"> • Restripe Memorial Bridge cross-section and install bike lanes, • Remove scored concrete median, • Reconstruct gaps along former scored concrete median with bituminous asphalt pavement, and • Complete <u>partial pavement rehabilitation and microsurfacing and/or complete pavement mill and overlay in the area of median removal</u> on Memorial Bridge per MDOT requirements. 	Prior to opening
<p>Plainfield Street:</p> <ul style="list-style-type: none"> • Restriping the Plainfield Street westbound approach from the existing two through lanes to provide a single through lane and a channelized right-turn lane onto the I-91 NB On-Ramp, • Restriping Plainfield Street westbound to provide one through travel lane between the I-91 NB On-Ramp and I-91 NB Off-Ramp, • Restriping the terminus of the I-91 NB Off-Ramp to enter Plainfield Street, west of the intersection, into its own travel lane, • Construct new sidewalk along Plainfield Street north of US Route 20, • Remove existing offset sidewalk between the newly constructed sidewalk connections, • Install new crosswalk with flashing warning assembly and Americans with Disabilities Act (“ADA”)-compliant accessible ramps immediately east of I-91 Ramps, 	Prior to opening

MITIGATION MEASURES	SCHEDULE
<ul style="list-style-type: none"> • Install “No Pedestrian Crossing” signage at locations along the northerly side of Plainfield Street at the I-91 Ramps and Birnie Avenue, and • Construct accessible wheelchair ramps, install pedestrian countdown indications and push buttons at Plainfield Street (US Route 20) / West Street (US Route 20) /Plainfield Street /Avocado Street intersection. 	
<p><u>Intelligent Transportation System Enhancements:</u> To improve route operations for the motoring public and MassDOT’s ability to monitor traffic and safety conditions, MGM has committed to work with MassDOT to deploy variable message signs and install cameras along Route 5 in West Springfield and along Route 57 in Agawam as further detailed in the MassDOT Section 61 Findings. This equipment would be used to inform the public of the following:</p> <ul style="list-style-type: none"> • Detour routes to follow when a traffic incident, construction, or traffic congestion warrants diversion of vehicles to an alternative route, • Alternative routes to use during special events to avoid traffic congestion or locate appropriate and convenient parking, and • Location of available parking in the Downtown area and routes for access. • Other needs identified by MassDOT as part of their normal traffic management procedures 	<p>Prior to opening</p>
<p><u>Transportation Demand Management:</u> MGM will fund and implement a transportation demand management (“TDM”) program to reduce traffic trips consisting of the following elements, to be confirmed based on those described in the final MassDOT Section 61 Finding: <u>MGM will implement the following measures post opening; provided that MGM will implement measures marked with an * prior to opening. MGM will report to the Commission within 90 days of opening on the status of implementation of such measures. If such measures have not been implemented by that time, MGM shall explain to the Commission the reasons why they have not been implemented to the Commission and shall explain the steps MGM will take to implement those measures in the coming 90 days and continue to maintain them throughout the life of the license. If MGM proposes to replace any particular measure, it will describe the proposed replacement measure to the Commission for the Commission’s review and approval.</u></p> <p><u>Transit Measures</u></p> <ul style="list-style-type: none"> • Coordinate with PVRTA to periodically review bus service directly serving the site and overall service.* 	<p>During-site operation <u>See left-hand column.</u></p>

MITIGATION MEASURES	SCHEDULE
<ul style="list-style-type: none"> • Implement trolley <u>Enter into an MOU with the PVTA for a Downtown Circulator Bus</u> service for no fare on scheduled service days between the Project site, Union Station, and local attractions; such as Basketball Hall of Fame and Quadrangle Museum Zone,* • Promote the use of public transportation and coordinate with PVTA to provide information on the availability of service to employees and patrons, • Provide transit schedules and information about program services,* • Provide improved bus stops with passenger amenities (weather protection, seating, real-time information, customer information) immediately adjacent to the Project site,* • Provide ongoing maintenance of bus stop facilities and amenities installed as part of the Project, • Provide <u>Evaluate</u> preferential shift selection to employees using transit services, and align shifts to the extent possible with PVTA transit service, where feasible, • Provide on-site transit pass sales and offer pre-tax pass sales for employees that enroll in the program, • As part of employment application process, ask prospective employees about likely use of public transportation, and • Provide a forum for employees to give customer feedback on transit service for Transportation Coordinator to share with PVTA to target future public or private improvements in service. <p><u>Pedestrian and Bicycle Measures</u></p> <ul style="list-style-type: none"> • Update and retrofit pedestrian signal equipment at study area intersections surrounding the site and along Main Street between Union Station and the site,* • Provide striping improvements for bicycle lanes or sharrows along with corresponding bike signs,* • Provide pedestrian and bicycle wayfinding signage throughout Downtown Springfield on roadways providing direct access to the site. This includes coordinating with retailers, employers, and property managers to distribute bicycle and pedestrian route maps to casino, hotel, and retail patrons, employees, and residents, • Provide ADA improvements at wheelchair ramps near the site,* • Provide enhanced connectivity to the Connecticut River Walk and Bikeway,* • Provide secure, weather protected, long-term bicycle parking (for employees and residents) at designated locations within the Project site,* • Provide bicycle racks for short-term users at several locations on-site,* • Provide bicycles and equipment for employees, • Implement bicycle share program, • Provide showers for employees who commute by walking or biking,* • Include a repair station near the bike cages and/or advertised visits by a 	

MITIGATION MEASURES	SCHEDULE
<p>local mechanic,</p> <ul style="list-style-type: none"> • Provide on-site bicycle education classes such as basic maintenance and repairs, rules of the road and winter cycling, • Canvas employees to identify potential "bicycle captains" and inexperienced cyclists that would be willing to participate in a Bike Buddy Program, • Reconstruct sidewalks along streets surrounding the site that are affected by project construction activities to improve access,* • Construct mid-block crossing with pedestrian warning device on State Street to service the pedestrian traffic between the Project parking structure and the adjacent courthouse,* • Construct mid-block crossing with raised median island on Union Street to service pedestrian traffic to land uses along southerly side of Union Street,* and • Provide employee incentive programs such as "CommuteFit" and "Workout to Work" that allow participants to log miles each month walked or bicycled to work. MGM will work with programs such as NuRide to implement these as part of work wellness program with incentivized participation. <p><u>Parking Measures</u></p> <ul style="list-style-type: none"> • Coordinate with the City of Springfield and expedite, to the extent feasible, MGM's construction employee parking plan,* • Provide<u>Evaluate the feasibility of</u> a reduced valet rate for vehicles with three or more patrons, • Provide preferential parking for rideshare, carpool, and hybrid vehicles,* • Provide charging stations for electric vehicles, which will be located near the doorways on each floor of <u>in</u> the parking structure,* • Implement an intelligent parking system to direct drivers to open parking spaces or nearby facilities controlled by the Springfield Parking Authority,* • Employee parking "buy out" program, which will provide a financial incentive for employees to use alternative modes of transportation,* • Promote TDM programs alongside sale and delivery of parking information for employees and visitors, and • Study how the proposed parking fee structure may impact project related traffic, determine whether market rate pricing may reduce the number of single occupancy vehicle ("SOV") trips and report to the Commission on potential changes to the parking fee structure to encourage fewer SOV trips. <p><u>Other Measures</u></p> <ul style="list-style-type: none"> • Appoint a Transportation Coordinator on-site to oversee, implement, monitor, and evaluate TDM measures, employed or funded by MGM.* Responsibilities of the Coordinator will include: 	

MITIGATION MEASURES	SCHEDULE
<ul style="list-style-type: none"> • <u>Reviewing status of TDM measures and assisting in reporting on the same to the Commission;*</u> • Posting and distributing announcements;* • Holding promotional events to encourage ridesharing, using public transit, bicycling, and walking; • Monitoring the TDM program and assisting in the<u>its</u> evaluation; • Providing transit schedules and information about program services;* • Coordinating on-site sales of transit passes; • Managing transit subsidy or discount programs for employees; • Coordinating rideshare and carpool programs and preferential parking for participants; • Coordinating with PVTA and MassRIDES to implement TDM programs and improve transit mode share; and • Collecting and reviewing transportation data and employee surveys and coordinating with transportation consultant for review of post occupancy conditions and "look back" intersection studies. <ul style="list-style-type: none"> • Partner with MassRIDES to implement and monitor TDM measures, • Offer preferential shifts to employees using transit to align with PVTA service, • Register employees with NuRIDE to encourage ride-sharing and "green" trips, • Provide a car sharing program through a third party provider such as Zip Car or equivalent for resident and employee use with convenient spaces located within the parking structure, • Encourage vanpool and carpooling participation through marketing, events and vanpool formation meetings, • Offer pre-tax payment option for employee vanpool fares, • Offer employees a guaranteed ride home program through participation with NuRide, • Provide and update a monthly Commuter Bulletin, • Provide real-time traffic/weather information, • Team up with local partners and provide lunchtime tours to help employees discover local amenities and attractions, • Promote safe commuting by all modes through a multi-modal safety awareness campaign. Increase awareness of multi-modal user needs with printed, online or interactive information as developed, • Implement electronic sign-up for TDM programs to support creation of a database of participants to track program effectiveness and costs, • Facilitate events through coordination with MassRIDES and PVTA, and • Establish a monitoring system to evaluate TDM goals. 	
<p>The TDM program will be modified, as necessary, contingent upon the outcome of the proposed transportation monitoring program, to ensure mode</p>	

MITIGATION MEASURES	SCHEDULE
share estimates presented in the FEIR are met.	
<p><u>Off-Site Roadway Improvements</u> Construct off-site roadway improvements required by MassDOT and/or the City of Springfield as mitigation measures consistent with "Complete Streets" principles to the extent reasonable and practicable at the intersections where other physical improvements are already proposed. These improvements include:</p> <ul style="list-style-type: none"> • Reconstruct existing curb cut ramps to bring them into compliance with ADA and Architectural Access Board regulations, • Reconstruct pedestrian traffic signals to bring them into compliance with the most recent version of the MUTCD, and • Bicycle and pedestrian accommodations where feasible such as, "bike boxes" at certain signalized intersections to reduce bicycle/vehicle conflicts, new or renovated PVTA bus stops and reconfiguration of on-street parking to provide additional safety measurements for pedestrians and bicyclists. <p>Coordinate with the City of Springfield and MassDOT and expedite, to the extent feasible, offsite roadway and intersection work.</p>	Prior to opening
<p><u>Public Transportation:</u> MGM must fulfill its commitment to reach an agreement with the PVTA that will capture all public transportation agreements and commitments on the Project, which are likely to include final details on:</p> <ul style="list-style-type: none"> • Commitment to fund ADA paratransit trips that serve the Project; • Provision of trolley/a <u>Downtown Circulator service, Bus</u> to be operated by PVTA, including final details on trolley-route, stops and hours of operation, • Improvements to bus stops on Main Street, including passenger amenities, • Ongoing commitment to maintain bus stops, including snow removal, • Working with PVTA and other stakeholders on ways to manage/provide/serve Seniors using the current Dial-a-Ride or other alternate means for travel to the Project, • Targeting a transit mode share for employees, • Promotion of PVTA passes to MGM employees, • Provision of transit information in a centralized location at the Project for all users, including prominent placement of information about PVTA service, • Implementing onsite PVTA pass and fare sales, • Granting preferential shifts to employees who take public transportation, where feasible so they can utilize existing transit services, • Committing to continually working with PVTA to review service levels 	At occupancy and during operation

MITIGATION MEASURES	SCHEDULE
<p>and demand for the Project, and working collaboratively to alter service as warranted,</p> <ul style="list-style-type: none"> • Providing a robust Transportation Demand Management program for employee to discourage single occupancy vehicle travel, and encouraging alternate transportation, including PVTA service • Completing annual monitoring of transportation usage, with a goal of reaching target mode shares. <p>Upon site occupancy and during operation, MGM must work with the PVTA to assess actual changes to transit demand and identify corresponding mitigation, as warranted.</p>	
<p><u>Road Safety Audits:</u> Conduct road safety audits as part of the 25 percent design process for intersection improvements at the following locations:</p> <ul style="list-style-type: none"> • Dwight Street/Interstate 291 southbound ramps, • Mill Street/Locust Street/Belmont Avenue/Fort Pleasant Avenue, • State Street between Main Street and Spring Street / School Street, • State Street between Federal Street and Orleans Street, • Union Street between West Columbus Avenue and Main Street, • Main Street between Liberty Street and Worthington Street • Main Street/West Columbus Avenue/East Columbus Avenue/Longhill Street, and • Plainfield Street (US Route 20) between I-91 northbound Exit 9 ramps and the North End Bridge. <p>MGM is also committed to incorporating any reasonable and feasible short term improvements identified as part of the audits referenced above into the design of the off-site roadway improvements along these roadway segments.</p>	<p>During Project design</p>
<p><u>Traffic Monitoring Plan:</u> Complete a Traffic Monitoring Plan (TMP) as described in pages 42-44 of the Secretary's Certificate, as amended by pages 17-19 of the NPC Certificate, with an evaluation of the following:</p> <ul style="list-style-type: none"> • Traffic operations at key study area intersection and roadways surrounding the project, • Adequacy of the constructed parking supply, and • Effectiveness of TDM measures. 	<p>Prior to and during construction and during operation</p>

MITIGATION MEASURES	SCHEDULE
<p>“Look-Back” Studies: Complete “look-back” studies in accordance with the Surrounding Community Agreements. The final scope of the look back approach, including the roadways for evaluation, will be developed in coordination with each respective community, Pioneer Valley Planning Commission, MGM, and each entity's consultants.</p>	During operation
<p>Optimization Measures: Work with MassDOT during and post permitting to optimize traffic operations and manage access along some project corridors (notably Main Street and Union Street).</p>	During permitting and operation
Air Quality	
<p>Implement a TDM program (described above and in the MassDOT Finding) to mitigate the projected emissions increase between the 2024 No Build and 2024 Build Conditions (7% increase in volatile organic compounds and 5% increase in nitrogen oxides).</p>	During operation
<p>Install on-site stationary sources of potential air pollutants, including the proposed combined heat and power (“CHP”) system in accordance with MassDEP's Environmental Results Program or air quality permitting regulations, as applicable.</p>	Prior to and during construction
GHGs	
<p>Incorporate the following elements, or measures achieving similar energy use reductions, into the final Project design:</p> <ul style="list-style-type: none"> • High efficiency water cooled chillers • Water side economizers • Air side economizers • Variable air volume systems • Variable speed pumping • Variable speed cooling tower fans • Demand controlled kitchen exhaust (with tenant participation) • Increased air filtration • High performance building envelope • Green roof • High-albedo roofs • Premium electric motors • Energy recovery ventilation • Demand controlled ventilation (in garage, and where the occupant density exceeds 40 persons per thousand square feet) • Room occupancy sensors for lighting (and HVAC in hotel rooms) • Daylighting (where possible) • Reduced lighting power density below ASHRAE guidelines (except residential and guest room spaces) • High performance lighting • Low-flow fixtures • Energy star appliances • Energy management system 	Prior to and during construction

eP

MITIGATION MEASURES	SCHEDULE
<ul style="list-style-type: none"> • Inspections and air sealing • Enhanced refrigerant management and use of refrigerants with lower global warming potentials • Regional building materials • Low-volatile organic compound (“VOC”) adhesives, sealants, paints, carpets, and wood (where feasible) 	
Incorporate an approximately 200 kW CHP system, and review of options to increase the CHP size during final design.	Prior to and during construction
<u>The Parking Structure</u> roof areas not significantly shaded and not designated for other uses will be constructed “solar-ready” such that they can support the live loads and include space for conduit runs and electrical gear such as inverters and meters.	Prior to and during construction
Incorporate onsite solar photovoltaic (PV) systems, with sizes and locations to be determined during final design. Preliminary analysis identified an estimated average annual energy production from the podium PV system at 246.54 megawatt hours (MWh) per year and the parking structure PV system at 807.91 MWh per year, resulting in total carbon dioxide offsets of 379.1 tons per year. <u>MGM shall report to the Commission its progress on incorporating the PV system into the Project on a quarterly basis and</u> reserves the right to seek revision of this condition based upon structural and economic feasibility including but not limited to potential changes in state and federal tax credits and other subsidies for PV in Massachusetts.	Prior to and during construction <u>Within one year of opening</u>
Incorporate a ground source heat pump system to provide energy to the daycare facility, and review of alternatives to expand the system.	Prior to and during construction
Purchase of Renewable Energy Credits such that at least 10 percent of the facility's <u>facility's</u> annual electricity consumption is from onsite or offsite renewable energy sources.	During operation
Conduct a review in the final Project design of the cost and benefit of addition of the following Project elements (including funding availability): <ul style="list-style-type: none"> • Advanced elevators (machine room-less, permanent magnet gearless with efficient drives) and advanced escalators, • Improvements to the building envelope and lighting power densities, • Electronically commutated motors for terminal units, • Solar hot water to support specific end uses, • Chillers with improved full-load efficiency, and • Oversized cooling towers that can supply condenser water to the chiller condensers at a temperature less than or equal to 75 degrees for 95% 	Prior to and during construction

MITIGATION MEASURES	SCHEDULE
of the operating hours per year	
<p>Include energy efficiency criteria in the <u>Where feasible, mitigate environmental impacts of electronic gaming machines including but not limited to installing repurposed games and partnering with environmental minded slot manufactures that use among other measures lighting/energy efficiency; recycled materials; low volatile organic compounds; and restrict the use of hazardous substances. Provided that such mitigation efforts will not limit gaming machine selection and purchase process</u> based primarily on customer preference.</p>	During operation
Conduct annual energy use surveys using information collected by energy management system and monitor all major sources of energy consumption.	During operation
Implement the traffic-related strategies to reduce emissions from vehicles as outlined in the traffic mitigation section above, including providing electric vehicle charging stations and designated parking spaces for alternatively fueled vehicles within the parking garage consistent with patron demand.	Prior to and during construction <u>except as otherwise stated elsewhere</u>
Provide a self-certification document to the MEPA Office signed by an appropriate professional (e.g., engineer, architect, transportation planner, general contractor) and indicating that all of the required mitigation measures, or their equivalent, have been completed for each phase. The certification will be supported by plans that clearly illustrate what type of GHG mitigation measures have been incorporated into the Project. For those measures that are operational in nature, MGM will provide an updated plan identifying the measures, the schedule for implementation, and a description of how progress towards achieving the measures will be obtained.	After construction and during operation
Implement the traffic-related strategies to reduce motor vehicle traffic and idling times as outlined in the traffic mitigation section, including improved bicycle and pedestrian access, bicycle storage, and carpool/vanpool/car sharing parking spaces. Activities to encourage public and alternative transportation will be coordinated by a fulltime, on-site Transportation Coordinator.	Prior to and during construction and operation <u>except as otherwise stated elsewhere</u>
Continue to explore feasible energy efficiency measures for incorporation into the final Project to meet and exceed Commission requirements and support Commonwealth's GHG reduction goals.	Prior to and during construction and during operation
Achieve LEED Gold certification or higher and meet Massachusetts Stretch Energy Code requirements. <u>As of the date of the Amended Section 61 Findings, MGM has registered for LEED certification for all elements of the Project. MGM shall provide the Commission a quarterly update regarding the status of LEED certification.</u>	<u>Submit for registration</u> prior to and during <u>construction</u>

MITIGATION MEASURES	SCHEDULE
	<p><u>project opening and continue reporting to Commission on quarterly basis regarding status thereafter.</u></p>
<p>Water Supply and Wastewater</p> <p>Replace:</p> <ul style="list-style-type: none"> • The twin 12-inch water mains in Main Street with one 16-inch water main; <u>and</u> • The 10 inch sewer main within Union Street with a 12-inch sewer main; • The 24 inch water main in Union Street; and • The 12-inch vitrified clay sewer main and upgrade hot water mains in Howard and Bliss Streets where the roadway ROW will remain. <p><u>Install a cured in place liner for 10 inch sewer main within Union Street per Commitment Agreement with Springfield Water and Sewer Commission ("SWSC").</u></p> <p><u>Install restraining joints in 24 inch main in Union Street per Commitment Agreement with SWSC.</u></p> <p>Implement the following water conservation and reuse measures (overseen by a designated Water Conservation Manager):</p> <ul style="list-style-type: none"> • Rainwater reuse for landscape irrigation, • Weather-based irrigation controllers, • Installation of drip irrigation systems, • Drought tolerant plants, • Installation of low-flow urinals, • Installation of low-flow water closets (1.1 gallons per flush (gpf) for liquids and 1.6 gpf for solids), • Installation metering faucets (fitted with 0.5 gallon per minute (gpm) aerators with 15 seconds run time), and • Education and training programs. <p>The water conservation measures identified above will minimize the Project's wastewater generation. Low Impact Development techniques will be implemented to minimize the volume of storm water runoff, which will in turn reduce impacts on the wastewater collection and treatment systems.</p>	<p>During construction and occupancy</p>
<p>Work with the Springfield Water and Sewer Commission ("SWSC") and the</p>	<p>Prior to and</p>

MITIGATION MEASURES	SCHEDULE
City of Springfield to identify and mitigate potential impacts on abutting properties. This may include the installation of backflow preventers on service laterals to prevent a surcharge during heavy rainfall.	during construction
Execute a Memorandum of Understanding with the SWSC to memorialize water and sewer infrastructure commitments including maintenance, inspections, monitoring, reporting, and continued communication.	Prior to and during construction
Investigate technologies to minimize water use and wastewater generation associated with food preparation and dishwashing and on-site laundry services and hotel shower fixtures to further reduce project related water and wastewater impacts. <u>In addition, given decision to utilize off-site laundry, which was made after issuance of the 2015 Section 61 Findings, investigate feasibility of incorporating requirements to minimize water use and wastewater generation in contracts with off-site laundry vendors.</u>	Prior to and during construction and during operation
Hazardous Materials	
Prior to building demolition or renovation, hazardous building materials will be abated or removed in accordance with applicable regulations.	Prior to and during construction
No major impacts to soil or groundwater quality from oil or hazardous materials that may significantly impact construction have been identified or are anticipated, based on due diligence activities performed to date.	
Consistent with the requirements of the Activity and Use Limitation (AUL) (RTN 1-12379), located at 38-50 Howard Street, this portion of the project site has been designed to accommodate the development of the main floor and basement offices of the casino building.	Prior to and during construction
Construction activities within identified Massachusetts Contingency Plan ("MCP") disposal sites will include an environmental monitoring plan to monitor potential impacts to neighboring properties. The environmental monitoring plan will set dust action levels and VOC ambient air monitoring requirements for the Project. Air monitoring with dust meters and a photoionization detector will be a key component of the environmental monitoring plan included within the Release Abatement Measure.	Prior to and during construction
Engage a Licensed Site Professional to manage the MCP-submittal process and manage potential construction-period waste, soil and groundwater remediation in accordance with the MCP.	During construction
Historic Resources	
To mitigate adverse impacts on properties listed on the National Register, the State Register and the Inventory of Historic and Archaeological Assets of the Commonwealth, MGM will utilize a variety of techniques ranging from full preservation, to partial preservation, to relocation of historic properties within the Project, as set forth in the FEIR and the Secretary's Certificate and as summarized above. The Commission recognizes, however, that there will be full or partial demolition of a number of those listed properties, including without limitation the Howard Street Primary School, which was damaged in the 2011 tornado and has been condemned.	Prior to and during construction

MITIGATION MEASURES	SCHEDULE
<p>As anticipated in the FEIR, MGM has prepared a final MOA with MHC and the Commission describing mitigation measures concerning historic properties. The MOA includes, without limitation, the following preservation measures:</p> <ul style="list-style-type: none"> • Renovation of certain State Register Properties and other historic properties, • Partial preservation of State Register Properties and other historic properties, • Relocation and renovation of State Register properties, • Photographic documentation of the buildings prior to demolition, • Design review, • Creation of a Historic Preservation Trust Fund funded by MGM and the Commission, • Recording of historic covenants, • Salvage and reuse of architectural elements within the Project, and • Interpretive signage and displays providing information about the history of the Project area. <p>To mitigate adverse impacts on properties listed on the National Register, the State Register and the Inventory of Historic and Archaeological Assets of the Commonwealth, MGM shall comply with these and other mitigation measures in the MOA <u>including, where applicable, after opening</u>. The MOA is attached as Exhibit A and incorporated herein by reference.</p>	
Storm water	
Design and construct the Project consistent with MassDEP Storm water	During

MITIGATION MEASURES	SCHEDULE
<p>Management Standards. The storm water management system will reduce peak rates of runoff on site and provide treatment to improve water quality of discharge, compared to existing conditions. Use appropriate Best Management Practices and Low Impact Development concepts to mitigate the storm water impacts from the proposed development including any increased peak flows to Union Street if necessary. Among other things, 1.3 <u>MGM has retained 1.62 acres of imperviouspervious surfaces will be eliminated, on the Project Site (exclusive of DaVinci Park).</u> MGM will install deep sump <u>hooded</u> catch basins, <u>a storm water</u> infiltration systems,system, multiple hydro-dynamic (proprietary) separators; and 2.2 acres of green roofs, perform rainwater <u>a 70,000 gallon detention tank. A 20,000 gallon storm water capture, and cistern for irrigation is incorporated into the project. The project will</u> adhere to a specific maintenance schedule <u>for each of these drainage systems.</u></p>	<p>construction and occupancy</p>
<p>Design and construct the Project consistent with MassDEP Storm water Management Standards. The storm water management system will reduce peak rates of runoff at each design point and provide treatment to improve water quality of discharge, compared to existing conditions.</p>	<p>During construction and occupancy</p>
<p>Register the storm water system's infiltration system in accordance with the MassDEP Underground Injection Control program.</p>	<p>During construction and occupancy</p>
<p>Construction</p>	
<p>Within the site, activities such as excavation, pile driving, and steel erection will only be allowed during permitted hours. Every two weeks, the contractor will publish an updated schedule of upcoming work and will disseminate the schedule to affected parties in local neighborhoods. In addition, the general contractor will publish monthly schedule updates describing progress as well as projected activity for the next month. This information will be available on a Project website that will allow neighbors real-time access to the most up-to-date construction information.</p>	<p>Prior to and during construction</p>
<p>As this Project will be constructed simultaneously to the I-91 Viaduct Deck Replacement Project, MGM and its construction contractor will coordinate with MassDOT and its construction contractor on a regular basis throughout the entire construction process to minimize impacts prior to and on the surrounding transportation infrastructure. Both MGM and MassDOT are currently planning to incorporate language into each respective construction contract to define a need for bi-weekly construction coordination meetings to evaluate traffic detours, parking demands, major trucking needs, and other related items.</p>	<p>Prior to and during construction</p>
<p>MGM or its general contractor shall develop a parking plan for the City of Springfield's review and approval, which shall include the general contractor's plans and protocols for enforcing the prohibition on construction personnel parking personal vehicles on streets in the adjacent neighborhood. Terms and conditions to maximize protection of the neighborhoods related to <u>Mandatory orientation for all workers on the project will include workforce parking will be written into each subcontract and reviewed with each worker during a mandatory orientation. Terms and conditions encouraging</u> instructions, public</p>	<p>Prior to and during construction</p>

MITIGATION MEASURES	SCHEDULE
<p>transportation use will be included in each subcontract<u>options and the need to protect the adjacent neighborhoods from workforce parking during construction.</u> MGM shall coordinate with the Springfield Parking Authority, City of Springfield, and owners of private parking facilities throughout downtown Springfield to identify locations to accommodate construction employee parking, as well as parking for uses displaced from the site during construction.</p>	
<p>The general contractor will develop a construction period traffic management plan for review and approval by the city and state. Signage, traffic cones, drums, and other traffic control measures will be employed during construction to provide positive guidance for traffic near the work zone. The FEIR provides sample temporary traffic control plans for construction of improvements near the MGM Project site. These plans will be refined as the project advances to the 25% design stage and will require review and approval by the City of Springfield and MassDOT District 2 Staff.</p>	Prior to and during construction
<p>Effort will be made to minimize the noise impact of construction activities. Mitigation measures will include:</p> <ul style="list-style-type: none"> • Instituting a proactive program to ensure compliance with the City of Springfield noise ordinance, • Using appropriate mufflers on all equipment and ongoing maintenance of intake and exhaust mufflers, • Replacing specific construction operations and techniques by less noisy ones where feasible, • Selecting the quietest of alternative items of equipment where feasible. • Turning off idling equipment and comply with Mass DEP's anti-idling regulations, and • Locating noisy equipment at locations that protect sensitive locations by shielding or distance. 	Prior to and during construction and operations
<p>Precondition surveys and vibration monitoring will be conducted prior to and during construction to document initial conditions and to monitor vibration levels during construction. Soil borings and geotechnical analysis will be undertaken in strategic areas of the project site, following MGM's securing ownership of the property.</p> <p>The Construction Management Plan will establish vibration limits and other similar performance criteria, as well as require the contractor to plan and implement mitigating measures if adverse impacts were detected during construction. Below-grade work would be conducted under the technical monitoring of a geotechnical engineer, to observe and document construction</p>	Prior to and during construction

MITIGATION MEASURES	SCHEDULE
procedures, monitor vibrations, and to anticipate and facilitate any needed mitigation measures.	
MGM and its construction teams will evaluate the Commonwealth's Clean Air Construction Initiative, which includes incorporating Construction vehicles with emission reducing control devices.	Prior to and during construction
Establish a goal of 100 percent diversion of demolition/construction waste.	Prior to and during construction
Environmental Justice	
The FEIR, the Secretary's FEIR Certificate, the NPC, and the NPC Certificate do not expressly discuss environmental justice issues pertinent to former Governor Patrick's Executive Order No. 552 on Environmental Justice (11/20/14) or the prior EOEEA Environmental Justice Policy (10/9/02). Nonetheless, the Commission finds that the proposed Project will make significant positive environmental justice contributions to the host community of Springfield and the surrounding area. These positive contributions include the rehabilitation and revitalization of a significant portion of downtown Springfield ravaged by the 2011 tornado and associated displacement of businesses and other enterprises, the use of environmentally-sensitive design in all aspects of the Project as described above, and the creation of significant numbers of new jobs arising out of and related to the construction and operation of the proposed facility, which jobs will directly and substantially benefit disadvantaged persons in the local community. Based on the mitigation measures discussed above, the Commission finds that these positive contributions can be achieved while damage to the environment is mitigated or avoided.	

FINDINGS

Pursuant to G.L. c. 30, § 61, and 301 CMR 11.12(5), the Massachusetts Gaming Commission finds that all feasible measures have been taken to avoid or minimize impacts of the Project and damage to the environment. Specifically, the Commission finds that:

1. Environmental impacts resulting from the proposed Project within the parameters of the Original Design and the Revised Design within the scope of MEPA are those impacts described in the Final Environmental Impact Report dated November 6, 2014, the Secretary's Certificate on the FEIR dated December 31, 2014, the Notice of Project Change dated October 15, 2015, and the Secretary's Certificate on the Notice of Project Change dated November 25, 2015;
2. MGM shall comply with and shall implement (a) the License conditions in the Commission's conditional License for the Project dated November 6, 2014 and referenced in the Secretary's Certificate, (b) the terms and conditions of the Executed Mitigation Agreements, (c) the mitigation measures described in these Amended Section 61 Findings, the FEIR, the Secretary's Certificate, the NPC, and the NPC Certificate (d) the Section 61 Findings and conditions to be issued by other Agencies of the Commonwealth in their final Agency Action on the Project, in particular those Section 61 findings issued by MassDOT, (e) the MOA between the MHC, MGM and the Commission, (f) any mitigation measures required by the City of Springfield as part of its review and permitting of the Project and (g) additional conditions consistent herewith imposed by the Commission in the final License pursuant to 205 CMR 120.02(1)(a); and
3. Appropriate conditions will be included in any final License issued for the Project pursuant to 301 CMR 11.12(5) (b) and 205 CMR 120, and any amendment thereto, to ensure implementation of the conditions and mitigation measures identified herein.
4. The Commission may conduct a regular quarterly review of compliance with the Section 61 Findings and the conditions of the Gaming License.

Chair, Massachusetts Gaming Commission

Date

Summary report:	
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Style name: Standard	
Intelligent Table Comparison: Active	
Original DMS: iw://WORKSITE/WorkSiteUS/63058398/1	
Modified DMS: iw://WORKSITE/WorkSiteUS/63068681/1	
Changes:	
Add	165
Delete	104
Move From	5
Move To	5
Table Insert	2
Table Delete	0
Table moves to	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	281

**MASSACHUSETTS GAMING COMMISSION
AMENDED FINDINGS ISSUED
PURSUANT TO M.G.L. c. 23K AND M.G.L. c. 30, § 61**

PROJECT NAME: MGM Springfield (the “Project”)
PROJECT LOCATION: Springfield, Massachusetts
PROJECT PROPONENT: Blue Tarp reDevelopment, LLC (“MGM”)
EOEEA NUMBER: 15033
APPROVAL SOUGHT: Category 1 Gaming License

On December 22, 2015, the Massachusetts Gaming Commission (the “Commission”) issued its Section 61 Findings for the Project (the “2015 Section 61 Findings”) pursuant to the Massachusetts Environmental Policy Act, G.L. c. 30, §§ 61-62I, G.L. c. 23K, § 15(12), 301 CMR 11.12, and 205 CMR 120.02. The Commission found that with the implementation of the measures identified in MGM’s Final Environmental Impact Report dated November 6, 2014 (“FEIR”) and the Certificate issued by the Secretary of the Executive Office of Energy and Environmental Affairs (“EOEEA”) dated December 31, 2014 (the “Secretary’s Certificate”), as amended by MGM’s Notice of Project Change dated October 15, 2015 (the “NPC”) and the Secretary of EOEEA’s Certificate regarding the NPC dated November 25, 2015 (the “NPC Certificate”) including, without limitation those measures summarized in the 2015 Section 61 Findings, that all practicable and feasible means and measures will have been taken to avoid or minimize potential damage from the Project to the environment. The 2015 Section 61 Findings were published in the Environmental Monitor on January 6, 2016.

Since that time, MGM has continued to revise and refine the design of the Project and the methods by which it would implement the mitigation measures identified in the 2015 Section 61 Findings. Accordingly, MGM has requested that the Commission revise the 2015 Section 61 Findings to reflect the refinements in the Project’s design and the mitigation measures associated with the Project. MGM also consulted with the MEPA Office of the EOEEA regarding those revisions and has been advised by EOEEA that no further filings are required under MEPA.

The Commission has reviewed MGM’s refinements to the Project on a regular basis since issuing the 2015 Section 61 Findings. It has also reviewed the proposed revisions to MGM’s mitigation commitments (as described below). Based on this review, the Commission now issues these Amended Section 61 Findings (the “Amended Section 61 Findings”) pursuant to G.L. c. 30, §§ 61-62I, G.L. c. 23K, § 15(12), 301 CMR 11.12, and 205 CMR 120.02, to continue to ensure that all practicable and feasible means and measures have been and will be taken to avoid or minimize potential damage to the environment from the Project. These Amended Section 61 Findings restate and replace the 2015 Section 61 Findings. Changes from the 2015 Section 61 Findings are noted below.

PROJECT SITE

The Project Site remains unchanged from that described in the 2015 Section 61 Findings. The approximately 14-acre site is located in downtown Springfield and is comprised of several city blocks. It is bounded by Main Street to the northeast, Union Street to the southeast, East Columbus Avenue and Interstate 91 (“I-91”) to the southwest and State Street to the northwest. The site includes portions of Bliss Street and Howard Street. The Connecticut River and

associated parkland is located to the west of the site and I-91. The site contains vacant lots and several commercial and retail buildings. Many of the buildings were damaged by a tornado that struck Springfield in 2011. A number of buildings within the site are listed on the State and National Registers of Historic Places, the State Register of Historic Places and/or in the Inventory of Historic and Archeological Assets of the Commonwealth. The site is located within ½ mile of Union Station and the Springfield Bus Terminal and is served by several bus routes.

PROJECT DESCRIPTION

The Project, as revised by the NPC and the design revisions to the Project as of May 1, 2018,¹ consists of an approximately 775,484 square foot mixed-use redevelopment consisting of a Category 1 Gaming Establishment pursuant to Chapter 194 of the Acts of 2011 (the “Gaming Act”), with retail, restaurant, entertainment, hotel and office uses, as well as a complementary daycare and residential component within close proximity. The Commission understands that the final size of the Project may vary by +/- 10,000 sf as MGM finalizes the Project Design and constructs the Project. All variations to the Project’s size will be subject to further review by the Commission.

According to the FEIR, the Project is designed to take advantage of the existing transportation infrastructure in the Project area and to integrate the proposed uses into the existing urban fabric by providing street level access and design of streetscape elements including shade trees, street furniture, planters, enhanced lighting, street banners, gathering spaces and landscaping.

The Project consists of three primary areas: the Casino Block (590,133 sf), the Retail Block (120,351 sf) and the residential component (approximately 65,000 sf). Variations in the allocation of space among the three components of the Project between the 2015 Section 61 Findings and the date of these Amended Section 61 Findings are summarized in the following table:

Area	2015 Section 61 Findings (square feet)	Amended Section 61 Findings (Square feet)	Difference (Square Feet)
Casino Block (with terraces)	576,374	590,133	+13,759
Retail Block (with terraces)	125,494	120,351	-5,143
Residential Component	65,000	65,000	0

The Casino Block includes 125,616 sf of casino gaming facilities, a 251-room, 151,266 sf hotel, 46,023 sf of convention space, 15,440 sf of retail space, 36,637 sf of restaurant space, and 215,151 sf of casino-related back of house/operational space.

¹ The Project description contained herein incorporates the changes set forth in MGM’s October 15, 2015 NPC (“Revised Design”). The Revised Design contains the following modifications to the Project as described in the FEIR (“Original Design”) including: (i) relocation of the residential units; (ii) relocation and redesign of the Project hotel; (iii) reduction in gaming positions; an approximate 122,000 sf reduction in the Casino and Retail Blocks; a reduction in the size of the parking garage; and a revised opening date.

The Retail Block includes a retail and entertainment center (“Armory Square”), a seven story parking structure to provide 3,416 parking spaces in the garage and 81 on-site surface parking spaces. It will also include a 10,472 sf bowling alley, 15,423 sf of retail space, 28,588 sf of food and beverage space, a 42,926 sf multi-screen cinema, an event plaza, a 1,760 sf arcade and 16,340 sf of back of house operational space. The Project will also include the relocation of an existing 4,842 sf church into the Retail Block, which is to be reused as retail space. The allocation of space within each block may also vary as MGM completes Project design and construction. Any variations in that allocation of space will also be reviewed by the Commission and will be subject to Commission review.

Variations in the allocation of space for the particular amenities in the Project between the 2015 Section 61 Findings and the date of these Amended Section 61 Findings are summarized in the following table:

Amenity	2015 Section 61 Findings (Square Feet)	Amended Section 61 Findings (Square Feet)	Difference (Square Feet)
Casino Gaming Facilities	126,262	125,616	- 646
Hotel	151,861	151,266	- 595
Convention Space	43,705	46,023	+ 2,318
Casino Block Retail Space	15,204	15,440	+ 236
Casino Block Restaurant with terraces Space	38,737	36,637	- 2,100
Casino-related back of house/operational space	200,605	215,151	+ 14,546
Bowling Alley	9,618	10,472	+ 854
Retail Block Retail Space	16,046	15,423	- 623
Retail Block Food and Beverage Space with terraces	28,120	28,588	+ 468
Cinema	37,465	42,926	+ 5,461
Retail Block Office Space	12,000	0	-12,000
Arcade	1,261	1,760	+499
Retail Block back of house/operational space	18,495	16,340	- 2,155
Church Relocation	2,489	4,842	+2,353

The Residential component will be comprised of approximately 54 residential units consisting of approximately 65,000 sf to be developed. Although the number and the projected square footage of the residential units have not changed, their proposed location will. Since the 2015 Section 61 Findings refinements to the Project have occurred including but not limited to (i) relocation of the MGC Offices from 101 State Street to the Casino Podium; (ii) increased capital expenditure; (iii) additional table game capacity and a decrease to slot capacity to better align with current player preferences; and (iv) improvements to the Project's food, beverage and retail offerings such as the relocation of Starbucks and the Salon to Main Street.

The Project is estimated to generate approximately 18,570 average daily trips ("adt") on a weekday (normally a Friday) and 20,824 adt on a weekend day (Saturday). These estimates have not changed due to the preparation of final design drawings. It includes a combination of new construction, redevelopment of existing buildings, retention of existing infrastructure and facilities, and demolition. Among other things, construction will include access drives, extensive landscaping, construction of a new storm water management system and other associated infrastructure. Proposed demolition includes a boarding house on Bliss Street, the Howard Street Primary School and the Howard Street apartment building. On August 6, 2015, the Commission approved a revised opening date of September 2018. A detailed project schedule, based on the revised opening date, was approved by the Commission on April 12, 2018 under 205 CMR 135.02. Vehicular access to and circulation within the site is proposed via Bliss Street, State Street, Union Street, Howard Street, a proposed MGM Way, and East Columbus Avenue.

MEPA HISTORY

MGM filed an Environmental Notification Form ("ENF") with EOEEA for the Project on March 15, 2013 and a Draft Environmental Impact Report ("DEIR") on December 16, 2013. The Secretary of EOEEA issued a Certificate approving the DEIR on February 7, 2014. MGM submitted the FEIR on November 6, 2014. On December 31, 2014, the Secretary of EOEEA issued the Secretary's Certificate approving of the description of environmental impacts and mitigation measures in the FEIR and certifying that the FEIR adequately and properly complies with MEPA.

On October 15, 2015, MGM submitted the NPC, describing changes to the Project that, according to the NPC, do not alter the Project's environmental impacts from those described in the FEIR. MGM also confirmed that it remained "wholly committed" to the mitigation measures described in the FEIR and referred to in the Secretary's Certificate. On November 25, 2015, the Secretary of EOEEA issued the NPC Certificate concluding that MGM's proposed project changes do not require the submission of a supplemental environmental impact report. However, the NPC Certificate provides that MGM should revise its Section 61 Findings "in response to the Certificate on the FEIR and the NPC and provide [those revised findings] to State Agencies to assist in the permitting process and issuance of final Section 61 Findings."

MGM did so on December 14, 2015. The Commission reviewed MGM's revised Draft Section 61 Findings as part of its preparation of the 2015 Section 61 Findings."

On November 30, 2015, MGM submitted a final Memorandum of Agreement (the "MOA"), between MGM, the Commission and the Massachusetts Historical Commission (MHC)

addressing the twelve (12) historic properties located on the Project Site for signature pursuant to MHC Regulations. The MOA, and all mitigation measures required thereunder, are incorporated herein by reference. On March 28, 2016 MassDOT issued Section 61 Findings for the Project addressing traffic and parking impacts (the “MassDOT Finding”) which are deemed incorporated by reference.

A Revised Site Plan reflecting the Project changes first presented in connection with the NPC was approved by the City in February 2016. That Revised Site Plan was incorporated by the Commission in its May 2016 Final Design Approval. The Project was updated again through the 95% Construction Plans filed with the City of Springfield and Commission in May of 2017 and has since gone through additional minor revisions that were negotiated and adopted by the City in the Fall of 2017 and presented to the Commission in September 2017. The Commission approved the final Revised Site Plan on July 19, 2018.

It is expected that the City of Springfield will issue the required permits for the Project as listed in these section 61 findings and any other permits the City of Springfield deems to be required. When issued, any and all mitigation measures required by those permits will be deemed incorporated by reference. The Commission retains the right to modify these Amended Section 61 Findings as a result of any changes to Section 61 findings or any final Agency Action issued by other Agencies after the 2015 Section 61 findings. The Commission also retains the right to review and approve or disapprove of any additional design revisions to the Project.

PROJECT IMPACTS

Potential environmental impacts are associated with land alteration, traffic, water supply and waste water generation, waste site clean-up, and generation of Greenhouse Gas (“GHG”) emissions. The overall project was reduced from 881,691 sf in the FEIR to 759,157 (766,868 when including terrace space) according to the NPC, and adjusted for design refinements to date to 775,484 a reduction of 106,207 sf.² When adjusted for mode share, internal shared trips on the site, and MGM’s planned transportation demand management measures, the original larger proposal included vehicle trips are estimated at 18,570 adt on a weekday (normally Friday) and 20,824 adt on a weekend day (Saturday). Water demand is estimated at 225,242 gallons per day (GPD) and wastewater generation is estimated at 207,618 GPD. A total of 3,497 parking spaces are provided. The Commission may, at MGM’s request, allow a portion of these spaces to be dedicated to ancillary uses to the Project.

² After adding the terrace space back into the NPC square footage, the variance between the NPC and final design square footage is 8,616 sf.

There are twelve historic properties within the Project Site:

Building³	NR	SR	Inv	Int	P/R	PP	FE	REL	DEM	A/E
WCA Boarding House	X	X							X	X
French Congregational Church	X	X						X		X
State Armory	X	X			X	X			X	X
United Electric Company Building	X	X				X	X		X	X
YWCA		X					X		X	X
Massachusetts Mutual Life Ins.		X			X					
Edisonia Theater Block		X							X	X
Howard Street Primary School			X				X		X	X
Union House/Chandler Hotel			X			X			X	X
Howard Street apartment building				X					X	
79 State Street office building				X					X	
95 State Street office building				X	X ⁴					

The Howard Street apartment building was damaged in the 2011 tornado, condemned, and demolished in 2013. The Howard Street Primary School was also damaged in the 2011 tornado, has been condemned, and is slated for demolition. The remaining historic properties are subject to varying actions as set forth in the above table, the Certificate, the FEIR and ultimately governed by the Massachusetts Historical Commission MOA.

The Project was subject to MEPA review and required the preparation of a Mandatory EIR pursuant to 301 CMR 11.03(1)(b)(7), 11.03(5)(b)(4)(a), 11.03(6) (a)(6), 11.03(6) (a)(7) and 11.03(b)(2)(b), and 11.03(10)(b)(1) because it requires State Agency Action; will generate 3,000 or more new adt on roadways providing access to a single location; requires construction, widening, or maintenance of a roadway or its right of way that will cut five or more living public shade trees of 14 or more inches in diameter at breast height; involves destruction of all or parts of historic structures; creates new discharges or expansions in discharges to sewer systems of 100,000 or more GPD; and provides 1,000 or more new parking spaces at a single location. The Project is subject to the EOEEA Greenhouse Gas (“GHG”) Emissions Policy and Protocol.⁵

³ The abbreviations in the table correspond to descriptions in the Certificate on the FEIR, as supplemented by the MOA and are as follows:

- NR = National Register of Historic Places
- SR = State Register of Historic Places
- Inv. = Inventory of Historic and Archaeological Assets of the Commonwealth
- Int. = Of historic interest
- P/R = Retained and partially renovated
- PP = Partially preserved
- FE = Preserve/reuse façade and elements
- REL = Relocate
- DEM = Partial or full demolition or Removal
- A/E = Adverse Effect per MHC Letter of 10/30/14 and MHC Regulations 950 CMR

⁴ The historic property table has been updated to reflect the retention and renovation of 95 State Street. The 95 State Street’s square footage as a retained/renovated property was included in the NPC.

⁵ EOEEA’s Certificate on the ENF indicated that the project included conversion of land held for natural resources purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth to any purpose

None of the revisions to the Project since the issuance of the 2015 Section 61 Findings are expected to result in the creation of environmental impacts that will trigger mandatory MEPA review thresholds. EOEEA has also confirmed that it does not believe these Project revisions require the filing of a Notice of Project Change.

REQUIRED GOVERNMENTAL PERMITS AND APPROVALS

According to the Secretary’s Certificate and the MassDOT Finding, the Project is expected to require permits and approvals or review by the following federal, state, and local agencies, in addition to the Category 1 Gaming License (the “License”) and the Commission’s approval of the proposed design changes described in the NPC:

Agency	Permit(s)
Massachusetts Department of Environmental Protection (“MassDEP”) ⁶	<ul style="list-style-type: none"> • Underground Injection Control Permit, • Air Quality Permits/Submissions (for certain Project components) •
Massachusetts Department of Transportation (“MassDOT”)	<ul style="list-style-type: none"> • Vehicular Access Permit: Permit to Access State Highway Category III
Massachusetts Department of Housing & Community Development (“DHCD”)	<ul style="list-style-type: none"> • Urban Renewal Plan approval; or • Urban Renewal Development Project
Massachusetts Department of Public Safety or City of Springfield	<ul style="list-style-type: none"> • Storage Permit
Massachusetts Historical Commission (“MHC”)	<ul style="list-style-type: none"> • MOA
U.S. Environmental Protection Agency	<ul style="list-style-type: none"> • National Pollutant Discharge Elimination System (“NPDES”) Construction General Permit
Federal Aviation Administration	<ul style="list-style-type: none"> • Determination of No Hazard to Air Navigation
City of Springfield	<ul style="list-style-type: none"> • Road and Curb Cut Permit • Public Way Discontinuance approval • Casino Overlay District Approval • HCA Amendments related to design and schedule changes • Casino Site Plan Approval

not in accordance with the Article (301 CMR 11.03 (1)(b)(3)). As currently proposed, the project no longer includes conversion of land held for natural resources purposes and, therefore, does not exceed this threshold.

⁶ MGM had previously identified a need for a Construction Site Dewatering Permit from MassDEP. However, as the Project progressed, it was determined that this permit was not necessary because there is not a significant amount of water on the Project site. In addition, revisions to the MassDEP wastewater regulations (314 CMR 7.00 and 314 CMR 12.00) in April 2014 eliminated the requirement for a MassDEP Sewer Connection Permit. See FEIR Certificate at p. 27.

The Project may also require approval for modification to the I-91 ramps and work on the National Highway System (NHS) from the Federal Highway Administration and/or MassDOT's review of design exception requests for roadways that are part of the NHS. If federal review is required, the Project may be subject to review pursuant to the National Environmental Policy Act and the National Historic Preservation Act.

EXECUTED MITIGATION AGREEMENTS

Pursuant to G.L. c.23K §§15(8) - (10), MGM executed mitigation agreements and shall, as a condition of the Amended Section 61 Findings, comply with the following mitigation agreements (as the same may be duly reopened, supplemented or amended in accordance with 205 CMR 127) (collectively the "Mitigation Agreements):

1. The Host Community, City of Springfield, dated May 4, 2013 (approved by local referendum pursuant to G.L. c. 23K, § 15(13), on July 15, 2013 and amended on July 1, 2015); February 24, 2016; and August 25, 2017;
2. The following designated Surrounding Communities:
 - a. Town of Agawam, dated December 16, 2013;
 - b. City of Chicopee, dated December 13, 2013;
 - c. Town of East Longmeadow, dated December 11, 2013 (amended January 23, 2014);
 - d. City of Holyoke, dated January 10, 2014;
 - e. Town of Longmeadow, dated April 30, 2014; (entered through arbitration);
 - f. Town of Ludlow, dated December 13, 2013;
 - g. Town of West Springfield, dated May 8, 2014; (entered through arbitration); and
 - h. Town of Wilbraham, dated December 12, 2013 (amended February 3, 2013);
3. A Live Entertainment Cooperation Agreement with the Massachusetts Performing Arts Coalition, dated January 22, 2014;
4. A Sponsorship Agreement with the Majestic Theatre of West Springfield, dated March 7, 2014;
5. An Agreement with the Massachusetts State Lottery to be executed prior to commencement of gaming operations; and
6. The MOA with Massachusetts Historical Commission and the Commission.

In addition, the Commission expects that MGM will meet or has met with each abutter to the Project to clarify potential Project related impacts. These impacts may include, but are not

limited to, the visual impact of the Project's garage; the constructability of the garage from entirely within MGM's property; noise, vibration and emissions associated with the central plant; access to the abutter's property both during and after construction; and maintenance of safe pedestrian access during construction. MGM will institute a communications protocol for communicating with each abutter regarding construction activity. After MGM reviews these and any other identified impacts, it will report to the Commission on the steps, if any reasonably necessary to address these impacts. MGM will include a report regarding abutter concerns as part of its regular reporting to the Commission. The Commission reserves its rights to amend these Amended Section 61 Findings based on this communications process with abutters or to require further dialogue with abutters and reporting to the Commission.

The provisions of each of these mitigation agreements are incorporated by reference as conditions in the final License for the Gaming Establishment issued pursuant to 205 CMR 120.02 and will be incorporated by reference as conditions in any amendment to said License. Nothing herein shall prevent the parties to any such mitigation agreement from reopening the agreement pursuant to 205 CMR 127. In addition, nothing herein shall prevent the Commission from taking further action with respect to the License or its conditions pursuant to 205 CMR 127 or otherwise.

AGENCY SECTION 61 CONDITIONS

Mitigation Measures in Section 61 Findings and Permit Conditions of Other Federal State and Local Agencies

MGM shall comply with the detailed mitigation measures provided by these Amended Section 61 Findings and by the individual Section 61 Findings for each other State Agency with jurisdiction to issue any state permit for the Project including without limitation MassDEP, MassDOT, the Massachusetts Department of Public Safety, MHC, and the DHCD. MGM shall also comply with the terms and conditions of any federal, state, or local permit or approval required for the Project. The Commission retains the right to modify these Amended Section 61 Findings as a result of Section 61 findings or final Agency Action issued by other Agencies after the 2015 Section 61 findings. If the terms of any other Agency's Section 61 findings or final Agency Action, or any other governmental permit or approval, or process to obtain such approval, conflict with the 2015 Section 61 findings or the mitigation measures set forth below, or render such mitigation measures infeasible or impossible, MGM shall notify the Commission of that conflict for resolution by the Commission pursuant to 205 CMR 120.01 and 120.02.

Pursuant to G.L. c. 23K, § 10(c), the Commission also reserves its rights to determine and reconsider which infrastructure improvements onsite and around the vicinity of the gaming establishment, including projects to account for traffic mitigation as determined by the Commission, shall be completed before the gaming establishment shall be approved for opening. However, in the event that the implementation of the transportation measures listed below conflict with the schedule for the full completion of MassDOT's work related to the I-91 Viaduct, MGM may seek an extension of certain mitigation elements as a post-opening commitment.

Mitigation Measures for the Project under the FEIR

MGM shall comply with the detailed measures to mitigate the Project’s impacts specified in the Certificate and the FEIR, as incorporated by reference in the NPC and NPC Certificate, including, without limitation, the mitigation measures described in the MassDOT Finding, those listed in Chapter 8 of the FEIR, and those listed in the following table, unless modified as described in the preceding paragraph or below:

MITIGATION MEASURES	SCHEDULE
Transportation	
Locations of Signal Timing Optimization Only: <ul style="list-style-type: none"> • Dwight Street / I-291 WB Ramps, • East Columbus Avenue / West Columbus Avenue / Main Street / Longhill Street, • Mill Street / Locust Street / Belmont Avenue / Fort Pleasant Avenue, and • Belmont Avenue / Sumner Avenue / Dickinson Street /Lenox Street. 	Prior to opening
Union Street Corridor (West Columbus Avenue to Main Street) Improvements: <ul style="list-style-type: none"> • Widen sidewalks along site frontage where feasible within the right of way, • Complete pavement mill and overlay on Union Street between Main Street and West Columbus Avenue, • Construct a PVTA Downtown Circulator Bus stop adjacent to Armory Square, • Widen and restripe roadway along site frontage, • Upgrade non -compliant accessible wheelchair ramps as required, • Install vehicular / pedestrian / bicycle wayfinding signs, • Install mid-block crosswalk, pedestrian flasher assembly, and raised median island east of MGM Bus Driveway, • Install bicycle “sharrows” and share-the-road signage, • Reconstruct Union Street under I-91 Overpass to 5-lane cross-section, depending on input from MassDOT and the City of Springfield during the final design review process, • Modify vehicular and pedestrian signal phasing scheme at Union Street/East and West Columbus intersections, • Upgrade vehicular and pedestrian traffic signal equipment and infrastructure at corridor intersections where necessary, and • Optimize traffic signal timings, clearance intervals, signal coordination, and offset timings at corridor intersections. 	Prior to opening
State Street Corridor (West Columbus Avenue to St. James Avenue) Improvements: <ul style="list-style-type: none"> • Reconstruct sidewalks along site frontage where feasible within the right of way, • Make available the bus drop off area on MGM Way to the Downtown Circulator Bus if requested by the PVTA, • Restripe State Street along site frontage, • Stripe intersection tracking markings across intersection of State Street / 	Prior to opening

MITIGATION MEASURES	SCHEDULE
<p>Main Street,</p> <ul style="list-style-type: none"> • Complete pavement mill and overlay State Street between Dwight Street and East Columbus Avenue, • Upgrade accessible wheelchair ramps at: <ul style="list-style-type: none"> • State Street / Main Street • State Street / East Columbus Avenue • State Street / West Columbus Avenue • Install vehicular / pedestrian / bicycle wayfinding signs, • Install mid-block crosswalk, pedestrian flasher assembly, and raised median island west of MGM Drive, • Install bicycle “sharrows” and share-the-road signage, • Install bike boxes, shift stop lines, and recalculated clearance intervals at intersections along State Street, • Modify pedestrian crossing across East Columbus Avenue north of State Street intersection, • Construct pedestrian refuge island along St. James Avenue approach to State Street, • Upgrade pedestrian traffic signal equipment only at: <ul style="list-style-type: none"> • State Street / Chestnut Street / Maple Street • State Street / Dwight Street / Maple Street • State Street / Main Street • Upgrade vehicular and pedestrian traffic signal equipment and infrastructure at: <ul style="list-style-type: none"> • State Street / East Columbus Avenue • State Street / West Columbus Avenue • Modify traffic signal phasing at intersection of State Street /Main Street; and • Optimize traffic signal timings, clearance intervals, signal coordination, and offset timings at corridor intersections. 	
<p>Main Street Corridor (Mill Street to Frank B. Murray Street) Improvements:</p> <ul style="list-style-type: none"> • Widen sidewalks along site frontage where feasible within the right of way, • Relocate Pioneer Valley Transit Authority (“PVTA”) bus stops along Main Street, • Complete a pavement mill and overlay Main Street between State Street and Union Street, • Restripe Main Street between State Street and Union Street, • Stripe intersection tracking markings across intersection of Main Street / Boland Way / Harrison Avenue, • Upgrade accessible wheelchair ramps at Main Street / Union Street and Main Street / State Street, • Install vehicular / pedestrian / bicycle wayfinding signs, • Install mid-block crosswalk north of Howard Street, • Install bicycle “sharrows” and share-the-road signage between Mill Street 	<p>Prior to opening</p>

MITIGATION MEASURES	SCHEDULE
<p>and Union Street,</p> <ul style="list-style-type: none"> • Install bike lane northbound and bicycle “sharrows” southbound with share-the-road signage along Main Street between Union Street and Lyman Street, • Install bike boxes, shift stop lines, and recalculated clearance intervals at intersections with Boland Way and State Street, • Install new parking regulation signs along Main Street between State Street and Union Street, • Upgrade pedestrian traffic signal equipment only at: <ul style="list-style-type: none"> • Main Street / Falcons Way / Court Street • Main Street / Boland Way / Harrison Avenue • Main Street / Worthington Street, and • Optimize traffic signal timings and clearance intervals at corridor intersections. 	
<p>Lyman Street Corridor (Main Street to Dwight Street):</p> <ul style="list-style-type: none"> • Restripe Lyman Street between Main Street and Dwight Street, and • Install bicycle lanes and wayfinding signage 	Prior to opening
<p>East and West Columbus Avenues at Boland Way Improvements:</p> <ul style="list-style-type: none"> • Install vehicular / pedestrian / bicycle wayfinding signs, • Restripe Boland Way eastbound between East Columbus Avenue and West Columbus Avenue to include 5-foot bike lane, • Stripe intersection tracking markings across intersection of West Columbus Avenue / Boland Way / Memorial Bridge, • Install “sharrows” along Boland Way between East Columbus Avenue and Main Street and along Boland Way westbound between East Columbus Avenue and West Columbus Avenue, • Upgrade accessible wheelchair ramps at East Columbus Avenue / Boland Way and West Columbus Avenue / Boland Way / Memorial Bridge, • Upgrade for Manual on Uniform Traffic Control Devices (MUTCD)-compliant vehicular and pedestrian traffic signal equipment at East Columbus Avenue / Boland Way and West Columbus Avenue / Boland Way / Memorial Bridge, and • Optimize traffic signal timings, clearance intervals, signal coordination and offset timing at corridor intersections. 	Prior to opening
<p>East and West Columbus Avenue Corridors (Boland Way to Union Street) Improvements:</p> <ul style="list-style-type: none"> • Install vehicular / pedestrian / bicycle wayfinding signs, • Restripe West Columbus Avenue southbound approach and Memorial Bridge receiving lanes, • Complete pavement mill and overlay East Columbus Avenue between Union Street and State Street, and • Restripe West Columbus Avenue between Boland Way and Union Street. 	Prior to opening
<p>East Columbus Avenue at Bliss Street</p> <p>Coordinate with the City of Springfield on the following:</p> <ul style="list-style-type: none"> • Evaluate the need for potential speed control measures to help reduce the 	Prior to opening

MITIGATION MEASURES	SCHEDULE
<p>operating speeds of vehicles turning onto Bliss Street from East Columbus Avenue, and</p> <ul style="list-style-type: none"> Evaluate the need for potential advance warning to vehicles on East Columbus Avenue that there may be stopped vehicles on Bliss Street. 	
<p>Memorial Bridge:</p> <ul style="list-style-type: none"> Restripe Memorial Bridge cross-section and install bike lanes, Remove scored concrete median, Reconstruct gaps along former scored concrete median with bituminous asphalt pavement, and <ul style="list-style-type: none"> Complete partial pavement rehabilitation in the area of median removal on Memorial Bridge per MDOT requirements. 	Prior to opening
<p>Plainfield Street:</p> <ul style="list-style-type: none"> Restriping the Plainfield Street westbound approach from the existing two through lanes to provide a single through lane and a channelized right-turn lane onto the I-91 NB On-Ramp, Restriping Plainfield Street westbound to provide one through travel lane between the I-91 NB On-Ramp and I-91 NB Off-Ramp, Restriping the terminus of the I-91 NB Off-Ramp to enter Plainfield Street, west of the intersection, into its own travel lane, Construct new sidewalk along Plainfield Street north of US Route 20, Remove existing offset sidewalk between the newly constructed sidewalk connections, Install new crosswalk with flashing warning assembly and Americans with Disabilities Act (“ADA”)-compliant accessible ramps immediately east of I-91 Ramps, Install “No Pedestrian Crossing” signage at locations along the northerly side of Plainfield Street at the I-91 Ramps and Birnie Avenue, and Construct accessible wheelchair ramps, install pedestrian countdown indications and push buttons at Plainfield Street (US Route 20) / West Street (US Route 20) /Plainfield Street /Avocado Street intersection. 	Prior to opening
<p><u>Intelligent Transportation System Enhancements:</u> To improve route operations for the motoring public and MassDOT’s ability to monitor traffic and safety conditions, MGM has committed to work with MassDOT to deploy variable message signs and install cameras along Route 5 in West Springfield and along Route 57 in Agawam as further detailed in the MassDOT Section 61 Findings. This equipment would be used to inform the public of the following:</p> <ul style="list-style-type: none"> Detour routes to follow when a traffic incident, construction, or traffic congestion warrants diversion of vehicles to an alternative route, Alternative routes to use during special events to avoid traffic congestion or locate appropriate and convenient parking, and Location of available parking in the Downtown area and routes for access. Other needs identified by MassDOT as part of their normal traffic management procedures 	Prior to opening

MITIGATION MEASURES	SCHEDULE
<p><u>Transportation Demand Management:</u> MGM will fund and implement a transportation demand management (“TDM”) program to reduce traffic trips consisting of the following elements, to be confirmed based on those described in the final MassDOT Section 61 Finding. MGM will implement the following measures post opening; provided that MGM will implement measures marked with an * prior to opening. MGM will report to the Commission within 90 days of opening on the status of implementation of such measures. If such measures have not been implemented by that time, MGM shall explain to the Commission the reasons why they have not been implemented to the Commission and shall explain the steps MGM will take to implement those measures in the coming 90 days and continue to maintain them throughout the life of the license. If MGM proposes to replace any particular measure, it will describe the proposed replacement measure to the Commission for the Commission’s review and approval.</p> <p><u>Transit Measures</u></p> <ul style="list-style-type: none"> • Coordinate with PVRTA to periodically review bus service directly serving the site and overall service,* • Enter into an MOU with the PVRTA for a Downtown Circulator Bus service for no fare on scheduled service days between the Project site, Union Station, and local attractions; such as Basketball Hall of Fame and Quadrangle Museum Zone,* • Promote the use of public transportation and coordinate with PVRTA to provide information on the availability of service to employees and patrons, • Provide transit schedules and information about program services,* • Provide improved bus stops with weather protection immediately adjacent to the Project site,* • Provide ongoing maintenance of bus stop facilities and amenities installed as part of the Project, • Evaluate preferential shift selection to employees using transit services, and align shifts to the extent possible with PVRTA transit service, where feasible, • Provide on-site transit pass sales and offer pre-tax pass sales for employees that enroll in the program, • As part of employment application process, ask prospective employees about likely use of public transportation, and • Provide a forum for employees to give customer feedback on transit service for Transportation Coordinator to share with PVRTA to target future public or private improvements in service. <p><u>Pedestrian and Bicycle Measures</u></p> <ul style="list-style-type: none"> • Update and retrofit pedestrian signal equipment at study area intersections surrounding the site and along Main Street between Union Station and the site,* 	<p>See left-hand column.</p>

MITIGATION MEASURES	SCHEDULE
<ul style="list-style-type: none"> • Provide striping improvements for bicycle lanes or sharrows along with corresponding bike signs,* • Provide pedestrian and bicycle wayfinding signage throughout Downtown Springfield on roadways providing direct access to the site. This includes coordinating with retailers, employers, and property managers to distribute bicycle and pedestrian route maps to casino, hotel, and retail patrons, employees, and residents, • Provide ADA improvements at wheelchair ramps near the site,* • Provide enhanced connectivity to the Connecticut River Walk and Bikeway,* • Provide secure, weather protected, long-term bicycle parking (for employees and residents) at designated locations within the Project site,* • Provide bicycle racks for short-term users at several locations on-site,* • Provide bicycles and equipment for employees, • Implement bicycle share program, • Provide showers for employees who commute by walking or biking,* • Include a repair station near the bike cages and/or advertised visits by a local mechanic, • Provide on-site bicycle education classes such as basic maintenance and repairs, rules of the road and winter cycling, • Canvas employees to identify potential "bicycle captains" and inexperienced cyclists that would be willing to participate in a Bike Buddy Program, • Reconstruct sidewalks along streets surrounding the site that are affected by project construction activities to improve access,* • Construct mid-block crossing with pedestrian warning device on State Street to service the pedestrian traffic between the Project parking structure and the adjacent courthouse,* • Construct mid-block crossing with raised median island on Union Street to service pedestrian traffic to land uses along southerly side of Union Street,* and • Provide employee incentive programs such as “CommuteFit” and “Workout to Work” that allow participants to log miles each month walked or bicycled to work. MGM will work with programs such as NuRide to implement these as part of work wellness program with incentivized participation. <p><u>Parking Measures</u></p> <ul style="list-style-type: none"> • Coordinate with the City of Springfield and expedite, to the extent feasible, MGM’s construction employee parking plan,* • Evaluate the feasibility of a reduced valet rate for vehicles with three or more patrons, • Provide preferential parking for rideshare, carpool, and hybrid vehicles,* • Provide charging stations for electric vehicles in the parking structure,* • Implement an intelligent parking system to direct drivers to open parking 	

MITIGATION MEASURES	SCHEDULE
<p>spaces or nearby facilities controlled by the Springfield Parking Authority,*</p> <ul style="list-style-type: none"> • Employee parking “buy out” program, which will provide a financial incentive for employees to use alternative modes of transportation, • Promote TDM programs alongside sale and delivery of parking information for employees and visitors, and • Study how the proposed parking fee structure may impact project related traffic, determine whether market rate pricing may reduce the number of single occupancy vehicle (“SOV”) trips and report to the Commission on potential changes to the parking fee structure to encourage fewer SOV trips. <p><u>Other Measures</u></p> <ul style="list-style-type: none"> • Appoint a Transportation Coordinator on-site to oversee, implement, monitor, and evaluate TDM measures, employed or funded by MGM.* Responsibilities of the Coordinator will include: <ul style="list-style-type: none"> • Reviewing status of TDM measures and assisting in reporting on the same to the Commission;* • Posting and distributing announcements;* • Holding promotional events to encourage ridesharing, using public transit, bicycling, and walking; • Monitoring the TDM program and assisting in its evaluation; • Providing transit schedules and information about program services;* • Coordinating on-site sales of transit passes; • Managing transit subsidy or discount programs for employees; • Coordinating rideshare and carpool programs and preferential parking for participants; • Coordinating with PVRTA and MassRIDES to implement TDM programs and improve transit mode share; and • Collecting and reviewing transportation data and employee surveys and coordinating with transportation consultant for review of post occupancy conditions and “look back” intersection studies. • Partner with MassRIDES to implement and monitor TDM measures, • Offer preferential shifts to employees using transit to align with PVRTA service, • Register employees with NuRIDE to encourage ride-sharing and "green" trips, • Provide a car sharing program through a third party provider such as Zip Car or equivalent for resident and employee use with convenient spaces located within the parking structure, • Encourage vanpool and carpooling participation through marketing, 	

MITIGATION MEASURES	SCHEDULE
<p>events and vanpool formation meetings,</p> <ul style="list-style-type: none"> • Offer pre-tax payment option for employee vanpool fares, • Offer employees a guaranteed ride home program through participation with NuRide, • Provide and update a monthly Commuter Bulletin, • Provide real-time traffic/weather information, • Team up with local partners and provide lunchtime tours to help employees discover local amenities and attractions, • Promote safe commuting by all modes through a multi-modal safety awareness campaign. Increase awareness of multi-modal user needs with printed, online or interactive information as developed, • Implement electronic sign-up for TDM programs to support creation of a database of participants to track program effectiveness and costs, • Facilitate events through coordination with MassRIDES and PVTA, and • Establish a monitoring system to evaluate TDM goals. <p>The TDM program will be modified, as necessary, contingent upon the outcome of the proposed transportation monitoring program, to ensure mode share estimates presented in the FEIR are met.</p>	
<p><u>Off-Site Roadway Improvements</u></p> <p>Construct off-site roadway improvements required by MassDOT and/or the City of Springfield as mitigation measures consistent with "Complete Streets" principles to the extent reasonable and practicable at the intersections where other physical improvements are already proposed. These improvements include:</p> <ul style="list-style-type: none"> • Reconstruct existing curb cut ramps to bring them into compliance with ADA and Architectural Access Board regulations, • Reconstruct pedestrian traffic signals to bring them into compliance with the most recent version of the MUTCD, and • Bicycle and pedestrian accommodations where feasible such as, "bike boxes" at certain signalized intersections to reduce bicycle/vehicle conflicts, new or renovated PVTA bus stops and reconfiguration of on-street parking to provide additional safety measurements for pedestrians and bicyclists. <p>Coordinate with the City of Springfield and MassDOT and expedite, to the extent feasible, offsite roadway and intersection work.</p>	Prior to opening
<p><u>Public Transportation:</u></p> <p>MGM must fulfill its commitment to reach an agreement with the PVTA that will capture all public transportation agreements and commitments on the Project, which are likely to include final details on:</p> <ul style="list-style-type: none"> • Commitment to fund ADA paratransit trips that serve the Project • Provision of a Downtown Circulator Bus to be operated by PVTA, including final details on route, stops and hours of operation, 	At occupancy and during operation

MITIGATION MEASURES	SCHEDULE
<ul style="list-style-type: none"> • Improvements to bus stops on Main Street, including passenger amenities, • Ongoing commitment to maintain bus stops, including snow removal, • Working with PVTA and other stakeholders on ways to manage/provide/serve Seniors using the current Dial-a-Ride or other alternate means for travel to the Project, • Targeting a transit mode share for employees, • Promotion of PVTA passes to MGM employees, • Provision of transit information in a centralized location at the Project for all users, including prominent placement of information about PVTA service, • Implementing onsite PVTA pass and fare sales, • Granting preferential shifts to employees who take public transportation, where feasible so they can utilize existing transit services, • Committing to continually working with PVTA to review service levels and demand for the Project, and working collaboratively to alter service as warranted, • Providing a robust Transportation Demand Management program for employee to discourage single occupancy vehicle travel, and encouraging alternate transportation, including PVTA service • Completing annual monitoring of transportation usage, with a goal of reaching target mode shares. <p>Upon site occupancy and during operation, MGM must work with the PVTA to assess actual changes to transit demand and identify corresponding mitigation, as warranted.</p>	
<p><u>Road Safety Audits:</u></p> <p>Conduct road safety audits as part of the 25 percent design process for intersection improvements at the following locations:</p> <ul style="list-style-type: none"> • Dwight Street/Interstate 291 southbound ramps, • Mill Street/Locust Street/Belmont Avenue/Fort Pleasant Avenue, • State Street between Main Street and Spring Street / School Street, • State Street between Federal Street and Orleans Street, • Union Street between West Columbus Avenue and Main Street, • Main Street between Liberty Street and Worthington Street • Main Street/West Columbus Avenue/East Columbus Avenue/Longhill Street, and • Plainfield Street (US Route 20) between I-91 northbound Exit 9 ramps and the North End Bridge. <p>MGM is also committed to incorporating any reasonable and feasible short term improvements identified as part of the audits referenced above into the design of the off-site roadway improvements along these roadway segments.</p>	<p>During Project design</p>
<p><u>Traffic Monitoring Plan:</u></p> <p>Complete a Traffic Monitoring Plan (TMP) as described in pages 42-44 of the Secretary’s Certificate, as amended by pages 17-19 of the NPC Certificate, with</p>	<p>Prior to and during construction</p>

MITIGATION MEASURES	SCHEDULE
<p>an evaluation of the following:</p> <ul style="list-style-type: none"> • Traffic operations at key study area intersection and roadways surrounding the project, • Adequacy of the constructed parking supply, and • Effectiveness of TDM measures. 	and during operation
<p>“Look-Back” Studies: Complete “look-back” studies in accordance with the Surrounding Community Agreements. The final scope of the look back approach, including the roadways for evaluation, will be developed in coordination with each respective community, Pioneer Valley Planning Commission, MGM, and each entity's consultants.</p>	During operation
<p>Optimization Measures: Work with MassDOT during and post permitting to optimize traffic operations and manage access along some project corridors (notably Main Street and Union Street).</p>	During permitting and operation
<p>Air Quality</p>	
<p>Implement a TDM program (described above and in the MassDOT Finding) to mitigate the projected emissions increase between the 2024 No Build and 2024 Build Conditions (7% increase in volatile organic compounds and 5% increase in nitrogen oxides).</p>	During operation
<p>Install on-site stationary sources of potential air pollutants, including the proposed combined heat and power (“CHP”) system in accordance with MassDEP’s Environmental Results Program or air quality permitting regulations, as applicable.</p>	Prior to and during construction
<p>GHGs</p>	
<p>Incorporate the following elements, or measures achieving similar energy use reductions, into the final Project design:</p> <ul style="list-style-type: none"> • High efficiency water cooled chillers • Water side economizers • Air side economizers • Variable air volume systems • Variable speed pumping • Variable speed cooling tower fans • Demand controlled kitchen exhaust (with tenant participation) • Increased air filtration • High performance building envelope • Green roof • High-albedo roofs • Premium electric motors • Energy recovery ventilation • Demand controlled ventilation (in garage, and where the occupant density exceeds 40 persons per thousand square feet) • Room occupancy sensors for lighting (and HVAC in hotel rooms) • Daylighting (where possible) 	Prior to and during construction

MITIGATION MEASURES	SCHEDULE
<ul style="list-style-type: none"> • Reduced lighting power density below ASHRAE guidelines (except residential and guest room spaces) • High performance lighting • Low-flow fixtures • Energy star appliances • Energy management system • Inspections and air sealing • Enhanced refrigerant management and use of refrigerants with lower global warming potentials • Regional building materials • Low-volatile organic compound (“VOC”) adhesives, sealants, paints, carpets, and wood (where feasible) 	
<p>Incorporate an approximately 200 kW CHP system, and review of options to increase the CHP size during final design.</p>	<p>Prior to and during construction</p>
<p>The Parking Structure roof will be constructed “solar-ready” such that they can support the live loads and include space for conduit runs and electrical gear such as inverters and meters.</p>	<p>Prior to and during construction</p>
<p>Incorporate onsite solar photovoltaic (PV) systems, with sizes and locations to be determined during final design. Preliminary analysis identified an estimated average annual energy production from the podium PV system at 246.54 megawatt hours (MWh) per year and the parking structure PV system at 807.91 MWh per year, resulting in total carbon dioxide offsets of 379.1 tons per year. MGM shall report to the Commission its progress on incorporating the PV system into the Project on a quarterly basis and reserves the right to seek revision of this condition based upon structural and economic feasibility including but not limited to potential changes in state and federal tax credits and other subsidies for PV in Massachusetts.</p>	<p>Within one year of opening</p>
<p>Incorporate a ground source heat pump system to provide energy to the daycare facility, and review of alternatives to expand the system.</p>	<p>Prior to and during construction</p>
<p>Purchase of Renewable Energy Credits such that at least 10 percent of the facility’s annual electricity consumption is from onsite or offsite renewable energy sources.</p>	<p>During operation</p>
<p>Conduct a review in the final Project design of the cost and benefit of addition of the following Project elements (including funding availability):</p> <ul style="list-style-type: none"> • Advanced elevators (machine room-less, permanent magnet gearless with efficient drives) and advanced escalators, • Improvements to the building envelope and lighting power densities, • Electronically commutated motors for terminal units, • Solar hot water to support specific end uses, • Chillers with improved full-load efficiency, and • Oversized cooling towers that can supply condenser water to the chiller condensers at a temperature less than or equal to 75 degrees for 95% of the operating hours per year 	<p>Prior to and during construction</p>

MITIGATION MEASURES	SCHEDULE
Where feasible, mitigate environmental impacts of electronic gaming machines including but not limited to installing repurposed games and partnering with environmental minded slot manufactures that use among other measures lighting/energy efficiency; recycled materials; low volatile organic compounds; and restrict the use of hazardous substances. Provided that such mitigation efforts will not limit gaming machine selection based primarily on customer preference.	During operation
Conduct annual energy use surveys using information collected by energy management system and monitor all major sources of energy consumption.	During operation
Implement the traffic-related strategies to reduce emissions from vehicles as outlined in the traffic mitigation section above, including providing electric vehicle charging stations and designated parking spaces for alternatively fueled vehicles within the parking garage consistent with patron demand.	Prior to and during construction except as otherwise stated elsewhere
Provide a self-certification document to the MEPA Office signed by an appropriate professional (e.g., engineer, architect, transportation planner, general contractor) and indicating that all of the required mitigation measures, or their equivalent, have been completed for each phase. The certification will be supported by plans that clearly illustrate what type of GHG mitigation measures have been incorporated into the Project. For those measures that are operational in nature, MGM will provide an updated plan identifying the measures, the schedule for implementation, and a description of how progress towards achieving the measures will be obtained.	After construction and during operation
Implement the traffic-related strategies to reduce motor vehicle traffic and idling times as outlined in the traffic mitigation section, including improved bicycle and pedestrian access, bicycle storage, and carpool/vanpool/car sharing parking spaces. Activities to encourage public and alternative transportation will be coordinated by a fulltime, on-site Transportation Coordinator.	Prior to and during construction except as otherwise stated elsewhere
Continue to explore feasible energy efficiency measures for incorporation into the final Project to meet and exceed Commission requirements and support Commonwealth's GHG reduction goals.	Prior to and during construction and during operation
Achieve LEED Gold certification or higher and meet Massachusetts Stretch Energy Code requirements. As of the date of the Amended Section 61 Findings, MGM has registered for LEED certification for all elements of the Project. MGM shall provide the Commission a quarterly update regarding the status of LEED certification.	Submit for registration prior to project opening and continue reporting to Commission on quarterly

MITIGATION MEASURES	SCHEDULE
	basis regarding status thereafter.
<p>Water Supply and Wastewater</p> <p>Replace:</p> <ul style="list-style-type: none"> • The twin 12-inch water mains in Main Street with one 16-inch water main; and • The 12-inch vitrified clay sewer main and upgrade hot water mains in Howard and Bliss Streets where the roadway ROW will remain. <p>Install a cured in place liner for 10 inch sewer main within Union Street per Commitment Agreement with Springfield Water and Sewer Commission (“SWSC”).</p> <p>Install restraining joints in 24 inch main in Union Street per Commitment Agreement with SWSC.</p> <p>Implement the following water conservation and reuse measures (overseen by a designated Water Conservation Manager):</p> <ul style="list-style-type: none"> • Rainwater reuse for landscape irrigation, • Weather-based irrigation controllers, • Installation of drip irrigation systems, • Drought tolerant plants, • Installation of low-flow urinals, • Installation of low-flow water closets (1.1 gallons per flush (gpf) for liquids and 1.6 gpf for solids), • Installation metering faucets (fitted with 0.5 gallon per minute (gpm) aerators with 15 seconds run time), and • Education and training programs. <p>The water conservation measures identified above will minimize the Project’s wastewater generation. Low Impact Development techniques will be implemented to minimize the volume of storm water runoff, which will in turn reduce impacts on the wastewater collection and treatment systems.</p>	During construction and occupancy
Work with the SWSC and the City of Springfield to identify and mitigate potential impacts on abutting properties. This may include the installation of backflow preventers on service laterals to prevent a surcharge during heavy rainfall.	Prior to and during construction
Execute a Memorandum of Understanding with the SWSC to memorialize water and sewer infrastructure commitments including maintenance, inspections, monitoring, reporting, and continued communication.	Prior to and during construction
Investigate technologies to minimize water use and wastewater generation associated with food preparation, dishwashing and hotel shower fixtures to further reduce project related water and wastewater impacts. In addition, given	Prior to and during construction

MITIGATION MEASURES	SCHEDULE
<p>decision to utilize off-site laundry, which was made after issuance of the 2015 Section 61 Findings, investigate feasibility of incorporating requirements to minimize water use and wastewater generation in contracts with off-site laundry vendors.</p>	<p>and during operation</p>
<p>Hazardous Materials</p>	
<p>Prior to building demolition or renovation, hazardous building materials will be abated or removed in accordance with applicable regulations.</p> <p>No major impacts to soil or groundwater quality from oil or hazardous materials that may significantly impact construction have been identified or are anticipated, based on due diligence activities performed to date.</p>	<p>Prior to and during construction</p>
<p>Consistent with the requirements of the Activity and Use Limitation (AUL) (RTN 1-12379), located at 38-50 Howard Street, this portion of the project site has been designed to accommodate the development of the main floor and basement offices of the casino building.</p>	<p>Prior to and during construction</p>
<p>Construction activities within identified Massachusetts Contingency Plan (“MCP”) disposal sites will include an environmental monitoring plan to monitor potential impacts to neighboring properties. The environmental monitoring plan will set dust action levels and VOC ambient air monitoring requirements for the Project. Air monitoring with dust meters and a photoionization detector will be a key component of the environmental monitoring plan included within the Release Abatement Measure.</p>	<p>Prior to and during construction</p>
<p>Engage a Licensed Site Professional to manage the MCP-submittal process and manage potential construction-period waste, soil and groundwater remediation in accordance with the MCP.</p>	<p>During construction</p>
<p>Historic Resources</p>	
<p>To mitigate adverse impacts on properties listed on the National Register, the State Register and the Inventory of Historic and Archaeological Assets of the Commonwealth, MGM will utilize a variety of techniques ranging from full preservation, to partial preservation, to relocation of historic properties within the Project, as set forth in the FEIR and the Secretary’s Certificate and as summarized above. The Commission recognizes, however, that there will be full or partial demolition of a number of those listed properties, including without limitation the Howard Street Primary School, which was damaged in the 2011 tornado and has been condemned.</p> <p>As anticipated in the FEIR, MGM has prepared a final MOA with MHC and the Commission describing mitigation measures concerning historic properties. The MOA includes, without limitation, the following preservation measures:</p> <ul style="list-style-type: none"> ● Renovation of certain State Register Properties and other historic properties, ● Partial preservation of State Register Properties and other historic properties, ● Relocation and renovation of State Register properties, ● Photographic documentation of the buildings prior to demolition, ● Design review, 	<p>Prior to and during construction</p>

MITIGATION MEASURES	SCHEDULE
<ul style="list-style-type: none"> • Creation of a Historic Preservation Trust Fund funded by MGM and the Commission, • Recording of historic covenants, • Salvage and reuse of architectural elements within the Project, and • Interpretive signage and displays providing information about the history of the Project area. <p>To mitigate adverse impacts on properties listed on the National Register, the State Register and the Inventory of Historic and Archaeological Assets of the Commonwealth, MGM shall comply with these and other mitigation measures in the MOA including, where applicable, after opening. The MOA is attached as Exhibit A and incorporated herein by reference.</p>	
Storm water	
<p>Design and construct the Project consistent with MassDEP Storm water Management Standards. The storm water management system will reduce peak rates of runoff on site and provide treatment to improve water quality of discharge, compared to existing conditions. Use appropriate Best Management Practices and Low Impact Development concepts to mitigate the storm water impacts from the proposed development including any increased peak flows to Union Street if necessary. MGM has retained 1.62 acres of pervious surfaces on the Project Site (exclusive of DaVinci Park). MGM will install deep sump hooded catch basins, a storm water infiltration system, multiple hydro-dynamic (proprietary) separators and a 70,000 gallon detention tank. A 20,000 gallon storm water capture cistern for irrigation is incorporated into the project. The project will adhere to a specific maintenance schedule for each of these drainage systems.</p>	<p>During construction and occupancy</p>
<p>Design and construct the Project consistent with MassDEP Storm water Management Standards. The storm water management system will reduce peak rates of runoff at each design point and provide treatment to improve water quality of discharge, compared to existing conditions.</p>	<p>During construction and occupancy</p>
<p>Register the storm water system's infiltration system in accordance with the MassDEP Underground Injection Control program.</p>	<p>During construction and occupancy</p>
Construction	
<p>Within the site, activities such as excavation, pile driving, and steel erection will only be allowed during permitted hours. Every two weeks, the contractor will publish an updated schedule of upcoming work and will disseminate the schedule to affected parties in local neighborhoods. In addition, the general contractor will publish monthly schedule updates describing progress as well as projected activity for the next month. This information will be available on a Project website that will allow neighbors real-time access to the most up-to-date construction information.</p>	<p>Prior to and during construction</p>
<p>As this Project will be constructed simultaneously to the I-91 Viaduct Deck Replacement Project, MGM and its construction contractor will coordinate with MassDOT and its construction contractor on a regular basis throughout the entire</p>	<p>Prior to and during</p>

MITIGATION MEASURES	SCHEDULE
<p>construction process to minimize impacts prior to and on the surrounding transportation infrastructure. Both MGM and MassDOT are currently planning to incorporate language into each respective construction contract to define a need for bi-weekly construction coordination meetings to evaluate traffic detours, parking demands, major trucking needs, and other related items.</p>	<p>construction</p>
<p>MGM or its general contractor shall develop a parking plan for the City of Springfield's review and approval, which shall include the general contractor's plans and protocols for enforcing the prohibition on construction personnel parking personal vehicles on streets in the adjacent neighborhood. Mandatory orientation for all workers on the project will include workforce parking instructions, public transportation options and the need to protect the adjacent neighborhoods from workforce parking during construction. MGM shall coordinate with the Springfield Parking Authority, City of Springfield, and owners of private parking facilities throughout downtown Springfield to identify locations to accommodate construction employee parking, as well as parking for uses displaced from the site during construction.</p>	<p>Prior to and during construction</p>
<p>The general contractor will develop a construction period traffic management plan for review and approval by the city and state. Signage, traffic cones, drums, and other traffic control measures will be employed during construction to provide positive guidance for traffic near the work zone. The FEIR provides sample temporary traffic control plans for construction of improvements near the MGM Project site. These plans will be refined as the project advances to the 25% design stage and will require review and approval by the City of Springfield and MassDOT District 2 Staff.</p>	<p>Prior to and during construction</p>
<p>Effort will be made to minimize the noise impact of construction activities. Mitigation measures will include:</p> <ul style="list-style-type: none"> • Instituting a proactive program to ensure compliance with the City of Springfield noise ordinance, • Using appropriate mufflers on all equipment and ongoing maintenance of intake and exhaust mufflers, • Replacing specific construction operations and techniques by less noisy ones where feasible, • Selecting the quietest of alternative items of equipment where feasible. • Turning off idling equipment and comply with Mass DEP's anti-idling regulations, and • Locating noisy equipment at locations that protect sensitive locations by shielding or distance. 	<p>Prior to and during construction and operations</p>
<p>Precondition surveys and vibration monitoring will be conducted prior to and during construction to document initial conditions and to monitor vibration levels during construction. Soil borings and geotechnical analysis will be undertaken in strategic areas of the project site, following MGM's securing ownership of the property.</p> <p>The Construction Management Plan will establish vibration limits and other similar performance criteria, as well as require the contractor to plan and implement mitigating measures if adverse impacts were detected during</p>	<p>Prior to and during construction</p>

MITIGATION MEASURES	SCHEDULE
<p>construction. Below-grade work would be conducted under the technical monitoring of a geotechnical engineer, to observe and document construction procedures, monitor vibrations, and to anticipate and facilitate any needed mitigation measures.</p>	
<p>MGM and its construction teams will evaluate the Commonwealth's Clean Air Construction Initiative, which includes incorporating Construction vehicles with emission reducing control devices.</p>	<p>Prior to and during construction</p>
<p>Establish a goal of 100 percent diversion of demolition/construction waste.</p>	<p>Prior to and during construction</p>
<p>Environmental Justice</p>	
<p>The FEIR, the Secretary's FEIR Certificate, the NPC, and the NPC Certificate do not expressly discuss environmental justice issues pertinent to former Governor Patrick's Executive Order No. 552 on Environmental Justice (11/20/14) or the prior EOEEA Environmental Justice Policy (10/9/02). Nonetheless, the Commission finds that the proposed Project will make significant positive environmental justice contributions to the host community of Springfield and the surrounding area. These positive contributions include the rehabilitation and revitalization of a significant portion of downtown Springfield ravaged by the 2011 tornado and associated displacement of businesses and other enterprises, the use of environmentally-sensitive design in all aspects of the Project as described above, and the creation of significant numbers of new jobs arising out of and related to the construction and operation of the proposed facility, which jobs will directly and substantially benefit disadvantaged persons in the local community. Based on the mitigation measures discussed above, the Commission finds that these positive contributions can be achieved while damage to the environment is mitigated or avoided.</p>	

FINDINGS

Pursuant to G.L. c. 30, § 61, and 301 CMR 11.12(5), the Massachusetts Gaming Commission finds that all feasible measures have been taken to avoid or minimize impacts of the Project and damage to the environment. Specifically, the Commission finds that:

1. Environmental impacts resulting from the proposed Project within the parameters of the Original Design and the Revised Design within the scope of MEPA are those impacts described in the Final Environmental Impact Report dated November 6, 2014, the Secretary's Certificate on the FEIR dated December 31, 2014, the Notice of Project Change dated October 15, 2015, and the Secretary's Certificate on the Notice of Project Change dated November 25, 2015;
2. MGM shall comply with and shall implement (a) the License conditions in the Commission's conditional License for the Project dated November 6, 2014 and referenced in the Secretary's Certificate, (b) the terms and conditions of the Executed Mitigation Agreements, (c) the mitigation measures described in these Amended Section 61 Findings, the FEIR, the Secretary's Certificate, the NPC, and the NPC Certificate (d) the Section 61 Findings and conditions to be issued by other Agencies of the Commonwealth in their final Agency Action on the Project, in particular those Section 61 findings issued by MassDOT, (e) the MOA between the MHC, MGM and the Commission, (f) any mitigation measures required by the City of Springfield as part of its review and permitting of the Project and (g) additional conditions consistent herewith imposed by the Commission in the final License pursuant to 205 CMR 120.02(1)(a); and
3. Appropriate conditions will be included in any final License issued for the Project pursuant to 301 CMR 11.12(5) (b) and 205 CMR 120, and any amendment thereto, to ensure implementation of the conditions and mitigation measures identified herein.
4. The Commission may conduct a regular quarterly review of compliance with the Section 61 Findings and the conditions of the Gaming License.

Chair, Massachusetts Gaming Commission

Date

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Massachusetts Gaming Commission
Vote to Adopt Amended Section 61 Findings and
Incorporate into Region B Category 1 Gaming License

PROJECT NAME: MGM Springfield
PROJECT LOCATION: Springfield, Massachusetts
PROJECT PROPONENT: Blue Tarp reDevelopment, LLC (“MGM”)
EOEEA NUMBER: 15033
FINAL AGENCY ACTION: Category 1 Gaming License

WHEREAS on December 22, 2015, the Massachusetts Gaming Commission (the “Commission”) voted to adopt the Commission’s Section 61 Findings (the “2015 Section 61 Findings”) with respect to the MGM Springfield Project (the “Project”), to grant to MGM the final Region B Category 1 Gaming License, to incorporate by reference the 2015 Section 61 Findings into MGM’s License for the Project, and to require, as a condition of the License, that MGM comply with the terms, conditions, mitigation measures and other requirements identified in the 2015 Section 61 Findings;

WHEREAS the Commission expressly reserved the right to take further action with respect to the 2015 Section 61 Findings, the License for the Gaming Establishment, and any conditions contained in the 2015 Section 61 Findings or the License for the Gaming Establishment.

WHEREAS on or about June 15, 2018, MGM filed a Request for Advisory Opinion (“RAO”) with the Executive Office of Energy and Environmental Affairs’ (“EOEEA’s”) Massachusetts Environmental Policy Act (“MEPA”) Office describing proposed modifications and refinements to the Project since the issuance of the 2015 Section 61 Findings, and seeking a determination that these proposed modifications and refinements do not require a filing of a Notice of Project Change (“NPC”) under MEPA;

WHEREAS in an Advisory Opinion issued on July 12, 2018, the MEPA Office determined that an NPC is not required for these proposed modifications and refinements to the Project because those modifications and refinements will “not result in a material change that will increase environmental impacts compared to impacts previously reviewed by MEPA.”;

WHEREAS MGM has proposed the Amended Section 61 Findings, attached hereto, to reaffirm MGM’s commitment to avoid or minimize impacts to the environment of the Project and to update the 2015 Section 61 Findings;

NOW THEREFORE, I move that the Massachusetts Gaming Commission:

1. Approve the proposed modifications and refinements to the Project described in the RAO, the Advisory Opinion, and the Amended Section 61 Findings attached hereto;
2. Adopt the Amended Section 61 Findings regarding the Project in the form attached hereto pursuant to the Massachusetts Environmental Policy Act G.L. c. 30, §§ 61-62I,

G.L. c. 23K, § 15(12), 301 CMR 11.12, and 205 CMR 120.02, to update and replace the 2015 Section 61 Findings;

3. Find, pursuant to G.L. c. 30, § 61 and 301 CMR 11.12(5), that all feasible measures have been taken to avoid or minimize impacts to the environment of the Project, for the reasons stated in the Commission’s Amended Section 61 Findings attached hereto, and all other documents, approvals, and certifications incorporated by reference therein;
4. Incorporate by reference, pursuant to G.L. c. 30, §§ 61-62I, G.L. c. 23K, §§ 4(15), 15(12), and 21(c), 301 CMR 11.12(5)(b) and 205 CMR 120, the Commission’s Amended Section 61 Findings attached hereto into MGM’s License for the Project and require, as a condition of the License, that MGM comply with the terms, conditions, mitigation measures and other requirements identified in the Commission’s Amended Section 61 Findings;
5. Authorize the Commission to execute the Commission’s Amended Section 61 Findings in the form attached hereto;
6. Authorize the Commission’s General Counsel to take all necessary procedural actions to effectuate the Commission’s Amended Section 61 Findings in accordance with the Massachusetts Environmental Policy Act, the Massachusetts Gaming Act, and the regulations implementing each statute; and
7. Require as a condition of the License a regular quarterly review by the Commission of MGM’s compliance with the Commission’s Amended Section 61 Findings and the terms and conditions of the License.

DATED: _____, 2018
 MOVED BY: Commissioner _____
 SECONDED BY: Commissioner _____
 RECORD OF VOTE:

Commissioner	In Favor	Opposed	Abstained	Recused
Stephen Crosby				
Gayle Cameron				
Eileen O’Brien				
Bruce Stebbins				
Enrique Zuniga				

Attest: _____
 Catherine Blue, Assistant Secretary



TO: MGC Commissioners

FROM: John Ziemba
Joseph Delaney

CC: Edward R. Bedrosian

DATE: July 16, 2018

RE: MGM Springfield – Final Design Approval

As the Commission and Commission staff have begun final preparations relative to the planned opening of MGM Springfield, we recommend that the Commission approve a final design for the MGM Springfield facility. The Commission’s regulation 205 CMR 135.00 sets out procedures that the Commission may use to review project designs. It states that the Commission may participate in the development of key milestones of the design review process. Pursuant to 205 CMR 135.03(4), “[t]he commission or its representative may request for review and approval the final site plan and architectural design package” for each gaming establishment. We believe that such approval of the final design would provide further clarity regarding the Commission’s approval of changes to the facility since MGM Springfield’s RFA-2 application and would provide further clarity regarding MGM Springfield’s compliance with the design review standards articulated in 205 CMR 135.00.¹

As the Commission is aware, the Commission has extensively reviewed the design of the MGM Springfield facility since the date of the issuance of the gaming license. Notably, on May 12, 2016, the Commission voted to accept MGM Springfield’s proposed design changes involving, among other changes, the moving of the hotel to Main Street and the moving of the planned residential units off-site. MGM Springfield presented on these proposed changes at Commission’s open public meetings held on September 24, 2015, November 5, 2015, December 3, 2015, January 21, 2016, and May 12, 2016. This design review followed a review of design changes as part of the development of the Massachusetts Environmental Policy Act Section 61

¹ Although the approval of the final design of the MGM Springfield project does not relieve MGM Springfield from the responsibility specified in M.G.L. c. 23K, § 21 to abide by statements made in its application, this approval does demonstrate the Commission’s recognition that changes to the project have been necessary since the date of the RFA-2. It also demonstrates that the Commission should take a final design approval into consideration in determining whether MGM Springfield has abided by the RFA-2 application and the evaluation reports that were part of the Commission’s RFA-2 evaluation process.



Massachusetts Gaming Commission

Findings for the MGM Springfield project (“Section 61 Findings”). At that time of the approval of the Section 61 Findings on December 17, 2015, the Commission noted its approval of the major and fundamental elements of MGM’s proposed redesign.

Since the time of the Commission’s first approval of the design of the facility, the Commission has been apprised of further refinements to the design and retail/food and beverage program, consistent with the Commission’s directive that staff is required to report material changes to the design to the Commission. For example, during the course of the Commission’s “In-depth Review” (see especially the presentation and staff memorandum included in the March 15, 2018 Commission packet), MGM Springfield provided further information regarding its plans for the Armory space, and provided plans for its day care space. The design of the day care space was not included in the Commission’s initial design review because it was not ready at the time. The design of the off-site residential units and the design for the so-called Dave’s Retail Buildings were similarly not approved by the Commission at the time and, because they are still not ready, are not parts of this recommended final design approval. In addition, the eventual tenants for some retail spaces will not have taken occupancy by August 24th. For example, on the first floor of 101 State Street, Focus Springfield will remain for at least the next several months. Another such location is in the Entertainment Block and is shown as Retail L2 and L3 on the attached floor plan. Currently, the space is built out as a single retail unit which will have basic utilities in place and drywall installed, and will be ready for a tenant fit-out when a final tenant is identified.

In an effort to assist in the Commission’s review of MGM Springfield’s final design, we briefly describe below some of the material (or perhaps immaterial) design changes that were not fully described to the Commission at the time of the May 12, 2016 prior design approval.

1. Day Care Space - MGM Springfield presented the attached design (Exhibit A) to the Commission during the Commission’s In-Depth Review on March 15, 2018.
2. Main Street Relocation of Salon and Starbucks - Both moves were also presented to the Commission prior to and during the Commission’s In-Depth Review on March 15, 2018.
3. Change in Gaming Positions Including Poker Table Expansion - MGM Springfield described changes to the number and composition of its gaming positions prior to and during the Commission’s In-Depth Review on March 15, 2018 (See especially MGM Springfield March 12, 2018 Answers 1 (a) and (b)). MGM Springfield’s numbers of gaming positions by category are: (i) 2504 slot machines = 2504 positions; (ii) 93 table games = 608 positions; (iii) 23 poker tables = 230 positions.
4. Expansion of Main Street Valet Spaces - MGM is proposing to provide a valet drop off and pickup area on the West side of Main Street just north of Howard Street for patrons of the hotel and other MGM facilities on Main Street such as the restaurants, retail operations and

salon. This was taken up and approved by the Springfield City Council on July 16, 2018. The following is information provided to the City of Springfield by MGM.

5. Addition of a maintenance facility at 99 Union Street – MGM purchased this existing building a couple of years ago and recently decided to renovate it into a maintenance facility. This facility will also include kennels for the dogs that will be part of the security department.
6. Square Footage and Other Section 61 Changes – Attached to this memorandum are proposed revisions to MGM Springfield’s Section 61 Findings that reflect the current square footage totals for the project and that update specific measures from the December 2015 Section 61 Findings. For example, the Section 61 Findings include a change to the date for the construction of the planned photovoltaic units on the MGM Springfield garage from before opening to within one year after opening. We note that in the Section 61 Findings MGM has reserved the right to seek revision of the photovoltaic condition based upon structural and economic feasibility.
7. Other Minor Design and Program Changes – The following are some of the refinements to the design and program that have occurred since the last design review:
 - Relocation of the Game Sense office from near Main Street to its current location near the valet parking area entrance;
 - Relocation of the Licensing Office from 101 State Street to a location near the valet parking area entrance;
 - Removal of the proposed on-site laundry;
 - Addition of a FedEx Business Center adjacent to the function areas;
 - Addition of further improvements to the outdoor plaza discussed and detailed during the May and June 2018 Commission meetings; and
8. Pool Space - The original hotel plans included both an outdoor and an indoor pool. One outdoor pool is located outside the hotel in the final design. The indoor pool was eliminated when the hotel tower was reconfigured, but this item was not highlighted to the Commission.
9. Dynamic Sign - MGM Springfield’s plans regarding its digital sign facing I-91 has been the focus of numerous Commission discussions. However, the Commission has not yet provided any final approval or disapproval regarding the dynamic nature of such sign.
10. Quality and Articulation of Union Street Garage Façade - License Condition 24 requires that the Union Street expression of the garage is of the kind, quality, and articulation shown for the Bliss Street façade. The Union Street expression (which will be partially covered by

signage) was the subject of significant discussion by the City as part of its site plan review. Although the connection to this condition was not discussed at the time, the plans for the garage façade were provided to the Commission at the time of its previous design approval in 2016. MGM Springfield worked to address issues regarding the quality of materials and regarding the articulation of the Union Street garage façade.

We recommend that the Commission approve of the final design of the MGM Springfield project, as shown in the attached site plan and previously described to the Commission, pursuant to 205 CMR 135.03(4) provided that such approval:

Does not include approval of the design of the planned off-site residential units, further build-out of the Armory to include a restaurant and lounge space, the so-called Dave's retail building, and the planned retail spaces on the first floor of 101 State Street and Retail L2 and L3 on the attached floor plan;

Shall not be construed to demonstrate approval or disapproval of the use of the sign facing Interstate 91;

Shall not be construed to supersede any obligations pursuant to MGL c. 23K, to the Commission's Section 61 Findings, as they may be amended from time to time, or to the conditions of MGM Springfield's license, including but not limited to Condition #14 relative to compliance with the information included in the application filed by the Designated Licensee and the evaluation reports filed by the Commission; or be construed to relieve MGM Springfield from providing prior notice to the Commission of any future changes to the design for the Commission's review and approval; and,

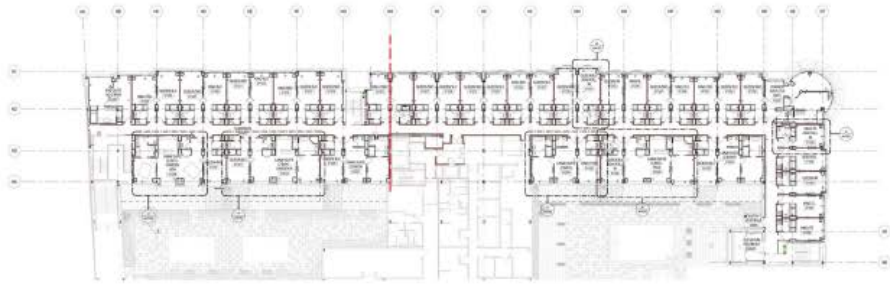
Shall not be construed to demonstrate that the Commission has made any determinations specified in 205 CMR 135.06(2) and 205 CMR 151.00.



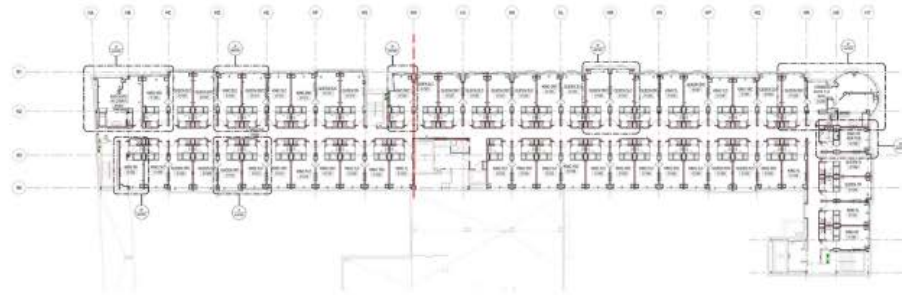
MGM SPRINGFIELD

OVERALL LEVEL 1 FLOOR PLAN

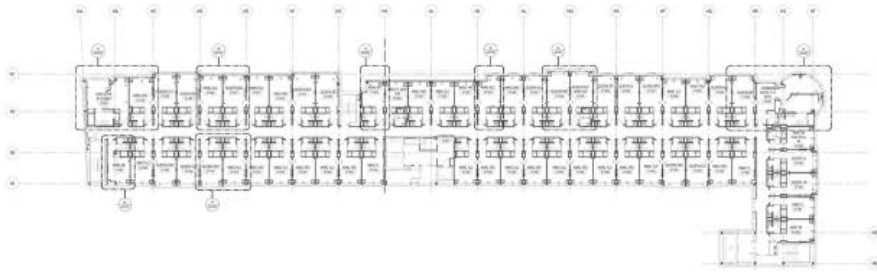




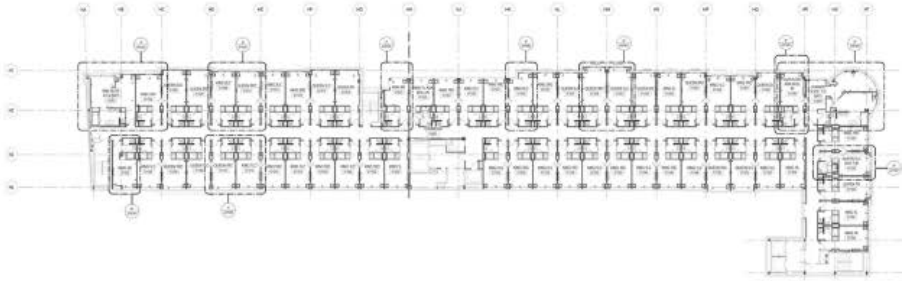
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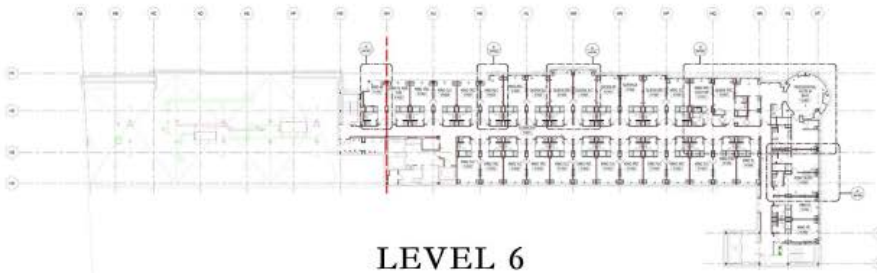
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LEVEL 4



LEVEL 5



LEVEL 6

ELEC

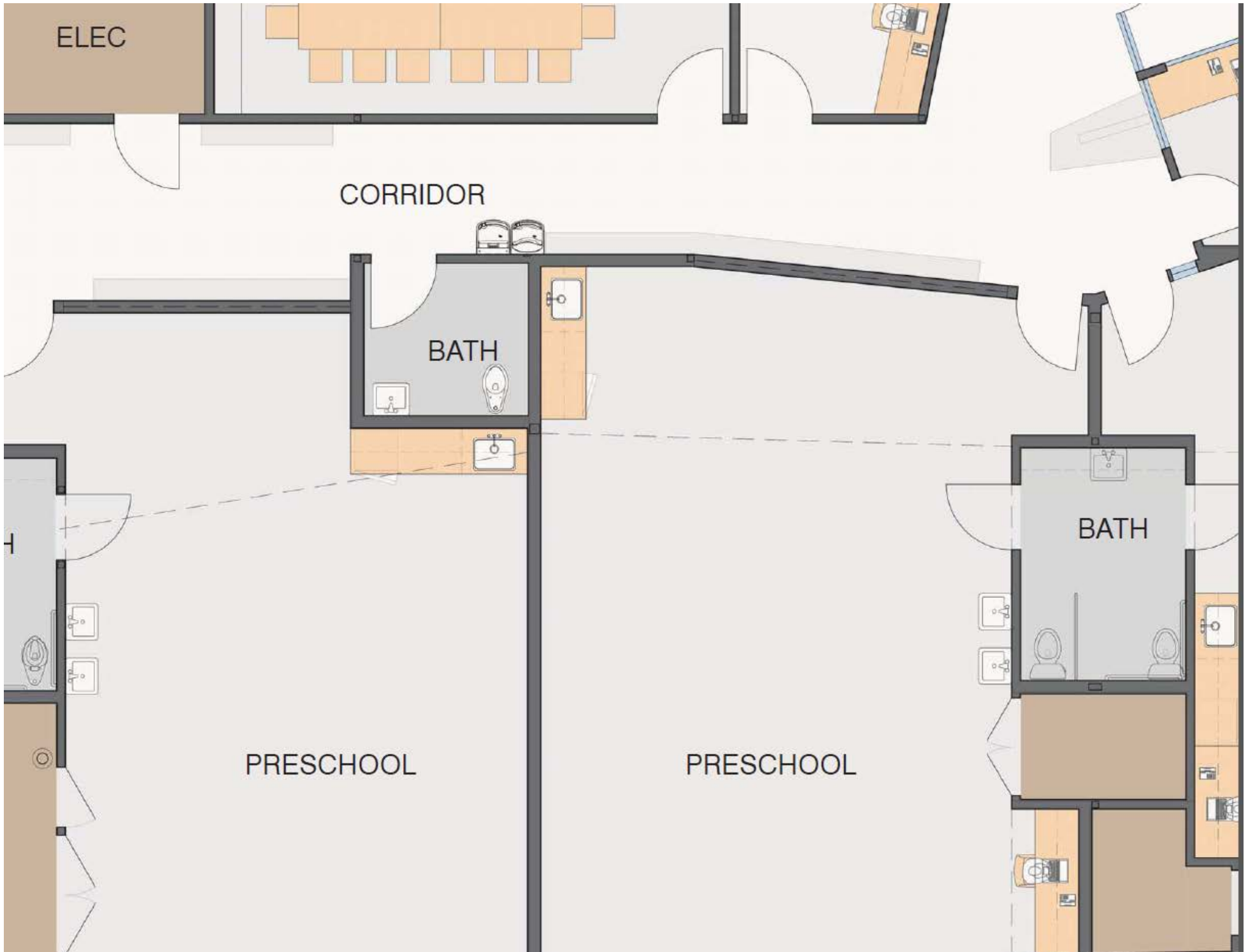
CORRIDOR

BATH

BATH

PRESCHOOL

PRESCHOOL



ROOFTOP
PV ARRAY

The diagram is a site plan for a facility. On the left, a large brown trapezoidal area represents a building roof, with two sections of blue grid patterns labeled 'ROOFTOP PV ARRAY'. To the right of the roof is an 'ENTRY PLAZA' with a sun icon. Further right is an 'INFANT / TODDLER PLAYGROUND' with a winding path and trees. At the bottom is a 'PRESCHOOL PLAYGROUND' with a circular path. A building with a staircase is on the far right.

ENTRY
PLAZA

INFANT /
TODDLER
PLAYGROUND

PRESCHOOL
PLAYGROUND

Fitzgerald

ATTORNEYS AT LAW, P.C.

Frank P. Fitzgerald
John E. Drost, Jr.
Stephanie A. Fitzgerald †
Brian S. Fitzgerald *
Jane L. Mantolesky
Daniel T. Wright *
Nicholas D. Amanti # =
Sarah M. Richard

†Also admitted in New York
*Also admitted in Connecticut
#Also admitted in New Jersey
= Also admitted in Pennsylvania

Direct e-mail: jlm@fitzgeraldatlaw.com

Via E-mail to ccignoli@springfieldcityhall.com

June 22, 2018

Christopher Cignoli
City of Springfield
Director of Public Works
70 Tapley Street
Springfield, MA 01104

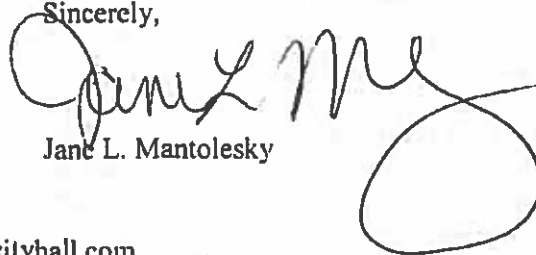
Re: Valet Permit Application

Dear Mr. Cignoli:

Enclosed please find the application for a Valet Permit for four (4) valet spaces to be located along Main Street.

Should you have any questions or concerns please feel free to contact me.

Sincerely,



Jane L. Mantolesky

CC: Al Chwalek achwalek@springfieldcityhall.com
Matthew Sokop MSokop@springfieldcityhall.com
Hector Velez HVElez@springfieldcityhall.com

**CITY OF SPRINGFIELD APPLICATION FOR
VALET PARKING PERMIT**

Date: June 22, 2018

Re: City Ordinance Chapter 9.34 – Valet Parking Regulations

Blue Tarp reDevelopment, LLC d/b/a MGM Springfield (“MGM Springfield”) hereby states the following in connection with this Valet Parking Permit Application:

1. VALET OPERATOR:

MGM Springfield
One MGM Way
Springfield, MA 01103

c/o Gregg Skowronski, Executive Director of Hotel Operations
phone number: 413.273.5252

2. SERVICE TO BE PROVIDED FOR:

MGM Springfield (Main Street entrance)
One MGM Way
Springfield, MA 01103

3. PLAN OF PROPOSED PICK UP AND DROP OFF AREA AND SPACES:

There will be a proposed valet and bus lane on the West side of Main Street utilizing two (2) valet spaces and two spaces for multi-use (taxi/uber/valet). See attached plan marked Exhibit A.

Vehicles will be placed in the MGM garage. Main Street to Union Street to East Columbus will be utilized as the route for parking the vehicles. Retrieval of vehicles will utilize State Street to Main Street (subject to change should any enhancements to the property or parking structure change). Oversized vehicles will be parked in an offsite lot – location still to be determined.

4. PLAN OF VALET OPERATION:

Hours of operation: 8am – midnight – Monday through Sunday
Cost: \$16 for under 12 hours / \$28 for 12+ hours / Daily rate of \$28

There be approximately 44 valets staffed at MGM’s two valet locations (Main Street and MGM garage) during the hours of operation, however, should demand increase or decrease, the operator will reevaluate and adjust staffing accordingly.

The cars will be parked in the parking garage located on the MGM Springfield premises. The routes to and from the garage will utilize the streets and ways surrounding the premises: Union Street, East Columbus Avenue, MGM Way, State Street and Main Street.

A payment kiosk will be inside the hotel lobby, the entrance of which is adjacent to the valet spaces.

Signage will be placed out front and will be removed after hours of operation

5. INSURANCE CERTIFICATE

Applicant will maintain the minimum levels and standards of liability insurance or claims reserves as required by the Springfield Traffic Commission. A Certificate of Insurance is attached as Exhibit B.

This application is submitted as of the date set forth above.

Blue Tarp reDevelopment, LLC d/b/a MGM Springfield,

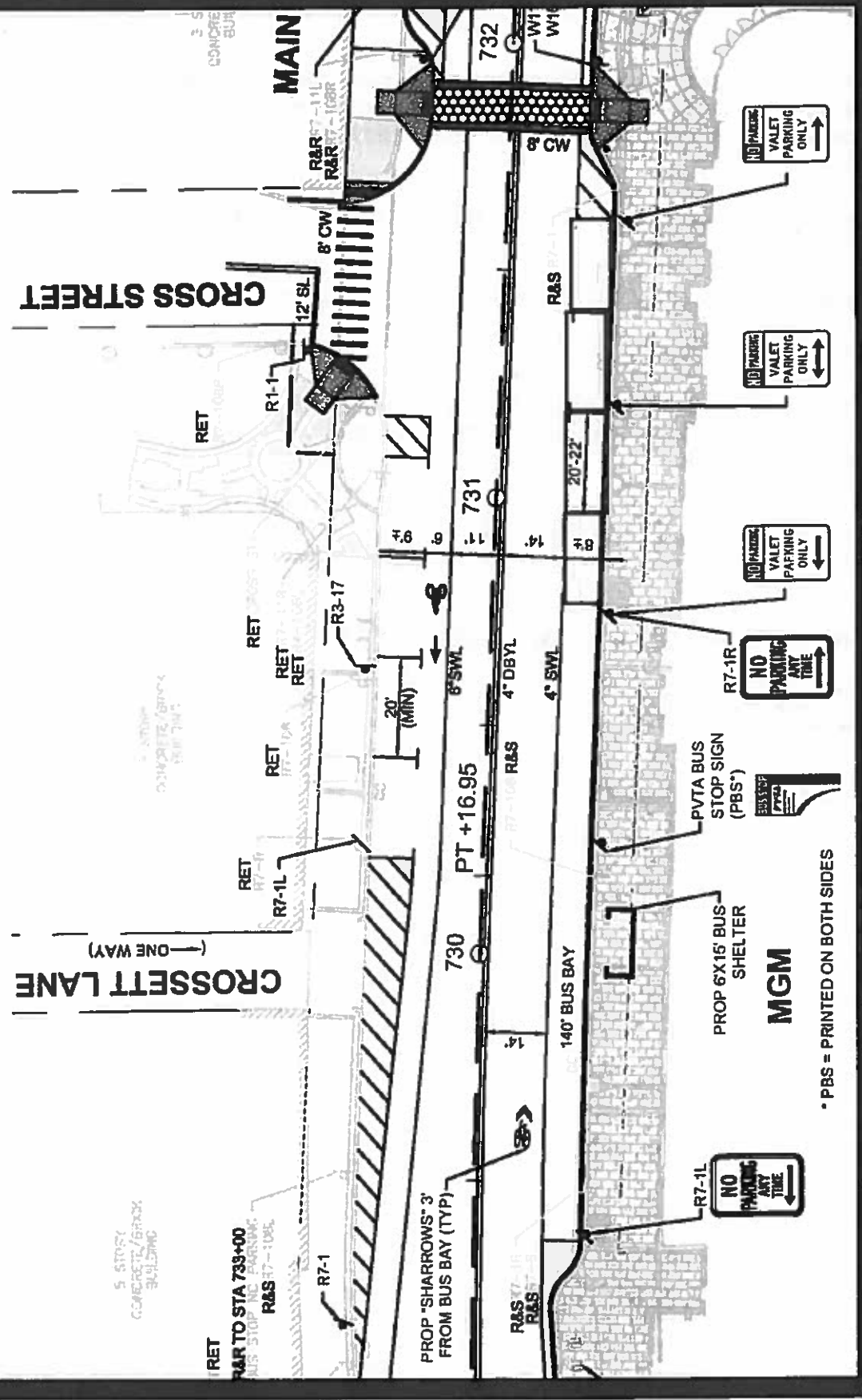


By: Michael C. Mathis, President



1" = 30'

MGM Springfield - Springfield, Massachusetts



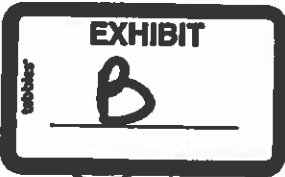
• PBS = PRINTED ON BOTH SIDES



TEC, Inc.
 148 Darcumb Road | 169 Ocean Blvd, Unit 101
 Andover, MA 01810 | Hampton, NH 03842
 (978) 794-1792 | (603) 661-8154
 www.TheEngineerInc.com

Bus Stop / Valet Parking Relocation
 Blackline Graphic - 06/14/2018





CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)
06/22/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Aon Risk Insurance Services West, Inc. Los Angeles CA Office 707 Wilshire Boulevard Suite 2600 Los Angeles CA 90017-0460 USA	CONTACT NAME: PHONE (AC. No. Ext): (866) 283-7122 FAX (A.C. No.): (800) 363-0105 E-MAIL ADDRESS: ADDRESS: <table style="width: 100%;"> <tr> <td style="text-align: center;">INSURER(S) AFFORDING COVERAGE</td> <td style="text-align: center;">NAIC #</td> </tr> <tr> <td>INSURER A: Zurich American Ins Co</td> <td>16535</td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Zurich American Ins Co	16535	INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER B:															
INSURER C:															
INSURER D:															
INSURER E:															
INSURER F:															
INSURED MGM Resorts International & its subsidiaries Risk Management Department 71 East Harmon Avenue Las Vegas NV 89109-4539 USA															

Holder Identifier:

COVERAGES CERTIFICATE NUMBER: 570071900000 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. Limits shown are as requested

INSR LTR	TYPE OF INSURANCE	ADDITIONAL INSURED	SUBROGATION	POLICY NUMBER	POLICY EFF. DATE (MM/DD/YYYY)	POLICY EXP. DATE (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:			GLO427988509 SIR applies per policy terms & conditions	07/01/2017	07/01/2018	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) Excluded PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$25,000,000 PRODUCTS - COM/OP AGG \$3,000,000 Garagekeepers Legal Liability \$1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION						EACH OCCURRENCE AGGREGATE
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT E.L. DISEASE-EA EMPLOYEE E.L. DISEASE-POLICY LIMIT

Certificate No.: 570071900000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 RE: Evidence of Insurance for MGM Springfield Valet Parking Permit. Named Insured (s): MGM Resorts International including all subsidiaries, affiliates & allied companies, corporations or entities owned or controlled, now in existence or as may hereafter be created.

CERTIFICATE HOLDER City of Springfield 36 Court Street Springfield MA 01103 USA	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Aon Risk Insurance Services West Inc</i>
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TO: Chairman Crosby, Commissioners Cameron, O'Brien,
Stebbins and Zuniga

FROM: Catherine Blue, John Ziemba, Joe Delaney

CC:

DATE: July 19, 2018

RE: Security Mechanism – Post Opening Bond

M.G.L. chapter 23K section 10 and 205 CMR 122.05 provide that within 30 days of the award of a gaming license, the applicant shall either deposit 10% of the total investment proposed in the applicant's RFA 2 application into an interest bearing account or secure a deposit bond in the amount of 10% of the proposed capital investment. If the applicant secures a bond, the bond shall forfeit to the Commonwealth if the applicant is unable to complete the gaming establishment. Chapter 23K section 10 provides that the monies in escrow or a bond shall be held by the Commission until the final stage of construction at which time the escrow or the bond shall be released to the applicant.

On December 8, 2014 in compliance with chapter 23K section 10, MGM Springfield provided the Commission with a bond in the amount of \$51,579,200. The bond, which has a current expiration date of November 30, 2018, has been renewed and maintained throughout the construction of the project.

As part of the review process leading to the issuance of an operations certificate, staff has reviewed the construction schedule and the status of the many construction commitments made by MGM Springfield. Staff believes that the Commission may determine that MGM Springfield has reached the final stage of construction as contemplated by chapter 23K section 10; however, certain items relating to the project will not be completed until sometime after opening. It is staff's recommendation that the Commission request MGM Springfield to provide a bond securing the completion of those items.

MGM Springfield agrees that the residential units committed to in its RFA 2 application will not be constructed until sometime in the future. MGM Springfield further agrees that the retail location referred to in the RFA 2 application as "Dave's Furniture" will also not be completed until sometime in the future. After discussions between staff and MGM Springfield, Commission staff recommends that MGM Springfield provide a bond, in the amount of \$25,000,000 to secure the construction of the residential units and the Dave's Furniture retail location. Once the Commission determines that MGM Springfield has reached the "final stage of construction" the Commission could allow MGM Springfield to lower the amount of the



Massachusetts Gaming Commission

current bond from \$51,579,200 to \$25,000,000 and add a rider to the current bond describing it as security for the completion of construction of the residential units as approved by the Commission and the completion of construction of the Dave's Furniture retail location¹. MGM Springfield requests that if construction of either the residential units or the Dave's Furniture retail location is completed prior to the end of the term of the bond the amount of the bond may be lowered by the amount of construction completed. If the Commission accepts staff's recommendation, MGM Springfield will still be required to provide the Commission with prior notice of any proposed change to the construction of the residential units and the Dave's Furniture retail location and seek the Commission's review and approval of any changes.

Staff is comfortable that if the Commission accepts staff's recommendation there will be adequate security for the construction of the residential units and the Dave's Furniture retail location. Staff recommends that the Commission approve lowering the bond amount from \$51,579,200 to \$25,000,000 beginning September 1, 2018; that the term of the bond shall be from September 1, 2018 through December 31, 2020; that upon a request by MGM Springfield and approval by the Commission the bond amount may be lowered by the amount of any construction completed during the term of the bond; that MGM Springfield shall notify the Commission of any changes in the construction plans for the residential units and the Dave's Furniture retail location and the impact of the changes on the bond, if any; and authorize staff to take the steps necessary to implement the change in the bond.

¹ The bond as reconfigured would no longer provide security for the construction of the gaming establishment.





MGM SPRINGFIELD
ONE MGM WAY
SPRINGFIELD, MA 01103

413.273.5000
MGMSPRINGFIELD.COM

July 16, 2018

Edward Bedrosian, Executive Director
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Re: MGM Springfield Category 1 License Conditions

Dear Director Bedrosian:

In accordance with the Massachusetts Gaming Commission's ("Commission") request regarding compliance with certain conditions set forth in EXHIBIT A of the Decision Awarding a License to Operate a Category 1 Gaming Establishment in Region B dated November 7, 2014, I hereby attest to the best of my knowledge and on behalf of Blue Tarp reDevelopment, LLC ("MGM Springfield" or "Licensee") and MGM Resorts International where applicable, as to the material veracity of the following:

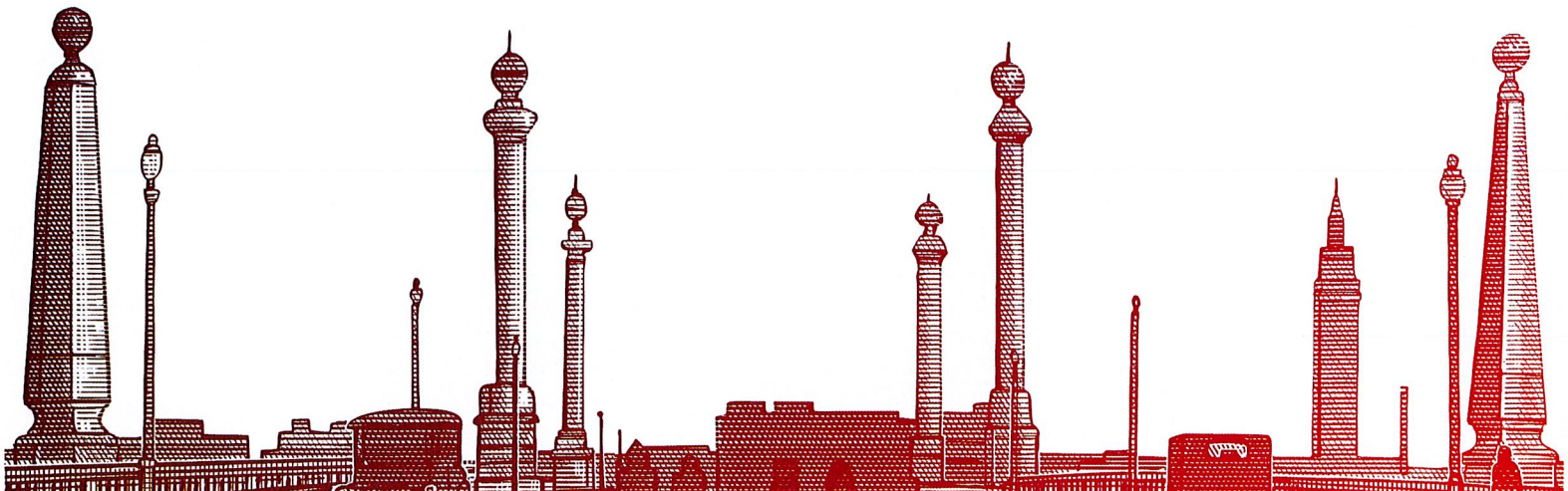
Conditions 1 and 2. The Licensee is in material compliance with applicable federal and state laws and regulations.

Condition 3. The Licensee is not in violation of any debt equity requirements established by the Commission.

Conditions 4, 5 and 6. The Licensee has paid to the Commonwealth of Massachusetts its license fee and all Commission assessments.

Condition 7. The Licensee secured a bond in a form acceptable to the Commission in the amount of \$51,579,200 on December 8, 2014 and has renewed and maintained this bond throughout the duration of the project.

Condition 8. See January 6, 2015 filing by the Licensee with the Commission documenting its acquisition of all land parcels that comprise the Gaming Establishment.





MGM SPRINGFIELD
ONE MGM WAY
SPRINGFIELD, MA 01103

413.273.5000
MGMSPRINGFIELD.COM

Condition 10, 11 and 12: See Diversity and Affirmative Marketing Program as adopted by Licensee and approved by the Commission on January 22, 2015.

Condition 15. See Workforce Development Plan approved by the Commission on May 25, 2017.

Condition 16. On July 10, 2018, the Licensee submitted a Regional Tourism and Marketing Plan for Commission approval.

Condition 17. On March 15, 2018, the Licensee submitted its Procurement Diversity and Local Business Plan which was approved by the Commission on April 26, 2018.

Condition 18. See approved Internal Controls, Section 110.

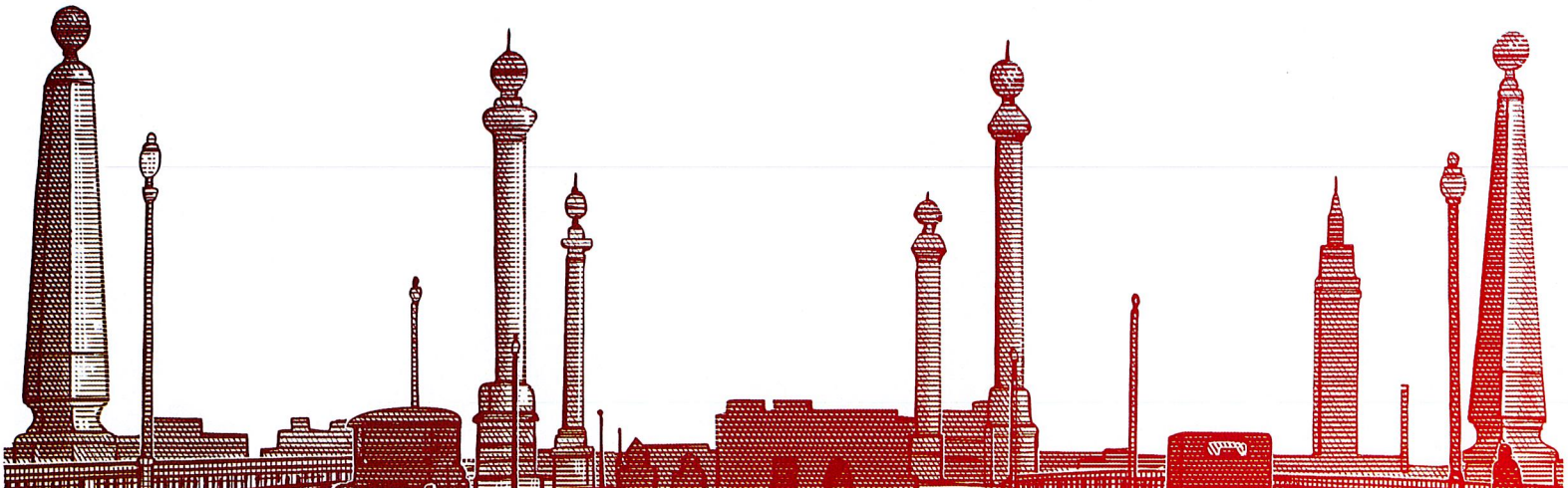
Condition 19. See submitted Internal Controls, Section 190.

Condition 20(a): The Licensee is in material compliance with the Commission's Continuing Duty Regulation, 205 CMR 115.01(4) and as otherwise directed by the Investigations and Enforcement Bureau.

Condition 20(b): The Licensee has reported any changes related to its ownership, membership, members, managers and/or directors; any new owners, members, owners or directors to the Commission, if any.

Condition 20(c): The Licensee has reported to the Commission any transaction which may result in any new financial backers, investors, mortgagees, bondholders or holders of indenture, notes or other evidences of indebtedness, if any.

Condition 20(d): The Licensee has reported to the Commission any declared default or any material failure to meet any payment of interest or principal when due under any existing or future debt, if any.





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Condition 20(e): The Licensee has reported to the Commission any transaction to refinance existing debt or incur any additional capital debt of \$50,000,000 or more, whether in a single transaction or cumulative transactions over a 12 month period, if any.

Condition 20(f): The Licensee maintains consolidated financial statements as part of its Security and Exchange Commission filings (Form 10-K and Forms 10-Q) pursuant to the Commission's Continuing Duty and Reporting Regulation, 205 CMR 139.05.

Condition 20(g): See submitted Internal Controls, Section 100.

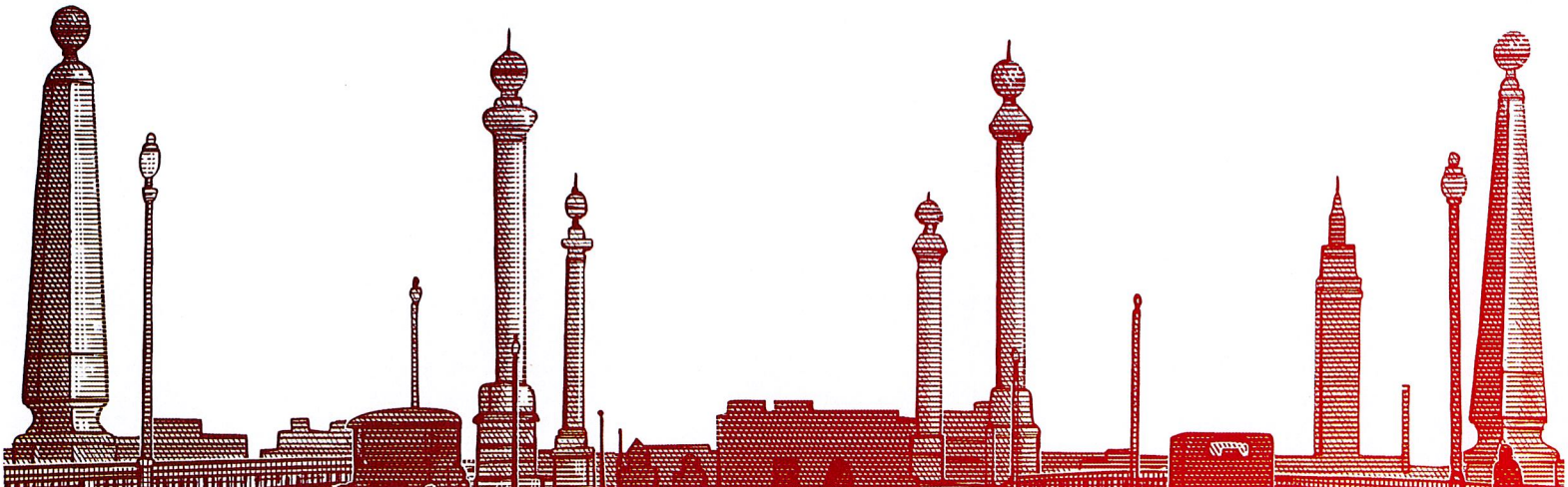
Condition 20(h): See submitted Amended Findings issued pursuant to G.L. c. 30, §§ 61-62I, G.L. c. 23K, § 15(12), 301 CMR 11.12, and 205 CMR 120.02.

Condition 20(i): On July 16, 2018, the Licensee confidentially submitted a detailed compendium, including wages by position, to the Commission. Consistent with prior discussions with the Commission around the approval the Licensee's Non-Disclosure Agreement with the Commission and once pre-opening hiring is complete, the Licensee will continue to cooperate with the Commission on developing a mutually agreeable public summary of wage and benefit information that incorporates average wage and high-level salary range information, which will allow public transparency on satisfaction of Licensee commitments while still protecting confidential personal and proprietary business information.

Condition 20(j): The Licensee received a Gaming Beverage License from the Commission on June 26, 2018.

Condition 20(k) and (l): The Licensee has reported any contact with Terry Christensen, if any.

Condition 20(m): The Licensee has provided copies of regular or periodic reports on Macau operations that are required to be filed in any other U.S. jurisdiction.





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Condition 20(n): The Licensee is in material compliance with the Commission's Continuing Duty Regulations, 205 CMR 115.01(4), and maintains records regarding corporate governance changes as part of its Security and Exchange Commission filings pursuant to the Commission's Continuing Duty and Reporting Regulation, 205 CMR 139.05.

Conditions (o) and (p): These conditions were removed by vote of the Commission on August 20, 2015.

Condition (q): This condition was satisfied and superseded by the Licensee's approved construction schedule and opening date.

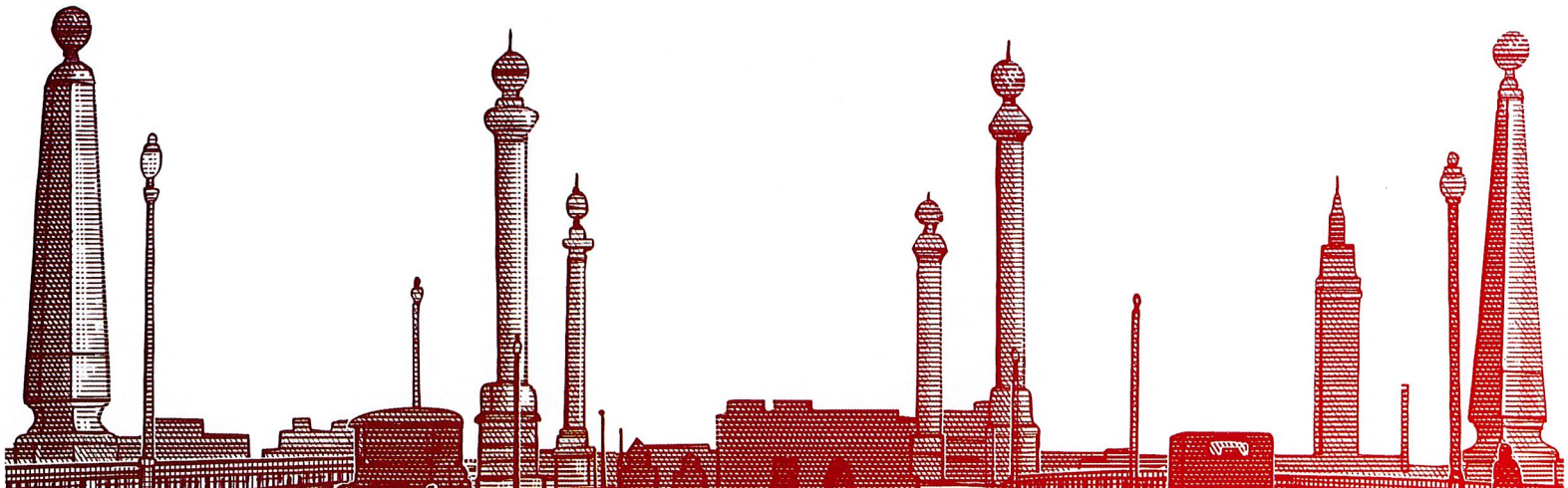
Condition 20(r): MGM Resorts International is in material compliance with conditions 20(a-d), (f), (g) and (k-n).

Condition 21. The Project's parking garage design, including exterior masonry cladding, was reviewed as part of the Commission's May 2016 approval of the Project's final design.

Condition 22. The Licensee has taken all reasonable measures to mitigate construction impacts and met consistently with all stakeholders including but not limited to the City of Springfield, MassDOT and the Trial Court.

Condition 23. The Licensee reviewed its diversity commitments with its construction management firm, AECOM/Tishman.

Condition 24. See Retail Update presented to the Commission on March 15, 2018; Retail Plan presentation filed with the Commission on July 15, 2018





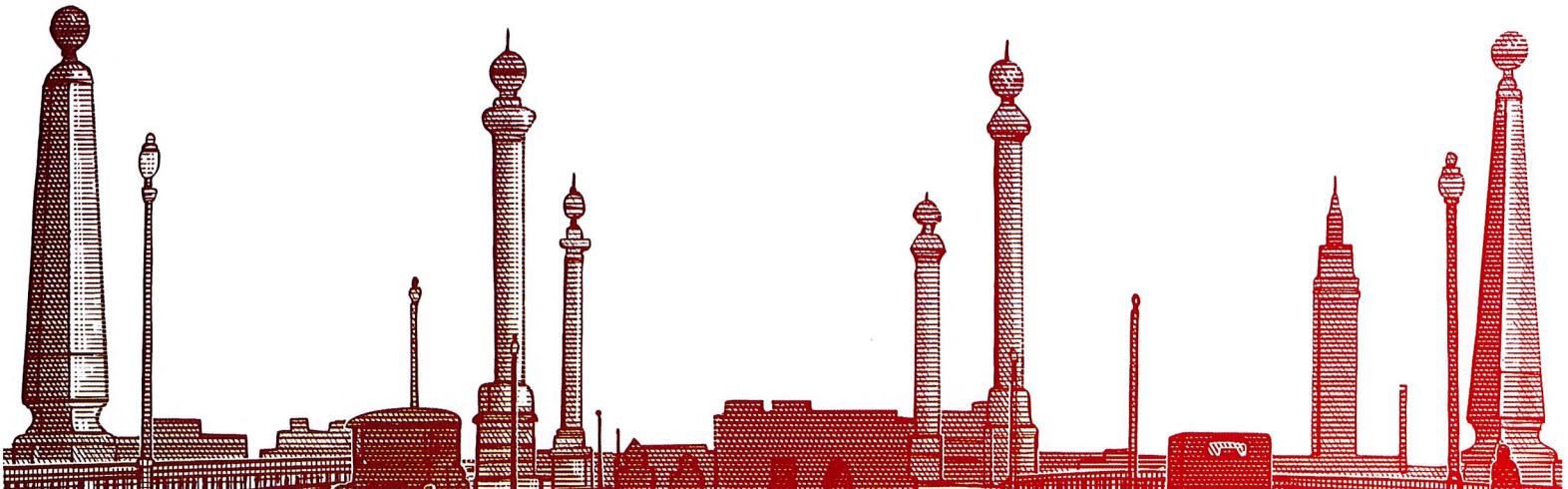
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Condition 25. This condition is post-opening operations.

Sincerely,

Seth N. Stratton
Vice President & Legal Counsel





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July 11, 2018

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

Re: MGM Springfield Workforce Development Compliance

Dear Director Griffin:

In response to your June 22, 2018 letter requesting information and data on MGM Springfield's workforce, enclosed please find a presentation for the Massachusetts Gaming Commission's ("Commission") consideration at its July 19, 2018 Public Meeting. This presentation includes interim workforce data in the following areas:

- Total number of employees hired
- Data pertaining to MGM Springfield employees that are City residents
- Data pertaining to MGM Springfield employees from Western Massachusetts/Massachusetts and from outside the region
- Employee diversity data
- Hiring pipeline data

In addition, we have included a summary of employee benefits being provided to MGM Springfield Employees. MGM Springfield will provide its updated average wage scale classification by position under separate cover at a mutually agreed upon date and subject to Section 15 of MGM Springfield's Non Disclosure Agreement with the Commission.





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The data being presented to the Commission is interim data as of July 5, 2018 (most recently available). This data will be updated and tracked by MGM Springfield through the Project's opening and during operations. MGM Springfield can provide complete updated data through the initial hiring phase shortly after the Project's opening. As recognized in your letter, MGM Springfield's workforce goals for operations are not merely hiring goals, but rather goals that will continue through the duration of MGM Springfield's license.

The interim data being presented to the Commission is the result of the workforce goals negotiated and agreed with the City of Springfield in 2012 and incorporated into the City of Springfield's Host Community Agreement as incorporated into MGM Springfield's RFA-2 application and License Conditions in compliance with the Gaming Act's diversity requirements. For MGM Springfield, these are:

MGM Springfield shall use its best efforts to strive to achieve labor participation goals for the utilization of City Residents so that: (a) no fewer than 35% of persons employed by MGM Springfield at the Project and any related facility will be City Residents; and (b) no more than 10% of its workforce will be residents from outside the region.

MGM Springfield shall use its best efforts to strive to achieve labor participation goals for the utilization of minority persons, women and Veterans so that: (a) no less than 50% of its workforce will be minority persons; (b) no less than 50% of its workforce will be women; and (c) no less than 2% of its workforce will be Veterans. These participation goals shall not be construed as quotas or set asides; rather, such participation goals will be used to measure the progress of MGM Springfield's equal opportunity, nondiscrimination and affirmative action program.

These goals are included in MGM Springfield Diversity and Affirmative Action Plan approved in January 2015 and the MGM Springfield's Workforce Development Plan approved in May 2017. Despite a changing and tightening employment market and a Project that has evolved since initially proposed, MGM Springfield has remained committed to its workforce goals. Overall, MGM Springfield is on track to meet its overall hiring goals of approximately 3000 employees, 35% City Residents, no more than 10% from outside the region, as well as the goals for minorities, women and veterans.

While working to meet these goals, MGM Springfield is providing high quality jobs with highly competitive salaries and benefits. The average salary for MGM employees is more than \$40,000. The benefits provided include health, dental, vision and life insurance as well



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as training, tuition reimbursement. MGM Springfield has constructed an onsite employee dining facility and lounge offering discounted food and beverages and other amenities including outdoor terrace space that is unmatched anywhere in the industry. Almost overnight, MGM Springfield will be one of the biggest employers in Western Massachusetts. MGM's total annual payroll is estimated to be \$100 million making a significant overall impact to the region. The economic development goals of the Gaming Act are clearly being realized.

Finally, MGM Springfield is committed to maintaining its Springfield Workforce. Post-opening, MGM Springfield will maintain its employment goals with the City of Springfield. It will do so through continued development of recruiting relationships with Regional Employment Board, Futureworks, Springfield Works, Springfield Public Schools, Springfield Technical Community College, Springfield College, American International College, Cambridge College. It will also continue important strategic relationships with non-profits for recruitment and workforce development, including New England Farm Workers, Wayfinders, Dress for Success, Springfield Partners for Community.

Thank you for your attention to this matter. We look forward to meeting with the Commission on July 19, 2018.

Sincerely,

Marikate

Marikate Murren

cc: Seth N. Stratton, Vice President & Legal Counsel

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MGM SPRINGFIELD

Workforce Development Compliance Report

July 19, 2018

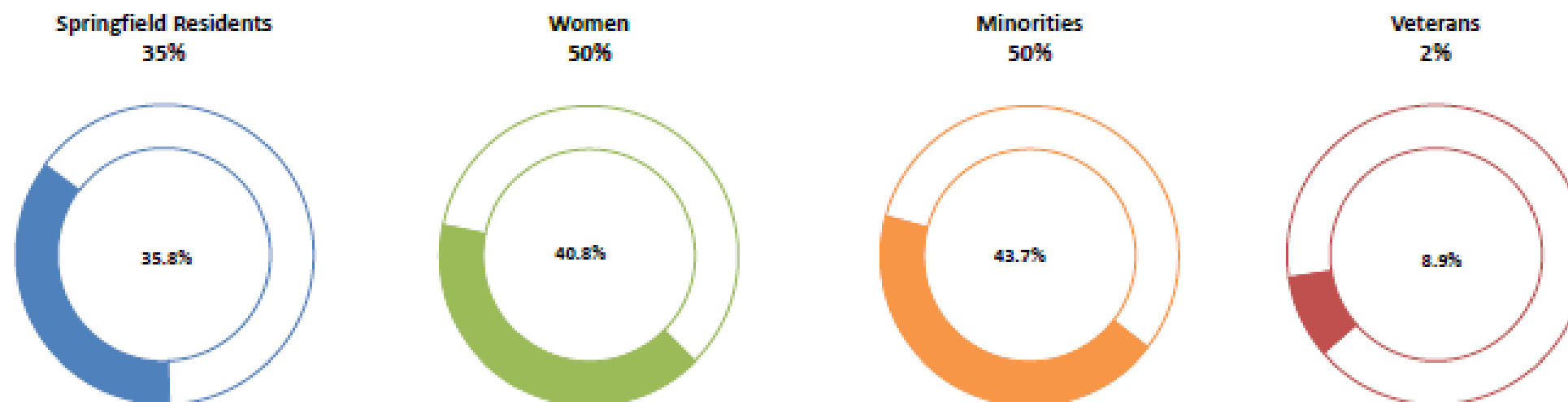


MGM RESORTS
INTERNATIONAL®

Operational Phase

- Total number of employees
- Percent MGMS employees that were Springfield residents upon hire date (35%)
- Percent MGMS employees that were residents of the four western MA counties upon hire date (90%)
- Percent of MA residents hired
- Percent MGMS minority, women and veteran individuals hired
- List of benefits provide to employees including qualifying criteria

Employee Information *(as of 7/5/2018)*



MGM Springfield Active Employees	618 total (20.4% of total to be hired)	
Springfield Residents	221	35.8%
Women	252	40.8%
Minority	270	43.7%
Veterans	56	8.9%
Outside Region Relocations	65	10.5%
4 W. MA Counties Residents	476	77.0%
MA Residents	488	78.8%

Employee Benefits Criteria

- Benefits eligible if full-time
- Benefits commence day 91 after starting
- Multiple Health Plans
 - MGM Springfield (PPO)
 - MGM Springfield (HMO) Health New England
 - Dental and Vision Only
- Company Paid Life Insurance
- Employee Wellness Program
- Voluntary Benefits
 - Life Insurance
 - Flexible Spending Accounts
 - Short- and Long- Term Disability
 - Pet Insurance
 - 529 Savings Plans

BENEFITS OVERVIEW

MGM Resorts is pleased to offer our benefits eligible employees quality and affordable health insurance coverage. Please review this document for important benefits information.

Eligibility

All benefits eligible employees are eligible for benefits on their 91st day of employment. Around the 45th day of employment, benefits eligible employees will receive a Workday notification to enroll, and a benefits letter mailed to their address listed in Workday.

Health Plan Options

Benefits eligible employees can enroll in the MGM Springfield (PPO) or MGM Springfield (HMO) Health New England plan. Each plan includes medical, prescription, dental, and vision coverage. There is also an option to enroll in a dental and vision only plan, which does not include medical or prescription coverage.

Company-Paid Life Insurance

MGM Resorts provides limited Company-paid Life and Accidental Death and Dismemberment (AD&D) insurance at no cost to you. Employee coverage is one (1) times your annual base pay with a minimum of \$15,000 to a maximum of \$1,000,000. Spouse coverage is \$5,000. Dependent children (unmarried, up to age 26) coverage is \$2,500. There is also a Conversion Privilege included, which means you can convert to an individual policy if you leave the Company.

Additional Voluntary Benefits

MGM Resorts offers the following Additional Voluntary Benefits:

- Short- and Long-Term Disability Insurance
- Health and Dependent Care Flexible Spending Accounts (FSA)
- Voluntary Employee and Dependent Term Life Insurance
- Legal Aid
- Aflac Group Critical Illness
- Voya Group Accident Insurance
- Pet Insurance
- Auto, Home, and Renters Insurance
- 529 College Savings Plan

MGM Resorts 401(k) Savings Plan

The MGM Resorts 401(k) Savings Plan allows eligible employees contribute to their financial future. Employees can make pre-tax or after-tax Roth contributions, or a combination of both, up to 75% of their eligible pay. The Plan also offers GoalMaker[®], an easy-to-use asset allocation program at no additional cost. GoalMaker[®] automatically diversifies the funds offered through the Plan based on the number of years you have to retirement and your investment style. Eligible employees can enroll in the Plan shortly after the start of employment; however contributions will not start until after three months of employment. To determine your eligibility for the MGM Resorts 401(k) Savings Plan, call the MGM Resorts 401(k) Savings Line at (800) 995-4015, Monday - Friday, 8 a.m. - 9 p.m. ET.

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Griffin, Jill (MGC)

From: Stratton, Seth <SStratton@mgmspringfield.com>
Sent: Tuesday, July 17, 2018 11:05 AM
To: Griffin, Jill (MGC)
Cc: Ziemba, John S (MGC); Murren, Marikate; Nosal, Jed M.; Mathis, Michael
Subject: MGM Springfield employment projections

Importance: High

Jill:

As discussed, it is my understanding based on our discussion this afternoon that, in addition to the items listed in your June 22 letter, you would also like us to discuss our employment projections vis-à-vis our stated hiring goals in the RFA-2.

Please see the below. Feel free to include this correspondence in the Commissioner's packet and Mike or Marikate can speak to it on Thursday.

1. Total currently projected MGM hires for the Gaming Establishment, broken down as follows:
 - Part time head count - 506
 - Full time head count – 2,228
 - On call head count - 266
 - FTE count – 2,581.3
 - Total – 3,000
2. Additional projected vendor employees at the Gaming Establishment – approximately 100 – 150 (depending on vendor hires)
3. MGM employee count at the MassMutual Center - 125

Accordingly, we expect the combined employee head count range to be between 3,225 and 3,275, consistent with our best efforts goal of 3,000 and materially in line with our 2013 estimate of approximately 3,254 referenced in 03-02-02.

Again, we must emphasize that, until hiring is complete, these remain projections and we are more than happy to report on actuals post-opening.

Thank you,

Seth

Seth N. Stratton

Vice President & Legal Counsel
sstratton@mgmspringfield.com
O: 413.273.5333

MGM SPRINGFIELD

One MGM Way
Springfield, MA 01103
mgmspringfield.com

TO: MGC Commissioners
FROM: Jill Lacey Griffin
CC: Catherine Blue, Edward R. Bedrosian
DATE: July 16, 2018
RE: MGM Springfield – Regional Tourism Marketing Plan

As the Commission and Commission staff have begun final preparations relative to the planned opening of MGM Springfield, we recommend that the Commission approve MGM Springfield's July 2018 Regional Tourism Marketing Plan.

As the Commission is aware, an important emphasis of the 2011 Expanded Gaming Law is tourism promotion in Massachusetts. This is evidenced in Chapter 23K, Section 1: (6) which states "*promoting local small businesses and the tourism industry, including the development of new and existing small business and tourism amenities such as lodging, dining, retail and cultural and social facilities, is fundamental to the policy objectives of this chapter;*" and (7) recognizing the importance of the commonwealth's unique cultural and social resources and integrating them into new development opportunities shall be a key component of a decision to the award of any gaming license under this chapter;

Cross marketing and tourism promotion was also highlighted as an objective to be advanced in determining granting of a gaming license; Section 18: *In determining whether an applicant shall receive a gaming license, the commission shall evaluate and issue a statement of findings of how each applicant proposes to advance the following objectives: (2) promoting local businesses in host and surrounding communities, including developing cross-marketing strategies with local restaurants, small businesses, hotels, retail outlets and impacted live entertainment venues; (5) building a gaming establishment of high caliber with a variety of quality amenities to be included as part of the gaming establishment and operated in partnership with local hotels and dining, retail and entertainment facilities so that patrons experience the diversified regional tourism industry;*

In the Agreement to Award a Category 1 License to Blue Tarp Redevelopment, LLC License Condition 16 requires MGM Springfield produce a regional tourism and marketing plan "*In consultation with the regional tourism council and with the MA Office of Travel and Tourism, and subject to approval by the Commission, create a regional tourism marketing and hospitality plan. Such plan shall include, but is not limited to, making space available in the gaming establishment for state and regional tourism information, links on the Designated Licensee's website to the regional tourism council website, a joint marketing program with the regional tourism council and the MOTT, staff training in regards to the plan and the sharing of visitor data with the regional tourism council and the MOTT. Such plan shall be*

provided to the commission for its approval at least 90 days prior to the anticipated commencement of operation of the gaming establishment.”

MGC staff issued a formal request for the tourism plan on March 15, 2018 and received an initial version on Wed, May 23, 2018 satisfying the 90 day requirement. MGC staff have also had several conversations with Francois-Laurent Nivaud, Executive Director of the Massachusetts Office of Travel & Tourism and Mary Kay Wydra, President of the Greater Springfield Convention & Visitors Bureau and the Regional Tourism Council of Pioneer Valley. MGM Springfield submitted a revised version of the plan on July 9, 2018 based on feedback from MGC, MOTT and the Regional Tourism Council, and submitted a final version on July 16, 2018. Both representatives of Regional Tourism Council of Pioneer Valley and the MA Office of Travel and Tourism recommend approval of the final plan.

We recommend that the Commission approve MGM Springfield’s final version of the Regional Tourism Marketing Plan as shown in the attached documents provided that such approval shall not be construed to supercede any obligations pursuant to MGL c. 23K, or to the conditions of MGM Springfield’s license, including but not limited to Condition #16 relative to compliance with the information included in the application filed by the Designated Licensee and the evaluation reports filed by the Commission.

Regional Tourism Marketing Plan

July 2018



DRIVING SUCCESS

MGM Springfield understands and respects the importance of not only supporting local and state-wide businesses, but amplifying them to ensure that visitors from both in and out of the region experience all that Western Massachusetts has to offer.

This coupled with the extensive equity and reach of MGM Resorts' brand and M life Rewards database, creates the optimal marriage of success.

The following pages summarize a comprehensive, proprietary marketing business plan to drive visitation and incremental revenue to the property, city and region through a multitude of channels including: advertising, database, cross-marketing & partnerships, entertainment and employee marketing.

MARKETING OBJECTIVES

1. Use MGM Resorts' brand equity to position MGM Springfield, Pioneer Valley and Western Massachusetts as a world class, full-service tourist destination for the region.
2. Develop and cross-market relationships with local businesses and attractions to further position Western Massachusetts as a premier destination for travel and tourism.
3. Encourage visitation from outside of Massachusetts by leveraging the MGM brand, M life Rewards database, and collaborating with local, regional, and state tourism agencies.
4. Create an environment where customers can experience unparalleled excitement through a diverse portfolio of events and entertainment designed to attract new visitors to the region.
5. Implement a dynamic and consistent marketing strategy, exclusive of seasonality impacts, designed to drive revenue to MGM Springfield and thereby Western Massachusetts.
6. Develop a seasonal tourism strategy that leverages active-cross marketing and visitation patterns to partner with recreation and entertainment attractions such as Tanglewood, Six Flags, regional ski and golf resorts and outdoor adventure venues.

REGIONAL TOURISM & ATTRACTION PARTNERSHIPS



Greater Springfield Convention Visitors Bureau

MGM understands and appreciates the important role the GSCVB plays in driving visitation to the Region and is honored to partner with them to enhance our positioning as a premier attraction in the Region as well as support cross-marketing and visitation for the entire Region and its attractions through a multi-faceted partnership:

- MGM Springfield General Manager, Alex Dixon, Executive Committee
- Substantial financial investment through enhanced membership and marketing funds
- GSCVB brand exposure throughout MGM Springfield on-property touchpoints
- Sharing of research and customer profile studies conducted by MGM allowing additional insights into travel behaviors of Regional visitors
 - We are working with the GSCVB to identify visitor volume baselines that can be utilized in coming years to understand increased visitation trends
- Leveraging of MGM Springfield's paid media plans to provide GSCVB with added value opportunities to amplify their campaigns
 - Full 2018 media plan has been shared with the GSCVB
- Partnering to provide group incentive offers and travel packages
- Integration of GSCVB in grand opening week activities
- Conducting regular Marketing & Sales meetings to brainstorm and consolidate efforts and report out to "Team Springfield" composed of GSCVB President, MGM Springfield General Manager and Massachusetts Convention Center Authority Deputy Director
- Through our partnership with GSCVB, connect with additional regional tourism agencies to bring greater exposure to the region such as the Hampshire County Regional Tourism Council and the Franklin County Chamber of Commerce





Cambridge College, in conjunction with the Commonwealth of Massachusetts, Executive Office of Labor and Workforce Development, Department of Labor Standards, Division of Apprentices Standards, announces the offering of several Hospitality Pre-Apprenticeship Programs.



HOSPITALITY PRE-APPRENTICESHIP PROGRAM

MGP 099 | Greater Springfield Concierge

Students will learn about "all things local" for the Greater Springfield area. The class will cover the highlights that every tourist will want to know about the city, including local landmarks, museums, attractions, restaurants and city history.

All participants of the Hospitality Pre-Apprenticeship Training Program will receive this mandatory class at no additional cost.

MGP 100 | Luxury Guest Services

Specifically designed for potential employees new to the hotel and hospitality industry. The class will cover customer service principles designed for the hospitality industry to maintain and enhance customer service standards.

All participants of the Hospitality Pre-Apprenticeship Training Program will receive this mandatory class at no additional cost.

MGP 101 | Restaurant Servers

Students will learn about suggestive selling techniques, dining room etiquette, proper service techniques, kitchen equipment, and safety and health department regulations.

Two Week Course | Tuition including all materials:
\$259.00

MGP 102 | Front Counter Team Member

Students will learn to interact with guests in a fast, courteous and efficient manner; learn to manage a cash drawer and follow cash handling policies and procedures; take guest orders and payment using the Point Of Sale (POS) system. Students will learn how to prevent waste and promote positive customer interactions.

One Week Course | Tuition including all materials:
\$159.00

MGP 103 | Public Area Attendant

Students will learn about cleaning public areas, operating utility equipment, and cleaning and maintaining various types of floor surfaces.

One Week Course | Tuition including all materials:
\$159.00

MGP 104 | Busser/Runners

Students will learn about proper dining room etiquette and safety and health department regulations, as well as how to clean and reset tables, take and serve drink orders, and properly clear dishes.

One Week Course | Tuition including all materials:
\$159.00

MGP 215 | Security Officers

This course is tailored for the entry level security officer and focuses on the foundation knowledge: how to effectively handle routine security activities and emergencies, as well as using sound judgment and practical skills.

Three Week Course | Tuition including all materials:
\$359.00

SIGN UP AT: www.cambridgecollege.edu/academic-programs/hospitality-pre-apprenticeship-program



Successful Completers of the above programs will be issued a Certificate of Completion issued by the Commonwealth of Massachusetts, Executive Office of Labor and Workforce Development, Department of Labor Standards, Division of Apprentices Standards.
This does not constitute a promise, offer, or guarantee of employment.



GSCVB Partnership Highlight: CAMBRIDGE COLLEGE APPRENTICESHIP PROGRAM

MGM Springfield partnered with Cambridge College to provide training classes to prepare City of Springfield job seekers for jobs that will be in high demand.

Mary Kay Wydra, President of the Greater Springfield Convention Visitors Bureau assisted in the development of a "Springfield Concierge Course" which was developed to educate Cambridge College students on the history of Springfield and promote the various attractions in the area.

The program was designed to benefit all employers in the Springfield area with open positions in hospitality.

Massachusetts Office of Travel and Tourism

Through the GSCVB partnership and specific marketing efforts, we look forward to further expanding our partnership with MOTT to include:

- Exploration of Co-Operative Marketing opportunities such as a Social Media Summit where social influencers from in and out of the region are brought together to experience a dynamic itinerary of regional activities in exchange for substantial social coverage.
- We will identify ways to partner with and support MOTTs various intended International Sales Missions; specifically targeting China and Canada.
- After opening, MGM will look to support MOTT and GSCVB at major tradeshows such as U.S. Travel Association's IPW
- Develop and coordinate Media familiarization trips
- We have also identified opportunities for MOTT integration in MGM Springfield grand opening activities such as representation in the media command center in which hundreds of media outlets will pass through, throughout the week of grand opening.
- Identify MGM marketing channels for massvacation.com exposure, such as website and in-room.
- Conduct twice-annual meetings with MOTT to coordinate Sales and Marketing efforts with the first meeting taking place in September

ADDITIONAL AGENCIES

1Berkshire

As an incredible region full of culture, outdoor activities and entertainment, the Berkshires represent a significant opportunity to align with the thousands of visitors traveling to and through Springfield. We have held preliminary discussions with 1Berkshire to identify ways to engage their Board of Directors and thousands of businesses in meaningful ways to promote visitation to the Berkshire region. In addition, we are exploring advertising and co-marketing opportunities above and beyond the substantial brand campaign which includes exposure in this part of the state.

Worcester Regional Chamber of Commerce

MGM Springfield recognizes the greater Worcester area as a critical market for its resort. To this end, we have engaged in a robust effort to reach into the region and increase awareness of the MGM brand. Of note, MGM Springfield is a leading sponsor of Worcester's professional hockey team, the Worcester Railers, hosting key stakeholders at Railer events and co-branding a variety of prominent marketing assets. MGM Springfield is also an active member of the Worcester Regional Chamber of Commerce and has hosted vendor fairs and multiple project briefings through the Chamber for regional businesses and community leaders. In addition, MGM continues to utilize local media assets such as the Worcester Telegram, MassLive, and the Worcester Business Journal to increase interest in the property in the lead up to our Grand Opening.



22 WWLP.com
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COUPONS AVAILABLE ACTIVATE

Local News

MGM Springfield partnering with Basketball Hall of Fame to improve tourism in city

By Ashley Alvarez

Updated May 28, 2023 11:44 AM EDT
Original May 19, 2023 11:44 AM EDT

MGM Springfield partnering with Basketball Hall of Fame to improve tourism in city

1 minute 11 seconds

MGM CASINO

22 NEWS WORKING FOR YOU

SPRINGFIELD, Mass. (WWLP) - SPRINGFIELD, Mass. (WWLP) - MGM announced a new partnership that will focus on tourism and hospitality in the Springfield area on Tuesday.

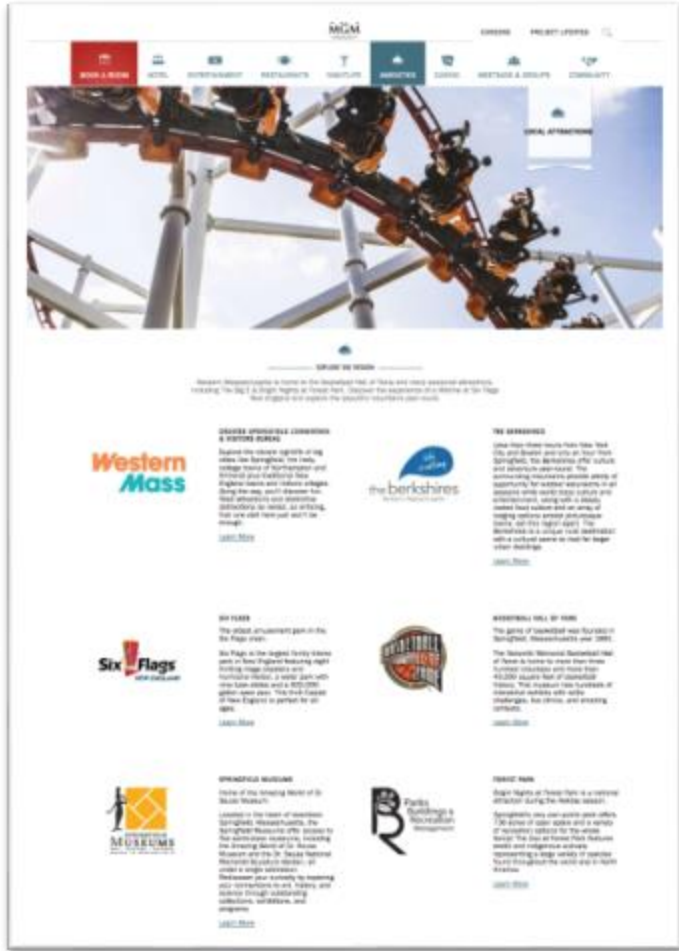
MGM Springfield announced the opening of MGM

Get groceries delivered in as little as 1 hour
FREE delivery with Express Membership*

LOCAL ATTRACTIONS – Marketing Partnerships

MGM Springfield is exploring or has entered into a number of formal joint marketing and sponsorship agreements with local attractions and sports entities throughout Massachusetts and continues to identify strategic partners from the Commonwealth that support cross-regional visitation.

- **Basketball Hall of Fame**: Multi-year agreement and investment centered on activities around Enshrinement weekend and other high-profile events in an effort drive cross-visitation as well as on-going tactics to bring Alumni and other Community events to the region
- **Springfield Museums**: Joint Marketing Agreement and specially curated collection of artifacts to be on display at MGM Springfield
- **Six Flags**: Significant brand activation and marketing sponsorship agreement
- **Big E**: Currently discussing a marketing and sponsorship agreement. Established a partnership to engage Big E in grand opening activities
- **Sports Sponsorships**: Currently have executed marketing partnerships with Springfield Thunderbirds, Worcester Railers, New England Patriots and Boston Red Sox with others in discussion



LOCAL ATTRACTIONS – On Property Exposure

MGM Springfield has identified opportunities for local attractions and key partnerships to utilize owned assets for amplified exposure:

- mgmspringfield.com
- Social Media platforms
- Email newsletters
- On-property signage
- Collateral in-room and various locations on property including Front Desk and M life Rewards Desk
- Showcasing local attractions and businesses at events located on the MGM Springfield Plaza. (For example, small business bazaars showcasing local small business owners from throughout Western Mass)

DOWNTOWN BUSINESSES

In addition to Regional partners and local attractions, MGM is committed to supporting and engaging with small businesses and groups within Downtown Springfield. We do this by providing access to our venues and marketing channels as well as collaborating on ways to activate their venues such as pre and post event parties and promotions.

The intention of these partnerships is to "bring people back Downtown" from both inside the city and outside of Springfield.



ADVERTISING



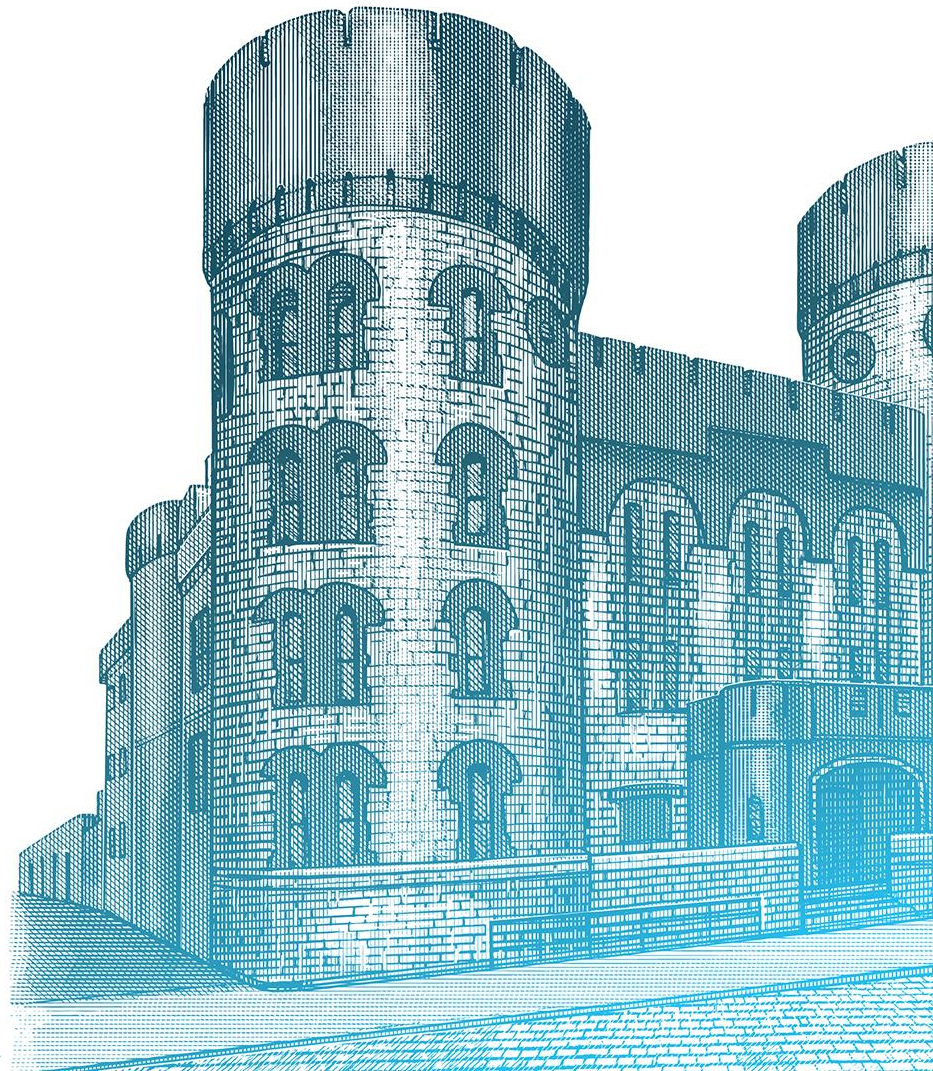
ADVERTISING: REGIONAL MEDIA PLAN

- In March 2018, MGM Resorts International launched a global media plan welcoming the world to the show. New England was specifically chosen as a media market to begin laying the groundwork for MGM Springfield's campaign
- In July 2018, MGM Springfield will launch a substantial omni-channel marketing campaign reaching into key feeder markets, such as Albany, Providence, New Hampshire, Vermont, Connecticut and Maine with a focus on Hartford and Worcester
- Advertising channel strategy of TV, radio, billboards, print, digital, social and PR
- Creative strategy is designed to highlight the property in Springfield but appeal to a much broader, Regional visitor



- Media markets were chosen after expansive research was conducted on the region to include population, income, media consumption behaviors and propensity to visit and game. We then overlaid our M life Rewards database. Allocation of media dollars was fine-tuned to align with revenue forecasted from each distinct market while ensuring broad awareness across the region

M LIFE REWARDS



M LIFE REWARD DATABASE

One of MGM Resorts' greatest assets is the M life Rewards database and it will serve as the backbone of all Marketing efforts and incentivizing non-Massachusetts customers through:

- Direct-marketing efforts
- Cross-property marketing
- Casino host relationships
- Local benefits



The logo for Mlife Rewards is displayed in a circular frame. It features the word 'Mlife' in a large, bold, gold-colored font, with 'REWARDS' in a smaller, gold-colored font below it, separated by a thin horizontal line.

M LIFE REWARDS REACH

- ARIA
- Bellagio
- Vdara
- MGM Grand
- Signature
- Mandalay Bay
- Delano
- Park MGM
- The Mirage
- New York-New York
- Luxor
- Excalibur
- Circus Circus



Mlife
REWARDS

**30 Million+
Members**

M LIFE REWARDS TACTICS

Direct Marketing Efforts

There are over 500,000 existing M life Rewards members within a designated mileage radius to MGM Springfield, we will actively market messaging about our amenities and Western Massachusetts. A high percentage of our M life Rewards members will be tracked through our M life Rewards loyalty card program. As they use their M life Rewards card, they will become eligible for offers. Our database marketing program will mail and email offers designed to incent increased numbers of visits, length of stay and expenditures from our guests. We will create loyalty to MGM Springfield as a hedge against tourism dollars going to other states by implementing the following direct mail and email programs:

- Monthly free slot play and promo chip offers
- Food and hotel offers
- Loyalty “play up” mailings to areas with competition
- Special Events for VIP guests
- General brand loyalty mailers for promotions, birthdays, and entertainment
- Entertainment offers including MMC, Symphony Hall or CityStage

M LIFE REWARDS TACTICS

Cross-Property & Casino Hosts

MGM Springfield has access to over 30 million M life Rewards guests in the MGM database. We plan to utilize this database by creating events and offerings that will appeal to the general population of M life Rewards guests who frequent other MGM properties. We will also target high end cross property guests by engaging our Casino Host teams to provide personalized and exclusive experiences.

Examples include:

- Direct mail and email gaming packages including room, food, entertainment
- Special events with large culminating event prizes
- Promotion of unique experiences
 - Leveraging sponsorships such as Red Sox and Basketball Hall of Fame
- Live entertainment
 - Leveraging our Live Entertainment Agreements, driving M life Rewards members to experience other attractions such as MassMutual Center, Majestic Theater, Hanover Theater
 - Celebrity appearances
- Local and regional experiences
 - Such as partnership with local golf courses, trophy fishing, leaf-peeping and ski resorts

M LIFE REWARDS BENEFITS

We are excited to offer localized M life Rewards member benefits. Above and beyond the standard rewards each member gets, they will also receive access to businesses, attractions and experiences throughout the region such as grocery, sports, entertainment, retail, travel and more.

These benefits will be consistently communicated throughout our M life Rewards communication cycles.



ASIAN MARKETING

In addition to engaging with MOTT and MassPort on Asian efforts including Sales Trips, we will partner with our MGM properties in Cotai and Macau to charter flights and bring known Asian customers to experience MGM Springfield and tour Western Massachusetts.

Also to ensure our marketing to Asian customers outside of the Region is meaningful and successful, we are in the process of developing an Asian Marketing Agency RFP.



TRANSPORTATION MARKETING



TRANSIT MARKETING EFFORTS

- Establishing a Motor coach program, with local bus operators, designed to intercept and divert daytrip and overnight business going to Connecticut, Rhode Island, and New York.
- Partnering with local and non-local tour operators to encourage charter business travel to Massachusetts from Canada, New York, Vermont, New Hampshire, Connecticut, and Rhode Island.
- Attendance at the American Bus Association (ABA) conventions, Group Leaders of America (GLAMER), and other travel associations, targeting group leaders, to promote tourism to MGM Springfield and Western Massachusetts. Packages that will be offered include:
 - Day trips: gaming offers and discounted round trip transportation, discounts to local/regional attractions
 - Overnights: Hotel stay discount based on double occupancy, gaming offers, discounted round trip transportation, discounts to local/regional attractions
- Creating a National and International air program, including our Asian Marketing program, in partnership with MassPort and local and regional airports.
- Partnering with passenger railroad companies, such as Amtrak and New Haven Rail-Hartford-Springfield rail program to offer travel discounts on tickets purchased to Massachusetts as the final destination.

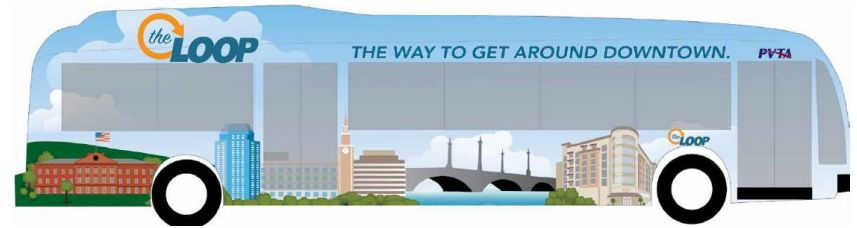
THE LOOP DOWNTOWN SHUTTLE

MGM Springfield is proud to sponsor “The Loop”, designed to quickly and easily provide MGM Springfield guests the opportunity to explore multiple attractions downtown.



THE LOOP DOWNTOWN SHUTTLE

- New public transportation service linking downtown tourist attractions, hotels, restaurants, and art and culture destinations.
- No-cost service provides Springfield visitors opportunity to visit downtown attractions without having to drive or walk.
- Environmentally-conscious, electric vehicle; seats 40 comfortably
- Wednesdays-Sundays; 10:00 a.m. to 10:00 p.m.
 - 10:00 a.m. to 6:00 p.m. -- 60 minute route from Union Station to MGM Springfield, MassMutual Center, Basketball Hall of Fame, Springfield Museums, Springfield Armory, The Sheraton, Hampton Inn, Holiday Inn Express
 - 6:00 p.m. to 10:00 p.m. -- 40 minute route including La Quinta Inn & Suites and removing the Springfield Armory



THE LOOP DOWNTOWN SHUTTLE

“

“The Loop is yet another sign that the City of Springfield is on the rise and tourism is a vital component to its revitalization. The Loop will be a welcome boost for tourist-oriented businesses. It will allow us to package the whole area as a consolidated travel destination rather than just individual attractions.”

**Alex Dixon, General Manager
MGM Springfield**

”

“

“For the hospitality community, The Loop has always been a key component of the MGM Springfield project. The Loop introduces visitors to the many attractions that make Springfield special, provides access to MGM Springfield, and has the potential to increase visitor stays in the region.”

**Mary Kay Wydra, President
Greater Springfield Convention & Visitors Bureau**

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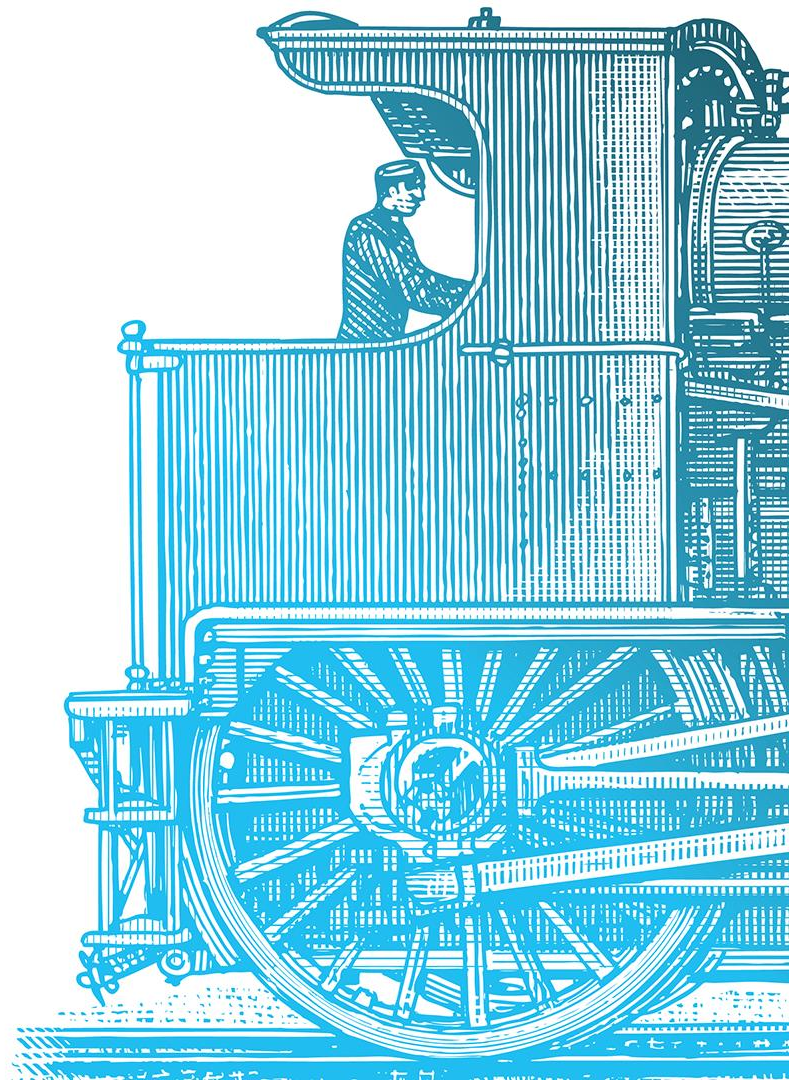
“

“The Loop will be operated with a zero emissions electric bus as part of PVTA's goal of providing sustainable transportation.”

**Sandra E. Sheehan, Administrator
Pioneer Valley Transit Authority**

”

ENTERTAINMENT



MASSMUTUAL CENTER

MassMutual Center has served as one of the biggest entertainment venues of the region and now with MGM managing the venue, we are excited to further enhance the programming, driving visitors from all across the Region. We are committed to programming MassMutual Center with four annual MGM-caliber events.

We market the venue as part of a campus-approach:

- Highlighting the programming through all marketing channels
- Buying blocks of tickets for customers and employees
- Leveraging other venues throughout the portfolio such as MGM National Harbor and Borgata to create East-Coast tours for headlining entertainers



LIVE ENTERTAINMENT AGREEMENTS



The
HANOVER THEATRE
for the Performing Arts

MAJESTIC THEATER



Entertainment is what MGM does best and through our various partnerships and agreements with local venues, we have the opportunity to support some of the incredible venues within the Region by creating opportunities for our visitors to experience. This goes above and beyond just booking entertainment for the venue but also promoting through our numerous marketing channels, buying blocks of tickets for customers, buying blocks of tickets for our employees and including specific shows in our bus charter programs.

For example, we have committed to program six annual events of MGM quality at Symphony Hall and City Stage plus an additional events at either venue annually.

Additionally, we are partnering with Majestic Theater to create exclusive offerings for our M life Rewards motorcoach customers to attend performances bought out by MGM Springfield.

Finally, we look forward to continuing discussions with the Boston Symphony Orchestra to identify opportunities to partner with Tanglewood for the summer seasons.

EMPLOYEE MARKETING



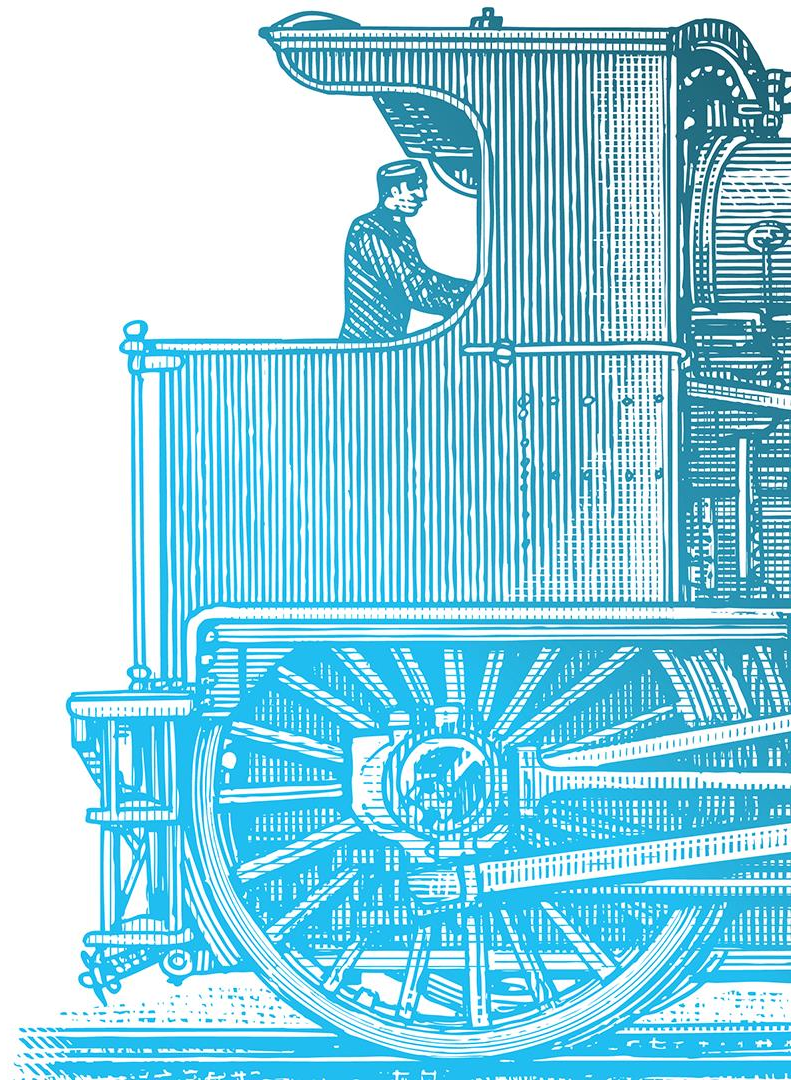
EMPLOYEE MARKETING PROGRAMS

MGM Springfield is proud to be building an employee base of 3,000 talented and engaged community members. Therefore we are and will continue to:

- Promote Regional events and attractions to our employee base to drive visitation through various employee communication channels such as team updates, newsletters, back-of-house signage and more
- Partner with events and attractions to provide our employees with discounts and experiences in addition to buying blocks of tickets specifically for employees at locations such as Springfield Museums and Basketball Hall of Fame
- Provide our employees with opportunities to volunteer and get involved with various organizations
- MGM Springfield has and will continue to cooperate with the UMass Donahue Institute with respect to the SEIGMA Study. MGM Springfield employees are provided the opportunity to complete the SEIGMA survey during onboarding. MGM Springfield looks forward to providing available data to the Donahue Institute around the economic impact and increased regional tourism post-opening.



MEASUREMENT & REPORTING



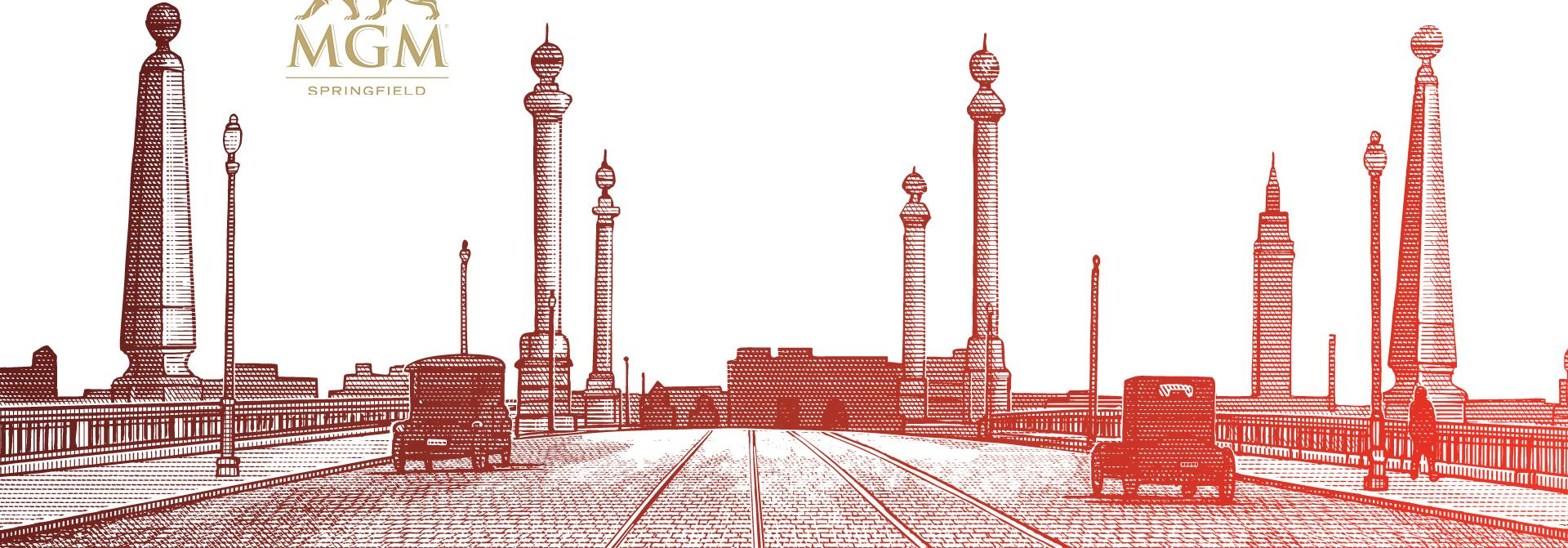
MEASUREMENT & REPORTING

The GSCVB plays the primary role in Regional reporting, so MGM Springfield will partner with the Bureau on an ongoing basis to share insights of tourism marketing measurements in an effort to better understand the impact we play on overall Regional visitation.

In addition, MGM will report out on all tourism marketing efforts and results to the MGC on a quarterly basis.



THANK YOU

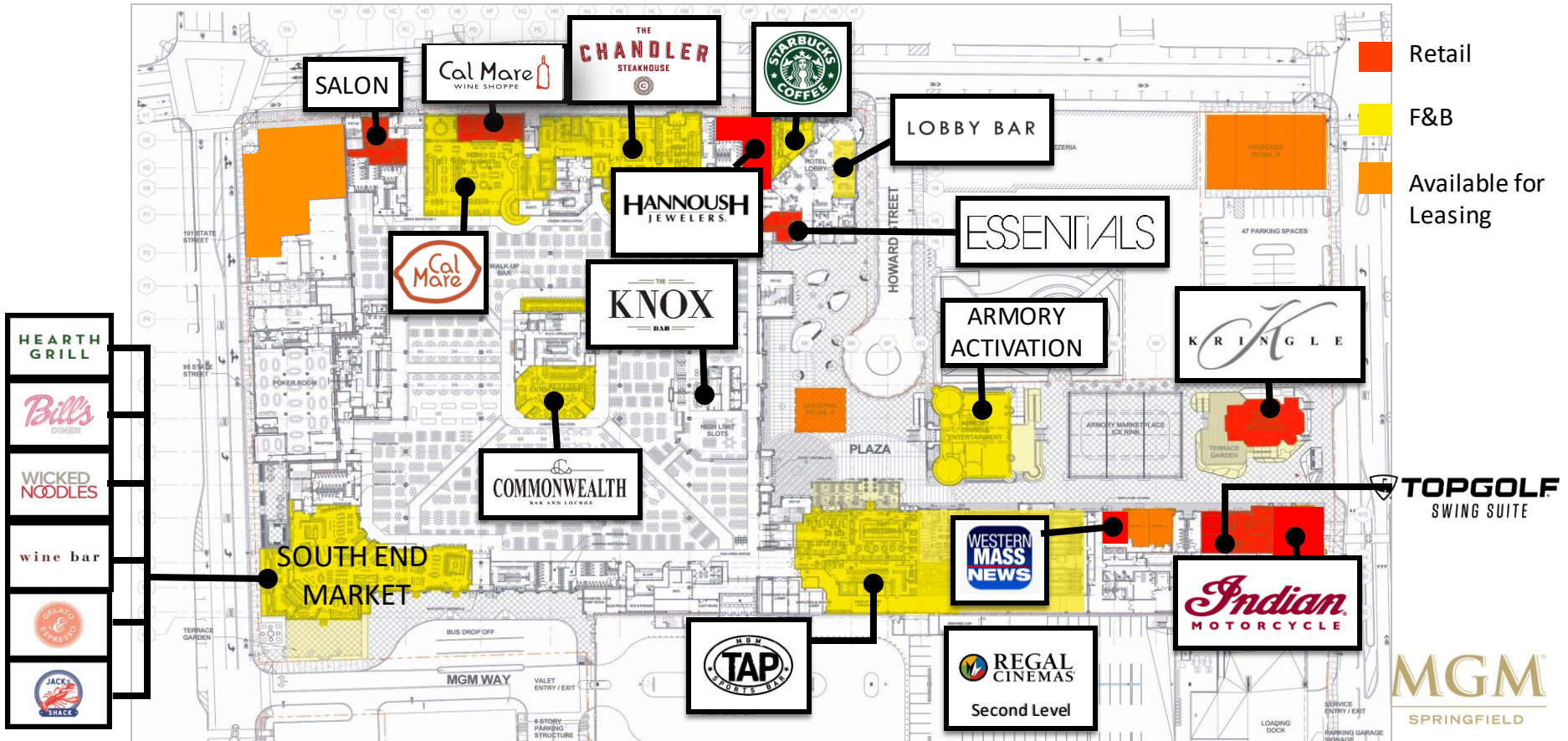


Food & Beverage and Retail Plan

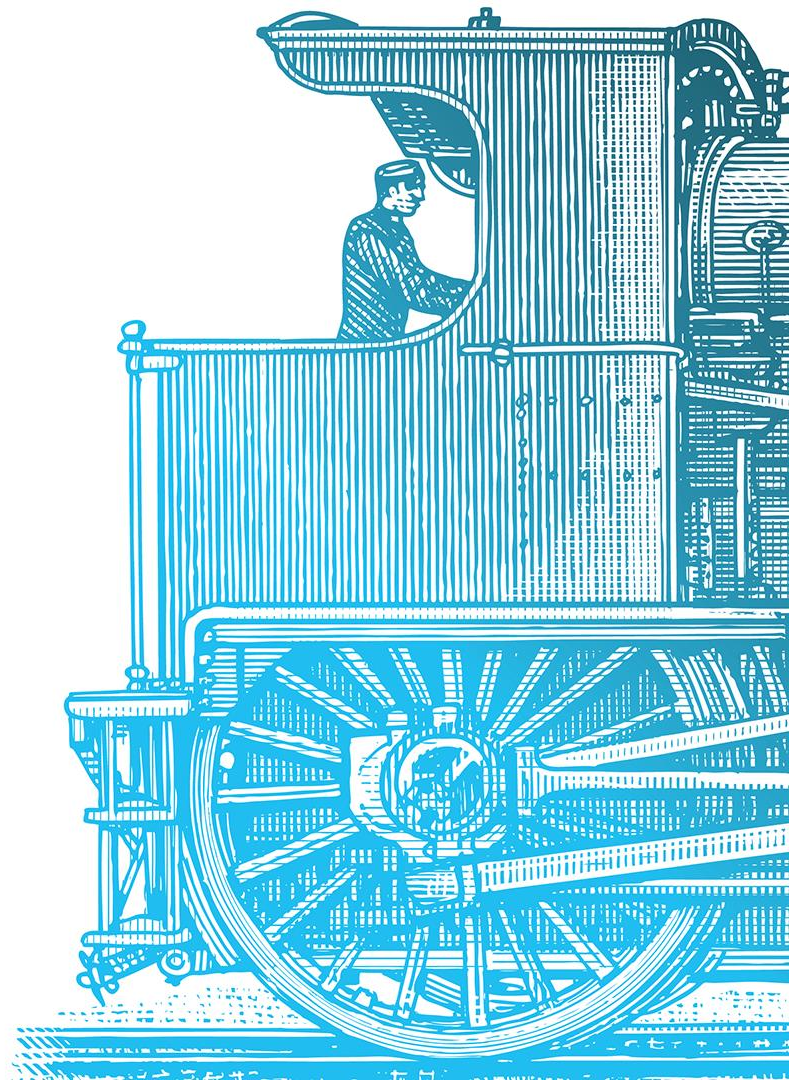
July 2018



F&B/RETAIL PLAN – JULY 2018



FOOD & BEVERAGE



CAL MARE COASTAL ITALIAN



CAL MARE WINE SHOPPE



THE CHANDLER STEAKHOUSE



THE
CHANDLER
STEAKHOUSE



MGM
SPRINGFIELD

TAP SPORTS BAR, ARCADE & BOWLING



SOUTH END MARKET



HEARTH
GRILL

Bill's
DINER

WICKED
NOODLES

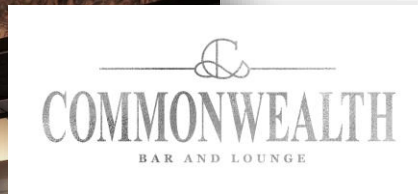
wine bar

GELATO
&
ESPRESSO

JACK'S
SHACK

MGM
SPRINGFIELD

COMMONWEALTH BAR AND LOUNGE



THE KNOX BAR



LOBBY BAR



LOBBY BAR

ATTRACTIONS



TOP GOLF SWING SUITES



REGAL CINEMAS



**REGAL
CINEMAS®**

THE ARMORY ACTIVATION



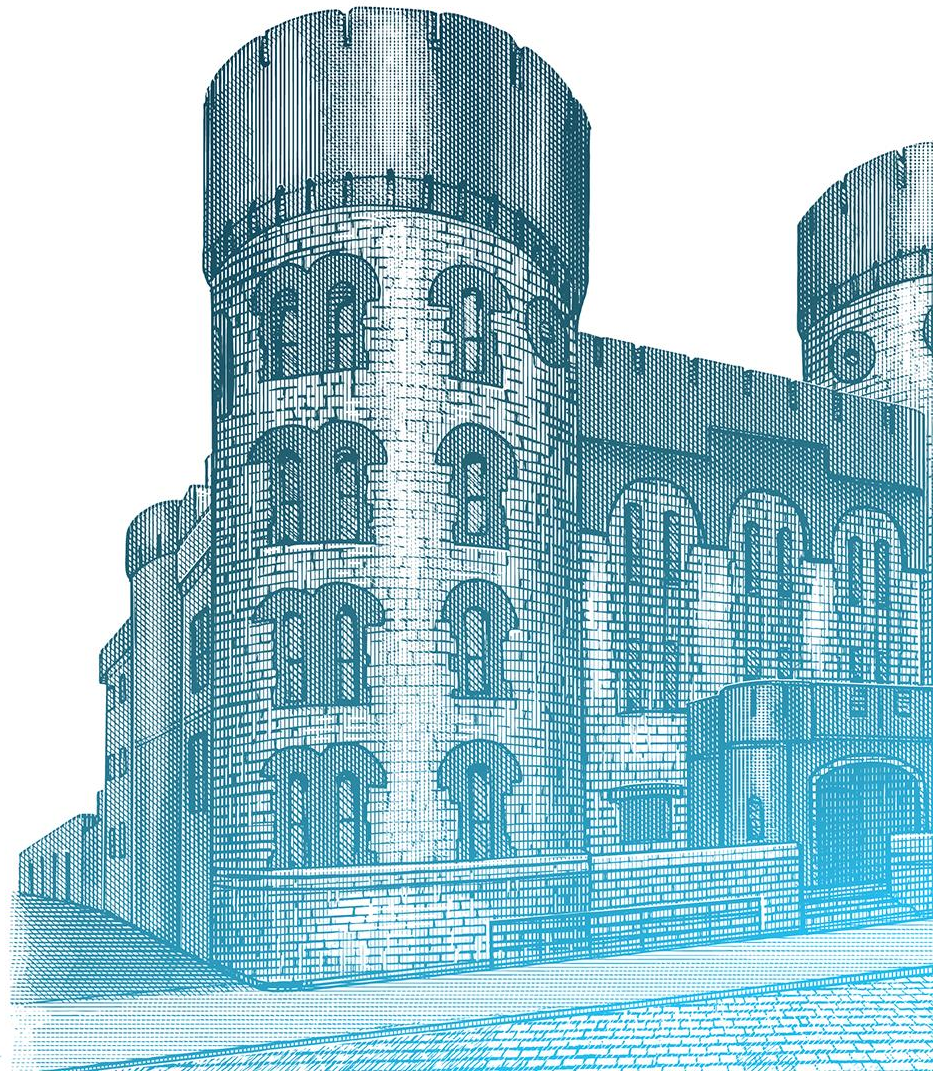
M life Rewards Experience Center
Pop-Up Night Club
Music Performances
Halloween Haunted Armory
Comedy Club
Holiday Marketplace
Pop-Up Retail
Beer Yoga
Art Exhibitions

PLAZA ACTIVATION



Outdoor Concerts
Farmer's Market
Yoga on the Plaza
Food & Wine Festivals
Sports Viewing Parties
Vintage Car Cruise Nights
Indian Motorcycle Fest
Small Business Bazaars
Fall Fest
Ice Skating Rink

RETAIL



ESSENTIALS



ESSENTIALS

KRINGLE EMPORIUM



INDIAN MOTORCYCLE



HANNOUSH JEWELERS



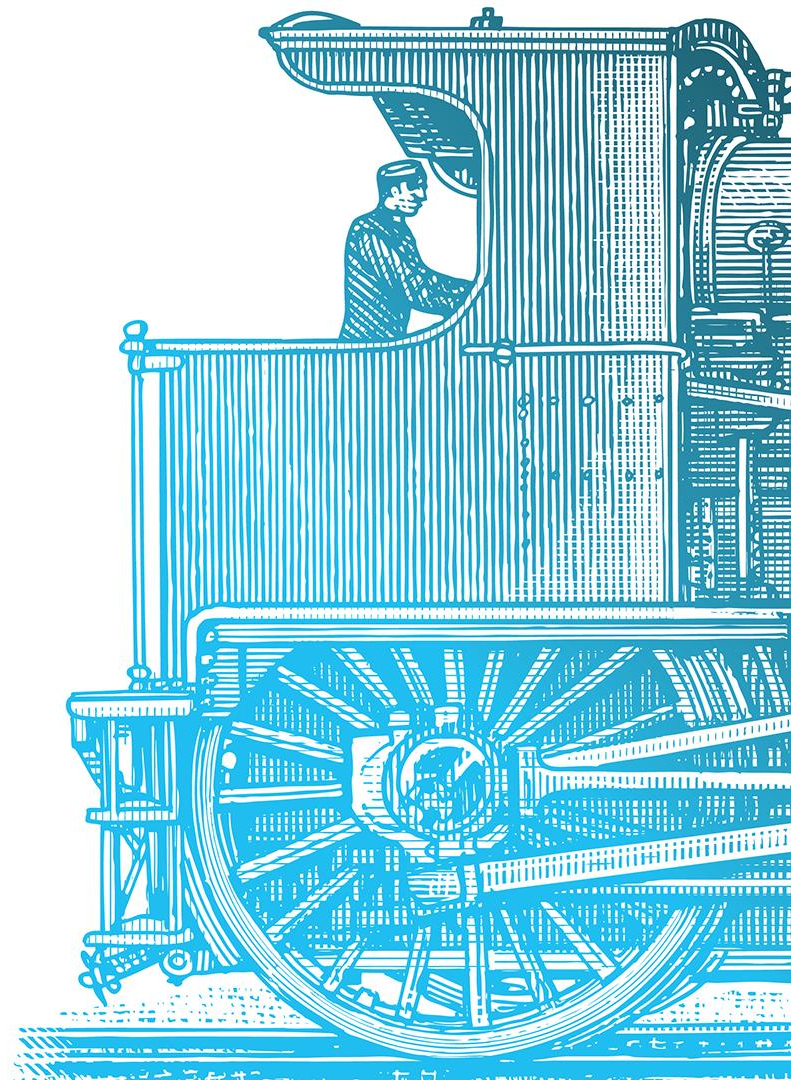
WESTERN MASS NEWS



WESTERN MASS
NEWS



LOCAL & REGIONAL PARTNERSHIPS & REPRESENTATION

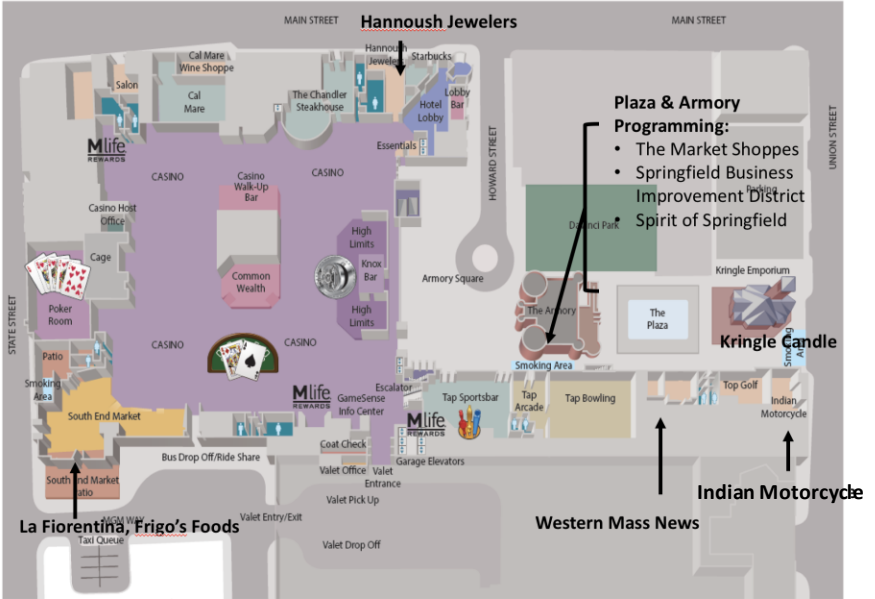


LOCAL & REGIONAL BUSINESSES

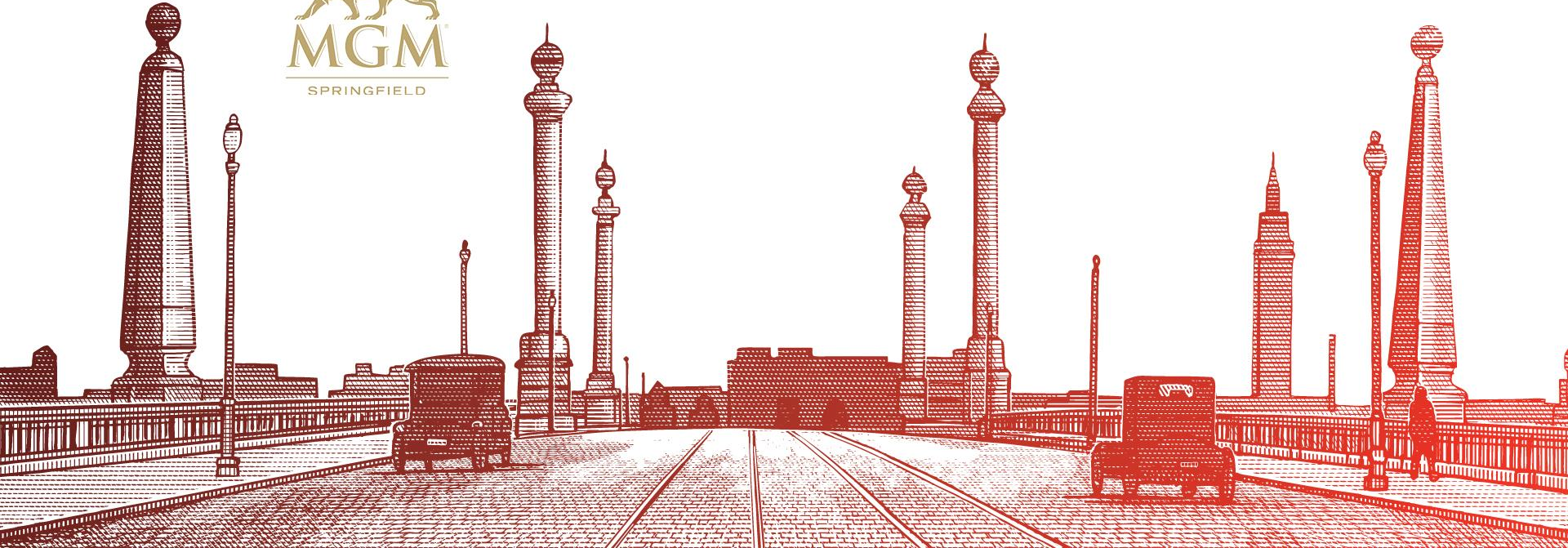
Proposed Local and Regional Partners:

- Kringle Candle (Bernardston, MA)
- Hannoush Jewelers (Springfield, MA)
- Western Mass News (Regional)
- Indian Motorcycle (Westfield, MA)
- Seasonal Farmer's Market (Regional)
- La Fiorentina (Springfield, MA)
- Frigo's Foods (Springfield, MA)
- The Market Shoppes (Springfield, MA)
- Spirit of Springfield (Springfield, MA)
- Springfield BID (Springfield, MA)
- White Lion Brewing Co. (Springfield, MA)
- Berkshire Distillery (Sheffield, MA)
- AC Produce (Springfield, MA)
- Chicopee Provisions (Chicopee, MA)
- Performance Food Group (Springfield, MA)
- Rachael's Foods (Springfield, MA)
- Kittridge (Agawam, MA)
- Williams Distribution (Chicopee, MA)
- Commercial Distributing (Westfield, MA)
- Iron Duke Brewing (Ludlow, MA)
- Berkshire Brewing Co. (South Deerfield, MA)

Note: This list is not exhaustive or final; nor does it represent that all those listed have contractual relationships with MGM. Several businesses and organizations are in active discussions with respect to opportunities for potential incorporation into MGM Springfield.



THANK YOU





Legal Division

AMENDED SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this amended Small Business Impact Statement in accordance with G.L. c.30A, §5 relative to the proposed amendment to 205 CMR 134.00: Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations. Specifically, an amendment to section **134.03: Gaming Service Employees** was drafted and proposed, for which a public hearing was held on July 19th, 2018.

205 CMR 134.00 was developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. The proposed amendment would allow the Division of Licensing to extend the temporary time period for employee training in the pre-opening phase of a gaming establishment without those individuals having to become licensed or registered, following consideration of the gaming licensee's written explanation of need, continuing training plan, and expected duration. This regulation is largely governed by G.L. c. 23K §§ 4, 5, 12, 16, and 30.

The proposed amendment applies directly to gaming licensees and service employees. Accordingly, the amendment is unlikely to have any effect on small businesses.

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

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

As a general matter, no small businesses will be impacted by this amendment as it applies solely to licensees and service employees of the gaming establishment. Accordingly, there are no less stringent compliance or reporting requirements for small businesses.

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

There are no schedules or deadlines for compliance or reporting requirements for small businesses created by this amendment.

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

This amendment does not impose any reporting requirements for small businesses.



Massachusetts Gaming Commission

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

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

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

As this amendment applies directly to gaming licensees and service employees, it is not likely to deter or encourage the formation of new businesses in the Commonwealth.

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

This amendment does not create any adverse impact on small businesses.

Massachusetts Gaming Commission

By:

Shara Bedard
Paralegal
Legal Division

Dated: _____



Massachusetts Gaming Commission

134.03: Gaming Service Employees

(1)(a) An individual employed by a gaming licensee who is not classified as a key gaming employee in accordance with 205 CMR 134.01, or a gaming employee in accordance with 205 CMR 134.02, shall be designated as a gaming service employee and shall register in accordance with 205 CMR 134.09 prior to engaging in the provision of employment services. An individual employed by a vendor of a gaming establishment for work in a gaming establishment shall be considered a gaming service employee unless otherwise specified in 205 CMR 134.02.

(b) Pursuant to St. 2017, c. 110, § 3, the commission may, in its discretion, exempt certain gaming service employees by job position from the registration requirement. The commission, or its designee, may require a gaming licensee to produce any information deemed necessary to evaluate the essential functions of a job position. The commission may at any time, in its discretion, re-classify any job position.

(2) During the pre-opening phase of a gaming establishment, and continuing for up to 30 days from the date an Operation Certificate is issued in accordance with 205 CMR, a gaming licensee may temporarily allow an individual(s) who is employed at a gaming property which is owned and/or operated by it, its parent, or an affiliated company to assist with gaming establishment employee training and related purposes for up to 60 days without those individuals having to become licensed or registered in accordance with 205 CMR 134.00, provided that the gaming licensee does the following:

(a) Supplies the Bureau a reasonable time in advance of arrival with the name of the individual, name of the gaming property at which they are employed, the position at the gaming property at which they are employed, a description of the reason for the individual being at the gaming establishment including the services to be performed, the anticipated duration of their stay, and any other information requested by the Bureau;

(b) Ensures all individuals performing services under 205 CMR 134.03(2) carry identification and wear a badge issued by the gaming licensee that is distinguishable from those that are issued to employees of the gaming establishment and that is clearly visible at all times while at the gaming establishment;

(c) If the individual is licensed, certified, or otherwise approved for employment by the jurisdiction which the gaming property in which they are employed is located, an individual licensed as a key gaming employee in accordance with 205 CMR 134.00 shall attest in writing that the individual is in good standing in that jurisdiction; and

(d) Ensures that the individual is accompanied by an individual who is licensed or registered in accordance with 205 CMR 134.00 anytime they are in a restricted area of the gaming establishment.

(3) The Division of Licensing, after consultation with the Bureau, may extend the period of allowance set forth in 205 CMR 134.03(2) for a period not to exceed six months from the date an Operations

Certificate is issued, following consideration of the gaming licensee's written explanation of need, continuing training plan, and expected duration.



Legal Division

AMENDED SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this Amended Small Business impact statement in accordance with G.L. c.30A, §5 relative to the proposed amendments to **205 CMR 146.00: Gaming Equipment**, for which a public hearing was held on July 19, 2018. These regulations were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. The amendments remove section numbers referencing the table game rules of play, issued pursuant to 205 CMR 147.00, to allow for a simpler updating process of the rules as needed. This regulation is largely governed by G.L. c.23K, §§2, 4(37), and 5.

These amendments to this regulation will not impact small businesses. In accordance with G.L. c.30A, §5, the Commission offers the following responses on whether any of the following methods of reducing the impact of the proposed regulation on small businesses would hinder achievement of the purpose of the proposed regulation:

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

There are no compliance or reporting requirements for small businesses.

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

There are no schedules or deadlines for compliance or reporting requirements for small businesses created by this regulation.

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

There are no compliance or reporting requirements for small businesses.

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

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

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



Massachusetts Gaming Commission

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 was designed to effectuate those intentions and growth.

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

This regulation does not create any adverse impact on small businesses.

Massachusetts Gaming Commission
By:

Shara Bedard
Paralegal
Legal Division

Dated: _____



Massachusetts Gaming Commission

205 CMR: MASSACHUSETTS GAMING COMMISSION

205 CMR 146.00: GAMING EQUIPMENT

- 146.01: Gaming Chips (General Rules)
- 146.02: Receipt of Gaming Chips or Plaques from Manufacturer or Distributor; Inventory, Security, Storage and Destruction of Chips and Plaques
- 146.03: Value Gaming Chips
- 146.04: Non-value Gaming Chips
- 146.05: Non-value Chips; Permitted Uses; Inventory and Impressment
- 146.06: Tournament chips
- 146.07: Poker Rake Chips
- 146.08: Gaming Plaques; Issuance and Use; Denominations; Physical Characteristics
- 146.09: Exchange and Redemption of Gaming Chips, Plaques and Coupons
- 146.10: Roulette Wheel and Table; Physical Characteristics; Double Zero Roulette Wheel Used as a Single Roulette Wheel
- 146.11: Roulette Balls
- 146.12: Roulette; Inspection Procedures; Security Procedures
- 146.13: Blackjack Table, Card Reader Device; Physical Characteristics; Inspections
- 146.14: Three-card Poker Table; Physical Characteristics
- 146.15: Spanish 21 Table; Physical Characteristics
- 146.16: Blackjack Switch Table; Physical Characteristics
- 146.17: Craps and Mini-craps Tables; Physical Characteristics
- 146.18: Baccarat, Midi-baccarat, and Mini-baccarat Tables; Physical Characteristics
- 146.19: Big Six Wheel and Layout; Physical Characteristics
- 146.20: Sic Bo Table; Sic Bo Shaker; Physical Characteristics
- 146.21: Pai Gow Poker Table; Pai Gow Poker Shaker; Physical Characteristics; Computerized Random Number Generator
- 146.22: Pai Gow Table; Pai Gow Shaker; Physical Characteristics
- 146.24: Poker Table; Physical Characteristics
- 146.25: Double Down Stud Table; Physical Characteristics
- 146.26: Caribbean Stud Poker Table; Physical Characteristics
- 146.27: Let It Ride Poker Table; Physical Characteristics
- 146.29: Fast Action Hold'em Table; Physical Characteristics
- 146.30: Casino War Table; Physical Characteristics
- 146.31: Colorado Hold'em Poker Table; Physical Characteristics
- 146.32: Boston 5 Stud Poker Table; Physical Characteristics
- 146.33: Double Cross Poker Table; Physical Characteristics

- 146.34: Double Attack Blackjack Table; Physical Characteristics
- 146.35: Four-card Poker Table; Physical Characteristics
- 146.36: Texas Hold'em Bonus Poker Table; Physical Characteristics
- 146.37: Flop Poker Table; Physical Characteristics
- 146.38: Two-card Joker Poker Table; Physical Characteristics
- 146.39: Asia Poker Table, Asia Poker Shaker; Physical Characteristics; Computerized Random Number Generator
- 146.40: Ultimate Texas Hold'em Table; Physical Characteristics
- 146.41: Winner's Pot Poker Table; Physical Characteristics
- 146.42: Supreme Pai Gow Table; Pai Gow Poker Shaker; Physical Characteristics; Computerized Random Number Generator
- 146.43: Mississippi Stud; Physical Characteristics
- 146.44: Red Dog Table; Physical Characteristics
- 146.45: Dice; Physical Characteristics
- 146.46: Dice; Receipt; Storage; Inspections; and Removal From Use
- 146.47: Manual and Automated Dice Shakers; Security Procedures
- 146.48: Cards; Physical Characteristics
- 146.49: Cards; Receipt, Storage, Inspections and Removal From Use
- 146.50: Pre-shuffled and Pre-inspected Cards
- 146.51: Dealing Shoes; Automated Shuffling Devices
- 146.52: Pai Gow Tiles; Physical Characteristics
- 146.53: Pai Gow Tiles; Receipt; Storage; Inspections and Removal From Use
- 146.54: Inspection and Approval of Gaming Equipment and Related Devices and Software
- 146.55: Approval of Gaming Equipment / Approval of New Gaming Equipment

- 146.56 Security of Gaming Equipment / Licensee sale of Gaming Equipment
- 146.58: Crazy 4 poker; Physical Characteristics
- 146.59: Criss Cross poker; Physical Characteristics
- 146.60: Free Bet BlackJack; Physical Characteristics
- 146.61: Heads Up Hold'em; Physical Characteristics
- 146.62: High Card Flush; Physical Characteristics

146.01: Gaming Chips and Plaques (General Rules)

- (1) No gaming chip shall be utilized by a gaming licensee in a gaming establishment until:
 - (a) The design specifications of the proposed gaming chip, prior to the manufacture of the gaming chip, are submitted to and approved by the Bureau, which submission shall include a detailed schematic depicting the actual size and, as appropriate, location of the following:
 1. Each “face” of the gaming chip, which is the flat surface across which the diameter of the chip can be measured including any indentations or impressions;
 2. The “edge” of the gaming chip, which is the surface of the chip across which its thickness can be measured in a perpendicular line from one face to the other; and
 3. Any colors, words, designs, graphics or security measures contained on or within the gaming chip;
 - (b) A sample stack of 20 gaming chips, manufactured in accordance with its approved design specifications, is submitted to and approved by the Bureau; and
 - (c) The Bureau has confirmed that the identification requirements of 205 CMR 146.01 are visible using the gaming licensee’s closed circuit television system.
- (2) Each gaming chip issued by a gaming licensee shall be designed and manufactured with sufficient graphics or other security measures including, at a minimum, those features specifically required to appear on the face or edge of a gaming chip pursuant to 205 CMR 146.01 so as to prevent, to the greatest extent possible, the counterfeiting of the gaming chip.
- (3) No gaming licensee shall use or redeem in its gaming establishment any gaming chip that it knows, or reasonably should know, is materially different from the approved sample or no longer conforms to the requirements of 205 CMR 146.01.
- (4) No gaming licensee or other person licensed by the Commission shall manufacture for, sell to, distribute to, or use in any facility outside of Massachusetts any gaming chips having the same edge spot and design specifications as those approved for use in Massachusetts gaming establishments.
- (5) A gaming licensee may issue promotional non-gaming chips that are prohibited from use for gaming in any gaming establishment. The physical characteristics of such chips shall be sufficiently distinguishable from approved design specifications of any gaming chip issued by any gaming licensee so as to reasonably ensure that they will not be confused with authorized gaming chips. At a minimum, such promotional non-gaming chips shall:
 - (a) Be unique in terms of size or color;
 - (b) Have no edge designs unique to gaming chips; and

(c) Bear the name of the gaming licensee issuing them and language on both faces stating that they have no redeemable value.

(6) A gaming licensee shall remove a set of gaming chips in use from active play whenever it has reason to believe the gaming establishment has accepted counterfeit chips or whenever any other impropriety or defect in the utilization of that set of chips makes removal of the chips in active use necessary or whenever the Bureau so directs. An approved back-up set of value chips or non-value chips shall be placed into active play whenever an active set is removed.

(7) Whenever chips in active use are removed from play, the gaming licensee shall immediately notify the Bureau of the removal and the reason for removal.

(8) Each set of gaming chips approved by the Bureau for use by a gaming licensee shall receive a unique and permanent alphabetical designation. This designation shall be assigned by the gaming licensee during the design schematic approval process and shall be used for all inventory procedures required by 205 CMR 146.02. If a gaming licensee elects to commingle gaming chips pursuant to 205 CMR 146.02, in addition to the assigned alphabetical designation for that set of chips, each different sample within the set shall also be assigned an accompanying unique numeric designation.

(9) If a licensee uses RFID chips or plaques they must submit a detailed description of the technology and devices proposed for use at the gaming establishment. Any certifications or testing done by an independent testing lab that is certified by the Commission pursuant to 205 CMR 144.06 must be included in the submission. Policies and procedures describing how the RFID chips and related equipment will be used must be submitted to the Commission.

146.02: Receipt of gaming chips or plaques from manufacturer or distributor; inventory, security, storage and destruction of chips and plaques

(1) When gaming chips or plaques are received from the manufacturer or distributor, they shall be opened and inspected by at least three employees, one of whom shall be from the accounting or auditing department of the gaming licensee, one of whom shall be from the games department, and one from any mandatory department other than the surveillance department of the gaming licensee.

(2) Each gaming licensee shall report to the Bureau promptly after an inspection performed pursuant to 205 CMR 146.02(1) if the inspection discloses any discrepancy between the invoice accompanying the chips and plaques and the actual chips or plaques received or any defects found in such chips or plaques.

(3) After inspecting the gaming chips or plaques received, the gaming licensee shall cause to be recorded in a chip inventory ledger (manual or electronic) the assigned alphabetical designation, the denomination of the value chips and gaming plaques received, the number of each denomination of value chip and gaming plaque received, the number and description of all non-value chips received, the date of such receipt, and the signatures of the employees who inspected such chips and plaques. If the chips or plaques are required to have a unique serial number, the numeric number shall also be recorded. If the gaming chips or plaques are not put into active use, the ledger shall also identify the storage location.

(4) Any gaming chips or plaques not in active use shall be stored in:

- (a) An approved vault;
- (b) The cashiers' cage; or
- (c) A comparable secure area, approved by the Bureau, which is adjacent to and accessible exclusively from the gaming floor.

(5) Whenever any gaming chips or plaques are removed from or returned to an approved storage area, at least two employees shall be present, one of whom shall be a supervisor from the games or security department, and the following information shall be recorded in the chip inventory ledger together with the date and signatures of the employees involved:

- (a) The alphabetical designation and, if applicable, any numeric designation;
- (b) The number and dollar amount for each denomination of value chip or gaming plaque removed or returned;
- (c) The number and description of the non-value chips removed or returned;
- (d) The specific storage area being entered; and
- (e) The reason for the entry into the storage area.

(6) At the end of each gaming day, a gaming licensee shall compute and record the unredeemed liability for each denomination of value chips and gaming plaques. At least once every 30 days, at a minimum, each gaming licensee shall inventory all sets of value chips and gaming plaques in its possession and shall record the result of such inventory in the chip inventory ledger. The procedures to be utilized to compute the unredeemed liability and to inventory value chips and gaming plaques shall be submitted to the Bureau. A physical inventory of value chips and gaming plaques not in active use shall only be required annually if the inventory procedures incorporate the sealing of the locked compartment. If a gaming licensee elects to commingle gaming chips, a member of the gaming establishment's accounting department shall, at least once every six months, inventory all gaming chips of a particular sample and readjust the starting inventory for those gaming chips which are no longer in the possession of the gaming licensee. The adjusted inventory figure shall be recorded in the chip inventory ledger and shall be the new beginning inventory figure for the next six-month period for purposes of computing the daily outstanding chip liability required by this section.

(7) The Bureau shall approve the process for the destruction of chips and plaques. Prior to the destruction of gaming chips and plaques, the gaming licensee shall notify the Bureau, in writing, of the date and the location at which the destruction will be performed, the denomination, number and amount of value chips and plaques to be destroyed, and the description and number of non-value chips to be destroyed. Unless otherwise authorized by the Bureau, the destruction of gaming chips and plaques shall be carried out in the presence of at least two employees of the gaming licensee, one of whom shall be from the accounting department and one of whom shall be from any other mandatory department other than the surveillance department. The denomination, number and amount of value chips and plaques or, in the case of non-value chips, the description and number so destroyed shall be recorded in the chip inventory ledger together with the signatures of the individuals carrying out such destruction, and the date on which the destruction occurred. The gaming licensee shall also maintain a written log of the names and credential numbers of all individuals involved in each such destruction.

(8) A gaming licensee shall ensure that at all times there is adequate security, as approved by the Bureau, for all gaming chips and plaques in its possession.

146.03: Value Gaming Chips

(1) Each gaming chip which contains a denomination on its face shall be known as a "value chip." Value chips shall only be utilized on the gaming floor, unless otherwise authorized by the Bureau.

(a) Each gaming licensee shall be authorized to issue and use value chips in denominations of \$1.00, \$2.50, \$5.00, \$10.00, \$20.00, \$25.00, \$100.00, \$500.00, \$1,000, \$5,000, \$20,000, and \$25,000 and in such quantities as the gaming licensee may deem appropriate to conduct gaming in its gaming establishment.

(b) Each value chip issued by a gaming licensee shall be in the form of a disk. Value chips with a denomination of \$1.00, \$2.50, \$5.00, \$10.00, \$20.00, \$25.00, and \$100.00, shall have a uniform diameter of one and 9/16ths inches. Any value chip issued by a gaming licensee in the denomination of \$500.00 shall have a uniform diameter of one and 9/16ths inches or one and 11/16ths inches. Any value chip issued in the denomination of \$1,000, \$5,000, \$20,000, or \$25,000 shall have a uniform diameter of one and 11/16ths inches.

(c) Each value chip issued in a denomination of \$20,000 or \$25,000, in addition to satisfying the requirements set forth in this section, shall be impressed with a unique serial number.

(d) A gaming licensee may file a petition for Commission approval requesting a different denomination value chip than listed in 205 CMR 146.03(1)(a)-(c).

(2) Each denomination of value chip issued by a gaming licensee shall contain a predominant color unique to that denomination to be known as the "primary color." A "secondary color" on a value chip is any color, other than that chip's primary color, that the Bureau authorizes a gaming licensee to include on the face or edge of the chip as a

contrast to the chip's primary color, except that no primary color shall be used as a secondary color on a value chip of another denomination where such use on the edge is reasonably likely to cause confusion as to the chip's denomination when the edge alone is visible.

(3) Each licensed gaming chip manufacturer shall submit sample color disks to the Bureau that identify all primary and secondary colors to be used for the manufacturing of gaming chips for gaming licensees in Massachusetts. Once a gaming chip manufacturer has received approval from the Bureau for a primary or secondary color, those colors shall be consistently manufactured in accordance with the approved samples. In order for a primary color to be approved for use, it must visually appear, when viewed either in daylight or under incandescent light, to comply with the following colors.

- (a) \$1.00 - "White;"
- (b) \$2.50 - "Pink;"
- (c) \$5.00 - "Red;"
- (d) \$10.00 - "Blue;"
- (e) \$20.00 - "Yellow;"
- (f) \$25.00 - "Green;"
- (g) \$100.00 - "Black;"
- (h) \$500.00 - "Purple;"
- (i) \$1,000 - "Fire Orange;"
- (j) \$5,000 - "Gray;"
- (k) \$20,000 - "Mustard Yellow;" and
- (l) \$25,000 - "Gold."

(4) Each value chip issued by a gaming licensee shall contain certain identifying characteristics that may appear in any location at least once on each face of the gaming chip and are applied in a manner which ensures that each such characteristic shall be clearly visible and remain a permanent part of the gaming chip. These characteristics shall, at a minimum, include:

- (a) The denomination of the value chip, expressed in numbers;
- (b) The name, trade name, or other approved identification of the gaming licensee issuing the value chip, which shall be applied in such a manner so as to be visible to surveillance employees using the closed circuit television system;
- (c) For each value chip with a denomination below \$25.00 at least one anti-counterfeiting measure and for each value chip with a denomination of \$25.00 or more at least two anti-counterfeiting measures in addition to those items specifically required to appear on the face or edge of a value chip by 205 CMR 146.01 and 146.03(1);
- (d) The word "Massachusetts" if the gaming licensee has gaming properties in other gaming jurisdictions; and
- (e) The primary color of the value chip.

(5) In addition to the characteristics specified in 205 CMR 146.02(4), each value chip in a denomination of \$25.00 or more shall contain a third anti-counterfeiting measure and a design or other identifying characteristic that is unique to the gaming chip manufacturer that makes the chip. Upon approval of a particular design or characteristic by the Bureau, the gaming chip manufacturer shall thereafter be precluded from using that same design or characteristic on any other denomination of value chip that it manufactures. The approved unique design or characteristic may only be changed upon a showing by the gaming chip manufacturer that, despite the change, each value chip in a denomination of \$25.00 or more shall nonetheless be readily identifiable to the manufacturer.

(6) Each value chip issued by a gaming licensee shall contain an identifying characteristic, to be known as an "edge spot," which shall:

(a) Be applied in a manner which ensures that the edge spot shall:

1. Be clearly visible on the edge and, to the extent required by the Bureau, on each face of the value chip; and
2. Remain a permanent part of the value chip.

(b) Be created by using:

1. The primary color of the chip; and
2. One or more secondary colors.

(c) Include a design, pattern or other feature that a person with adequate training could readily use to identify, when viewed through the closed circuit television system of the gaming licensee, the denomination of the particular value chip when placed in a stack of gaming chips, in the table inventory or in any other location where only the edge of the value chip is visible; provided, however, that the design, pattern or feature created by the primary and secondary colors required by 205 CMR 146.03 shall be sufficient by themselves to satisfy the requirements of this paragraph if approved for that purpose by the Bureau.

(7) When determining the secondary colors to be used to make the edge spot on a particular denomination of value chip, a gaming licensee shall, unless otherwise approved by the Bureau, use only those secondary colors that are reasonably likely to differentiate its value chip from the same denomination of value chip issued by any other gaming licensee.

(8) In addition to any other requirement of 205 CMR 146.03, the edge spots on a value chip that has non-identical faces and a denomination of \$25.00 or more shall appear uniform in design, pattern, or other feature when viewed from the perspective of the same face on any other value chip in the set. The edge spots on a value chip that has non-identical faces and a denomination below \$25.00 may appear uniform in design, pattern or other feature or as an inverted mirror image thereof when viewed from the perspective of either face on any other value chip in the set.

(9) Unless otherwise authorized by the Bureau, for each value gaming chip that a gaming licensee elects to issue pursuant to this section whose denomination is greater than

\$10.00, or equal to \$1,000 or \$5,000, it shall also have at least one approved set of gaming chips that may be used as a back-up for the gaming chips in active use. Each set of value chips maintained for use by a gaming licensee shall have different secondary colors. All sets of value gaming chips shall conform to the color and design requirements set forth in 205 CMR 146.03.

(10) A gaming licensee may obtain Bureau approval of two or more different samples within a single set of value chips for a particular denomination with a value of \$100.00 or less ("commingling"), provided that each sample of a particular denomination shall have the same secondary color and edge design. Any approved sample of a particular denomination of value chip within a single set of chips may be placed in or removed from active use by the gaming licensee at any time.

146.04: Non-value Gaming Chips

(1) Each gaming chip which does not contain a denomination on either face thereof shall be known as a "non-value" chip.

(2) Each non-value chip utilized in a gaming establishment shall be issued solely for the purpose of gaming at roulette.

(3) Each non-value chip issued by a gaming licensee shall contain certain identifying characteristics that may appear in any location at least once on each face of the gaming chip and shall be applied in a manner which ensures that each such characteristic shall be clearly visible and remain a permanent part of the gaming chip. The characteristics required by 205 CMR 146.04 shall be applied in such a manner so as to be visible to surveillance employees using the closed circuit television system. The identifying characteristics of a non-value chip, at a minimum, shall include:

- (a) The name, trade name, or other identification of the gaming licensee issuing the non-value chip;
- (b) A design, insert, or symbol that will permit a set of non-value chips being used at a particular gaming table to be distinguished from the non-value chips being used at every other gaming table in the gaming establishment;
- (c) The word "Roulette;" and
- (d) Such color and/or design combinations as the Bureau may approve so as to readily distinguish the non-value chips of each player at a particular gaming table from the non-value chips of every other player at the same gaming table and the value chips issued by any gaming licensee.

(4) Each non-value chip issued by a gaming licensee shall contain an identifying characteristic, to be known as an "edge spot," which shall:

- (a) Be applied in a manner which ensures that the edge spot shall:
 1. Be clearly visible on the edge and, to the extent required by the Bureau on each face of the non-value chip; and

2. Remain a permanent part of the non-value chip;
 - (b) Be created by using the colors approved for the face of the particular non-value chip pursuant to 205 CMR 146.04 in combination with one or more other colors that provide a contrast with the color on the face of the chip and that enable it to be distinguished from the non-value chips issued by any other gaming licensee; and
 - (c) Include a design, pattern or other feature approved by the Bureau that a person with adequate training could readily use to identify, when viewing the non-value chip through the closed circuit television system of the gaming licensee, the player to whom the non-value chip has been assigned when the non-value chip is placed in a stack of gaming chips or in any other location where only the edge of the non-value chip is visible; provided, however, that the design, pattern or feature created by the colors required by 205 CMR 146.04 shall be sufficient by itself to satisfy the requirements of this paragraph if approved for that purpose by the Bureau.
- (5) Each gaming licensee shall have a reserve non-value chip for each color utilized in the gaming establishment with a design insert or symbol different from those non-value chips comprising the primary set.

146.05: Non-value Chips; Permitted Uses; Inventory and Impressionment

- (1) Each non-value chip shall be assigned to a particular gaming table and shall be issued and used for gaming at that table only. All non-value chips utilized at a particular gaming table shall have the same design, insert or symbol as required by 205 CMR 146.04. No gaming licensee or any employee thereof shall allow any patron to remove a non-value chip from the gaming table at which it was issued. If a patron removes a non-value chip from the gaming table at which it was issued, the gaming licensee may redeem such chip at the lowest denomination in use at the table.
- (2) No patron at a gaming table shall be issued or permitted to game with non-value chips that are identical in color and design to any non-value chip issued to any other patron at the same table. When a patron purchases non-value chips, a non-value chip of the same color and design shall be placed in a slot or receptacle attached to the outer rim of the roulette wheel or in such other device as approved by the Bureau. At that time, a marker button denoting the value of a stack of 20 non-value chips of the same color and design shall be placed in the slot, receptacle or other device.
- (3) An impressment of the non-value chips assigned to each gaming table shall be completed at least once every 30 days. The gaming licensee shall record the results of the impressment in the chip inventory ledger required pursuant to 205 CMR 146.02 and shall perform the impressment as follows:
 - (a) A gaming department supervisor shall complete a "Non-Value Chip Impressionment" ledger (electronic or manual) to record missing or excess chips and

shall deliver the ledger and any excess chips to the main bank or chip bank;

(b) Upon receipt of the "Non-Value Chip Impression" ledger, a main bank cashier or chip bank cashier shall, if appropriate, immediately prepare any chips needed to impress the table; and

(c) The gaming department supervisor shall then, if applicable, deliver the non-value chips needed to restore the impress to the appropriate gaming table.

(4) The completed "Non-Value Chip Impression" form shall be maintained by the accounting department and shall contain, at a minimum, the following:

(a) The date and time of preparation;

(b) The design schematic of the chip including its primary color and the applicable table number;

(c) The signature of the gaming department supervisor who completes the "Non-Value Chip Impression" form and the impression for such table; and

(d) The signature of the main bank cashier or chip bank cashier who reviewed the form and, if necessary, prepared the chips to restore the impression.

(5) Each gaming licensee shall record in the chip inventory ledger required by 205 CMR 146.02, a monthly summary of the non-value chip inventory for each gaming table. This monthly summary shall include, at a minimum, the following information for each non-value chip color and design:

(a) The balance on hand at the beginning of the month;

(b) The number of non-value chips distributed to the gaming table during the month;

(c) The number of non-value chips returned to inventory during the month; and

(d) The balance on hand at the end of the month.

146.06: Tournament Chips

(1) If a licensee conducts table game tournaments, the tournaments shall be conducted using tournament chips.

(2) The identifying characteristics of a tournament chip must include, at a minimum:

(a) The name, logo or other approved identification of the licensee issuing the tournament chip;

(b) The word "Tournament";

(c) The denomination of the chip;

(d) The phrase "No Cash Value"; and

(e) Color or design combinations so as to readily distinguish the tournament chips from:

(i) The Roulette Non-Value chips used for the play of Roulette at the licensed facility.

(ii) The value chips issued by any gaming licensee.

(iii) Poker room rake chips.

- (3) Tournament chips shall be stored in a secure area approved by the Bureau.
- (4) An inventory of all tournament chips shall be conducted by the licensee prior to the start and after the completion of each tournament.
- (5) Discrepancies in the inventory shall be immediately reported to the casino compliance representatives. The discrepancy report must include the balance for each denomination of tournament chip on hand at the beginning of the tournament and the balance on hand at the end of each tournament.
- (6) Tournament chips shall be assigned only to those tables utilized in a tournament. No casino licensee or any employee thereof shall allow any patron to remove a tournament chip from a tournament.
- (7) Whenever tournament chips are taken from or returned to an approved storage area, at least two employees shall be present, one of whom shall be a supervisor from the casino games or security department or other department approved by the Bureau, and the following information shall be recorded in the tournament chip inventory ledger together with the date and signatures of the employees involved:
 1. The alphabetical designation and, if applicable, any numeric designation;
 2. The number and dollar amount for each denomination of tournament chip removed or returned;
 3. The number and description of the tournament chips removed or returned;
 4. The specific storage area being entered; and
 5. The reason for the entry into the storage area.

146.07: Poker rake chips

- (1) To facilitate the collection of the rake, a licensee may use Poker rake chips in the Poker room.
- (2) Poker rake chips shall only be used by dealers and may only be substituted for value chips that have been collected as part of the rake prior to the rake being placed in the drop box.
- (3) Unused Poker rake chips shall be kept by the dealer in the table inventory container.
- (4) The denominations that may be used for Poker rake chips are \$2, \$3 or \$4.
- (5) The identifying characteristics of a Poker rake chip must include, at a minimum:
 - (a) The name, logo or other approved identification of the licensee;
 - (b) The words "Poker Rake Chip";
 - (c) One of the following denominations: "\$2," "\$3" or "\$4"; and

- (d) Color or design combinations to readily distinguish the Poker rake chips from:
 - (i) The Roulette Non-Value chips used for the play of Roulette at the licensed facility.
 - (ii) The tournament chips used for tournament play at the licensed facility.
 - (iii) The value chips issued by any gaming licensee.

146.08: Gaming Plaques; Issuance and Use; Denominations; Physical Characteristics

- (1) Each gaming plaque issued by a gaming licensee shall be a solid, one-piece object constructed entirely of plastic or other substance approved by the Bureau and shall have no more than six, and at least two, smooth, plane surfaces. At least two of the plane surfaces, each to be known as a "face," shall be opposite and parallel to each other and identical in shape, which shall be a square, rectangle or ellipse. All other surfaces of a gaming plaque shall be known collectively as the "edge."
- (2) No gaming plaque shall be issued by a gaming licensee or utilized in a gaming establishment unless and until:
 - (a) The design specifications of the proposed gaming plaque are, prior to the manufacture of the gaming plaque, submitted to and approved by the Bureau, which submission shall include a detailed schematic depicting the actual size and, as appropriate, location of the following:
 - 1. Each face;
 - 2. The edge; and
 - 3. Any colors, words, designs, graphics or security measures contained on the gaming plaque;
 - (b) A sample gaming plaque, manufactured in accordance with its approved design specifications, is submitted to and approved by the Bureau; and
 - (c) The gaming licensee has submitted to the Bureau internal control procedures which document the distribution, redemption, receipt and inventory of gaming plaques, by serial number, as required by 205 CMR 146.02.
- (3) Each face of a square gaming plaque shall measure no smaller than nine square inches. Each face of a rectangular or elliptical gaming plaque shall measure no smaller than three inches in length by two inches in width. In the case of an elliptical gaming plaque, the length and width of the plaque shall be measured at its axes.
- (4) Each gaming plaque issued by a gaming licensee shall be designed and manufactured with sufficient graphics or other security measures so as to prevent, to the greatest extent possible, the counterfeiting of such gaming plaque.
- (5) Each gaming licensee shall be authorized to issue and use gaming plaques in denominations of \$5,000, \$10,000, \$25,000, \$50,000 and \$100,000, and in such quantities as the gaming licensee may deem proper to conduct gaming in its gaming establishment. Each gaming plaque of a specific denomination utilized by a gaming

licensee shall be in a shape and of a size, as approved by the Bureau, which is identical to the shape and size of all other gaming plaques of that denomination issued by that gaming licensee. The size and shape of each denomination of gaming plaque issued by a gaming licensee shall be readily distinguishable from the size and shape of every other denomination of gaming plaque issued by that gaming licensee.

(6) Each gaming plaque issued by a gaming licensee shall contain certain identifying characteristics which shall appear at least once on each face of the gaming plaque and shall be applied in a manner which ensures that each such characteristic shall be clearly visible and remain a permanent part of the gaming plaque. These characteristics shall, at a minimum, include:

- (a) The denomination of the gaming plaque, expressed in numbers of no less than three-eighths inch in height;
- (b) The name, trade name, or other approved identification of the gaming licensee issuing the gaming plaque, which shall be applied in such a manner so as to be visible to surveillance employees using the closed circuit television system; and
- (c) A unique serial number.

146.09: Exchange and Redemption of Gaming Chips, Plaques and Coupons

(1) All wagering on authorized games, other than slot machines, in a gaming establishment shall be conducted with gaming chips or plaques; provided, however, that coupons shall be permitted for use in wagering at authorized games in accordance with 205 CMR 146.09. A gaming licensee shall submit to the Bureau a sample of its coupons. Value chips previously issued by a gaming licensee which are not in active use by that gaming licensee shall not be used for wagering at authorized table games and shall not be accepted or exchanged for any purpose. Such chips shall only be redeemed at the cashiers' cage pursuant to 205 CMR 146.09(7).

(2) Gaming chips or plaques shall be issued to a patron only at the request of such patron and shall not be given as change in any other but a gaming transaction. Unless otherwise authorized by 205 CMR 146.09, gaming chips and plaques shall be issued only by dealers to gaming patrons at gaming tables. Gaming chips may be issued by chip persons to patrons seated at a poker table at which a game is in progress or by general cashiers. Gaming plaques and value chips shall be redeemed by gaming patrons only at the cashiers' cage; provided, however, that value chips may be:

- (a) Issued to a patron in payment of a manual slot machine jackpot;
- (b) Exchanged by a patron at the slot booths or with change persons for currency, coin or slot tokens to play the slot machines;
- (c) Exchanged for a gaming check upon a patron request to redeem value chips by mail in any amount. The chips shall be redeemed only by a cage supervisor, in accordance with internal controls which, at a minimum, shall detail procedures for the issuance of the gaming check and the transfer of the surrendered value chips

to the chip bank in a transaction fully supported by proper documentation; and
(d) Exchanged by a patron for a pit counter check redemption as permitted by 205 CMR 148.41(1).

(3) Non-value chips shall be presented for redemption only at the gaming table from which they were issued and shall not be redeemed or exchanged at any other location within the gaming establishment. When non-value chips are presented for redemption, the dealer shall accept them in exchange for an equivalent amount of value chips which may then be used by the patron for gaming in the gaming establishment or redeemed in the same manner as any other value chip.

(4) Each gaming licensee may permit, limit or prohibit the use of value chips in gaming at roulette, provided, however, that:

- (a) No person shall be permitted to wager a value chip with a match play coupon at any roulette table at which match play coupons are permitted to be used; and
- (b) When value chips are in use, it shall be the responsibility of the gaming licensee and its employees to keep an accurate account of the wagers being made at roulette with value chips so that the wagers made by one player are not confused with those made by another player at the table.

(5) Each gaming chip and plaque is solely evidence of a debt that the issuing gaming licensee owes to the person legally in possession of the gaming chip or plaque, and shall remain the property of the issuing gaming licensee. Each gaming licensee shall have the right at any time to demand that the person in possession of the gaming chip or plaque surrender the item for redemption.

(6) Each gaming licensee shall redeem promptly its own genuine gaming chips and gaming plaques presented by a patron in person, except when the gaming chips or plaques were obtained or being used unlawfully. A gaming licensee shall redeem its value chips or gaming plaques by accepting them in exchange for an equivalent amount of cash, except that:

- (a) Upon request by a patron who surrenders value chips or gaming plaques in any amount over \$100.00, a gaming licensee shall exchange them for a gaming check of that gaming licensee in the amount of the value chips or gaming plaques surrendered and dated the day of such redemption; and
- (b) A gaming licensee may apply all or any part of the value chips or gaming plaques presented by a patron to the redemption of any Counter Check or Slot Counter Check drawn by the patron, or to the payment of any returned check, provided that the gaming licensee has given that patron prior written notice of such right of setoff and has obtained the patron's written acknowledgment thereof.

(7) Each gaming licensee shall accept, exchange, use or redeem only gaming chips or plaques that it has issued and shall not knowingly accept, exchange, use or redeem gaming chips or plaques, or objects purporting to be gaming chips or plaques, that have

been issued by any other person, except that a gaming licensee may accept and redeem:

- (a) Gaming chips or plaques issued by another legally operated gaming licensee from a patron upon the patron's representation that such chips or plaques had been purchased or received as payment in a gaming transaction from an employee of such licensee working on the premises; or
- (b) Gaming chips issued by any other legally operated gaming licensee from one of its employees who is authorized to receive gratuities, upon the employee's representation that such chips were received as gratuities in the normal course of his or her duties while on the premises of the gaming licensee.

(8) Employees of a gaming licensee who are authorized to receive gaming chips as personal gratuities may redeem the gaming chips at the cashier's cage or at another secure location in the gaming establishment as approved by the Bureau. Gaming chips redeemed by employees at a non-cage employee redemption site shall be exchanged on a daily basis with the cashier's cage in accordance with the gaming licensee's internal control procedures.

(9) Each gaming licensee shall redeem promptly its own genuine value chips and gaming plaques presented to it by any other legally operated gaming licensee upon the representation that such chips and plaques were received or accepted unknowingly, inadvertently or in error or were redeemed in accordance with the provisions of 205 CMR 146.09(8). Each gaming licensee shall submit to the Bureau a system for the exchange, with other legally operated gaming licensees, of value chips and gaming plaques that are in its possession and that have been issued by any other legally operated gaming licensee, or that it has issued and that are presented to it for redemption by any other legally operated gaming licensee.

(10) Each gaming licensee shall cause to be posted and remain posted in a prominent place on the front of the cashiers' cage and any satellite cage a sign that reads as follows: "By law, gaming chips or plaques issued by another gaming licensee may not be exchanged or redeemed in this gaming establishment."

146.10: Roulette Wheel and Table; Physical Characteristics; Double Zero Roulette Wheel Used as a Single Roulette Wheel

(1) Roulette shall be played on a table having a roulette wheel of not less than 30 inches in diameter at one end of the table and a roulette layout imprinted on the opposite end of the table. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.

(2) Each roulette wheel shall be of a single zero variety or a double zero variety.

- (a) Each single zero roulette wheel shall have 37 equally spaced compartments around the wheel where the roulette ball shall come to rest. The roulette wheel

shall also have a ring of 37 equally spaced areas to correspond to the position of the compartments with one marked zero and colored green and the others marked 1 to 36 and colored alternately red and black. Unless otherwise approved by the Bureau, the numbers shall be arranged clockwise around the wheel in the following order: 0, 32, 15, 19, 4, 21, 2, 25, 17, 34, 6, 27, 13, 36, 11, 30, 8, 23, 10, 5, 24, 16, 33, 1, 20, 14, 31, 9, 22, 18, 29, 7, 28, 12, 35, 3, and 26. The color of each compartment shall either be a corresponding color to those depicted on the ring or a neutral color.

(b) Each double zero roulette wheel shall have 38 equally spaced compartments around the wheel where the roulette ball shall come to rest. The roulette wheel shall also have a ring of 38 equally spaced areas to correspond to the position of the compartments with one marked zero and colored green, one marked double-zero (00) and colored green, and the others marked 1 to 36 and colored alternately red and black. Unless otherwise approved by the Bureau, the numbers shall be arranged clockwise around the wheel in the following order: 0, 28, 9, 26, 30, 11, 7, 20, 32, 17, 5, 22, 34, 15, 3, 24, 36, 13, 1, 00, 27, 10, 25, 29, 12, 8, 19, 31, 18, 6, 21, 33, 16, 4, 23, 35, 14, and 2. The color of each compartment shall either be a corresponding color to those depicted on the ring or a neutral color.

(c) If a gaming licensee offers the optional six numbers color wager authorized by ~~Section 1 of the authorized the~~ Rules of the Game of Roulette:

1. The areas on the ring of a single zero roulette wheel shall have one marked zero (0) and colored green, and the others marked in the order specified in 205 CMR 146.10(2)(b), but colored as follows: purple - 4, 21, 2, 25, 17, 34; green - 6, 27, 13, 36, 11, 30; black - 8, 23, 10, 5, 24, 16; blue - 33, 1, 20, 14, 31, 9; gold - 22, 18, 29, 7, 28, 12; and red - 35, 3, 26, 32, 15, 19. The color of each compartment shall either be a corresponding color to those depicted on the ring or a neutral color as approved by the Bureau.

2. The areas on the ring of a double zero roulette wheel shall have one marked zero (0) and colored green, one marked double-zero (00) and colored green, and the others marked in the order specified in 205 CMR 146.10(2)(c)(1), but colored as follows: blue - 30, 11, 7, 20, 32, 17; gold - 5, 22, 34, 15, 3, 24; red - 36, 13, 1, 27, 10, 25; purple - 29, 12, 8, 19, 31, 18; green - 6, 21, 33, 16, 4, 23; and black - 35, 14, 2, 28, 9, 26. The color of each compartment shall either be a corresponding color to those depicted on the ring or a neutral color.

(3) A double zero roulette wheel may be used as a single zero roulette wheel, provided that:

- (a) The "00" wager area on the layout is obscured with a cover or other approved device which clearly indicates that such a wager is not available; and
- (b) Appropriate signage is posted at the roulette table to notify players that:

1. A double zero roulette wheel is being used as a single zero roulette wheel, and that double zero (00) is not an available wager;
2. If the roulette ball comes to rest in a compartment marked double zero (00), the spin will be declared void and the wheel will be spun again; and
3. Wagers on red, black, odd, even, 1 to 18 and 19 to 36 shall be lost if the roulette ball comes to rest in a compartment marked zero (0).

(4) The layout for a roulette table shall contain, at a minimum:

- (a) The name or trade name of the gaming licensee offering the game; and
- (b) Specific areas for the placement of the wagers ~~authorized~~ required by ~~Section 1 of~~ the authorized Rules of the Game of Roulette.

(5) If a gaming licensee offers an optional wager ~~authorized by~~ pursuant to Section 1 of the authorized Rules of the Game of Roulette, the layout for that roulette table shall also include designated areas for the placement of such wagers.

(6) Each roulette table shall have a drop box and tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

146.11: Roulette Balls

Balls used in gaming at roulette shall be made completely of a non-metallic material and not be less than 12/16 of an inch nor more than 14/16 of an inch in diameter unless otherwise approved by the Bureau.

146.12: Roulette; Inspection Procedures; Security Procedures

(1) Prior to opening a roulette table for gaming activity, a casino supervisor or member of the security department shall:

- (a) Inspect the roulette table and roulette wheel for any magnet or contrivance that would affect the fair operation of such wheel;
- (b) Inspect the roulette wheel to assure that it is level and rotating freely and evenly;
- (c) Inspect the roulette wheel to assure that all parts are secure and free from movement;
- (d) Inspect the roulette ball by passing it over a magnet or compass to assure its non-magnetic quality; and
- (e) Confirm that the layout and signage comply with 205 CMR 146.10(3), if a double zero roulette wheel is being used as a single zero roulette wheel.

(2) If a gaming licensee uses a roulette wheel which has external movable parts, any adjustments to the movable parts shall be made by a gaming establishment supervisor or a member of the gaming establishment maintenance department, in the presence of a security department member. Adjustments to the movable parts of a roulette wheel that

is located on the gaming floor shall only be made when the roulette table is not open to the public or if the roulette wheel is moved to a secure location outside the gaming establishment as approved by the Bureau.

(3) All adjustments shall be completed prior to the inspections required pursuant to 205 CMR 146.12(1).

(4) The gaming licensee may replace any of the movable parts at any time, provided, however, if any one or more of the movable parts are external then an inspection must be completed in accordance with 205 CMR 146.12(1) and notification of what was replaced provided to the Bureau, prior to reopening the roulette wheel and table for gaming activity.

(5) A log of adjustments shall be maintained which shall include, at a minimum, the date, the roulette table number, whether an adjustment or replacement was completed and the signature of the person making the adjustment or replacement.

(6) When a roulette table is not open for gaming activity, the roulette wheel shall be secured by placing a cover over the entire wheel and securely locking such cover to the roulette table.

146.13: Blackjack Table; Card Reader Device; Physical Characteristics; Inspections

(1) Blackjack shall be played at a table having on one side places for the players and on the opposite side a place for the dealer. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.

(2) The layout for a blackjack table shall contain, at a minimum:

- (a) The name or trade name of the gaming licensee offering the game; and
- (b) Specific areas designated for the placement of wagers, which betting areas shall not exceed seven in number, with the exception of the 6 to 5 blackjack variation, which shall contain no more than six betting areas.

(3) The following inscriptions shall appear on the blackjack layout:

- (a) Blackjack pays 3 to 2;
- (b) Dealer must draw to 16 and stand on all 17s or Dealer must hit on soft 17s; and
- (c) Insurance pays 2 to 1.

(4) If a gaming licensee offers blackjack rule variations, the blackjack layout shall have imprinted on it, at a minimum, the following inscriptions instead of the inscriptions set forth in 205 CMR 146.13(3):

- (a) Blackjack pays 1 to 1;

- (b) Dealer must draw to 16 and stand on all 17s or Dealer must hit on soft 17s; and
- (c) Dealer's hole card dealt face up.

(5) Each blackjack table shall have a drop box and a tip box attached to it with the location of said boxes on the same side of the gaming table, but on opposite sides of the dealer, as previously approved by the Bureau.

(6) If a gaming licensee offers one of the permissible additional wagers ~~authorized by pursuant to Section 17 of~~ the authorized Rules of the Game of Blackjack, the blackjack layout shall have designated areas for the placement of the additional wager and shall have the payout odds for the additional wager imprinted on the layout or a separate sign located at the table containing the payout odds for the additional wager.

(7) A blackjack table may have attached to it an approved card reader device which permits the dealer to read his or her hole card in order to determine if the dealer has a blackjack in accordance with ~~Section 6 of~~ the authorized Rules of the Game ~~for of~~ Blackjack. If a blackjack table has an approved card reader device attached to it, the floorperson assigned to the table shall inspect the card reader device at the beginning of each gaming day to insure that there has been no tampering with the device and that it is in proper working order. A card reader device may not be used on a blackjack table offering a progressive blackjack wager pursuant to ~~Section 19 of~~ the authorized Rules of the Game of Blackjack.

(8) Notwithstanding the requirements of 205 CMR 146.13(2), if a gaming licensee offers multiple action blackjack in accordance with the ~~requirements of Section 18 of the~~ authorized Rules of the Game of Blackjack, the blackjack layout shall contain, at a minimum:

- (a) Three separate designated betting areas for each player position at the table with each separate betting area being numbered one through three, provided, however, that the number of player positions at each table shall not exceed six;
- (b) A separate designated area on the layout for each player position for the placement of insurance wagers;
- (c) A separate designated area on the layout for each player position for the placement of double down wagers;
- (d) A separate designated area on the layout for each player position for the placement of split pair wagers; and
- (e) Three separate areas designated for the placement of the dealer's original face up card with each separate area being numbered one through three.

(9) In order to collect the cards at the conclusion of a round of play as required by ~~Section 6 of~~ the authorized Rules of the Game of Blackjack and at such other times as provided in 205 CMR 146.49, each blackjack table shall have a discard rack securely attached to the top of the dealer's side of the table. The height of each discard rack shall

equal the height of the cards, stacked one on top of the other, contained in the total number of decks that are to be used to play the game at that table; provided, however, that a taller discard rack may be used if such rack has a distinct and clearly visible mark on its side to show the exact height for a stack of cards equal to the total number of cards contained in the number of decks to be used to play the game at that table. Whenever a double shoe is used at a blackjack table, the same number of decks shall be used in each side of the double shoe, and the height and marking requirements for that table's discard rack shall be determined from the number of decks used in one side of the shoe.

(10) If a gaming licensee offers a progressive blackjack wager pursuant to ~~Section 19 of~~ the authorized Rules of the Game of Blackjack, the blackjack layout shall have designated areas for the placement of the progressive blackjack wager and shall contain the following equipment:

- (a) A separate acceptor device for the placement of a progressive wager. Each acceptor device shall have a light which shall illuminate upon placement and acceptance of a gaming chip;
- (b) A method to ensure that only one progressive blackjack wager is made per person, per round of play;
- (c) A device or method to indicate that a progressive blackjack wager has been won;
- (d) A sign describing the winning wagers and the payouts to be awarded on winning progressive blackjack wagers at a location near the table;
- (e) A table controller panel which shall be equipped with a "lock-out" button which, once activated by the dealer, will prevent any player's gaming chip from being recognized in the acceptor device; and
- (f) A mechanical, electrical or electronic table inventory return device which shall permit all gaming chips deposited into the acceptor devices to be collected and immediately returned to a designated area within the table inventory container prior to the dealing of a hand. The table inventory return device shall be designed and constructed to contain any feature the Bureau may require to maintain the security and integrity of the game. The procedures for the operation of all functions of the table inventory return device shall be submitted to the Bureau.

(11) If a gaming licensee offers a blackjack bonus wager pursuant to ~~Section 20 of~~ the authorized Rules of the Game of Blackjack, the blackjack layout shall have designated areas for the placement of the blackjack bonus wager, and shall contain the following equipment:

- (a) A table controller located in an area of the table or the pit which area shall be secured by dual locking mechanisms, which are unique from one another. One locking mechanism shall be maintained and controlled by a gaming establishment security supervisor, and the second locking mechanism shall be maintained and controlled by a gaming establishment supervisor;

1. One table controller shall control no more than four blackjack tables. Procedures for the operation, security and control of the table controller shall be submitted to the Bureau prior to implementation;
2. Whenever it is required that a table controller or any device connected thereto which may affect the operation of the blackjack bonus system be accessed or opened, certain information shall be recorded on a form entitled "Controller Access Authorization Log," which shall include, at a minimum, the date, time, purpose of accessing or opening the controller or device, and the signature of the authorized employee accessing or opening the machine or device. The Controller Access Authorization Log shall be maintained in the same secured location as the table controller, and shall have recorded thereon a sequential number and the manufacturer's serial number or the asset number of the controller;

- (b) A blackjack bonus button, which shall be located at the table by the dealer, and used by each player with a winning blackjack bonus wager to generate a bonus amount to be won by that player. The blackjack bonus button shall be attached to the table in a manner that will enable the dealer to place the blackjack bonus button directly in front of each winning player;
- (c) A blackjack bonus display, which shall be located at the table and shall display the amount of the winning blackjack bonus on both sides of the device, so that the amount is visible to all players, the dealer and supervisory personnel; and
- (d) A sign containing the amount of the blackjack bonus wager, as well as the minimum and maximum possible blackjack bonus amounts to be awarded, pursuant to 205 CMR 147.03.

(12) If a gaming licensee offers a streak wager pursuant to ~~Section 22 of~~ the authorized Rules of the Game of Blackjack, the blackjack table shall also contain:

- (a) A layout which shall include, at a minimum:
 1. Four additional separate designated betting areas for each of the player positions at the table, which areas shall be numbered "2" through "5"; and
 2. The inscriptions "Two consecutive wins pays 3 to 1," "Three consecutive wins pays 7 to 1," "Four consecutive wins pays 17 to 1," and "Five consecutive wins pays 37 to 1"; and
- (b) The following equipment:
 1. Marker buttons ("lammers") with the gaming licensee's name or logo, to indicate how many consecutive blackjack hands a patron has won or another device or method approved by the Bureau; and
 2. A sign containing the permissible amount of the streak wager, posted pursuant to 205 CMR 147.03.

(13) If a gaming licensee offers a match-the-dealer wager pursuant to ~~Section 23 of~~ the authorized Rules of the Game of Blackjack, the blackjack table shall contain:

- (a) A layout which shall include, at a minimum, an additional designated betting area bearing the inscription “Match-the-Dealer” at each of the player positions at the table; and
- (b) A sign approved by the Bureau setting forth the payout odds for the match-the-dealer wager.

(14) If a gaming licensee offers the 6 to 5 blackjack variation:

(a) The layout shall have imprinted on it, at a minimum, the following inscriptions:

1. Blackjack pays 6 to 5;
2. Dealer must draw to 16 and soft 17 or Dealer must hit on soft 17s; and
3. Insurance pays 2 to 1; and

(b) A notice shall be posted in accordance with 205 CMR 147.03 indicating that all wagers shall be made in increments of \$5.00 as required by ~~Section 3 of~~ the authorized Rules of the Game of Blackjack.

(15) If a gaming licensee offers the twenty point bonus wager pursuant to ~~Section 24 of~~ the authorized Rules of the Game of Blackjack, the layout otherwise required by this section shall also include, at a minimum, an additional designated betting area for the twenty point bonus wager at each of the player positions at the table. The blackjack table shall also contain a sign setting forth the payout odds for the twenty point bonus wager.

(16) If a gaming licensee offers the option set forth in ~~Section 12 of~~ the authorized Rules of the Game of Blackjack that requires the dealer to draw additional cards on a soft 17, the blackjack layout shall have imprinted on it, at a minimum, the following inscription instead of the inscription set forth in 205 CMR 146.13(3)(b):

“Dealer must draw to 16 and soft 17 and stand on hard 17’s and all 18’s.”

(17) If a gaming licensee offers the optional bonus wager pursuant to ~~Section 25 of~~ the authorized Rules of the Game of Blackjack, the layout otherwise required by this section shall include, at a minimum, an additional designated betting area for such wager at each of the player positions at the table. In addition, payout odds for the optional bonus wager shall be inscribed on the layout or posted on a sign at each such blackjack table.

(18) If a gaming licensee requires a hand fee, the approved layout otherwise required by this section shall include, at a minimum, an additional designated area at each player position for the placement of the hand fee.

146.14: Three-card Poker Table; Physical Characteristics

(1) Three-card poker shall be played at a table having betting positions for the players on one side of the table and a place for the dealer on the opposite side. Such betting positions shall not exceed nine in number depending on the size of the table.

(2) A true-to-scale rendering and color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design. The layout for a three-card poker table shall contain, at a minimum:

- (a) The name or trade name of the gaming licensee offering the game;
- (b) A separate designated betting area at each betting position for the placement of "ante" wagers;
- (c) A separate designated betting area located immediately in front of each ante wager betting area for the placement of "play" wagers;
- (d) A separate designated betting area located immediately behind each ante wager betting area for the placement of "pair plus" wagers;
- (e) If the gaming licensee offers the six card bonus wager ~~authorized by~~ pursuant to the authorized Rules of the Game of Three Card Poker, a separate designated betting area at each betting position for the placement of a six card bonus wager; and
- (f) Inscriptions that advise patrons, in accordance with the authorized Rules of the Game of Three Card Poker, of the payout odds for ante and play wagers, pair plus wagers, six card bonus wagers and ante bonuses and that "Dealer Plays with Queen High or Better."

(3) Each three-card poker table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

146.15: Spanish 21 Table; Physical Characteristics

(1) Spanish 21 shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side.

(2) A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design. The layout for a Spanish 21 table shall have imprinted thereon, at a minimum:

- (a) The name or trade name of the gaming licensee offering the game;
- (b) A separate designated betting area at each betting position for the placement of the following wagers:
 - 1. The required Spanish 21 wager; and
 - 2. An optional match-the-dealer wager;
- (c) The following inscriptions:
 - 1. "Blackjack Pays 3 to 2";
 - 2. "Dealer Must Draw to 16 and Stand on All 17's";
 - 3. "Insurance Pays 2 to 1";
- (d) The payout odds for each of the wagers listed in ~~Section 5 of~~ the authorized Rules of the Game of Spanish 21; and
- (e) The payout odds for the match-the-dealer wager, unless the odds are included in the sign required by 205 CMR 146.15(3).

- (3) A gaming licensee shall post a sign at each Spanish 21 table, which explains:
 - (a) That doubled down hands and split hands are not eligible for the additional payouts in ~~Section 5 of~~ the authorized Rules of the Game of Spanish 21; and
 - (b) The payout odds for the match-the-dealer wager, if those payout odds are not imprinted on the layout.
- (4) Each Spanish 21 table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.
- (5) In order to collect the cards at the conclusion of a round of play as required by ~~Section 7 of~~ the authorized Rules of the Game of Spanish 21 and at such other times as provided in 205 CMR 146.49, each Spanish 21 table shall have a discard rack securely attached to the top of the dealer's side of the table. The height of each discard rack shall equal the height of the cards, stacked one on top of the other, contained in the total number of decks that are to be used in the dealing shoe at that table; provided, however, that a taller discard rack may be used if such rack has a distinct and clearly visible mark on its side to show the exact height for a stack of cards equal to the total number of cards contained in the number of decks to be used in the dealing shoe at that table.
- (6) A Spanish 21 table may have attached to it, as approved by the Bureau, a card reader device which permits the dealer to read his or her hole card in order to determine if the dealer has a blackjack ~~in accordance Section 1 of~~ pursuant to the definition of "blackjack" in the authorized Rules of the Game of Spanish 21. If a Spanish 21 table has an approved card reader device attached to it, the floorperson assigned to the table shall inspect the card reader device at the beginning of each gaming day. The purpose of this inspection shall be to insure that there has been no tampering with the device and that it is in proper working order.

146.16: Blackjack Switch Table; Physical Characteristics

- (1) Blackjack switch shall be played at a table having betting positions for no more than five players on one side of the table and a place for the dealer on the opposite side.
- (2) A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design. The layout for a blackjack switch table shall have imprinted thereon, at a minimum, the following:
 - (a) The name or trade name of the gaming licensee offering the game;
 - (b) Two adjacent designated betting areas at each betting position for the placement of the required two initial blackjack switch wagers;
 - (c) A separate designated area on the layout at each betting position for the placement of the optional match wager;
 - (d) The following inscriptions, unless they are included on the sign required by 205 CMR 146.16(3):

1. "Blackjack pays 1 to 1";
2. "Insurance pays 2 to 1";
3. "Dealer must hit a soft 17"; and
4. "Dealer pushes on 22"; and

(e) The payout odds for the optional match wager, unless they are included on the sign required by 205 CMR 146.16(3).

(3) A gaming licensee shall post a sign at each blackjack switch table, which shall include:

- (a) A statement that, if more than one match occurs in a player's initial four cards, the match wager will only be paid once, using the highest payoff that occurs within those cards; and
- (b) The payout odds for the optional match wager, if they are not imprinted on the layout.

(4) Each blackjack switch table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

(5) ~~In order to collect the cards at the conclusion of a round of play as required by 205 CMR 147.6(i), e~~Each blackjack switch table shall have a discard rack securely attached to the top of the dealer's side of the table. The height of each discard rack shall equal the height of the cards, stacked one on top of the other, contained in the total number of decks that are to be used in the dealing shoe at that table; provided however, that a taller discard rack may be used if such rack has a distinct and clearly visible mark on its side to show the exact height for a stack of cards equal to the total number of cards contained in the number of decks to be used in the dealing shoe at that table.

(6) A blackjack switch table may have attached to it a card reader device which permits the dealer to read his or her hole card in order to determine if the dealer has a blackjack. If a blackjack switch table has an approved card reader device attached to it, such device shall be inspected at the beginning of each gaming day, to insure that there has been no tampering with the device and that it is in proper working order.

146.17: Craps and Mini-craps Tables; Physical Characteristics

(1) Craps and mini-craps shall be played on an oblong table with rounded corners and high walled sides. A craps table shall not be larger than 14 feet in length. A mini-craps table shall be no longer than 9 1/2 feet in length, and shall have seating locations for a maximum of nine players.

(2) A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design. The layout for a craps or mini-craps table shall contain, at a minimum:

- (a) The name or trade name of the gaming licensee offering the game;

- (b) Specific areas designated for the placement of wagers as ~~authorized by Section 2 of~~ described in the authorized Rules of the Game of Craps and Mini Craps; and
- (c) The words “No call bets.”

(3) Each craps and mini-craps table shall have a drop box and tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

(4) In addition to the requirements of 205 CMR 146.17(2), if the fire bet in the game of craps is offered by a gaming licensee, the craps table shall include, at a minimum:

- (a) No more than 16 designated areas for the placement of fire bets, which areas shall be located around the perimeter of the layout, correspond to player positions at the table, and be sequentially numbered in a clockwise direction, with the area numbered “1” being located immediately to the left of the game personnel;
- (b) A designated area of the layout for the relocation and identification of all fire bets placed by players prior to the come out roll of a shooter, which area shall be located in front of the boxperson and contain numbered areas which correspond to the location of the numbered areas described in 205 CMR 146.17(4)(a); and
- (c) The following information on the inside wall of the table, which information shall be visible to all player positions:
 - 1. The payout odds for four, five and six different (unique) points made;
 - 2. That fire bets shall only be accepted prior to a shooter’s initial come out roll; and
 - 3. The wager limitations applicable to the fire bet.

146.18: Baccarat, Midi-baccarat Mini-baccarat, and Baccarat-Chemin de Fer Tables; Physical Characteristics

(1) Baccarat shall be played on a table having numbered places for 10 to 14 seated players.

(2) Baccarat-chemin de fer shall be played on a table having numbered places for nine to 14 seated players.

(3) Mini-baccarat shall be played at a table having on one side places for a maximum of nine seated players, and on the opposite side a place for the dealer; provided however, that unless the cards are changed after each shoe, a mini-baccarat table using the dealing procedure in the authorized Rules of the Game of Minibaccarat shall have places for a maximum of six seated players. The dimensions of a mini-baccarat table shall be submitted to the Bureau.

(4) A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design. The layout for a baccarat, midi-baccarat, mini-baccarat, or baccarat-chemin de fer table shall contain, at a minimum:

- (a) The name or trade name of the gaming licensee offering the game;
- (b) For baccarat, midi-baccarat and mini-baccarat layouts, specific areas designated for the placement of wagers on the "Banker's Hand," "Player's Hand," and "Tie Hand;"
- (c) For baccarat-chemin de fer layouts, specific areas for the placement of the wagers authorized by the authorized Rules of the Game of Baccarat – Chemin de Fer;
- (d) For baccarat, midi-baccarat and mini-baccarat layouts, the phrase "Tie Bets pay 8 to 1;"
- (e) Numbered areas that correspond to the seat numbers for the purpose of marking vigorish; provided, however, that the numbered areas are not required if:
 - 1. For baccarat, the gaming licensee offers a no vigorish variation of the game in accordance with the authorized Rules of the Game of Baccarat;
 - 2. For mini-baccarat, the gaming licensee only charges vigorish in accordance with the provisions of the authorized Rules of the Game of Minibaccarat or offers a no vigorish variation of the game in accordance with the provisions of the authorized Rules of the Game of Minibaccarat;
- (f) An area designated for the placement of cards for the "Player's" and "Banker's" hands;
- (g) If a gaming licensee offers the optional total card wagers in the games of baccarat, midi-baccarat and mini-baccarat;
 - 1. Three specific areas at each player position designated for the placement of total card wagers on a total of four cards, five cards and six cards, and identified with the numerals "4," "5," and "6," respectively, which areas shall be located between the areas designated for the placement of wagers on a "Tie Hand" and the "Banker's Hand"; and
 - 2. An inscription on the layout indicating the payout odds for all total card wagers;
- (h) If a gaming licensee offers the optional bonus wager authorized by the authorized Rules of the Game of Baccarat or Minibaccarat:
 - 1. Two separate areas at each betting position designated for the placement of the optional bonus wager which shall be located, from the player's perspective, immediately to the right of the areas designated for the placement of wagers on the "Banker's Hand" and "Player's Hand"; and
 - 2. An inscription identifying the payout odds for the optional bonus wager unless the gaming licensee chooses to comply with 205 CMR 146.18(7)-(9); and
- (i) If a gaming licensee offers the no vigorish variation of baccarat, midi-baccarat or mini-baccarat pursuant to the authorized Rules of the Game of Baccarat, Baccarat-Midi Baccarat, or Minibaccarat, respectively:
 - 1. An area at each player position designated for placement of the "dragon 7" wager and inscribed with "dragon 7," which area shall be located on the

right side of the area designated for the placement of a “Tie Hand” wager when viewed by the player; and

2. An inscription identifying the payout odds for the dragon 7 wager unless the gaming licensee chooses to comply with 205 CMR 146.18(8).

(5) If marker buttons are used for the purpose of marking vigorish, these marker buttons shall be placed in the table inventory float container or in a separate rack designed for the purpose of storing marker buttons and such rack shall be placed in front of the table inventory float container during gaming activity.

(6) Each baccarat and mini-baccarat table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

(7) If the payout odds are not inscribed on the layout as provided by 205 CMR 146.18(4)(h)(2), a sign shall be posted at each baccarat, midi-baccarat and mini-baccarat table offering the optional bonus wager authorized by the authorized Rules of the Game of Baccarat or Minibaccarat listing the payout odds for the optional bonus wager.

(8) If the payout odds are not inscribed on the layout as provided by 205 CMR 146.18(4)(h)(2), a sign shall be posted at each baccarat, midi-baccarat and mini-baccarat table offering the dragon 7 wager authorized by the authorized Rules of the Game of Baccarat, Baccarat-Midi Baccarat, or Minibaccarat, respectively, indicating the payout odds for the dragon 7 wager.

(9) If the payout odds are not inscribed on the layout as provided by 205 CMR 146.18(4)(h)(2), a sign shall be posted at each baccarat, midi-baccarat and mini-baccarat table offering the panda 8 wager authorized by the authorized Rules of the Game of Baccarat, Baccarat-Midi Baccarat, or Minibaccarat, respectively, indicating the payout odds for the panda 8 wager.

146.19: Big Six Wheel and Layout; Physical Characteristics

(1) Gaming at Big Six shall be conducted at a wheel circular in shape and no less than five feet in diameter. The rim of the wheel shall be divided into 54 equally spaced sections with 23 sections containing a \$1.00 bill, 15 sections containing a \$2.00 bill, eight sections containing a \$5.00 bill, four sections containing a \$10.00 bill, two sections containing a \$20.00 bill, one section containing a picture of a flag or the name or logo of the gaming licensee, and one section containing a picture of a joker, each of which sections shall be covered with transparent protective cover.

(2) The sections required by 205 CMR 146.19(1) shall be arranged clockwise around the rim of the wheel in the following order: joker, \$1, \$2, \$1, \$5, \$2, \$1, \$10, \$1, \$5, \$1, \$2, \$1, \$20, \$1, \$2, \$1, \$5, \$2, \$1, \$10, \$1, \$2, \$5, \$1, \$2, \$1, flag, \$2, \$5, \$2, \$1, \$2, \$1, \$10, \$1, \$5, \$1, \$2, \$1, \$20, \$1, \$2, \$1, \$5, \$2, \$1, \$10, \$1, \$2, \$5, \$1, \$2, and \$1.

(3) Each section of the Big Six Wheel shall also display the payout odds for the wager contained therein, pursuant to the authorized Rules of the Game of Big Six Wheel.

(4) Each Big Six Wheel table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of, the dealer.

(5) A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design. The layout for a Big Six Wheel table shall have imprinted thereon, at a minimum:

- (a) The name or trade name of the Gaming licensee offering the game;
- (b) Spaces which shall be used by patrons to place their wagers, and which shall contain:

- 1. Depictions of a \$1.00 bill, \$2.00 bill, \$5.00 bill, \$10.00 bill, and \$20.00 bill, or numbers representing those monetary denominations;
- 2. A flag or the name or logo of the gaming licensee, as it appears on the Big Six Wheel; and
- 3. A joker; and

- (c) The payout odds for each of the permitted wagers.

146.20: Sic Bo Table; Sic Bo Shaker; Physical Characteristics

(1) Each sic bo table shall have a drop box and tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

(2) Each sic bo table shall have an electrical device which, when the numeric value of each die has been entered, shall cause the winning combinations to be illuminated. The sic bo table shall have an area, which depicts all permissible wagers pursuant to the authorized Rules of the Game of Sic Bo. Each combination shall have the capability to be illuminated, if it is a winning combination, after the numeric value of each die has been entered into the electrical device by the dealer.

(3) A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design. The layout for a sic bo table shall contain, at a minimum:

- (a) The name or trade name of the gaming licensee; and
- (b) Specific areas designated for the placement of the wagers authorized by the authorized Rules of the Game of Sic Bo; and
- (c) The payout odds currently being offered in accordance with the authorized Rules of the Game of Sic Bo.

(4) Sic bo shall be played with a sealed container, to be known as a "sic bo shaker," which shall be used to shake the dice in order to arrive at the winning combinations.

- (a) A manual sic bo shaker shall be designed and constructed to contain any

feature the Bureau may require to maintain the integrity of the game and shall, at a minimum, adhere to the following specifications:

1. The sic bo shaker shall have a compartment to secure the three dice required by the authorized Rules of the Game of Sic Bo and a separate cover which conceals the dice while the dealer is shaking the sic bo shaker. The compartment to secure the three dice shall be transparent and the cover which conceals the dice shall be opaque;
 2. The sic bo shaker shall have the capability of being sealed or locked in order to ensure the integrity of the dice contained therein;
 3. The sic bo shaker shall have the name or trade name of the gaming licensee or identifying logo imprinted or impressed thereon; and
 4. The sic bo shaker shall be secured to the sic bo table when the table is open for gaming activity.
- (b) An automated sic bo shaker may be used in the game of sic bo, provided that:
1. The shaker meets the requirements of 205 CMR 146.20(4)(a), except that a separate opaque cover shall not be used; and
 2. The shaker, its location on the sic bo table and the procedures for shaking the dice are submitted to the Bureau.

146.21: Pai Gow Poker Table; Pai Gow Poker Shaker; Physical Characteristics; Computerized Random Number Generator

- (1) Pai gow poker shall be played at a table having on one side places for the players and on the opposite side a place for the dealer.
- (2) A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design. The layout for a pai gow poker table shall contain, at a minimum:
 - (a) Six separate designated betting areas for the players at the table with each area being numbered one through six;
 - (b) Two separate areas located below each betting area which shall be designated for the placement of the high and second highest or low hands of that player;
 - (c) If a gaming licensee offers the optional bonus wager and/or insurance wager authorized by the authorized Rules of the Game of Pai Gow Poker:
 1. A separate area for each player, located to the right of the numbered betting areas, designated for the placement of a bonus wager by each player;
 2. A separate area for each player, located to the left of the numbered betting areas, designated for the placement of an insurance wager by each player;
 3. Notice of signage for payout odds for the bonus wager and insurance wager and payout amounts for the "envy bonus" as defined at the authorized Rules of the Game of Pai Gow Poker; and

4. The inscription indicating the payout limit per round of play for the bonus wager and the insurance wager established by the gaming licensee pursuant to the authorized Rules of the Game of Pai Gow Poker or a generic inscription indicating the wagers are subject to the posted payout limit;

(d) If the gaming licensee offers the additional wager authorized by the authorized Rules of the Game of Pai Gow Poker, a separate area for each player, designated for the placement of that additional wager by each player, as well as the payout odds for the additional wager;

(e) Two separate areas designated for the placement of the high and second highest or low hands of the dealer;

(f) The name or trade name of the gaming licensee offering the game;

(g) If the gaming licensee offers the optional bonus wagers authorized by the authorized Rules of the Game of Pai Gow Poker, separate areas for each player, designated for the placement of the three-card bonus wager and seven-card bonus wager; and

(h) If the gaming licensee offers the imperial pai gow bonus wager authorized by the authorized Rules of the Game of Pai Gow Poker:

1. A separate area for each player, located to the right of the area for the placement of a player's pai gow wager, designated for the placement of the imperial pai gow bonus wager; and

2. An inscription or notice of signage, as approved by the Bureau, for payout odds for both the "player hand bonus" and "banker hand bonus" as defined in the authorized Rules of the Game of Pai Gow Poker.

(3) If a gaming licensee offers the optional bonus wager and/or the insurance wager authorized by the authorized Rules of the Game of Pai Gow Poker, a sign shall be posted at each pai gow poker table offering any of these wagers that explains the following:

(a) For the optional bonus wager and the insurance wager authorized by the authorized Rules of the Game of Pai Gow Poker, the details of the payout limit established pursuant to the authorized Rules of the Game of Pai Gow Poker and, if a generic inscription is used pursuant to 205 CMR 146.21, established payout limit; or

(b) For the optional wagers authorized by the authorized Rules of the Game of Pai Gow Poker, the payout odds for each bonus wager.

(4) Each pai gow poker table shall have a drop box and tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

(5) Pursuant to the authorized Rules of the Game of Pai Gow Poker, pai gow poker may be played with a container, to be known as a "pai gow shaker," which shall be used to shake three dice before each hand of pai gow poker is dealt in order to determine the starting position for the dealing or delivery of the cards. The pai gow shaker shall be

designed and constructed to contain any feature the Bureau may require to maintain the integrity of the game and shall, at a minimum, adhere to the following specifications:

(a) The pai gow poker shaker shall be capable of housing three dice and shall be designed so as to prevent the dice from being seen while the dealer is shaking it; and

(b) The pai gow poker shaker shall have the name or identifying logo of the gaming licensee imprinted or impressed thereon.

(6) As an alternative to using the shaker and dice described in 205 CMR 146.21(5) a gaming licensee may, unless the gaming licensee offers the optional bonus wagers authorized by the authorized Rules of the Game of Pai Gow Poker, determine the starting position for the dealing or delivery of the cards in pai gow poker by utilizing a computerized random number generator that automatically selects and displays a number from 1 through 7 inclusive. Any computerized random number generator proposed for use by a gaming licensee shall be approved by the Bureau.

(7) If a gaming licensee offers a progressive payout wager pursuant to 205 CMR 138.62, the pai gow poker table shall include the following features:

(a) A separate acceptor device mounted for the placement of the progressive wager, which acceptor device shall have a light that illuminates upon the insertion and acceptance of a gaming chip;

(b) A sign describing each winning progressive payout wager and the payout to be awarded therefore;

(c) A table controller panel located in an area of the table as approved by the Bureau and which shall be equipped with a "lock-out" button that, once activated by the dealer as set forth in 205 CMR 138.62, shall prevent any player from depositing a gaming chip in the acceptor device; and

(d) A mechanical, electrical or electronic table inventory return device which shall permit all gaming chips deposited into the acceptor device referenced in 205 CMR 146.13(7)(a) to be collected and immediately returned to a designated area within the table inventory container prior to the dealing of a hand. The table inventory return device shall be designed and constructed to contain any feature the may require to maintain the security and integrity of the game. The procedures for the operation of all functions of the table inventory return device shall be submitted to the Bureau.

(8) If a gaming licensee offers the dragon's eye variation of pai gow poker pursuant to the authorized Rules of the Game of Pai Gow Poker, in addition to the requirements set forth in 205 CMR 146.21, the layout shall include six separate betting areas at each player position for the placement of the following six optional wagers:

(a) An even wager;

(b) An odd wager;

(c) A match wager;

(d) A double wager;

- (e) A triple wager; and
 - (f) A dice bonus wager.
- (9) If a gaming licensee offers the "dealer queen's dragon" wager, "dynasty bonus" wager, "protection" wager, and the "red/black" wager authorized by the authorized Rules of the Game of Pai Gow Poker then the following shall apply:
- (a) A separate area for each player, located above the numbered betting areas, designated "queen's dragon" for the placement of the "dealer queen's dragon" wager.
 - (b) A separate area for each player, located to the right of the numbered betting areas, designated "dynasty bonus" for the placement of the "dynasty bonus" wager.
 - (c) A separate area for each player, located to the left of the numbered betting areas, designated "P" for the placement of the "protection" wager.
 - (d) Two separate areas for each player, one located to the right of the "queen's dragon" betting area and colored red and the other located to the left of the "queen's dragon" betting area and colored black, for the placement of the "red/black" wager.
 - (e) Notice of signage, as approved by the Bureau, providing the payout odds for the "dealer queen's dragon" wager, "dynasty bonus" wager, "protection" wager, "red/black" wager, and payout amounts for the "envy bonus" as defined in the authorized Rules of the Game of Pai Gow Poker.
 - (f) Inscriptions indicating the aggregate payout limit per round of play for the "dealer queen's dragon" wager, the "dynasty bonus" wager, the "protection" wager, and the "red/black" wager established by the gaming licensee pursuant to the authorized Rules of the Game of Pai Gow Poker a generic inscription indicating the wagers are subject to the posted payout limit.

146.22: Pai Gow Table; Pai Gow Shaker; Physical Characteristics

- (1) Pai gow shall be played at a table having on one side places for the players and on the opposite side a place for the dealer.
- (2) A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design. The layout for a pai gow table shall contain, at a minimum:
 - (a) Six separate designated betting areas for the players at the table with each area being numbered one through six;
 - (b) A separate area, located to the left of the dealer, for the placement of four tiles which shall be referred to as the "dead hand"; and
 - (c) The name or trade name of the gaming licensee offering the game.
- (3) Each pai gow table shall have a drop box and tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

(4) Pai gow shall be played with a container, to be known as a "pai gow shaker," which shall be used to shake three dice before each hand of pai gow is dealt in order to determine the starting position for the dealing of the pai gow tiles. The pai gow shaker shall be designed and constructed to contain any feature the Bureau may require to maintain the integrity of the game and shall, at a minimum, adhere to the following specifications:

(a) The pai gow shaker shall be capable of housing three dice and shall be designed so as to prevent the dice from being seen while the dealer is shaking it; and

(b) The pai gow shaker shall have the name or identifying logo of the gaming licensee imprinted or impressed thereon.

(5) If a gaming licensee offers the dragon's eye variation of pai gow pursuant to the authorized Rules of the Game of Pai Gow, in addition to the requirements set forth in 205 CMR 146.22 the layout shall include:

(a) Five separate betting areas at each player position for the placement of the following five optional wagers:

1. An even wager;
2. An odd wager;
3. A match wager;
4. A double wager; and
5. A triple wager; and

(b) A separate location to the left of dealer's table inventory container with six areas for the dealer's placement of player dice bonus wagers, which areas are designated with the numeric player position at the table.

146.24: Poker Table; Physical Characteristics

(1) Poker shall be played on a table which is oval in shape and which has places for up to 11 players and a dealer. Each poker table shall be designed and constructed to contain any feature the Bureau may require to maintain the integrity of the game. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.

(2) The layout for a poker table shall contain, at a minimum:

(a) The name or trade name of the gaming licensee offering the game; and

(b) A designated holding area located to the right of the dealer for the collection of the rake prior to final placement of the rake in the table inventory container.

(3) Each poker table shall have a designated area for the placement of at least one deck of cards. This area may be part of the table inventory container.

(4) Each poker table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer, in locations approved by the Bureau.

(5) If a gaming licensee offers a bad beat payout at a designated poker table, a transparent locked box or container shall be attached to the table on the same side as the drop box and shall be used to hold the pot contributions that fund the bad beat payout.

146.25: Double Down Stud Table; Physical Characteristics

(1) Double down stud shall be played on a table having seven places on one side for the players, and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.

(2) The layout for a double down stud table contain, at a minimum:

- (a) The name or trade name of the gaming licensee offering the game;
- (b) Seven separate designated betting areas for the placement of wagers by the players;
- (c) A separate designated area located below each betting area for the placement of double down wagers; and
- (d) A separate designated area located directly in front of the table inventory container for the placement of the dealer's common cards.

(3) The following inscription shall be conspicuously printed on each double down stud layout: "Payout Limit of \$100,000 Per Hand." A gaming licensee shall post a sign at each double down stud table explaining the details and the ramifications of this payout limit.

(4) Each double down stud table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

146.26: Caribbean Stud Poker Table; Physical Characteristics

(1) Caribbean stud poker shall be played on a table having betting positions for six or seven players on one side of the table and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.

(2) The layout for a Caribbean stud poker table shall contain, at a minimum:

- (a) The name or trade name of the gaming licensee;
- (b) A separate designated betting area at each betting position for the placement of "ante" wagers;

- (c) A separate designated betting area located immediately behind each ante betting area for the placement of "bet" wagers; and
- (d) The inscriptions "Payout Limit of \$5,000 per Hand on Bet Wagers" and "Bet Wager Void Unless Dealer has Ace/King or Better."

(3) A sign shall be posted at each Caribbean stud poker table that explains the details of the \$5,000 payout limit ~~authorized-permitted~~ by ~~Section 12 of~~ the authorized Rules of the Game of Caribbean Stud Poker.

(4) Each Caribbean stud poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

(5) Each Caribbean stud poker table shall also have an approved table game progressive payout wager system for the placement of progressive wagers. A table game progressive payout wager system shall include, without limitation:

- (a) A wagering device at each betting position that acknowledges or accepts the placement of the progressive wager;
- (b) A control device that controls or monitors the placement of progressive wagers at the gaming table, including a mechanism, such as a "lock-out" button, that prevents the recognition of any progressive wager that a player attempts to place after the dealer has announced "No more bets";
- (c) One or more devices that meet the requirements of 205 CMR for progressive wagers and payouts at table games;
- (d) Any other equipment or device that contributes to the efficient operation or integrity of the game; and
- (e) Written procedures for the operation and use of the system and its components.

146.27: Let It Ride Poker Table; Physical Characteristics

(1) Let it ride poker shall be played on a table having betting positions for seven players on one side of the table and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.

(2) The layout for a let it ride poker table shall contain, at a minimum:

- (a) The name or trade name of the gaming licensee;
- (b) Three separate designated betting areas at each betting position for the placement of wagers in accordance with the authorized Rules of the Game of Let it Ride Poker;
- (c) A separate designated area at each betting position for the placement of the cards of each player;
- (d) A separate designated area located directly in front of the table inventory container for the placement of the community cards;

- (e) The payout odds for all authorized wagers, including the let it ride bonus wager authorized by the authorized Rules of the Game of Let it Ride Poker and the three-card bonus wager authorized by the authorized Rules of the Game of Let it Ride Poker, if the gaming licensee offers either optional wager;
- (f) The inscription indicating the payout limit per hand established by the gaming licensee pursuant to the authorized Rules of the Game of Let it Ride Poker or a generic inscription indicating the game is subject to the posted payout limit; and
- (g) If a gaming licensee offers the optional three-card bonus wager authorized by the authorized Rules of the Game of Let it Ride Poker, a separate designated area at each betting position for the placement of the three-card bonus wager.

(3) A sign shall be posted at each let it ride poker table that explains the details of the payout limit established pursuant to the authorized Rules of the Game of Let it Ride Poker and if a generic inscription is used pursuant to 205 CMR 146.27(2)(f), the sign shall also contain the established payout limit.

(4) Each let it ride poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

(5) If a gaming licensee offers the let it ride bonus wager authorized by the authorized Rules of the Game of Let it Ride Poker, the let it ride poker table shall also include the following equipment or devices, which shall be submitted to and approved by the Bureau, together with the procedures for their operation and use:

- (a) A wagering device at each betting position that acknowledges or accepts the placement of the let it ride bonus wager;
- (b) A control device that controls or monitors the placement of let it ride bonus wagers at the gaming table, including a mechanism that prevents the recognition of any let it ride bonus wager that a player attempts to place after the dealer has announced "No more bets"; and
- (c) Any other equipment or device that contributes to the efficient operation or integrity of the game.

146.29: Fast Action Hold 'em Table; Physical Characteristics

(1) Fast action hold 'em shall be played at a table having betting positions for the players on one side of the table and a place for the dealer on the opposite side. Such betting positions shall not exceed nine in number depending on the size of the table. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.

- (2) The layout for the fast action hold 'em table (the layout) shall include, at a minimum:
- (a) The name or trade name of the gaming licensee;
 - (b) A separate designated betting area at each betting position;
 - (c) A separate area located immediately to the right of each betting area designated

for the placement of cards to be discarded by a player pursuant to the authorized Rules of the Game of Fast Action Hold 'Em;

- (d) Five separate areas aligned in a row in the center of the layout for placement of the five community cards; and
- (e) An inscription indicating that a "natural" pays five to one.

(3) Each fast action hold 'em table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

146.30: Casino War Table; Physical Characteristics

(1) Casino war shall be played at a table having betting positions for no more than seven players on one side of the table and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.

- (2) The layout for a Casino war table shall include, at a minimum:
- (a) The name or trade name of the gaming licensee;
 - (b) A separate designated betting area at each betting position for the placement of initial and war wagers;
 - (c) A separate designated betting area for the placement of tie wagers; and
 - (d) The payout odds for a tie wager and war wager.

(3) Each Casino war table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

146.31: Colorado Hold 'em Poker Table; Physical Characteristics

(1) Colorado hold 'em poker shall be played at a table having betting positions for six or seven players on one side of the table and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.

- (2) The layout for the Colorado hold 'em poker table (the layout) shall include, at a minimum:
- (a) The name or trade name of the gaming licensee;
 - (b) A separate designated betting area at each betting position for ante and bet wagers, and if a gaming licensee offers a bonus wager pursuant to the authorized Rules of the Game of Colorado Hold 'Em Poker, a separate designated betting area for the bonus wager;
 - (c) A separate area located immediately to the left of each betting area designated for the placement of the card to be discarded by a player pursuant to the authorized Rules of the Game of Colorado Hold 'Em Poker or;
 - (d) Three separate areas aligned in a row in the center of the layout for placement

of the three community cards; and

(e) The payout odds for all winning authorized wagers, including an “immediate winner” as defined at the authorized Rules of the Game of Colorado Hold ‘Em Poker.

(3) Each Colorado hold ‘em poker table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

146.32: Boston 5 Stud Poker Table; Physical Characteristics

(1) Boston 5 stud poker shall be played on a table having positions for six players on one side of the table and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.

(2) The layout for a Boston 5 stud poker table shall contain, at a minimum:

- (a) The name or trade name of the gaming licensee;
- (b) A separate designated betting area at each betting position for the placement of ante wagers;
- (c) A separate designated area shall be located immediately to the right of each ante betting area for the placement of first wagers;
- (d) A separate designated area shall be located immediately to the right of each first wager betting area for the placement of second wagers;
- (e) A separate designated area shall be located immediately above each ante betting area for the placement of optional bonus wagers; and
- (f) Notice of signage for payout odds for all authorized wagers.

(3) A sign shall be posted at each Boston 5 stud poker table that lists the payout odds for all authorized wagers.

(4) Each Boston 5 stud poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

146.33: Double Cross Poker Table; Physical Characteristics

(1) Double cross poker shall be played on a table having positions for seven players on one side of the table and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.

(2) The layout for a double cross poker table shall contain at a minimum:

- (a) The name or trade name of the gaming licensee;
- (b) A separate designated betting area at each betting position for the placement of the ante wager;

- (c) Four separate designated betting areas at each betting position for the placement of raise wagers, with one raise wager area located to the left of the ante betting area, one raise wager area located to the right of the ante betting area, one raise wager area located above the ante betting area and one raise wager area located below the ante betting area, so that the ante betting area and the four raise wager areas, when viewed from above, form the shape of a cross;
- (d) A separate designated area at each betting position for the placement of a three-card wager, located to the right of the designated areas for the placement of ante and raise wagers;
- (e) A separate designated area, located between the table inventory container and the player betting areas on the right hand side of the dealer, for the placement of the five community cards in the same type of cross formation created by the five wager areas described in 205 CMR 146.33(2)(b)-(c);
- (f) A separate designated area, located between the table inventory container and the player betting areas on the left hand side of the dealer, for the placement of the dealer's two cards; and
- (g) An inscription identifying the payout odds for all authorized wagers or a sign identifying the payout odds for all authorized wagers posted at each double cross poker table.

(4) Each double cross poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

146.34: Double Attack Blackjack Table; Physical Characteristics

- (1) Double attack blackjack shall be played on a table having positions for six or seven players on one side of the table and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.
- (2) The layout for a double attack blackjack table shall contain, at a minimum:
 - (a) The name or trade name of the gaming licensee; and
 - (b) Separate designated betting areas at each betting position for the placement of the initial wager, the double attack wager, and the optional bonus wager.
- (3) The following inscriptions shall appear on the double attack blackjack layout:
 - (a) Blackjack pays 1 to 1;
 - (b) Dealer must draw to 16, and stand on all 17's; and
 - (c) Insurance pays 5 to 2.
- (4) Payout odds for the optional bonus wager authorized by the authorized Rules of the Game of Double Attack Blackjack shall be inscribed on the layout or posted on a sign at each double attack blackjack table.

(5) Each double attack blackjack table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

146.35: Four-Card Poker Table; Physical Characteristics

(1) Four-card poker shall be played on a table having positions for no more than seven players on one side of the table and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.

(2) The layout for a four-card poker table shall contain, at a minimum:

- (a) The name or trade name of the gaming licensee;
- (b) Separate designated betting areas at each betting position for the placement of the ante wager and the play wager;
- (c) Separate designated betting areas at each betting position for the placement of the aces up wager; and
- (d) An inscription identifying the payout odds for all authorized wagers or a sign identifying the payout odds for all authorized wagers posted at each four-card poker table.

(4) Each four-card poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

146.36: Texas Hold 'em Bonus Poker Table; Physical Characteristics

(1) Texas hold 'em bonus poker shall be played on a table having positions for six players on one side of the table and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.

(2) The layout for a Texas hold 'em bonus poker table shall contain, at a minimum:

- (a) The name or trade name of the gaming licensee;
- (b) A separate designated betting area at each player position for the placement of ante wagers;
- (c) Three separate designated areas at each player position for the placement of flop, turn and river wagers, which areas shall be located immediately above the ante betting area as viewed by a player;
- (d) A separate designated area at each player position for the placement of an optional bonus wager, which area shall be located immediately above and to the right of the flop wager betting area as viewed by a player;
- (e) A separate designated area for the placement of the five community cards, which area shall be located in the center of the table between the table inventory container and the player betting areas;
- (f) A separate designated area for the placement of the dealer's two cards, which

area shall be located between the table inventory container and the designated area for the community cards described in 205 CMR 146.36(2)(e); and

(g) An inscription indicating that an ante wager shall receive a payout if a winning hand has a qualifying rank, as elected by the gaming licensee, of straight or higher or flush or higher.

(3) A sign that lists the payout odds for all authorized wagers shall be posted at each Texas hold 'em bonus poker table.

(4) Each Texas hold 'em bonus poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

146.37: Flop Poker Table; Physical Characteristics

(1) Flop poker shall be played on a table having positions for nine players on one side of the table and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.

(2) The layout for a flop poker table shall contain, at a minimum:

(a) The name or trade name of the gaming licensee;

(b) Three separate designated betting areas at each player position for the placement of ante, pot and flop wagers, with the pot wager area closer to the dealer than the ante and flop wager areas;

(c) An arc extending across all player positions with the areas designated for players' pot wagers on the side of the arc closer to the dealer and with the areas designated for players' ante and flop wagers on the side of the arc farther from the dealer;

(d) A designated area at each player position for the placement of player cards located between the designated areas for the placement of the ante wager and the flop wager;

(e) A designated area at the center of the gaming table for the placement of the three community cards;

(f) A designated area at the center of the gaming table for the placement of collected pot wagers, which area shall be located farther from the dealer than the designated area described in 205 CMR 146.37(2)(b); and

(g) Unless the gaming licensee complies with 205 CMR 146.37(3), an inscription listing the payout odds for ante and flop wagers and indicating that the highest ranking hand wins all pot wagers.

(3) If the information required by 205 CMR 146.37(2)(g) is not inscribed on the layout, a sign shall be posted at each flop poker table that lists the payout odds for ante and flop wagers and indicating that the highest ranking hand wins all pot wagers.

(4) Each flop poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of, the dealer.

(5) In addition to the requirements of 205 CMR 146.37(2), if a gaming licensee offers the three-card bonus wager, the flop poker table shall include a designated betting area at each player position for the placement of the three-card bonus wager. The flop poker table shall also contain a sign setting forth the payout odds for the three-card bonus wager.

146.38: Two-Card Joker Poker Table; Physical Characteristics

(1) Two-card joker poker shall be played on a table having positions for no more than seven players on one side of the table and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.

(2) The layout for a two-card joker poker table shall contain, at a minimum:

- (a) The name or trade name of the gaming licensee;
- (b) Four separate designated betting areas at each player position for the placement of the ante wager, call wager, pair up wager and super flush bonus wager;
- (c) An inscription identifying the payout odds for all authorized wagers unless the gaming licensee chooses to comply with 205 CMR 146.38(3); and
- (d) An inscription indicating that a joker may only be used to complete a pair unless the gaming licensee chooses to comply with 205 CMR 146.38(4).

(3) If the payout odds are not inscribed on the layout as provided in 205 CMR 146.38(2)(c) a sign identifying the payout odds for all authorized wagers shall be posted at each two-card joker poker table.

(4) If the layout is not inscribed with the information described in 205 CMR 146.38(2)(d) a sign shall be posted at each two-card joker poker table indicating that a joker may only be used to complete a pair.

(5) Each two-card joker poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

146.39: Asia Poker Table; Asia Poker Shaker; Physical Characteristics; Computerized Random Number Generator

(1) Asia poker shall be played at a table having places for six players on one side of the table and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.

- (2) The layout for an Asia poker table shall contain, at a minimum, the following:
- (a) The name or trade name of the gaming licensee;
 - (b) Six separate designated betting areas for the players at the table with each area being numbered one through six;
 - (c) Three separate areas located below each betting area, which shall be designated for the placement of the high, medium and low hands of that player and configured with the high hand area farthest from the betting area, the low hand area closest to the betting area, and the medium hand area arrayed between the high hand area and the low hand area; and
 - (d) Three separate areas located in front of the table inventory container designated for the placement of the high, medium and low hands of the dealer and configured with the dealer's high hand area closest to the dealer, the dealer's low hand area farthest from the dealer, and the dealer's medium hand area arrayed between the dealer's high hand area and the dealer's low hand area.
- (3) Each Asia poker table shall have a drop box and tip box attached to it on the same side of the gaming table as, but on opposite sides of the dealer.
- (4) Pursuant to the authorized Rules of the Game of Asia Poker, Asia poker may be played with a container, to be known as an "Asia poker shaker," which shall be used to shake three dice before each hand of Asia poker is dealt in order to determine the starting position for the dealing or delivery of the cards. The Asia poker shaker shall be designed and constructed to contain any feature the Bureau may require to maintain the integrity of the game and shall, at a minimum, adhere to the following specifications:
- (a) The Asia poker shaker shall be capable of housing three dice and shall be designed so as to prevent the dice from being seen while the dealer is shaking it; and
 - (b) The Asia poker shaker shall have the name or identifying logo of the gaming licensee imprinted or impressed thereon.
- (5) As an alternative to using the shaker and dice described 205 CMR 146.39(4), a gaming licensee may determine the starting position for the dealing or delivery of the cards in Asia poker by utilizing a computerized random number generator that automatically selects and displays a number from 1 through 7 inclusive. Any computerized random number generator proposed for use by a gaming licensee shall be approved by the Bureau.

146.40: Ultimate Texas Hold 'em Table; Physical Characteristics

- (1) Ultimate Texas hold 'em shall be played on a table having positions for six players on one side of the table and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.
- (2) The layout for an ultimate Texas hold 'em table shall contain, at a minimum:
 - (a) The name or trade name of the gaming licensee;
 - (b) Four separate designated betting areas at each player position for the placement of ante, blind, play and trips wagers, configured with the trips wager area closest to the dealer, the play wager area farthest from the dealer, the ante wager area arrayed between the trips wager area and the play wager area, and the blind wager area to the right of and separated from the ante wager area by an “=” symbol;
 - (c) A separate designated area for the placement of the five community cards, which area shall be located in the center of the table between the table inventory container and the player betting areas;
 - (d) A separate designated area for the placement of the dealer's two cards, which area shall be located between the table inventory container and the designated area for the community cards described in 205 CMR 146.40(2)(c);
 - (e) An inscription indicating that an ante wager shall push if the dealer has less than a pair; and
 - (f) Unless the gaming licensee complies 205 CMR 146.40(3) an inscription at each player position describing the following:
 1. The payout odds for blind and trips wagers;
 2. That a blind wager shall not be paid unless the player's hand ranks higher than the dealer's hand; and
 3. The rules governing the required amount of a play wager as a multiple of the player's ante wager (three or four times the ante if made prior to any community cards being dealt; two times the ante if made after the flop is dealt but prior to the final two community cards being dealt; or equal to the ante if made after all community cards are dealt but prior to the dealer's cards being revealed).
- (3) If the information required by 205 CMR 146.40(2)(f) is not inscribed on the layout, a sign shall be posted at each ultimate Texas hold 'em table that sets forth such information.
- (4) Each ultimate Texas hold 'em table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

146.41: Winner's Pot Poker Table; Physical Characteristics

- (1) Winner's pot poker shall be played on a table having positions for no more than seven players on one side of the table and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.
- (2) The layout for a winner's pot poker table shall contain, at a minimum:
 - (a) The name or trade name of the gaming licensee;
 - (b) Four separate designated betting areas at each player position for the placement of ante, bet, double and jacks plus bonus wagers, configured in an array so that the jacks plus bonus wager area is closest to the dealer, the double wager area is second closest to the dealer, the bet wager area is third closest to the dealer, and the ante wager area is farthest from the dealer;
 - (c) Three separate designated betting areas for the placement of the ante, bet and double wagers of the dealer, configured in an array in front of the dealer so that the double wager area is closest to the dealer, the bet wager area is the second closest to the dealer, and the ante wager area is farthest from the dealer;
 - (d) A designated area at each player position for the placement of the face up cards of the player, which area shall be located to the left of and adjacent to the wagering areas of the player;
 - (e) A designated area at the center of the gaming table for the placement of the face up cards of the dealer;
 - (f) A designated area at the center of the gaming table for the placement of the collected wagers comprising the winner's pot; and
 - (g) Unless the gaming licensee complies with 205 CMR 146.41(3), inscriptions:
 1. Listing the payout odds for the jacks plus bonus wager; and
 2. Indicating that the winner's pot shall be awarded to the highest ranking hand of a player or the dealer.
- (3) If the information required by 205 CMR 146.41(2)(g) is not inscribed on the layout, a sign shall be posted at each winner's pot poker table that lists the payout odds for the jacks plus bonus wager and indicates that the winner's pot shall be awarded to the highest ranking hand of a player or the dealer. In addition, a sign shall be posted at each winner's pot poker table indicating that:
 - (a) The ante wager of a player who folds after the first three cards are dealt does not increment the winner's pot and is placed in the table inventory container;
 - (b) The percentage or, if applicable, the dollar amount of the commission that shall be deducted from the winner's pot and placed in the table inventory container; and
 - (c) The outcome of a jacks plus bonus wager of a player who has folded his or her hand shall be determined on the cards dealt to the player prior to folding.

(4) Each winner's pot poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

146.42: Supreme Pai Gow Table; Pai Gow Poker Shaker; Physical Characteristics;
Computerized Random Number Generator

(1) Supreme pai gow shall be played at a table having places for six players on one side of the table and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.

(2) The layout for a supreme pai gow table shall contain, at a minimum:

- (a) The name or trade name of the gaming licensee;
- (b) Six separate designated betting areas for the players at the table for placement of the supreme pai gow wager with each area being numbered one through six;
- (c) Two separate areas located below each betting area which shall be designated for the placement of the high and low hands of that player and configured with the high hand area farther from the betting area;
- (d) Two separate areas located in front of the table inventory container designated for the placement of the high and low hands of the dealer and configured with the dealer's high hand closer to the dealer; and
- (e) A separate designated area at each player position for placement of the bonus wager, which area shall be located immediately above and to the right of the supreme pai gow wagering area as viewed by the player.

(3) Each supreme pai gow table shall have a drop box and tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

(4) Pursuant to the authorized Rules of the Game of Supreme Pai Gow, supreme pai gow may be played with a container, to be known as a "pai gow shaker," which shall be used to shake three dice before each hand of supreme pai gow is dealt in order to determine the starting position for the dealing or delivery of the cards. The pai gow shaker shall be designed and constructed to contain any feature the Bureau may require to maintain the integrity of the game and shall, at a minimum, adhere to the following specifications:

- (a) The pai gow shaker shall be capable of housing three dice and shall be designed so as to prevent the dice from being seen while the dealer is shaking it; and
- (b) The pai gow shaker shall have the name or identifying logo of the gaming licensee imprinted or impressed thereon.

(5) As an alternative to using the shaker and dice described in 205 CMR 146.42(4), a gaming licensee may determine the starting position for the dealing or delivery of the cards in supreme pai gow by utilizing a computerized random number generator that automatically selects and displays a number from 1 through 7 inclusive. Any

computerized random number generator proposed for use by a gaming licensee shall be approved by the Bureau.

146.43: Mississippi Stud; Physical Characteristics

- (1) Mississippi stud shall be played on a table having betting positions for six players on one side of the table and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.
- (2) The layout for a Mississippi stud table shall contain, at a minimum:
 - (a) The name or trade name of the gaming licensee;
 - (b) A separate designated betting area at each betting position for the placement of the ante wager;
 - (c) Three separate designated betting areas at each betting position for the placement of the 3rd street, 4th street and 5th street wagers, which areas shall be located closer to the player than the ante wager betting area and, when viewed by the player, arrayed from left to right;
 - (d) Inscriptions at each betting position providing that:
 1. All bet wagers shall be in an amount equal to one, two or three times the amount of the player's ante; and
 2. The payout odds for all authorized wagers; and
 3. Three separate designated areas in front of the dealer for the placement of the community cards, with one area inscribed "3rd street," a second area inscribed "4th street," and a third area inscribed "5th street."
- (3) Each Mississippi stud table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of, the dealer.

146.44: Red Dog Table; Physical Characteristics

- (1) Red dog shall be played at a table having on one side places for no more than seven players and on the opposite side a place for the dealer. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.
- (2) The layout for a red dog table shall contain, at a minimum:
 - (a) The name or trade name of the gaming licensee offering the game;
 - (b) Two separate designated betting areas for each player, clearly marked to distinguish between the original wager and the raise wager, and situated so that the betting area for the raise wager is closer to the player than the betting area for the original wager;
 - (c) An area designated for the placement of the first, second and third card; and
 - (d) The payout odds currently being offered in accordance with the authorized

Rules of the Game of Red Dog.

- (3) Each red dog table shall have a drop box and a tip box attached to it with the location of said boxes on the same side of the gaming table but on opposite sides of the dealer.

146.45: Dice: Physical Characteristics

- (1) Except as otherwise provided in 205 CMR 146.45(2), each die used in gaming shall:
 - (a) Be formed in the shape of a perfect cube and of a size no smaller than 0.750 of an inch on each side nor any larger than 0.775 of an inch on each side;
 - (b) Be transparent and made exclusively of cellulose except for the spots, name or trade name of the gaming licensee and serial number or letters contained thereon;
 - (c) Have the surface of each of its sides perfectly flat and the spots contained in each side perfectly flush with the area surrounding them;
 - (d) Have all edges and corners perfectly square and forming perfect 90 degree angles;
 - (e) Have the texture and finish of each side exactly identical to the texture and finish of all other sides;
 - (f) Have its weight equally distributed throughout the cube and no side of the cube heavier or lighter than any other side of the cube;
 - (g) Have its six sides bearing white circular spots from one to six respectively with the diameter of each spot equal to the diameter of every other spot on the die;
 - (h) Have spots arranged so that the side containing one spot is directly opposite the side containing six spots, the side containing two spots is directly opposite the side containing five spots and the side containing three spots is directly opposite the side containing four spots; each spot shall be placed on the die by drilling into the surface of the cube and filling the drilled out portion with a compound which is equal in weight to the weight of the cellulose drilled out and which forms a permanent bond with the cellulose cube, and shall extend into the cube exactly the same distance as every other spot extends into the cube to an accuracy tolerance of .0004 of an inch; and
 - (i) Have imprinted or impressed thereon the name or trade name of the gaming licensee in which the die is being used.
- (2) Each die used in gaming at pai gow, pai gow poker, supreme pai gow or Asia poker shall comply with the requirements 205 CMR 146.45(1) except as follows:
 - (a) Each die shall be formed in the shape of a perfect cube and of a size no smaller than .637 of an inch on each side nor any larger than .643 of an inch on each side;
 - (b) Instead of the name of the gaming licensee, a gaming licensee may, with the approval of the Bureau, have an identifying mark or logo imprinted or impressed on each die; and
 - (c) The spots on each die do not have to be equal in diameter.

(3) Each die used in gaming at mini-dice shall comply with the requirements of 205 CMR 146.45(1) or (2).

146.46: Dice: Receipt, Storage, Inspections, and Removal From Use

(1) When boxes of dice are received for use by the gaming licensee from the manufacturer or distributor thereof, at least two individuals, one of whom shall be from the games department and the other from the security department or accounting department, shall record on an inventory log as required in 205 CMR 146.46(2) the number of dice received. The individuals shall place boxes of dice in a locked cabinet in the cashiers' cage or within a primary or other secure storage area approved by the Bureau. Secure storage areas shall be used for the storage of surplus dice. Dice maintained in secure storage areas shall not be distributed to gaming pits or tables for use in gaming until the dice have been moved to a primary storage area.

(2) The gaming licensee shall maintain a log for each approved storage area to separately account for dice in accordance with an inventory system. The inventory system shall include the following:

(a) A dice inventory system, which shall include, at a minimum, the recordation of the following:

1. Balance of dice on hand and their location;
2. Dice received from the vendor;
3. Dice removed from storage;
4. Dice returned to storage;
5. Date of:
 - a. Receipt from vendor;
 - b. Removal from storage;
 - c. Return to storage; and
 - d. Physical inventory of dice.
6. Signatures of the games department and security and/or accounting department representatives participating in the procedure;
7. A reconciliation, on a daily basis, of the dice distributed, destroyed, and cancelled; returned to the storage area; in use on an open gaming table for more than 24 hours; and in dice reserve, if any; and
8. A physical inventory of the dice at least once every three months. This inventory shall be performed by an individual with no incompatible functions and shall be verified to the balance of dice on hand as required in accordance with 205 CMR 146.46(2). Any discrepancies shall immediately be reported to the Bureau.

(3) All approved storage areas and pit stands used to store dice for more than one gaming day, other than the cashiers' cage, shall have two separate locks. The security department shall maintain one key and the games department or cashiers' cage shall maintain the

other key; provided, however, that no person employed by the games department below the table games shift manager in the organization hierarchy shall have access to the games department key. Dice stored in a cabinet within the cashiers' cage shall be secured by a lock, the key to which shall be maintained by a table games shift manager or games supervisor thereof.

(4) When removing dice from the primary storage area, a representative of the games department, in the presence of a security officer, shall remove the appropriate number of dice. The representative of the games department may be the table games shift manager or a games supervisor thereof, or an employee of the games department who reports directly to the shift manager, but shall in any event be licensed as a key gaming employee and shall have no direct supervisory responsibilities over the operation and conduct of the table games in a pit during that gaming day. This individual shall distribute sufficient dice to the table games supervisor. Dice in the pit stand shall be placed in a locked compartment, the keys to which shall be in the possession of the table games supervisor or supervisor thereof. If dice are stored in the pit stand for more than one gaming day, the pit stand shall be equipped with a second lock, the key to which shall be maintained and controlled by the security department. The security lock on the pit stand shall be used whenever the pit is closed.

(5) All envelopes and containers used in this section for dice pre-inspected at the pit stand or in a primary storage area and for those collected by security shall be transparent. The envelopes or containers and the method used to seal them shall be designed or constructed so that any tampering shall be evident.

(6) All dice shall be inspected and distributed to the gaming tables in accordance with one of the following applicable alternatives:

(a) Alternative No. 1: Distribution to and inspection at craps, mini-craps, mini-dice, or sic bo tables shall be as follows:

1. The table games shift manager or games supervisor thereof and the security officer who removed the dice from the primary storage area shall distribute sufficient dice directly to the games supervisor in each pit, or place them in a locked compartment in the pit stand, the keys to which shall be in the possession of the games supervisor or a supervisor thereof;
2. Immediately upon opening a table for gaming, the games supervisor shall distribute a set of dice to the table. At the time of receipt, a boxperson at each craps table and the floorperson at each sic bo, mini-dice, mini-craps table, in order to ensure that the dice are in a condition to assure fair play and otherwise conform to M.G.L. c. 23K and 205 CMR 146, shall, in the presence of the dealer, inspect the dice given to him or her with a micrometer or any other approved instrument that performs the same function, a balancing caliper, a steel set square, and a magnet, which instruments shall be kept in a compartment at each craps table or pit stand

and shall be at all times readily available for inspection and use by the Bureau;

3. Following the inspection in 205 CMR 146.46(2):

- a. For craps, the boxperson shall, in the presence of the dealer, place the dice in a cup on the table for use in gaming, and while the dice are at the table, they shall never be left unattended;
- b. For mini-craps, the floorperson shall, in the presence of the dealer, place the dice in a cup on the table for use in gaming, and while the dice are at the table, they shall never be left unattended; and
- c. For sic bo and mini-dice, the floorperson shall, in the presence of the dealer, place the required number of dice into the shaker and seal or lock the shaker. For sic bo, the floorperson shall then secure the sic bo shaker to the table in the presence of the dealer who observed the inspection. For mini-dice, the floorperson shall then give the sealed mini-dice shaker to the dealer, who shall be primarily responsible for the security of the shaker at all times while the shaker is available for use at the table; and
- d. The games supervisor shall place extra dice for dice reserve in the pit stand. Dice in the pit stand shall be placed in a locked compartment, the key to which shall be in the possession of the games supervisor or a supervisor thereof. No dice taken from this reserve shall be used for actual gaming until and unless inspected in accordance with 205 CMR 146.46(2).

(b) Alternative No. 2: Distribution to and inspection at the pit stand shall be as follows:

1. The table games shift manager or supervisor thereof and the security officer who removed the dice from the primary storage area shall distribute the dice directly to the games supervisor identified, who will perform the inspection in each pit.
2. The inspection of the dice at the pit stand shall be performed by:
 - a. For craps and mini-craps, a boxperson or floorperson in the presence of another boxperson or floorperson, both of whom are assigned the responsibility of supervising the operation and conduct of a craps game; and
 - b. For sic bo, mini-dice, pai gow, pai gow poker, supreme pai gow, or asia poker, a floorperson, in the presence of another floorperson, both of whom are assigned the responsibility of supervising the operation and conduct of such games.
3. To ensure that the dice are in a condition to assure fair play and otherwise conform to M.G.L. c. 23K and 205 CMR 146, the dice shall be inspected with a micrometer or any other approved instrument that

performs the same function, a balancing caliper, a steel set square, and a magnet, which instruments shall be kept at the pit stand and shall be at all times readily available for inspection and use by the Bureau. The inspection shall be performed on a flat surface, which allows the dice inspection to be observed through closed circuit television cameras and by any persons in the immediate vicinity of the pit stand.

4. After completion of the inspection, the dice shall be distributed as follows:

- a. For craps and mini-craps, the boxperson or floorperson who inspected the dice shall, in the presence of the other boxperson or floorperson who observed the inspection, distribute such dice to the boxperson assigned at each craps table or to the floorperson assigned at each mini-craps table. The craps boxperson or the mini-craps floorperson shall, in the presence of the dealer, place the dice in a cup on the table for use in gaming, and while the dice are at the table they shall never be left unattended;
- b. For sic bo and mini-dice, the floorperson who inspected the dice shall, in the presence of the other floorperson who observed the inspection, place the required number of dice into the shaker and seal or lock the shaker. For sic bo, the floorperson shall then secure the sic bo shaker to the table in the presence of the other floorperson who observed the inspection. For mini-dice, the floorperson shall then give the sealed mini-dice shaker to the dealer, who shall be primarily responsible for the security of the shaker at all times while the shaker is available for use at the table; and
- c. For pai gow, pai gow poker, supreme pai gow, or asia poker, the floorperson who inspected the dice shall, in the presence of the other floorperson who observed the inspection, distribute such dice directly to the dealer at each pai gow, pai gow poker, supreme pai gow, or asia poker table. The dealer shall immediately place the dice in the pai gow, pai gow poker, supreme pai gow, or asia poker shaker.

5. The games supervisor shall place extra sets of dice for dice reserve in the pit stand, as follows:

- a. Dice in the pit stand shall be placed in a locked compartment, the key to which shall be in the possession of the games supervisor or a supervisor thereof.
- b. Except as otherwise provided in 205 CMR 146.46(6), all dice taken from the reserve shall be re-inspected by a games supervisor in the presence of another games supervisor in accordance with the inspection procedures set forth in 205 CMR 146.46(6)(a)2, prior to their use for actual gaming.

c. In accordance with 205 CMR 146.46(6), previously inspected reserve dice may be used for gaming without being reinspected, if they are maintained in a locked compartment in the pit stand, the key for which shall be in the possession of the games supervisor or games supervisor thereof.

d. In accordance with 205 CMR 146.46(6) and as an additional alternative to 205 CMR 146.46(6)(a)-(b), previously inspected reserve dice may be used for gaming without being reinspected, if they are maintained in a locked compartment in the pit stand in accordance with the following procedures:

i. For craps and mini-craps, a set of at least five dice, after being inspected, shall be placed in a sealed envelope or container. A label that identifies the date of inspection and contains the signatures of those responsible for the inspection shall be attached to each envelope or container.

ii. For sic bo and mini-dice, the required number of dice, after being inspected, shall be placed in a sealed envelope or container or sealed or locked in a sic bo or mini-dice shaker. A label or seal that identifies the date of inspection and contains the signatures of those responsible for the inspection shall, respectively, be attached to each envelope or container or placed over the area that allows access to open the sic bo or mini-dice shaker.

iii. For pai gow, pai gow poker, supreme pai gow, and asia poker, a set of three dice, after being inspected, shall be placed in a sealed envelope or container. A label that identifies the date of inspection and contains the signatures of those responsible for the inspection shall be attached to each envelope or container.

(c) Alternative No. 3: Inspection in primary storage area and distribution to tables shall be as follows:

1. Inspection of dice for all table games in an approved primary storage area shall be performed by a games supervisor and a table games shift manager, in the presence of a security officer.

2. The dice shall be inspected with a micrometer or any other approved instrument that performs the same function, a balancing caliper, a steel set square, and a magnet to ensure that the dice are in a condition to assure fair play and otherwise conform to M.G.L. c. 23K and 205 CMR. These instruments shall be maintained in the storage area and shall be at all times readily available for inspection and use by the Bureau.

3. After completion of the inspection, the person performing the inspection shall seal the dice as follows:

a. For craps and mini-craps, after each set of at least five dice are inspected, they shall be placed in a sealed envelope or container;

- provided, however, that reserve dice may be placed in individual sealed envelopes or containers. A label that identifies the date of the inspection and contains the signatures of those responsible for the inspection shall be attached to each envelope or container;
- b. For sic bo and mini-dice, after each set of dice are inspected, they shall be sealed or locked in a manual shaker. A seal that identifies the date of the inspection and contains the signatures of those responsible for the inspection shall then be placed over the area that allows access to open the shaker;
 - c. For pai gow, pai gow poker, supreme pai gow, or asia poker, after each set of three dice are inspected, they shall be placed in a sealed envelope or container. A label that identifies the date of the inspection and contains the signatures of those responsible for the inspection shall be attached to each envelope or container; and
4. At the beginning of each gaming day and at such other times as may be necessary, a table games shift manager or games supervisor thereof and a security officer shall distribute the dice as follows:
- a. For craps and mini-craps, the sealed envelopes or containers of dice shall be distributed to a games supervisor in each craps or mini-craps pit or placed in a locked compartment in the pit stand by the games supervisor. When the sealed dice are distributed to the craps or mini-craps table, a boxperson at each craps table or a floorperson at each mini-craps table, after assuring the seals are intact and free from tampering, shall open the sealed envelope or container, in the presence of the dealer, and place the dice in a cup on the table for use in gaming. While dice are on the table, they shall never be left unattended.
 - b. For sic bo and mini-dice, the sealed manual shakers shall be distributed to the games supervisor supervising the game. For sic bo, the games supervisor shall then secure the manual sic bo shaker to the table. For mini-dice, the games supervisor shall give the sealed mini-dice shaker to the dealer who shall be primarily responsible for the security of the shaker at all times while the shaker is available for use at the table.
 - c. For pai gow, pai gow poker, supreme pai gow, or asia poker, the sealed envelope or container shall be distributed to a games supervisor in each pai gow, pai gow poker, supreme pai gow, or asia poker pit or placed in a locked compartment in the pit stand. When the sealed dice are distributed to the pai gow, pai gow poker, supreme pai gow, or asia poker table by the games supervisor, a floorperson, after assuring the seal and envelopes or containers are intact and free from tampering, shall open the sealed envelope or container, in the presence of the dealer, and place the dice in the pai gow, pai gow poker, supreme pai gow, or asia poker shaker.

d. When the envelope or container or the seal is damaged, broken, or shows indication of tampering, the dice shall not be used for gaming activity unless the dice are re-inspected as follows:

i. For craps, mini-craps, mini-dice, and sic bo, in accordance with the procedures in 205 CMR

146.46(6)(a)(2); and

ii. For pai gow, pai gow poker, supreme pai gow, or asia poker, in accordance with the procedures in 205 CMR 146.46(6)(a)(2).

e. The games supervisor shall place extra dice for dice reserve in the pit stand. Dice in the pit stand shall be placed in a locked compartment, the key to which shall be in the possession of the games supervisor or supervisor thereof.

f. A micrometer or any other approved instrument that performs the same function, a balancing caliper, a steel set square, and a magnet shall also be maintained in a locked compartment in each pit stand, and each such instrument shall be at all times readily available for inspection and use by the Bureau.

g. Any primary storage area in which dice are inspected in accordance with this section, shall be equipped with closed circuit television camera coverage capable of observing the entire inspection procedure.

5. The gaming licensee shall remove any dice at any time of the gaming day if there is any indication of tampering, flaws, or other defects that might affect the integrity or fairness of the game or at the request of the Bureau.

6. At the end of each gaming day or at such other times as may be necessary, the games supervisor shall visually inspect each die for evidence of tampering. Such evidence discovered at this time or at any other time shall be immediately reported to the security department and the Bureau. A security department member shall complete a two-part Discrepancy Report (Report) comprised of an original and duplicate, which along with the evidence, shall be retrieved by an agent of Bureau. The original and duplicate shall contain at a minimum:

a. Date and shift of inspection;

b. Name of games supervisor conducting the inspection. The inspection required by this subsection shall be performed by a games supervisor other than the one who originally inspected the dice;

c. Pit number, table number, and type of game;

d. Description (for example, shaved corners);

e. Signature of games supervisor conducting the inspection;

f. Signature of security representative taking custody of the die; and

g. The signature of the agent of the Bureau inspecting or accepting the die. The Bureau agent shall retain the original and return the duplicate to the security department. A receipt shall be issued to the agent of the Bureau for any die retained by the Bureau. The receipt shall be signed by the security representative releasing the die to the Bureau and the agent of the Bureau accepting the die. The receipt shall be retained with the security department copy of the Report. Any die not retained by the Bureau shall be destroyed in accordance with the licensee's destruction procedures.

7. Any dice showing evidence of tampering shall be placed in a sealed envelope or container. A label shall be attached to each envelope or container, which shall identify the table number, date, and time and shall be signed by a person assigned to directly operate and conduct the game at that table and a games supervisor assigned the responsibility for supervising the operation and conduct of such game. The security officer taking custody of the dice and delivering the dice to the Bureau shall also sign the label.

8. All other dice not showing evidence of tampering shall be put into envelopes or containers at this time. A label shall be attached to each envelope or container which shall identify the table number, date, and time and shall be signed by the appropriate persons identified in 205 CMR 146.46(4). The envelope or container shall be appropriately sealed and maintained within the pit until collection by a security officer.

9. All extra dice in dice reserve that are to be destroyed or cancelled shall be placed in a sealed envelope or container, with a label attached to each envelope or container that identifies the date and time and is signed by the games supervisor.

10. At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the gaming licensee, and at such other times as may be necessary, a security officer shall collect and sign all envelopes or containers of used dice and any dice in dice reserve that are to be destroyed or cancelled and shall transport them to the security department for cancellation or destruction. No dice that have been placed in a cup or shaker for use in gaming shall remain on a table for more than 24 hours.

11. At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the gaming licensee and, and at such other times as may be necessary, a table games shift manager or games supervisor thereof may collect all extra dice in dice reserve. If collected, dice shall be returned to the primary storage area; provided, however, that any dice that have not been inspected and sealed pursuant to the requirements in 205 CMR 146.46(6)(c) shall, prior to use for actual gaming, be inspected as follows:

- a. For craps, mini-craps, mini-dice, or sic bo, in accordance with the requirements in 205 CMR 146.46(6)(b)(4)(b); and
- b. For pai gow, pai gow poker, supreme pai gow, or asia poker, in accordance with the requirements in 205 CMR 146.46(6). If not collected, all dice in dice reserve must be reinspected prior to their use for gaming, except for those dice maintained in a locked compartment.

12. Other than dice retained for Bureau inspection, dice shall be cancelled or destroyed within 72 hours of collection by the security department. In addition, once dice retained as evidence by the Bureau are released to the security department, the dice shall immediately be destroyed or cancelled. Destruction and cancellation of dice shall take place in a secure place, the location and physical characteristics of which shall be approved by the Bureau. The adequacy of the destruction and cancellation process shall be approved by the Bureau. Destruction of dice shall be by shredding by the security department or a vendor approved by the Bureau. Cancellation of dice by the security department shall be by drilling a circular hole of at least one fourth of an inch in diameter through the center of each die.

146.47: Manual and Automated Dice Shakers: Security Procedures

(1) Manual sic bo shakers and mini-dice shakers which have been filled with dice in accordance with 205 CMR 146.46 may only be stored in a locked compartment in the primary storage area. Manual sic bo shakers and mini-dice shakers which have not been filled with dice may be stored in a locked compartment in the pit stand. An automated dice shaker which has been filled with dice must be secured to the gaming table at all times. An automated dice shaker which has not been filled with dice may be stored in a locked compartment in the pit stand.

(2) At the end of each gaming day a pit manager shall inspect all sic bo shakers, mini-dice shakers and automated dice shakers that have been placed in use for gaming for evidence of tampering. Such evidence discovered at this time shall be immediately reported to the Bureau. At a minimum, such reports shall include:

- (a) The date and time when the tampering was discovered;
- (b) The table number where the shaker was used; and
- (c) The name and license number of the individual discovering the tampering.

146.48: Cards: Physical Characteristics

(1) Cards used to play authorized table games shall be in decks of 52 cards, except as otherwise authorized by 205 CMR 146.48(8), with each card identical in size and shape to every other card in such deck.

- (2) Each deck shall be composed of four suits: diamonds, spades, clubs and hearts, or as otherwise authorized by 205 CMR 146.48(8).
- (3) Each suit shall be composed of 13 cards: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. The face of the ace, king, queen, jack, and 10 value cards may contain an additional marking, which will permit a dealer, prior to exposing his or her hole card at the game of blackjack, to determine the value of that hole card.
- (4) The backs of each card in the deck shall be identical and no card shall contain any marking, symbol or design that will enable a person to know the identity of any element printed on the face of the card or that will in any way differentiate the back of that card from any other card in the deck.
- (5) The backs of all cards in the deck shall be designed so as to diminish as far as possible the ability of any person to place concealed markings thereon.
- (6) The design to be placed on the backs of cards used by gaming licensees shall contain the name or trade name of the gaming licensee and shall be submitted to the Bureau prior to use of such cards in gaming activity.
- (7) Each deck of cards shall be packaged separately or in a set containing the number of decks authorized by 205 CMR 146.48 and selected by a gaming licensee for use in a particular table game. Each package of cards shall be sealed in a manner so as to provide evidence of any tampering with the package. If multiple decks of cards are packaged and sealed in a set:
- (a) The package shall have a label affixed thereto that indicates or contain a window that reveals an adequate description of the contents of the package, including without limitation, the name of the gaming licensee for which the cards were manufactured, the type of cards, the color(s) of the backs of the cards, the date and time that the cards were manufactured, and the total number of cards in the set; and
 - (b) No deck of cards shall be separated from the set for independent use at a table game.
- (8) Nothing in this section shall prohibit a manufacturer from manufacturing decks of cards with one or more jokers contained therein; provided, however, such jokers shall not be used by the gaming licensee in the play of any game other than pai gow poker, two-card joker poker, Asia poker or supreme pai gow in accordance with the provisions of the authorized Rules of the Game of Pai Gow Poker, Two Card Joker Poker, Asia Poker, and Supreme Pai Gow.
- (9) In addition to satisfying the requirements of this section, the cards used by a gaming licensee at poker must:

- a. Be visually distinguishable from the cards used by that gaming licensee to play any other table game; and
- b. Be made of plastic.

10. Each gaming licensee which elects to offer the game of poker shall be required to have and use on a daily basis at least four visually distinguishable card backings for the cards to be used at the game of poker. These card backings may be distinguished, without limitation, by different logos, different colors or different design patterns.

146.49: Cards: Receipt, Storage, Inspections, and Removal From Use

(1) When decks of cards are received for use in the gaming establishment from the manufacturer or distributor thereof, at least two individuals, one of whom shall be from the casino games department and the other from the security department or accounting department, shall record on an inventory log required in 205 CMR 146.46(2), the number of decks received. The individuals shall place the decks of cards in a locked cabinet in the cashiers' cage or within a primary or secondary storage area located in the cashiers' cage or in another secure place approved by the Bureau. Secondary storage areas shall be used for the storage of surplus decks of cards. Decks of cards maintained in secondary storage areas shall not be distributed to gaming pits or tables for use in gaming until the decks have been moved to a primary storage area. A gaming licensee may have a separate storage area approved by the Bureau for decks of cards to be used at the game of poker.

(2) The gaming licensee shall maintain an inventory log (manual or electronic) for each approved storage area, to separately account for decks of cards packaged individually and in sets of multiple decks in accordance with the gaming licensee's card inventory system, which shall include the recordation of the following:

- (a) The decks of cards received from the vendor;
- (b) The decks of cards removed from storage;
- (c) The decks of cards returned to storage;
- (d) The date of receipt of, removal from, return to, or physical inventory;
- (e) The signatures of the games, security and/or accounting department personnel participating in the procedure;
- (f) A reconciliation on a daily basis of the decks of cards distributed, destroyed and cancelled, returned to the storage area, in use on an open gaming table for more than 24 hours and, if any, in card reserve; and
- (g) A physical inventory of the decks of cards at least once every three months. This inventory shall be performed by an individual with no incompatible functions and shall be verified to the balance of decks of cards on hand as required in accordance with 205 CMR 149(1).
- (h) Any discrepancies shall immediately be reported to the Bureau.

(3) All primary, secondary, poker storage areas, and pit stands used to store cards for more than one gaming day, other than the cashiers' cage, shall have two separate locks. The security department shall maintain one key and the games department or cashiers' cage shall maintain the other key; provided, however, that no person employed by the games department below the table games shift manager in the organizational hierarchy shall have access to the games department key for the primary and secondary storage areas and no person below the poker shift supervisor in the organizational hierarchy shall have access to the games department key to the poker storage area. Decks of cards stored in a cabinet within the cashiers' cage shall be secured by a lock, the key to which shall be maintained by a table games shift manager or supervisor thereof.

(4) When removing cards from the primary storage area, a representative of the games department, in the presence of a security officer, shall remove the appropriate number of decks of cards. The representative of the games department may be the table games shift manager or a supervisor thereof, or an employee of the games department who reports directly to the shift manager, and shall be licensed as a gaming key employee and shall have no direct supervisory responsibilities over the operation and conduct of the table games in a pit during that gaming day. This individual shall distribute sufficient decks to the table games supervisor and, if applicable, to the poker shift supervisor. Decks of cards in the pit stand shall be placed in a locked compartment, the keys to which shall be in the possession of the table games supervisor or the poker shift supervisor or supervisor thereof. If decks of cards are stored in the pit stand for more than one gaming day, the pit stand shall be equipped with a second lock, the key to which shall be maintained and controlled by the security department.

- (a) If the decks are to be inspected at open gaming tables pursuant to 205 CMR 149(6), the table games supervisor shall distribute the decks to the dealer at each table or the poker shift supervisor shall transport the decks to the poker pit stand for subsequent distribution to the dealer at each poker table either directly or through the floorperson assigned to supervise the dealer.
 - (i) Prior to distributing decks to each poker table, the poker shift supervisor or floorperson shall examine each deck to determine if any replacement cards are necessary pursuant to 205 CMR 149(6). If needed, the poker shift supervisor or floorperson shall place the appropriate replacement cards into the deck from the cards held in reserve at the pit stand. Upon insertion of the replacement cards into the deck, the poker shift supervisor or floorperson shall re-examine the front of each card and the back of each card to ensure a consistent shading pattern and to ensure that the condition of the deck with the inclusion of the replacement cards has sufficient quality in order to maintain the integrity of gaming at poker.
 - (ii) If the integrity of gaming at poker would in any way be compromised by the use of the deck with the replacement cards, the entire deck of cards shall be placed in a sealed envelope or container, identified with the date and time and

shall be signed by the poker shift supervisor. The poker shift supervisor shall maintain the envelope or container in a secure place within the pit stand until collection by a security officer.

(5) When removing cards from the poker storage area, the poker shift supervisor or supervisor thereof and a casino security officer shall, prior to the commencement of each gaming day and at such other times as may be necessary, remove the appropriate number of decks from the poker storage area and distribute the decks in accordance with the provisions of 205 CMR 146.49(4)(a). The number of decks distributed shall include extra decks that shall be placed in the pit stand for card reserve. Decks of cards in the pit stand shall be placed in a locked compartment, the keys to which shall be in the possession of the poker shift supervisor or supervisor thereof. If decks of cards are stored in the pit stand for more than one gaming day, the pit stand shall be equipped with a second lock, the key to which shall be maintained and controlled by the security department.

(6) With the exception of cards which are pre-inspected and pre-shuffled, each deck of cards shall be inspected by a dealer and the inspection verified by a table games supervisor prior to the use of the cards on a gaming table.

(a) Card inspection at an open gaming table shall require each deck of cards to be sorted into sequence and into suit and a visual inspection of the back of each card. If, after inspecting the cards, the dealer finds that a card is unsuitable for use or an extra card is found, the following procedures shall be observed:

(i) If a card is unsuitable for use:

1. A poker shift supervisor or games supervisor shall bring a substitute card from the card reserve in the pit stand;
2. The unsuitable card shall be placed in a sealed envelope or container, identified by table number, date, and time and shall be signed by the dealer and floorperson assigned to that table; and
3. The poker shift supervisor or games supervisor shall maintain the envelope or container in a secure place within the pit until collection by a casino security officer; or

(ii) If an extra card is found:

1. The poker shift supervisor or games supervisor shall place the extra card in a sealed envelope or container, identified by table number, date and time and signed by the dealer and floorperson assigned to that table; and
2. The poker shift supervisor or games supervisor shall maintain the envelope or container in a secure place within the pit until collection by a casino security officer.

(b) The envelopes or containers and the method used to seal them shall be designed or constructed so that any tampering shall be evident.

(7) Any cards which have been opened and placed on a gaming table shall be changed at least every 24 hours. Notwithstanding the foregoing:

- (a) Except as otherwise provided in 205 CMR 146.49(7)(e) for baccarat and in 146.18(c) for mini-baccarat, cards opened for use on a baccarat, mini-baccarat, or fast action hold 'em table shall be changed at least once during the gaming day;
- (b) Cards opened for use on a pai gow poker, Caribbean stud poker, let it ride poker, Colorado hold 'em poker, Boston 5 stud poker, double cross poker, four-card poker, Texas hold 'em bonus poker, ultimate Texas hold 'em poker, two-card joker poker, flop poker, Asia poker, winner's pot poker, supreme pai gow, Mississippi stud or three-card poker table and dealt from a dealing shoe and cards opened for use on a double down stud table and dealt from the hand shall be changed at least every eight hours;
- (c) Cards opened for use on a pai gow poker, Caribbean stud poker, let it ride poker, Colorado hold 'em poker, Boston 5 stud poker, double cross poker, four-card poker, Texas hold 'em bonus poker, ultimate Texas hold 'em poker, flop poker, two-card joker poker, Asia poker, winner's pot poker, supreme pai gow, Mississippi stud or three-card poker table and dealt from the dealer's hand shall be changed at least every four hours;
- (d) Cards opened for use on a blackjack table offering the 6 to 5 blackjack variation shall be changed at least every four hours;
- (e) Cards opened for use on a baccarat table using the alternative dealing procedure shall be changed after each shoe;
- (f) Cards opened for use on a poker table shall be changed at least every six hours; and
- (g) Cards opened for use on a blackjack, Spanish 21 or double attack blackjack table, or on a mini-baccarat table using the alternative dealing procedures of a continuous shuffling shoe or device as set forth in ~~Section 14 of~~ the Authorized Rules of the Game ~~for of~~ Mini-Baccarat, may be used for no more than 48 hours if the following requirements are satisfied:
 - 1. The gaming table shall remain open for gaming during the entire period of card usage;
 - 2. At least six decks of cards shall be used to play the game; and
 - 3. A table games shift manager shall identify for the surveillance department those gaming tables at which cards are in use for the extended period.

(8) Cards damaged during course of play shall be replaced by the dealer who shall request a floorperson or supervisor thereof for the game of poker or casino supervisor for all other games to bring cards in substitution from the pit stand.

- (a) The damaged cards shall be placed in a sealed envelope, identified by table number, date and time and shall be signed by the dealer and the individual who brought the replacement card to the table.

(b) The poker shift supervisor or casino supervisor shall maintain the envelopes or containers in a secure place within the pit until collection by a casino security officer.

(9) At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the gaming licensee, or at the end of the extended period pursuant to 205 CMR 146.49(7)(g), and at such other times as may be necessary, the floorperson or supervisor thereof for the game of poker or casino supervisor for all other games shall collect all used cards required to be removed from play.

(a) These cards shall be placed in a sealed envelope or container. A label shall be attached to each envelope or container which shall identify the table number, date and time and shall be signed by the dealer and floorperson assigned to the table.

(b) The poker shift supervisor or casino supervisor shall maintain the envelopes or containers in a secure place within the pit until collection by a casino security officer.

(10) The gaming licensee shall remove any cards at any time during the day if there is any indication of tampering, flaws, scratches, marks or other defects that might affect the integrity or fairness of the game, or at the request of the Bureau.

(11) Except for decks that have been pre-shuffled and pre-inspected in accordance with 205 CMR 146.50, all extra decks or packaged sets of multiple decks in card reserve with broken seals shall be placed in a sealed envelope or container, with a label attached to each envelope or container that contains the number of decks or packaged sets of multiple decks, as applicable, included therein, the date and time and the signature of the floorperson or supervisor thereof for poker and the pit boss for all other games.

(12) At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the gaming licensee, and at such other times as may be necessary, a security officer shall collect and sign all envelopes or containers with damaged cards, cards required to be removed that gaming day, and all extra decks in card reserve with broken seals, except those that have been pre-shuffled and pre-inspected in accordance with 205 CMR 146.50, and shall return the envelopes or containers to the security department.

(13) At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the gaming licensee, and at such other times as may be necessary, a table games shift manager or games supervisor thereof may collect all extra decks in card reserve. If the gaming licensee maintains a separate storage area for poker cards, a poker shift supervisor or supervisor thereof may collect all extra decks in card reserve for the game of poker. If collected, all sealed decks shall either be cancelled or destroyed or returned to the storage area.

(14) When the envelopes or containers of used cards and reserve cards with broken seals are returned to the casino security department, they shall be inspected for tampering, marks, alterations, missing or additional cards or anything that might indicate unfair play.

- (a) For cards used in blackjack, Spanish 21, double attack blackjack, double cross poker, red dog, casino war, fast action hold 'em, or mini-baccarat using the dealing procedures in the authorized Rules of the Game, the gaming licensee shall cause to be inspected either:
 - (i) All decks used during the day; or
 - (ii) A sample of decks selected at random or in accordance with an approved stratification plan, provided that the procedures for selecting the sample size and for assuring a proper selection of the sample are submitted to and approved by the Bureau. This sample shall be collected, stored and inspected separately from the sample required by 205 CMR 146.49(14)(b), and shall not be commingled with any cards from that sample.

- (b) For cards used in baccarat, or cards used in mini-baccarat using the dealing procedures in the authorized Rules of the Game, the gaming licensee shall cause to be inspected all decks used during the day. Notwithstanding the foregoing, for any decks that are opened for a single use in a shoe (the cards are not reshuffled for a subsequent use and are removed from the table), a gaming licensee may cause to be inspected a sample of decks selected at random or in accordance with an approved stratification plan, provided that the procedures for selecting the sample size and for assuring a proper selection of the sample are submitted to and approved by the Bureau.

- (c) The gaming licensee shall also inspect:
 - (i) Any cards which the Bureau requests the gaming licensee to remove for the purpose of inspection;
 - (ii) Any cards the gaming licensee removed for indication of tampering;
 - (iii) All cards used for pai gow poker, Caribbean stud poker, let it ride poker, Colorado hold 'em poker, Boston 5 stud poker, double cross poker, four-card poker, Texas hold 'em bonus poker, ultimate Texas hold 'em poker, flop poker, two-card joker poker, Asia poker, winner's pot poker, supreme pai gow, Mississippi stud or three-card poker; and
 - (iv) All cards used for poker.

- (d) The procedures for inspecting all decks required to be inspected under this subsection, shall, at a minimum, include:
 - (i) The sorting of cards sequentially by suit or utilizing a machine approved by the Bureau capable of reading the cards to determine whether any deck contains missing or additional cards;
 - (ii) The inspection of the backs with an ultra- violet light;

- (iii) The inspection of the sides of the cards for crimps, bends, cuts and shaving;
and
 - (iv) The inspection of the front and back of all plastic cards for consistent shading and coloring.
- (e) If, during the inspection procedures required in 205 CMR 146.49 one or more plastic cards in a deck are determined to be unsuitable for continued use, those cards shall be placed in a sealed envelope or container and a two-part Card Discrepancy Report shall be completed in accordance with 205 CMR 146.49(14)(j).
- (f) Upon completion of the inspection procedures required by 205 CMR 146.49, each deck of plastic cards which is determined suitable for continued use shall be placed in sequential order, repackaged and returned to the primary or poker storage area for subsequent use. If a deck has any missing cards, the individual who repackages the cards shall indicate the need for the appropriate replacement card(s) in a manner documented in the gaming licensee's internal control procedures.
- (g) The gaming licensee shall develop internal control procedures for returning the repackaged cards to the storage area.
- (h) The individuals performing said inspection shall complete a work order form which shall detail the procedures performed and list the tables from which the cards were removed and the results of the inspection. The individual shall sign the form upon completion of the inspection procedures.
- (i) The gaming licensee shall submit the training procedures for those employees performing the inspection to the Bureau.
- (j) Evidence of tampering, marks, alterations, missing or additional cards or anything that might indicate unfair play discovered at this time, or at any other time, shall be immediately reported to the Bureau by the completion and delivery of a two-part Card Discrepancy Report.
- (k) At the end of each gaming day or at such other times as may be necessary, the gaming supervisor identified in 205 CMR 146.49(13) shall visually inspect each card for evidence of tampering. Such evidence discovered at this time or at any other time shall be immediately reported to the security department and the Bureau. A security department member shall complete a two-part Discrepancy Report, which Report along with the evidence shall be retrieved by an agent of the Bureau. The original and duplicate Report shall contain, at a minimum:
- (i) The date and shift of inspection;

- (ii) The name of the supervisor conducting the inspection. The inspection required by this subsection shall be performed by a games supervisor other than the one who originally inspected the cards;
- (iii) The pit number, table number, and type of game;
- (iv) A description (for example, cut corners);
- (v) The signature of the supervisor conducting the inspection;
- (vi) The signature of the security representative taking custody of the card; and
- (vii) The signature of the agent of the Bureau inspecting or accepting the card, who shall retain the original and return the duplicate to security. A receipt shall be issued to the agent of the Bureau for any card retained by the Bureau. The receipt shall be signed by the security representative releasing the card to the Bureau and the agent of the Bureau accepting the card. The receipt shall be retained with the Security copy of the Discrepancy Report. Any card not retained by the Bureau shall be destroyed in accordance with the licensee's destruction procedures. The report shall accompany the cards.

- (l) Notwithstanding any provision in this subsection to the contrary, for cards used:
 - (a) In any authorized game or variation thereof which permits a player to touch them, the gaming licensee shall cause to be inspected all decks used during the day; and
 - (b) At any gaming table for more than 24 hours pursuant to 205 CMR 146.49(7)(g), the gaming licensee shall cause to be inspected a sample of decks that is separate from the sample of decks selected pursuant to 205 CMR 146.49(14)(a)(ii), provided that the procedures for selecting the sample size and for assuring a proper stratification of the sample shall be submitted to and approved by the Bureau.

(15) If a deck of plastic cards has been reused 12 or more times and the deck has been determined to be suitable for reuse by the individual performing the inspection procedures required by 205 CMR 146.49(14)(c), before that deck may be reused at a poker table, the deck must be inspected by a poker shift supervisor or floorperson. A satisfactory inspection shall be documented by the poker shift supervisor or floorperson. If the poker shift supervisor or floorperson determines that the deck may not be reused, the deck shall be placed in a sealed envelope or container, with a label attached which identifies the date and time and shall be signed by the poker shift supervisor or floorperson. At the end of the gaming day or at such other times as may be necessary, said envelope or container shall be collected by a casino security officer and be returned to the casino security department for destruction or cancellation pursuant to 205 CMR 146.49(16)

(16) Where cards in an envelope or container are inspected and found to be without any indication of tampering, marks, alterations, missing or additional cards or anything that might indicate unfair play, those cards with the exception of plastic cards used at poker

that are of sufficient quality for reuse, shall within 72 hours of collection be destroyed or cancelled. In addition, once cards retained as evidence by the Bureau are released to the security department, the cards shall immediately be destroyed or cancelled.

- (a) Destruction and cancellation of cards shall take place in a secure place, the location and physical characteristics of which shall be approved by the Bureau. The adequacy of the destruction and cancellation process shall be approved by the Bureau.
- (b) Destruction of cards shall be by shredding by the security department or a vendor approved by the Bureau.
- (c) Cancellation of cards shall be by drilling a circular hole of at least one-fourth of an inch in diameter through the center of each card in the deck.
- (d) Documentation supporting the actual destruction and/or cancellation of the cards shall be prepared by the casino security department or vendor performing the process. At a minimum, such documentation shall include:
 - (i) The date and time that the cards were destroyed;
 - (ii) The name and signature of the individual(s) who performed the destruction/cancellation process;
 - (iii) The amount of cards that were destroyed or cancelled; and
 - (iv) The signature of the representative of the games department attesting to the number of cards (decks of cards) destroyed when the procedure is performed at the casino.

146.50: Pre-shuffled and Pre-inspected Cards

- (1) In lieu of the card shuffling and inspection procedures to be followed at an open gaming table set forth in 205 CMR 146.50, a gaming licensee may elect to:
 - (a) Pre-inspect and pre-shuffle cards prior to the delivery of the cards to an open gaming table; or
 - (b) Use a licensed vendor to supply pre-shuffled and pre-inspected cards.
- (2) If a gaming licensee elects to pre-inspect and pre-shuffle cards, the process shall occur at a closed gaming table or another location approved by the Bureau and shall be performed by a dealer and verified by a gaming establishment supervisor with no concurrent supervisory responsibility for open gaming tables. The procedures required by 205 CMR 146.50(2)(a)-(g) shall be recorded by the surveillance department and each such recording shall be retained by the gaming licensee for not less than seven days.
 - (a) Upon receipt of the decks of cards pursuant to 205 CMR 146.50(3)(b), the dealer shall perform the procedures in 205 CMR 146.50(2)(b)-(g) independently for each batch of cards that will be sealed in a container, with the number of decks of cards in each batch being equal to the number of decks of cards required for the table game in which they are intended to be used.

(b) The dealer shall visually inspect the back of each card to assure that it is not flawed, scratched or marked in any way that might compromise the integrity or fairness of the game.

(c) The dealer shall then shuffle the cards, manually or using an approved automated shuffling device, in a manner permitted by the applicable regulations governing the table game at which the cards will be utilized.

(d) To ensure that there are no missing or extra cards, the dealer shall inspect the cards utilizing a machine approved by the Bureau. The machine shall issue a receipt that shall, at a minimum, include:

1. The manufacturer, model and serial number of the card inspection machine;
2. The name or identification number of the dealer who operates the machine;
3. The location at which the inspection is performed;
4. The date and time of the inspection;
5. The manufacturer and type of cards, the number of decks, and the table game for which the cards are inspected;
6. The result of the inspection and, if failed, the identification of any missing or extra card(s); and
7. The number of the seal to be used on the clear container in which the cards will be placed pursuant to 205 CMR 146.50(2)(g).

(e) If the inspection fails, the gaming licensee shall follow the procedures set forth in 205 CMR 146.49(6).

(f) Upon completion of the pre-inspection and pre-shuffling of the cards in the batch, the dealer and supervisor shall sign the receipt certifying that the cards were pre-inspected and pre-shuffled in accordance with this subsection.

(g) For each batch of pre-inspected and pre-shuffled cards the dealer shall place the cards together with the receipt required 205 CMR 146.50(2)(d) in a clear container that conforms to the requirements of 205 CMR 146.50(5). The container shall be sealed with a pre-numbered label unique to such container. Procedures for the maintenance and security of unused seals, and the distribution, return and reconciliation of seals used on containers holding pre-inspected and pre-shuffled cards shall be detailed in the gaming licensee's internal controls.

(h) The sealed containers of cards shall be transported by a:

1. Table games supervisor to the gaming pit of the gaming tables where they will be utilized and either locked in the pit stand in accordance with 205 CMR 146.50(3) or (4), or placed in a locked cabinet in the gaming pit, the keys to which shall be available only to table games supervisors and subject to sign-out and sign-in procedures; or
2. Table games supervisor or a gaming key employee designated in accordance with the provisions of 205 CMR 146.50(3) and a casino security officer to an approved primary card storage area or poker card storage area where they shall be placed back into card inventory and

segregated from cards that have not been pre-inspected and pre-shuffled. A record of the transport of the sealed containers of cards to the card storage area shall be maintained by the casino security department.

(i) When cards are needed for play, each container of cards shall be delivered by a table games supervisor to an open gaming table. Upon delivery, the table games supervisor shall unseal the container, place the decks of cards on the gaming table in front of the dealer. The supervisor shall record on the receipt contained within the container, the date, time and shift that the container was opened, and the pit and table number where cards are to be used. Once the information has been recorded, the supervisor shall sign the receipt, and retain the receipt and container at the gaming table.

(3) If a gaming licensee elects to use a licensed vendor to supply pre-inspected and pre-shuffled cards, the manufacturer shall:

(a) Obtain approval from the Bureau for the automated shuffling device used to pre-shuffle cards; and

(b) Implement a process for shuffling and packaging cards which shall, at a minimum, include:

1. Visual inspection of the back of each card to assure that it is not flawed, scratched or marked in any way that might compromise the integrity or fairness of the game;

2. Verification that each package of cards contains the correct number and is constituted in accordance with the specific rules of the game the cards are intended for use;

3. Inserting the cards in a package with a tamper-proof seal(s) that bears a conspicuous indication if the package has been opened. The exterior of the package shall indicate:

a. The total number of decks contained within the package; and

b. The game(s) the cards are intended for use; and

c. Generation by the automated shuffling device in use, of a receipt to be inserted in the sealed package which shall include the following information:

(i) The total number of cards and decks contained within the package;

(ii) The date and time the cards were shuffled and verified;

(iii) Identification of the manufacturer's employee who performed the process in 205 CMR 146.50(3)(b); and

(iv) The manufacturer, model and serial number of the device used to shuffle the cards.

(4) Cards inspected and shuffled in accordance with 205 CMR 146.50(3) shall be delivered to an open gaming table in the manufacturer's sealed packaging. Prior to using the cards at a gaming table, a games supervisor shall inspect the package for evidence of

tampering. If there is evidence of tampering, all cards in the package shall not be used and the gaming licensee shall follow the procedures set forth in 205 CMR 146.49(6). Upon opening the package, the table games supervisor shall record on the receipt contained within the package, the date and time that the package was opened, and the pit and table number where cards are to be used. Once the information has been recorded, the table games supervisor shall sign the receipt, place the cards on the table in front of the dealer, and retain the receipt and original package at the gaming table.

(5) For all pre-inspected and pre-shuffled cards, upon the initial use and patron request the dealer shall perform a strip or riffle shuffle of the cards and then cut the cards in the manner prescribed by the regulations governing the particular table game.

(6) Upon removal from a gaming table, pre-inspected and pre-shuffled cards shall be placed in the original container or package in which they were delivered to the table together with the receipt, and returned to the security department for inspection as required by 205 CMR 146.49(16).

(7) The Bureau may, at any time, require a gaming licensee to provide any container or package of pre-inspected and pre-shuffled cards.

146.51: Dealing Shoes; Automated Shuffling Devices

(1) A gaming licensee and gaming device vendor shall comply with, and the commission adopts and incorporates by reference *Gaming Laboratories International, LLC Standard GLI-29: Card Shufflers and Dealer Shoes*, version 1.0, released July 20, 2012, subject to the following amendments:

(a) Delete section 1.1.1 and replace with the following: "The following sets forth the technical standards for card shufflers and dealer shoes as identified in 205 CMR 146. This GLI standard is adopted in whole subject to the modifications described in 205 CMR 146.51. The standard and modifications should at all times be read in conjunction with 205 CMR and the standards referenced in section 1.4.1 so as to create a harmonious regulatory framework.

(b) Delete section 1.2.

(2) The following words and terms, when used in this section, shall have the following meanings:

"Base plate" means the interior shelf of the dealing shoe on which the cards rest.

"Face plate" means the front wall of the dealing shoe against which the next card to be dealt rests and which typically contains a cutout.

(3) Cards used for blackjack, Spanish 21, double attack blackjack, pai gow poker, mini-baccarat, red dog, Caribbean stud poker, let it ride poker, three-card poker, fast action hold 'em, Colorado hold 'em poker, casino war, Boston 5 stud poker, double cross poker, four-card poker, Texas hold 'em bonus poker, ultimate Texas hold 'em poker, flop poker,

two-card joker poker, Asia poker, winner's pot poker, supreme pai gow, Mississippi stud and double down stud shall be dealt from a manual or automated dealing shoe which shall be secured to the gaming table when the table is open for gaming activity and secured in a locked compartment when the table is not open for gaming activity. Cards used to game at baccarat shall be dealt from a dealing shoe which shall be secured in a locked compartment when the table is not open for gaming activity. Notwithstanding the foregoing, cards used to game at:

- (a) Pai gow poker, double down stud, Caribbean stud poker, three-card poker, Colorado hold 'em poker, Boston 5 stud poker, double cross poker, flop poker, four-card poker, Texas hold 'em bonus poker, ultimate Texas hold 'em poker, Asia poker, winner's pot poker, supreme pai gow, Mississippi stud and two-card joker poker may be dealt from the dealer's hand in accordance with the rules for each game authorized pursuant to 205 CMR 147;
- (b) The 6 to 5 blackjack variation shall be dealt from the dealer's hand in accordance with the Authorized Rules of the Game ~~for~~of Blackjack; and
- (c) Blackjack may be dealt from the dealer's hand in accordance with the Authorized Rules of the Game ~~for~~of Blackjack.

(4) A device which automatically shuffles cards may be utilized at the game of blackjack, Spanish 21, double attack blackjack, pai gow poker, mini-baccarat, red dog, poker, Caribbean stud poker, let it ride poker, three-card poker, fast action hold'em, Colorado hold 'em poker, casino war, Boston 5 stud poker, double cross poker, four-card poker, Texas hold 'em bonus poker, ultimate Texas hold 'em poker, flop poker, two-card joker poker, Asia poker, winner's pot poker, supreme pai gow, Mississippi stud and double down stud in addition to a manual or automated dealing shoe, provided that:

- (a) The automated card shuffling device approved by the Bureau and the procedures for shuffling and dealing the cards through the use of the device are documented in the internal controls; and
- (b) The security of an automated card shuffling device conforms to the security of any dealing shoe used at the gaming table pursuant 205 CMR 146.51.

(5) Each manual or automated dealing shoe shall be designed and constructed with such features as the Bureau may require maintaining the integrity of the game at which such shoe is used. Such features shall include, at a minimum, the following:

- (a) At least the first four inches of the base plate shall be white;
- (b) The sides of the shoe below the base plate shall be transparent or have a transparent sealed cutout unless the dealing shoe is otherwise constructed to prevent any object from being placed into or removed from the portion of the dealing shoe below the base plate and to permit the inspection of this portion of the shoe; and
- (c) A stop underneath the top of the face plate shall preclude the next card to be dealt from being moved upwards for more than one-eighth inch distance.

- (6) A baccarat dealing shoe, in addition to meeting the requirements of 205 CMR 146.51, shall also adhere to the following specifications:
- (a) A removable lid shall be opaque from the point where it meets the face plate to a point at least four inches from the face plate;
 - (b) The sides and back above the base plate shall be opaque; and
 - (c) A device within the shoe shall, when engaged, prevent the cards from moving backward in the shoe.
 - (d) A Harrigan plate be used in all baccarat shoes so the backs of the cards cannot be seen until drawn
- (7) A pai gow poker dealing shoe, in addition to meeting the requirements of 205 CMR 146.51, may, in the discretion of the gaming licensee, also contain a device on the front of the face plate so as to preclude the players from viewing the next card to be dealt.
- (8) All dealing shoes and shuffling devices in the casino shall be inspected at the beginning of each gaming day by a floorperson assigned to the table prior to cards being placed in them. The purpose of this inspection shall be to assure that there has been no tampering with the shoe or shuffling device.
- (9) For gaming tables at which a manual dealing shoe is utilized, the shoe shall be located on the side of the gaming table to the left of the dealer, and the discard rack shall be located on the side of the gaming table to the right of the dealer. For gaming tables at which either an automated card shuffling device or an automated dealing shoe is utilized, the discard rack shall be on the side of the gaming table opposite such device or shoe.

146.52: Pai Gow Tiles; Physical Characteristics

- (1) Pai gow shall be played with a set of 32 rectangular blocks to be known as tiles. Each tile in a set shall be identical in size and shading to every other tile in the set.
- (2) Each tile used in gaming at pai gow shall:
- (a) Be made of a non-transparent black material, formed in the shape of a rectangle, and be of a size no smaller than 2.500 inches in length, 1.000 inch in width and .375 of an inch in thickness;
 - (b) Have the surface of each of its sides perfectly flat, except that the front side of each tile shall contain spots which shall extend into the tile exactly the same distance as every other spot;
 - (c) Have on the back of each tile an identifying feature unique to each casino;
 - (d) Have the texture and finish of each side, with the exception of the front side, exactly identical to the texture and finish of all the other sides;
 - (e) Have the back and sides of each tile within a set be identical and no tile within a set shall contain any marking, symbol or design that will enable a person to know the identity of any element on the front side of the tile or that will distinguish any tile from any other tile within a set; and

(f) Have identifying spots on the front of the tiles which are either red or white or both.

(3) Each set of tiles shall be composed of 32 tiles as set forth in the Authorized Rules of the Game ~~for~~of Pai Gow.

(4) Each set of tiles shall be packaged separately and completely sealed in such a manner so that any tampering shall be evident.

146.53: Pai Gow Tiles: Receipt; Storage; Inspections, and Removal From Use

(1) When sets of tiles to be used at pai gow are received from the manufacturer or distributor thereof, they shall immediately following receipt be inspected by a member of the security department and a supervisor to assure that the seals on each package are intact, unbroken and free from tampering. Packages that do not satisfy these criteria shall be inspected at this time to assure that the tiles conform to Bureau standards and there is no evidence of tampering. Packages satisfying these criteria, together with packages having unbroken, intact, and untampered seals shall then be placed for storage in a locked cabinet within a primary or secondary storage area. Sets of tiles which are to be distributed to gaming pits or tables for use in gaming shall be distributed from a locked cabinet in the cashiers' cage or from another secure primary storage area, the location and physical characteristics of which shall be approved by the Bureau. Secondary storage areas shall be used for the storage of surplus tiles. Tiles maintained in secondary storage areas shall not be distributed to gaming pits or tables for use in gaming until the tiles have been moved to a primary storage area. All secondary storage areas shall be located in secure areas, the location and physical characteristics of which shall be approved by the Bureau.

(2) All primary and secondary storage areas, other than the cashiers' cage, shall have two separate locks. The security department shall maintain one key and the casino department or cashiers' cage shall maintain the other key; provided, however, that no person employed by the casino department below the table games shift manager in the organization hierarchy shall have access to the casino department key. Tiles stored in a cabinet within the cashiers' cage shall be secured by a lock, the key to which shall be maintained by a table games shift manager or casino supervisor thereof.

(3) Immediately prior to the commencement of each gaming day and at such other times as may be necessary, the table games shift manager or supervisor thereof, in the presence of a security officer, shall remove the appropriate number of sets of tiles for that gaming day from a primary storage area. Tiles are to be inspected by surveillance prior to the game beginning for the gaming day or when new tiles are being put into play.

(4) All envelopes and containers used to hold or transport tiles shall be transparent. The envelopes or containers and the method used to seal them shall be designed or

constructed so that any tampering shall be evident.

(5) The table games shift manager or casino supervisor thereof shall distribute sufficient sets of tiles to the pit boss in each pai gow pit. The pit boss shall then distribute the sets to the dealer at each table, and shall place extra sets in reserve at the pit stand. Sets of tiles in reserve shall be placed in a locked compartment, keys to which shall be in the possession of the pit boss or casino supervisor thereof.

(6) If during the course of play any damaged tile is detected, the entire set of tiles shall be immediately replaced. The dealer or floorperson shall request that the pit boss bring a substitute set of tiles to the table from the reserve in the pit stand. The set of damaged tiles shall be placed in a sealed envelope, identified by table number, date and time and shall be signed by the dealer and casino supervisor. The pit boss shall maintain the envelope or container in a secure place within the pit until collection by a casino security officer.

(7) Tiles used at pai gow shall be changed at least every 12 hours. The supervisor shall collect used tiles which shall be placed in a sealed envelope or container. A label shall be attached to each envelope or container which shall identify the table number, date and time and shall be signed by the dealer and casino supervisor. The pit boss shall maintain the envelopes or containers in a secure place within the pit until collection by a casino security officer.

(8) The gaming licensee shall remove any tiles at any time of the gaming day if there is any indication of tampering, flaws, scratches, marks or other defects that might affect the integrity or fairness of the game, or at the request of the Commission or the Bureau.

(9) All extra sets of tiles in reserve which have been opened shall be placed in a sealed envelope or container, with a label attached to each envelope or container which identifies the date and time and is signed by the pit boss.

(10) At the end of each gaming day or at such other times as may be necessary, a security officer shall collect and sign all envelopes or containers with damaged tiles, tiles used during the gaming day, and all extra tiles in reserve which have been opened, and shall return the envelopes or containers to the security department.

(11) At the end of each gaming day or at such other times as may be necessary, a table games shift manager or supervisor thereof may collect all extra sets of tiles in reserve which have not been opened. If collected, all unopened sets of tiles shall either be cancelled or destroyed or returned to the storage area.

(12) When the envelopes or containers of used tiles and reserve sets of tiles which have been opened are returned to the security department, they shall be inspected for tampering, marks, alterations, missing or additional tiles or anything that might indicate

unfair play.

(a) The gaming licensee shall cause to be inspected all sets of tiles used during the gaming day.

(b) The procedures for inspecting all sets of tiles shall at least include the following:

1. The sorting of tiles by pairs;
2. The visual inspection of the sides and back of each tile for tampering, markings or alterations;
3. The inspection of the sides and back of each tile with an ultra-violet Light; and
4. White light to ensure no light can be seen coming through the tile ensuring that it is not transparent or translucent

(c) The individual performing the inspection required by 205 CMR 146.53 shall complete a work order form which shall detail the procedures performed and list the tables from which the tiles were removed and the results of the inspection. The individual shall sign the form upon completion of the inspection procedures.

(d) Evidence of tampering, marks, alterations, missing or additional tiles or anything that might indicate unfair play discovered at this time, or at any other time, shall be immediately reported to the security department and the Bureau. A security department member shall complete a two-part Discrepancy Report, which Report along with the evidence shall be retrieved by an agent of the Bureau.

The original and duplicate Report shall contain at a minimum:

1. The date and shift of inspection;
2. The name of the supervisor conducting the inspection. The inspection required by this subsection shall be performed by a supervisor other than the one who originally inspected the tiles;
3. The pit number, table number, and type of game;
4. A description (for example, shaved corners);
5. The signature of the supervisor conducting the inspection;
6. The signature of the security representative taking custody of the tile; and
7. The signature of the agent of the Bureau inspecting or accepting the tile, who shall retain the original and return the duplicate to security. A receipt shall be issued to the agent of the Bureau for any tile retained by the Bureau. The receipt shall be signed by the security representative releasing the tile to the Bureau and the agent of the Bureau accepting the tile. The receipt shall be retained with the Security copy of the Discrepancy Report. Any tile not retained by the Bureau shall be destroyed in accordance with the licensee's destruction procedures.

(e) If after completing the inspection procedures required in 205 CMR 146.53, it

is determined that a complete set of 32 tiles removed from a gaming table is free from tampering, markings, or alterations, that set may be returned to the pai gow storage area for subsequent gaming use in accordance with the gaming licensee's internal control procedures. In no event may individual tiles from different sets be used to make a complete set for subsequent gaming use.

- (13) The gaming licensee shall include in their internal control, procedures for:
- (a) An inventory system which shall include the recordation of at least the following:
 - 1. The balance of sets of tiles on hand;
 - 2. The sets of tiles removed from storage;
 - 3. The sets of tiles returned to storage or received from the manufacturer;
 - 4. The date of the transaction; and
 - 5. The signatures of the individuals involved;
 - (b) A reconciliation on a daily basis of the sets of tiles distributed and the sets of tiles destroyed and cancelled, the sets of tiles returned to the storage area and, if any, the sets of tiles in tile reserve; and
 - (c) A physical inventory of the sets of tiles at least once every three months. This inventory shall be performed by an individual with no incompatible functions and shall be verified to the balance of the sets of tiles on hand as required 205 CMR 146.53(13)(a)(1). Any discrepancies shall immediately be reported to the Bureau.
- (14) Other than tiles retained for Bureau inspection, tiles shall be cancelled or destroyed within 72 hours of collection by the security department. In addition, once tiles retained as evidence by the Bureau are released to the security department, the tiles shall immediately be destroyed or cancelled.
- (15) Destruction and cancellation of tiles shall take place in a secure place, the location and physical characteristics of which shall be approved by the Bureau. The adequacy of the destruction and cancellation process shall be approved by the Bureau. Destruction of tiles shall be by shredding by the security department or a vendor approved by the Bureau. Cancellation of tiles shall be by drilling a circular hole of at least one fourth of an inch in diameter through the center of each card in the deck.

146.54 Inspection and Approval of Gaming Equipment and Related Devices and Software

- (1) No gaming equipment or any related device or software shall be used in a gaming establishment unless it is identical in all mechanical, electrical, electronic or other aspects to a prototype thereof that has been reviewed and approved for use by the independent testing lab certified by the commission.
- (2) The following equipment shall be certified by an approved internal or independent testing lab followed by an on-site inspection by the Bureau prior to initial use or following any modification:

1. Slot machines;
2. Multiplayer systems;
3. Electronic table games;
4. Server supported slot systems;
5. Slot machine bonus systems;
6. Progressive equipment;
7. Kiosks;
8. Account based wagering systems;
9. Wireless wagering devices;
10. Slot monitoring systems;
11. Gaming voucher systems; and
12. Devices used in conjunction with a slot monitoring system.

(3) Any evidence that an item of gaming equipment or a related device or software used in a gaming facility has been tampered with or altered in any way which would affect the integrity, fairness, or suitability of the item for use in a casino shall be immediately reported to the Bureau. The Bureau shall ensure that any such item is maintained in a secure manner.

(4) A gaming licensee and gaming device vendor shall comply with, and the commission adopts and incorporates by reference, *Gaming Laboratories International, LLC Standard GLI-25: Dealer Controlled Electronic Table Games*, version 1.2, released September 6, 2011, subject to the following amendments:

- (a) Delete section 1.1 and replace with the following: “The following sets forth the technical standards for dealer controlled electronic table games as identified in 205 CMR 146. This GLI standard is adopted in whole subject to the modifications described in 205 CMR 146.54(4). The standard and modifications should at all times be read in conjunction with 205 CMR and the standards referenced in section 1.3.1 so as to create a harmonious regulatory framework.

146.55 Approval of Gaming Equipment / Approval of New Gaming Equipment

(1) At the Bureau’s request, the manufacturer will supply a sample of suggested equipment for review and testing.

(2) A gaming licensee, in conjunction with other interested parties, may petition the Bureau in writing for the approval of new gaming equipment in accordance with the process set forth in 205 CMR 147 related to petitions for a new game or game variation. New gaming equipment pending approval shall be permitted to be used during new game or game variation field trials conducted pursuant to 205 CMR 147.04(5).

146.56 Security of Gaming Equipment

(1) Any equipment used for the operation of a gaming table that is stored in inventory shall be secured in a locked area with dedicated closed circuit television system coverage. This shall include, but not be limited to cards, dice, pai gow tiles, shuffle machines, wheels or devices that can affect or determine the outcome of the game. The areas to be secured shall include pit stands, card and dice storage rooms or any other back of house table games equipment storage areas and any other areas so designated by the Commission.

(2) Any gaming equipment that will be sold by a gaming licensee to an outside party shall require a notification to the Bureau office within the gaming establishment with the specific details. Cards and dice may be sold at the gift shop after the licensee has submitted their procedure for the process to the Bureau.

(3) All gaming equipment included in 205 CMR 146.00 shall be imprinted with a unique serial number.

146.58: Crazy 4 Poker Table; Physical Characteristics

(1) Crazy 4 poker shall be played on a table having positions for no more than six players on one side of the table and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design.

(2) The layout for a Crazy 4 poker table shall contain, at a minimum:

(a) The name or trade name of the gaming licensee;

(b) Separate designated betting areas at each betting position for the placement of the Ante, Play, Super Bonus and Queens Up Wagers for each player. The Super Bonus betting area must be located to the right of the Ante Wager betting area and be separated by an “=” symbol;

(c) If the licensee offers either the Four or Five-Card Progressive Payout Wager ~~authorized under Section 7 of~~ pursuant to the Authorized Rules of the Game ~~for of~~ Crazy 4 Poker, a separate area designated for the placement of the Progressive Payout Wager for each player;

(d) If a licensee offers the Five Card Hand Bonus Wager ~~authorized under Section 7 of~~ pursuant to the Authorized Rules of the Game ~~for of~~ Crazy 4 Poker, each betting position must contain an electronic wagering system for the placement of the Five Card Hand Bonus Wager;

(e) An inscription identifying the payout odds for all authorized wagers or a sign identifying the payout odds or amounts for all permissible wagers posted at each Crazy 4 Poker table;

(f) Inscriptions that advise patrons of the following:

(i) The best four-card hand plays.

(ii) The dealer qualifies with a king or better.

- (iii) A player who has a pair of aces or better may place a Play Wager in an amount up to three times the player's Ante Wager.
- (iv) The player's Super Bonus Wager shall be returned if the player beats or ties the dealer with a hand that is not a straight or better.

(4) Each Crazy 4 poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

(5) If the gaming licensee offers either a Four or Five-Card Progressive Payout Wager ~~in accordance with Section 7 of~~ pursuant to the Authorized Rules of the Game ~~for of~~ Crazy 4 Poker, the Crazy 4 Poker table must have a progressive table game system, in accordance with 205 CMR 143.02 for the placement of Progressive Payout Wagers. If the gaming licensee is offering a Progressive Payout Wager on multiple linked tables or games in the same gaming establishment, the progressive table game system must comply with 205 CMR 143.02. The progressive table game system must include:

- (a) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager; and
- (b) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the recognition of any Progressive Payout Wager that a player attempts to place after the dealer has announced "no more bets."

(6) If the gaming licensee offers the Five Card Hand Bonus Wager ~~authorized under Section 7 of~~ pursuant to the Authorized Rules of the Game ~~for of~~ Crazy 4 Poker, the Crazy 4 Poker table must have a table game system, in accordance with 205 CMR 138.62 and an electronic wagering system in accordance 205 CMR 146.63. Each betting position must contain an electronic wagering system for the placement of the Five Card Hand Bonus Wager. The system must include a mechanism, such as a lockout button, that prevents the placement of any Five Card Hand Bonus Wagers that a player attempts to place after the dealer has begun dealing the cards. If the certificate holder is offering a Five Card Hand Bonus Wager on multiple linked tables or games in the same gaming establishment, the progressive table game must comply with 205 CMR 143.02.

146.60: Free Bet Blackjack

(1) Free Bet Blackjack shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

(2) A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design. The layout for a Free Bet Blackjack table shall contain, at a minimum:

- (a) The name or logo of the gaming licensee;
- (b) A separate betting area designated for the placement of the Blackjack Wager for each player;

(c) The following inscriptions:

- (i) Blackjack pays 3 to 2;
- (ii) Insurance pays 2 to 1;
- (iii) Dealer shall draw to 16 and stand on all 17s or other similar language approved by the Bureau;
- (iv) Blackjack Wagers will push if the dealer's hand has a total point count of 22 or other similar language approved by the Bureau; and
- (v) Surrender is not available on a Free Bet Blackjack table or other similar language approved by the Bureau, unless the gaming licensee posts a sign at each Free Bet Blackjack table specifying that surrender is not available.

(d) If the licensee offers the Push 22 Wager, a separate area designated for the placement of the wager for each player;

(e) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder unless a sign identifying the payout odds or amounts for all permissible wagers is posted at each Free Bet Blackjack table.

(3) Each Free Bet Blackjack table must have a drop box and a tip box attached on the same side of the table as, but on opposite sides of, the dealer.

(4) Each Free Bet Blackjack table must have a card reader device attached to the top of the dealer's side of the table. The floorperson assigned to the Free Bet Blackjack table shall inspect the card reader device at the beginning of each gaming day to ensure that there has been no tampering with the device and that it is in proper working order.

(5) Each Free Bet Blackjack table must have a discard rack securely attached to the top of the dealer's side of the table. The height of each discard rack must either:

- (a) Equal the height of the cards, stacked one on top of the other, in the total number of decks that are to be used in the dealing shoe at that table; or
- (b) Be taller than the height of the total number of decks being used if the discard rack has a distinct and clearly visible mark on its side to show the exact height for a stack of cards equal to the total number of cards in the number of decks to be used in the dealing shoe at that table.

146.61: Heads Up Hold 'Em

(1) Heads Up Hold 'em shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side.

(2) A true-to-scale rendering and color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design. The layout for a Heads Up Hold 'em table shall contain, at a minimum:

- (a) The name or trade name of the gaming licensee;

- (b) A separate designated betting area at each betting position for the placement of the ante wager;
- (c) A separate designated betting area located immediately behind each ante wager betting area for the placement of the raise wager;
- (d) The odds wager, trips plus wager and pocket bonus wager ~~authorized by Section 6 of~~permitted pursuant to the Authorized Rules of the Game ~~for of~~ Heads Up Hold 'em, shall be placed in a separate designated betting area at each betting position for the placement of each wager as follows:
 - (i) The odds wager designated betting area shall be to the right of and aligned with the ante wager;
 - (ii) The trips plus wager designated betting area shall be in front of the ante wager;
 - (iii) The pocket bonus wager designated betting area shall be to the right of and aligned with the trips plus designated betting area, and in front of the odds wager designated betting area;

(d) Heads Up Hold 'em tables shall have inscriptions that advise patrons of the payout odds of the odds wager, bad beat bonus, trips plus wager, and pocket bonus wager ~~authorized as described in Section 11 of~~ the Authorized Rules of the Game ~~for of~~ Heads Up Hold 'em, respectively; and inscriptions that advise patrons of the permissible raise wagers.

- (3) Each Heads Up Hold 'em table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

146.62: High Card Flush; physical characteristics

- (1) High Card Flush shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side.
- (2) A true-to-scale rendering and color photograph of the layout(s) shall be submitted to the Bureau prior to utilizing the layout design. The layout for a High Card Flush table shall contain, at a minimum:
 - a) The name or trade name of the gaming licensee;
 - b) A separate designated betting area at each betting position for the placement of the ante wager;
 - c) A separate designated betting area located immediately in front of each ante wager betting area for the placement of the raise wager;
 - d) If a gaming licensee offers the Flush Bonus wager, the Straight Flush Bonus wager, and/or the Progressive payout wager ~~authorized by Section 6 of~~pursuant to the Authorized Rules of the Game ~~for of~~ High Card Flush, a separate designated betting area at each betting position for the placement of each wager, which shall be located behind each ante wager betting area;

- e) If a gaming licensee offers the Flush Bonus wager, the Straight Flush Bonus wager, and/or the Progressive payout wager ~~authorized by Section 6 of~~ pursuant to the Authorized Rules of the Game ~~for of~~ High Card Flush, inscriptions that advise patrons of the payout odds for the Flush Bonus wager, the Straight Flush Bonus wager, and/or the Progressive payout wager, as described in ~~Section 11 of~~ the Authorized Rules of the Game ~~for of~~ High Card Flush.
- f) Inscriptions that advise patrons of the permissible raise wagers, as described ~~in Section 6 of~~ the Authorized Rules of the Game ~~for of~~ High Card Flush; and;
- g) Inscriptions that advise patrons of the dealer's qualifying hand, as ~~described in Section 1 of~~ defined in the Authorized Rules of the Game ~~for of~~ High Card Flush.

(3) Each High Card Flush table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

(4) If a gaming licensee offers the Progressive payout wager ~~authorized by Section 6 of~~ pursuant to the Authorized Rules of the Game ~~for of~~ High Card Flush, each High Card Flush table shall be equipped with an approved table game progressive payout wager system for the placement of Progressive payout wagers, equipped with additional approved features or standards including, but not limited to, those required pursuant to 205 CMR 143.02.



Legal Division

AMENDED SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this Amended Small Business Impact Statement in accordance with G.L. c.30A, §5 relative to the proposed amendment to **205 CMR 138.15: Internal Control Procedures for Access Badge System and Issuance of Temporary License Credentials, and Restricted Areas**, for which a public hearing was held on July 19, 2018.

205 CMR 138.15 was developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. The proposed amendment to the regulation updates the provisions related to credentials for key gaming employees, gaming employees, and gaming service employees. This regulation is largely governed by G.L. c. 23K §§ 4(28), and 5.

This amendment applies solely to licensees and their employees. Therefore, it is unlikely that it will impact any 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 this regulation or the proposed amendment.

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 this regulation or the proposed 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.

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



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

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

This amendment 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:

This amendment does not create any adverse impact on small businesses.

Massachusetts Gaming Commission
By:

Shara Bedard
Paralegal
Legal Division

Dated: _____



Massachusetts Gaming Commission

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

138.15: Internal Control Procedures for Access Badge System and Issuance of Temporary License Credentials, and Restricted Areas

(1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions related to credentials. All key gaming employees, gaming employees, and gaming service employees, while engaged in the performance of their duties on the premises of the gaming establishment, shall visibly display a credential issued by the gaming licensee on his or her person at all times, ~~and have in their possession their commission issued identification~~. The system of internal controls related to credentials shall at a minimum incorporate the following credentialing system:

~~(2) The commission shall issue an official credential that shall bear the inscription "Massachusetts Gaming Commission", the official seal of the commission, the signature of the chair of the commission or his or her designee, as well as a photograph of the licensee or registrant and specific identification information for the person to whom the credential is issued. The information shall include:~~

- ~~(a) License or registration number;~~
- ~~(b) Name; and~~
- ~~(c) Access code.~~

(RESERVED)

(3) The credential format shall be in a shape and legibility that will enhance surveillance capability and visual acuity. **The final design shall be subject to approval by the IEB. The credential shall include, at a minimum:**

- (a) A unique number or code identifying the employee (e.g.- gaming service employee registration number);**
- (b) Employee's name; and**
- (c) Access code letter in accordance with 205 CMR 138.15(1).**

(4) Notwithstanding 205 CMR 138.15(1), the Director of the IEB or his or her designee, may, upon written request by a gaming licensee, and upon a showing of good cause, exempt certain positions, titles, or persons from the requirements of 205 CMR 138.15(1).

(5) Commission employees, agents or contractors or employees of agencies authorized to conduct regulatory or regulatory related activities pursuant to M.G.L. c. 23K at a gaming establishment shall carry their agency credentials on their person at all times while engaged in the performance of their duties. Credentials may not be utilized for unofficial, social, or non-employment related access, purpose, or presence within any gaming establishment.

(6) A temporary credential shall only be issued by the security department if the following criteria are verified:

(a) The employee to whom the credential is to be issued is listed in the gaming licensee's current employee status report;

(b) The employee ~~holds a current license or registration issued~~ is properly licensed or registered in accordance with 205 CMR 134.00: *Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations*, as applicable;

(c) The employee is authorized by his or her supervisor to possess the specific credential to be working in the designated or restricted area authorized by such credential; and

(d) The employee has not been issued more than 12 temporary credentials within the preceding 12 month period from the issuance of the first temporary credential.

(7) The temporary credentials may be issued to an employee only for a 24 hour period and shall contain the following information:

(a) A prominent space to allow the insertion of the name of the specific employee to whom it is issued;

(b) The date and time of issuance by the security department;

(c) Name and credential number of issuing security officer;

(d) The conspicuous notation that the credential is "VOID AFTER 24 HOURS"; and

(e) A sequential number reflecting the number of temporary credentials issued at that gaming establishment that is to be recorded in both an onsite IEB and security department bound log book or database.

(8) The IEB shall approve the design of the temporary credentials. The gaming licensee's security department shall secure the temporary credentials until needed for issuance in compliance with 205 CMR 138.15(7). The security department shall provide a monthly report to the IEB identifying the number, names, departments and frequency of temporary credentials issued as well as any missing, stolen, destroyed, or replaced credentials. The IEB may require additional information regarding any credential issuance or utilization and the gaming licensee shall provide all such information in a timely fashion.